



TOWN OF HINGHAM
PLANNING BOARD

Site Plan Review-Notice of Decision

Certified Mail #7016 3010 0000 2614 4922

Applicant: 175 Derby Street Condominium Association

Premises: 175 Derby 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 site improvements including repaving of the parking lot, reconstruction of walk ways and landings and associated accessibility improvements on property known as 175 Derby Street. Planning Board members William Ramsey, Judith Sneath, Kevin Ellis, Gordon Carr, and Gary Tondorf-Dick served on the panel and Pat Brennan of Amory Engineering completed the peer review for the project. The applicant was represented by Attorney Scott Golding and Al Trakemis, Sitec Engineering.

Background

The application was submitted in response to a stop work order from the Building Department. The applicant requested a waiver of site plan review but the Planning Board determined that site plan review was required. The application was opened at the meeting of September 9, 2019 and continued to the meeting of September 23, 2019. Peer review engineer Pat Brennan reviewed the project and conducted a site visit. Concerns regarding the building entries and accessibility were the largest point of discussion for this project and ultimately the applicant contracted with Deborah Ryan & Associates to help ensure their design was compliant with all applicable codes. At the hearing the Board asked questions regarding the building entries and the concerns that had been expressed by some of the tenants of the site. During the discussions at the hearings it became evident that the applicant team had been working to address the identified concerns of both the abutters and the Building Commissioner. After a brief discussion the Board heard public comment and 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.

- 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 applicant has retained Deborah Ryan & Associates to review the proposed site plan relative to compliance with the Architectural Access Board requirements, which this project triggers.

- 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 found that parking on site is being reduced to 311 spaces where 318 exist. This site is over parked but it is an existing condition and at this time the pavement is simply being improved.

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

The Board made no findings.

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

The Board made no findings.

- 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 made no findings.

- 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 has been peer reviewed by Pat Brennan, Amory Engineers who notes that the O&M plan and Erosion Control Plans dated 9/16/19 are appropriate as designed, and that the O&M Plan should be followed by the condominium association moving forward. The majority of the site is currently stabilized. The September 9, 2019 letter from Pat Brennan states that the proposed work will not have any negative effects due to drainage or erosion control and that with the installation of gas trap hoods in all catch basins the storm water runoff quality will be improved. There is not increase in impervious areas under the proposed conditions.

- 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 existing commercial site improving the paving, sidewalks and building entries.

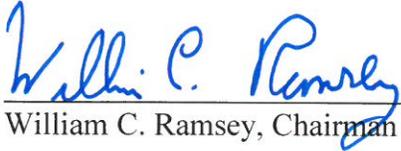
The Board then moved, seconded and so voted to Waive the Site Plan Review submittal requirements beyond what has been provided or conditioned to be provided, finding that the Board has the material required to review the project.

The Board then moved, seconded and so voted to Approve Site Plan Review for 175 Derby Street for the repaving of the parking lot and the improvements to the walkways and landings as shown on the materials submitted and based upon the presentations at the hearings, based on the findings, with the waivers, and subject to the following conditions:

1. The Applicant must work as agreed upon with the Building Commissioner and Deborah Ryan & Associates and comply with all applicable codes and requirements.
2. The Operations & maintenance plan must be implemented on an ongoing basis.
3. Gas hoods must be installed in all catch basins prior to CO.
4. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing is required.
5. 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.

6. 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.

For the Hingham Planning Board,



William C. Ramsey, Chairman

cc: A. Trakemis; Building; Town Clerk; P. Brennan; S. Golding; J. Tocchio.