



TOWN OF HINGHAM
PLANNING BOARD

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NOTICE OF DECISION

Special Permit A3

- 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December 15, 1999, under then-Section 4.18, as former Section 4.18 no longer exists within the Schedule of Uses and has been replaced by a Special Permit A3 parking determination under Section V-A. The properties are located in the Business B Zoning District.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

WAIVERS

The Board discussed the following waivers and made findings:

- a. Section V-A.3 – TABLE OF PARKING DIMENSIONS to not require strict compliance with this section.
 - i. Finding: This is an existing site with shared parking between two lots which is being redeveloped. The redevelopment will result in slight design changes which overall move the parking and driveways closer in line to the existing requirements, but there are still some instances of deviations. This is a net improvement and it would be impractical to expect complete compliance for this redevelopment.
- b. Partial Waiver from V-A.4 Plan Requirements
 - i. Finding: The Applicant is complying with the Conservation Commission Order of Conditions and is complying with the tree planting requirements of the regulations so there is no need to show a landscape table. Overall the project is a net improvement as part of the redevelopment and as such this is a reasonable request.
- c. Waiver from V-A.5. (B, C, F, G, H, K, L, M, N) Design Standards to allow the redevelopment and improvement of the existing parking lot but not require strict compliance with current design standards.
 - i. This is a redevelopment of existing infrastructure and overall this is a net improvement.

After discussion the Kevin Ellis made a motion to grant the waivers as requested. Gordon Carr seconded the motion and board members Carr, Ellis, Sneath and Tondorf-Dick voted to approve the waivers.

The Board then made the following findings:

1. This application 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.

FINDINGS – SPECIAL PERMIT A3

- a) *The parking is sufficient in quantity to meet the needs of the proposed Project;*

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.

- b) *Pedestrian access and circulation has been provided for;*

The Board found that this is unchanged.

- c) *New driveways have been designed to maximize sightline distances to the greatest extent possible;*

The Board found that this is the redevelopment of the existing site. No changes to entrances or sight distances have been made.

- d) *It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings; and*

The Board found that this is the redevelopment of an existing parking area shared between two parcels and multiple owners. The overall reconfiguration of parking, drainage improvements, and re-striping is a net improvement to the existing conditions and a net benefit.

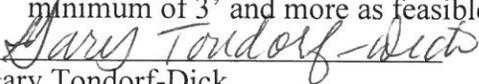
- e) *The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.*

The Board found that yes, the project improves existing conditions.

VOTE AND CONDITIONS

Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted 4-0 to Approve the Special Permit A3 Parking Determination 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, based on the findings, with the waivers, and subject to the following conditions:

1. The amended Parking Easement shall be executed and recorded, and a copy of the final parking easement as recorded shall be provided to the Planning Office prior to project completion.
2. Any changes to the parking infrastructure requires modification of this approval.
3. No Parking Signs shall be installed along the north side of the building.
4. 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.


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, Pat Brennan, Jeffrey Dirk.