



TOWN OF HINGHAM PLANNING BOARD

Site Plan Review-Notice of Decision

Applicant: Mad River Realty Trust **Certified Mail #7017 3380 0000 3425 9675**

Premises: 74 Abington Street
Hingham, MA 02043

Date: September 27, 2019



Summary of Proceedings

In accordance with Section I-H of the Zoning By-law the Hingham Planning Board conducted Site Plan Review in association with a Building Permit for a one story mixed use building and associated site improvements on property known as 74 Abington Street, zoned Industrial Park and South Hingham Overlay District. Planning Board members William Ramsey, Kevin Ellis, Judith Sneath, Gordon Carr and Gary Tondorf-Dick sat on the panel for the application. John Chessia, Chessia Consulting, completed the peer review for the Board on this matter. The Applicant was represented by Attorney Walter Sullivan, Al Loomis of McKenzie Engineering, and Chris Julian, owner. The hearing opened on July 22, 2019, was continued to August 19, 2019 and then to September 23, 2019 at which time it was acted upon.

Background

In 2008 the Planning Board approved a 15,000 s.f building on this property (7,500 s.f Business Office/Sales showroom and 7,500 s.f. of Warehouse/Industrial) on this site and that approval expired. In 2015 the Planning Board approved a 3,200 s.f. building and associated site improvements for Julian Crane for an industrial mixed use (office and warehouse) building with some outside storage of scaffolding and equipment. The Applicant proceeded with construction but did not adhere to the approved plans completely. The Applicant also allowed the approval to expire and proceeded to occupy the site and building without the benefit of final inspections or a Certificate of Occupancy. The Applicant, in response to violations from the Building Commissioner submitted this application to reactive the approval, secure approval for the modified site design, and move towards a final Certificate of Occupancy.

The Planning Board reviewed the peer review engineer's comments and the response to the comments from Al Loomis, the engineer for the Applicant. The Board discussed the drainage and landscaping in depth. The Board also required an enclosure for the

dumpster in the new location. There were no questions or comments from the public on this matter. The Board then reviewed the Site Plan Review criteria and made the following findings:

- a. *protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting.*

The Board found that no new lighting is proposed. They found that some plantings exist and additional plantings are proposed, and that this is an industrial use. The Board also found that a guardrail is now proposed to keep the storage items within the storage area.

- b. *convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;*

The Board found that the internal driveway between the storage area and paved area has been eliminated. The Board also found that the dumpster is proposed to be relocated out of the parking area for a more efficient site layout.

- c. *adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;*

The Board made no findings.

- d. *adequacy of open space and setbacks, including adequacy of landscaping of such areas;*

The Board found that the applicant has proposed additional landscaping during this process. The landscaping should provide a good screening effect over time.

- e. *adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site*

The Board found that the Dumpster is shown on the plans to be relocated. The dumpster is proposed to be in an enclosed area to protect against excess rubbish and wildlife.

- f. *prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;*

The Board found that the storm water basin was originally approved with a landscape plan that was agreed upon with the Conservation Commission as it is in a resource area. When the planner and conservation agent inspected the site originally the wetland plantings had been installed per plan. Mr. Chessia notes that at this time the wetland plantings are no longer in place and have not been maintained. To modify the landscape plan here requires Conservation Commission action as Planning Board accepted their approval.

- g. assurance of positive storm water drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and storm water pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Storm Water Management Policy and Standards, and Massachusetts Erosion and Sediment Control Guidelines.*

The Board found that the project was reviewed by Chessia Consulting who identified remaining questions regarding the drainage assumptions in the letter dated September 17, 2019. Additional revisions to the model are needed to fully meet the Storm water Standards. There are some areas of the site showing erosion. These areas should be stabilized as part of the finish construction work.

- h. protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;*

The Board made no findings.

- i. minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.*

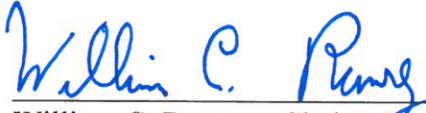
The Board found that this is an industrial building in a mixed use area.

The Board then moved, seconded and so voted to APPROVE the application for Site Plan Review for Mad River Realty Trust as presented and as shown on the plans "Site Development Plan 74 Abington Street (Assessor's map 211, Lot 6) Hingham, Massachusetts", dated June 5, 2019, revised 9/4/19, prepared by McKenzie Engineering Group, 10 Sheets, based on the findings and subject to the following conditions:

1. Motor vehicles shall not be stored or parked in the storage area unless the applicant modifies the decision and plan.
2. The Applicant shall enclose the dumpster with a modest enclosure to protect against excess rubbish and wildlife.

3. The Applicant must restore the plantings in the storm water basin to be compliant with the Conservation Commission decision.
4. The Applicant shall revise the drainage design to comply with the storm water standards and the revised design shall be reviewed at the expense of the applicant.
5. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing is required.
6. Inspections are required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction and the approved drainage and storm water system installed for the project. Inspections by the peer review engineer shall be at the expense of the applicant.
7. Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. The as-built plan must demonstrate substantial conformance with the storm water system design and performance standards of the approved project plans.
8. Reports on the maintenance of the subsurface units shall be provided to the Planning staff.
9. The Applicant shall add a downspout to the northwest corner of the building to discharge to the asphalt.
10. The Applicant shall work with Mr. Chessia to reconcile the time of concentration for watershed areas 1S, 2Sa and 3S. Subareas should discharge to a common control point.

For the Hingham Planning Board



William C. Ramsey, Chairman

cc: McKenzie Engineering; Conservation; BOH; Building; Town Clerk; J. Chessia; W. Sullivan.