

TOWN OF HINGHAM
PLANNING BOARD



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NOTICE OF DECISION

Site Plan Review

- Applicant:** 185-193 Lincoln Street LLC and Six Crow Point Realty LLC
- Project Site:** 185-193 Lincoln Street & 6 Crow Point Lane
Hingham, MA
- Plan References:** "SITE PLAN SET TO ACCOMPANY SITE PLAN REVIEW AND SPECIAL PERMIT A3 APPLICATIONS 185-193 LINCOLN STREET AND 6 CROW POINT LANE HINGHAM, MA 02043" dated 5/28/20, revised to 7/22/20, prepared for 185-193 Lincoln Street LLC, 45 Braintree Hill Park, Suite 203, Braintree, MA 02184, prepared by Cavanaro Consulting, 4 sheets.

PROCEEDINGS

The application package was filed with the Planning Board on May 22, 2020 by **185-193 Lincoln Street LLC and Six Crow Point Realty LLC.**, seeking Site Plan Review Approval, under Sections I-G and I-I of the Zoning By-Law, and a Special Permit A3 parking determination, and such other relief as necessary, in order to reconfigure and improve the existing parking and circulation within and between the properties at **185-193 Lincoln Street, Hingham** and **6 Crow Point Lane, Hingham** (the "Property"). The application for Special Permit A3 is intended to modify, and supersede, a Special Permit A2, issued on December 15, 1999, under then-Section 4.18, as former Section 4.18 no longer exists within the Schedule of Uses and has been replaced by a Special Permit A3 parking determination under Section V-A. The properties are located in the Business B Zoning District.

Pursuant to (1) the Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law and applicable provisions of the Open Meeting Law found at 940 CMR 29 et seq., the public meetings of the Planning Board were conducted by remote participation and (2) pursuant to Section 17 of Chapter 53 of the Acts of 2020 opening of the review of the Application was continued by the Board, all as follows: June 15, 2020 (hearing opened); hearing continued to July 13, 2020 and continued to July 27, 2020 at which point the board acted on the project. Board members on the panel were Gary Tondorf-Dick, Kevin Ellis, Gordon Carr and Judith Sneath. The Application was presented by Jeffrey Tocchio, DTM, and John Cavanaro, Cavanaro Consulting. The project was peer reviewed by Pat Brennan, Amory Engineers, and Jeffrey Dirk, Vanasse and Associates.

BACKGROUND AND DISCUSSION

Mr. Tocchio and Mr. Cavanaro explained to the Board that these properties, which are developed with parking and commercial uses, are now in the same ownership. As such, the owners wish to modify the conditions of the liquor license with the Board of Selectmen. At the same time they are requesting modifications to the Site to make the parking more efficient and increase the quantity of parking from 71 spaces to 91 spaces. In addition, the application for Special Permit A3 is intended to modify, and supersede, a Special Permit A2, issued on December 15, 1999, under then-Section 4.18, as former Section 4.18 no longer exists within the Schedule of Uses and has been replaced by a Special Permit A3 parking determination under Section V-A.

The Board reviewed the site design, circulation, drainage and proposed construction in great detail. The Board acknowledged that the proposal was a net improvement overall from existing conditions and noted that the existing site was not the best layout. Pat Brennan reviewed the site drainage and said that the post development volume and rate of runoff will be the same as the predevelopment conditions. He reviewed the erosion control plan in conjunction with the Conservation Agent and the Applicant revised the plan as requested. Mr. Dirk reviewed his analysis of the parking and circulation and identified the site constraints and challenges. The board then reviewed his comments and recommendations individually to identify ways to mitigate the concerns raised. The Board then made findings for Site Plan Review as follows:

FINDINGS - SITE PLAN REVIEW

Based on the information submitted and presented during the hearing, and subject to satisfaction of the conditions set forth below, the Board made the following findings under Section I-I, 6 of the By-Law:

- 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 this is the redevelopment of an existing parking lot shared by two properties. The parking and drainage is being improved and then the lot will be re-stripped. No additional lighting has been 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 driveway openings are not being changed. The parking and driveway aisles are being reconfigured slightly to provide better efficiencies and is overall an improvement to the existing conditions and configuration.

- 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 100 spaces are required and applicant has requested a 10% reduction to require 90 spaces. The Board requested the elimination of 4 more spaces at the north of the site to eliminate the dead end parking and 1 space was eliminated to the west of 6 Crow Point Lane. 86 spaces to be provided.

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

The Board found that this is the redevelopment of an existing site. In working with the conservation department additional green area and improvements are being made as possible in this constrained area.

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

The Board found that this is not applicable for construction, and dumpsters exist on site.

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 Conservation Commission has determined this modification to the approved plans can be handled as a field change by Conservation staff.

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 peer reviewed by Amory Engineers. The peer review letter of July 2, 2020 indicates that the post development volume and rate of runoff will be the same as the predevelopment conditions. This project is a redevelopment. The entire site does not achieve 80% TSS removal, but as a redevelopment project the applicant needs to show they have made improvements to the greatest extent practicable. The plans show an infiltration trench and the installation of hoods in all but two of the basins and in the opinion of the peer review engineer they have demonstrated improvement to existing conditions to the greatest extent practicable. The existing catch basins do not have gas trap hoods and scour protection may be needed for the two catchbasins in the northwest part of the site. Snow should not be stored in wetland resource areas as it may have dirt or other contaminants in it.

h. *assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls*

at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of stormwater controls at consistent intervals;

The Board found that this project has a construction and long term O&M plan which has been reviewed by the peer review engineer and edited with recommendations from staff. The Applicant is working closely with Conservation also as this site has resource areas and drains to resource areas. Overall this project is a net improvement as possible on a constrained site.

- i. 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 found this not applicable.

- j. 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 not applicable.

WAIVERS

The Board discussed the following waiver and made findings:

1. Request for partial waiver of Section I-I.4 (A, C, D, E, F, G, H, I) submittal requirements.

Finding: the material as submitted is sufficient to review the project as proposed.

After discussion Kevin Ellis made the motion to grant the request for a partial waiver of the site plan review submittal requirements. Gary Tondorf-Dick seconded the motion and Board members Sneath, Ellis, Carr and Tondorf-Dick voted in favor. The Motion passed 4-0.

VOTE AND CONDITIONS

Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted 4-0 to APPROVE Site Plan Review for “**185-193 Lincoln Street LLC and Six Crow Point Realty LLC**” as shown on “SITE PLAN SET TO ACCOMPANY SITE PLAN REVIEW AND SPECIAL PERMIT A3 APPLICATIONS 185-193 LINCOLN STREET AND 6 CROW POINT LANE HINGHAM, MA 02043” dated 5/28/20, revised to 7/22/20, prepared for 185-193 Lincoln Street LLC, 45 Braintree Hill Park, Suite 203, Braintree, MA 02184, prepared by Cavanaro Consulting, 4 sheets, as presented at the hearings, with the findings and the waiver, and subject to the following conditions:

1. No Parking Signs shall be installed along the north side of the building.
2. Parking spaces to the north and south of 6 Crow Point lane shall be shifted to the west a minimum of 3’ and more as feasible.
3. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required. The preconstruction meeting shall include the Police Chief or his designee, the Director of Community Planning, the peer review engineer and the conservation agent at a minimum and will be coordinated by the Director of Community Planning.

4. Inspections shall be 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 stormwater system installed for the project.
5. 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. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.
6. Gas trap hoods must be installed in all existing catchbasins with discharge pipes.
7. Applicant shall coordinate scour protection with Conservation, if needed, for the two catchbasins in the northwest part of the site.
8. The O&M plan for the site shall be updated to include the "Snow Plowing Operation and Maintenance Guide" that states that, in the event of a large snow event that exceeds snow storage on site, snow will be removed and hauled off site.
9. At the start of each winter season the applicant shall provide a copy of the "Snow Plowing Operation and Maintenance Guide" to the snow plowing contractor.



Gary Tondorf-Dick, Clerk
Hingham Planning Board

EXECUTED this 13th day of August, 2020

Votes:

In favor: Carr, Tondorf-Dick, Sneath, Ellis

Opposed: none

Cc: Town Clerk, Conservation, Building, Jeff Tocchio, J. Cavanaro, J. Dirk, P. Brennan.