

  
**TOWN OF HINGHAM**  
PLANNING BOARD



**NOTICE OF DECISION**

**Site Plan Review in Association with a Special Permit**

- Applicant:** Hingham Historical Society
- Project Site:** 181 North Street  
Hingham, MA
- Plan References:** “181 North Street-Hingham”, dated 9/2/2020 and revised to 10/27/2020, 1 sheet, prepared for the Hingham Historical Society, prepared by Cavanaro Consulting.

**PROCEEDINGS**

The Applicant is seeking Site Plan Review in Association with a Special Permit A2 with waivers 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 make site improvements and use the Benjamin Lincoln house as a museum, at 181 North Street, Hingham (the “Property”). The property is located in the Residence A 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 remotely. The application package was filed with the Planning Board on August 19, 2020. The hearing was opened on October 19, 2020 and continued to November 2, 2020 at which time the application was acted upon. Board members on the panel were Rita DaSilva, Kevin Ellis, Gordon Carr and Judith Sneath. Gary Tondorf-Dick was recused. Application was presented by Paula Bagger and Deidre Anderson from the Hingham Historical Society (HHS), Ben Wilcox, Wilcox Construction and John Cavanaro, Cavanaro Consulting. The project was peer reviewed by Pat Brennan, Amory Engineers.

**BACKGROUND AND DISCUSSION**

Mr. Cavanaro presented the project to the Board and explained that the Hingham Historical Society has now entered into a Purchase and Sale Agreement to acquire the Benjamin Lincoln House at 181 North Street. A condition associated with the Community Preservation Act

funding that this project received is a successful application for a special permit to allow the HHS to open the house as a museum.

Mr. Cavanaro explained that the short term projected operations were based on the model in place at the Old Ordinary. The model would include opening the house for docent led tours and limiting the number of visitors present on the property at any one time. The house would also be open to researchers and scholars by appointment as well as Society staff and volunteers engaged in collections care and management. Other uses anticipated on the site include a small office area for staff and volunteers when working on site, and, occasional small events which would be open to a limited number of participants. It is expected that the intensity of use at the site would remain low due to Covid-19 as well as the economic downturn. The Applicant noted that the full programming schedule and projected events has not been developed yet, it is simply the desire to secure approvals now to complete the purchase. The museum will be open year round as it is heated. The experience at Old Ordinary is that tours are capped at 12 people and they are typically not full. Each tour generates one or two vehicles and some groups walk to the site from Hingham Square. School tours are anticipated and they take place at Old Ordinary now in the fall or spring with a school bus dropping off and picking up the children. Entrance to the house will be through the rear entrance where there is adequate space for the outdoor assembly of visitors. A handicapped parking space and a ramp is being installed adjacent to the rear door also. Limited exterior lighting is proposed consistent with the residential scale of the property. The existing driveway is to be used for one way circulation. There will be three additional parking spaces installed adjacent to the Lincoln Street entrance to the site. The HHS has been working with the neighbors and are sensitive to their concerns. The Board reviewed the driveway and supported having the width increased to 12' at a minimum in keeping with the Bylaw. The Applicant stated that they were improving the turning radii at the entrance and exit to accommodate the fire truck and that this improvement would benefit all vehicular traffic accessing the site. The driveway is one way circulation and signage will be put in to clearly guide vehicles. The driveway will be surfaced with stone dust which will be easier to walk on than gravel, which the Board supported in an effort to facilitate pedestrian access, especially for those with limited mobility. This property has a preservation restriction on it and the thought was that stone dust was more in keeping with the historic character than asphalt would be, if paving was allowed under the restriction. The amount of physical alteration to the site is minor although it would be a slight increase in impervious surface. To mitigate any additional drainage the Applicant was asked to install 12" of gravel under the stone dust on the widened area of the driveway on the North Street side of the property.

The Board reviewed the site design and the relief needed for the project. Board members expressed concern about the lack of safe pedestrian access both to the site and from the street to the building. The Board expressed support for the project overall but noted that it is a change in use from residential to a museum, which is a public facility, so it is important to ensure the site functions safely for everyone. The Board stated that with the Old Ordinary and Fountain Square it is more likely that pedestrian traffic will increase in this area and as such it is important to have safe locations identified for crossings. The Board reviewed the proposed parking areas and asked what the basis was for providing 3 regular spaces and one handicapped space. The Applicant stated that they are not sure what the ultimate programming schedule or scope will be so for now they are modeling this site after the Old Ordinary. The HHS noted that having fundraising events will be critical to the success of the museum also. The Board explained how

challenging it was to determine the sufficiency of parking without knowing the scope or intensity of the proposed use. The Board asked where visitors would park for the fundraising events and how big they would be. The Board noted that there wouldn't be enough on-site parking for a large event and there is no traffic management plan or safe pedestrian access to facilitate safe access to the site so it is possible that police details would be necessary. The Applicant stated that a group of up to 16 people could access the site as there are 4 parking spaces, understanding that one space is a handicapped space. The three spaces by Lincoln Street require modest relief as designed, and those particular details will be handled under the Special Permit A3. 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 the exterior lighting will be upgraded and a post light will be added by Lincoln Street. The Historic Districts Commission (HDC) reviewed this project and discussed the lighting. The Applicant will be providing a cut sheet of the lighting fixture for the lamppost to the HDC. The HDC issued a Certificate of Appropriateness on Thursday October 15th.

- 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 existing. The fire prevention officer has reviewed and commented on the plans and indicated he is satisfied with the design, and in particular roadway width. The driveway material will be a permeable stone dust that is more conducive to pedestrian use and typical for historic properties. There is no crosswalk to access the site from downtown. The applicant proposes a one way traffic flow within the site and signage to indicate that.

- 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 a handicapped accessible space is being created by the building. Three more parking spaces are being added by the Lincoln Street entrance to the site. The driveway has been widened to at least 12'. A Special Permit A3 is needed for dimensional waivers on the parking spaces.

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

The Board found that this this is an existing site and no additional landscaping is proposed at this 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 actual amount of construction will be minor and should not generate large amounts of waste. Erosion controls are proposed and have been reviewed by Amory Engineering and have been found to be acceptable. No dumpster is proposed.

- 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 no adverse impacts are anticipated from this change of use and minor site improvements.

- 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 minor changes to the site are being made and there is not expected to be a major change in storm water drainage runoff or volume from the site. There is a change of some grass surface to gravel surface which will result in a small increase in runoff. The mitigation for the additional impervious surface shall be a 12" layer of crushed stone top dressed with stone dust. The widened portion of the driveway coming up from North Street could be constructed with crushed stone a foot deep which would act as an infiltration trench and should intercept most of the additional runoff.

- 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 storm water controls at consistent intervals;*

The Board found that minimal site disturbance is anticipated. Erosion controls are proposed to be on site if needed.

- 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 that no trees are being removed and scenic views are not being obstructed. The historic appearance of the site is not being altered.

- 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 project does not change the character of the site.

### **WAIVERS**

The Applicant requested waivers of site plan submittal requirements e, f, g, h, I, and j. After discussion, with a motion made by Kevin Ellis, seconded by Gordon Carr, the Board voted to approve the waivers of the site plan review submittal requirements as requested with Board members DaSilva, Sneath, Ellis and Carr in favor, no opposed, and Board Member Tondorf-Dick recused.

### **VOTE AND CONDITIONS**

Upon a motion made by Kevin Ellis and seconded by Judy Sneath, with Board members DaSilva, Sneath, Ellis and Carr in favor, no opposed, and Tondorf-Dick recused, the Planning Board voted to Approve Site Plan Review for the Hingham Historical Society as shown on the plan titled "181 North Street-Hingham", dated 9/2/2020 and revised to 10/27/2020, 1 sheet, prepared for the Hingham Historical Society, prepared by Cavanaro Consulting, as presented at the hearings, with the findings and subject to the following conditions:

1. The site plan shall be revised to specify the proposed surface treatment of the driveway.
2. A driveway crossection shall be added to the plan.
3. A street opening permit is required for the work in the public way.
4. A Special Permit A3 is required.
5. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required as a condition of approval for all projects. The preconstruction meeting shall include the Police Chief or his designee, the Director of Community Planning, and the DPW superintendent or his designee at a minimum and will be coordinated by the Director of Community Planning.
6. 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 storm water system installed for the project.
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. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the storm water system design and performance standards of the approved project plans.

8. The widened portion of the driveway coming up from North Street shall be constructed with crushed stone a foot deep which will act as an infiltration trench.



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Kevin Ellis, Chairman  
Hingham Planning Board

EXECUTED this 4<sup>th</sup> day of December, 2020

Votes:

In favor: Carr, Sneath, Ellis, DaSilva

Opposed: none

Recused: Tondorf-Dick

Cc: Town Clerk, Building, ZBA, J. Cavanaro, P. Brennan, DPW, Historic Districts Commission.