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Hingham, MA



**TOWN OF HINGHAM PLANNING BOARD
210 CENTRAL STREET
HINGHAM, MA 02043**

For instruction on how to complete, please see the Planning Board Regulations Relative to the Issuance of Special Permits and Site Plan Review, available at www.hingham-ma.com or at the Planning Board Office

APPLICATION FOR SPECIAL PERMIT A-3

DATE 11/14/2022

Parking Determination

Parking Waiver

Flexible Residential Development

The undersigned hereby petitions the Hingham Planning Board for a Special Permit A-3.

Subject Property 55 South Street Zoning District _____

Petitioner's Name: Charlene and Steven Levi

Petitioner's Address: 34 Bel Air Rd

Hingham, MA

Brief Description of Work:

Request to modify existing parking permit for 55 South Street known as the Lincoln building for the residential apartments on the second and third floor.

Ownership and Contact Information

The undersigned is the owner of the subject property, or _____ the holder of a written option to purchase the subject property, or _____ the holder of a valid lease to the subject property. (In this last instance written authorization from the property owner must be submitted with the other application documents.)

Record title to the subject property stands in the name(s) RSL Real Estate

Address of owner of record 39 Bel Air Road
Hyden MA 02043

Title Reference:

(Unregistered land) Plymouth County Registry of Deeds, Book _____, Page _____
(Registered land) Land Court Certificate of Title No. _____, Book _____, Page _____

State briefly what is currently on the premises: Lincoln Building
Mixed Use: Commercial space 1st floor
2nd floor: 4, 1 bedroom Apts
3rd floor: 2, 2 bedroom Apts.

Attorney, agent, or other representative acting for petitioner:

Name Charlene Levi Address 39 Bel Air, Hyden

Name _____ Address _____

Written evidence of agent's standing to represent petitioner may be requested.

Signed as a statement of fact under the pains and penalties of perjury, this 11 day of November, 2022

SIGNATURE Charlene Levi

PRINT Charlene Levi

Address 39 Bel Air Rd Hyden MA 02043

Tel. No. 781-789-2671 Email: CFlynn + Kereb@gmail.com



**Hingham Planning Board
APPLICATION FOR SITE PLAN APPROVAL**

In association with: (check all that apply)

- Major Site Plan (Zoning By-Laws Section I-I.2.a.) Minor Site Plan (Zoning By-Laws Section I-I.2.b.)

COVER SHEET

Application Date: 11/14/2022

Applicant*: Charlene & Levern Levi
(*Record owner; if not record owner (e.g. purchaser, tenant), record owner must consent to application)

Project Address: 55 South Street

Assessor Map/Lot(s): _____

Zoning District(s): _____

Title Reference (Book/Page or Certificate of Title): _____

APPLICANT CONTACT INFORMATION

Name/Title: Charlene Levi Owner

Phone: 781-789-2671

Email: CFlynn.Hicks@gmail.com

Address: 39 Bel Air Rd, Hingham

CONTACT INFORMATION OF AUTHORIZED AGENT

(if different from Applicant – e.g. Attorney, Engineer, Contractor)

Name/Title: _____

Phone: _____

Email: _____

Address: _____

SIGNATURES

APPLICANT OR AUTHORIZED AGENT:

[Signature]

Name:

RECORD OWNER (if not Applicant):

Name:

SITE PLAN REVIEW APPLICATION CHECKLIST

<input checked="" type="checkbox"/>	Application Cover Sheet	
<input type="checkbox"/>	Check for application fee (Note: Fees are listed on the Planning Board's page of the Town's website and can be accessed by clicking the link below.): Fee Schedule	Check should be made payable to the Town of Hingham and hand delivered or mailed to: Attn: Planning Board 210 Central Street Hingham, MA 02043
<input type="checkbox"/>	Attachment 1	A completed and initialed copy of this Checklist
<input type="checkbox"/>	Attachment 2	Contact List (include a separate sheet with name, email and phone #s of all applicable Applicant representatives involved in design or presentation of project, such as engineers, landscape architects, counsel)
<input type="checkbox"/>	Attachment 3	Submittal Requirements Checklist Together with the Submittal Requirements set forth in Zoning By-Laws Section I-I.5. (*per subsection (k) additional submissions may be required upon review of application)
<input type="checkbox"/>	Attachment 4	Brief Written Description of the Project (Note: Be sure to include the following if applicable): 1. The site plan review criteria your project meets under the Zoning By-Laws Section I-I.2. 2. The number of square feet of land disturbance or alternation of drainage patterns under the Zoning By-Law Section I-I.2.a (Major Site Plan) or Section I-I.2.b (Minor Site Plan); 3. Specific exemption(s) under Section I-I.3. of the Zoning By-Laws you are requesting)
<input type="checkbox"/>	Attachment 5	Narrative description of how the Project will satisfy the Design and Performance Standards in Section I-I.6. and Approval Criteria in I-I.7
<input type="checkbox"/>	Attachment 6	List of Supplemental Materials, if applicable (if materials are provided in addition to the Submittal Requirements, provide a list of those materials and relevance to project).

***An Application will not be considered complete and review may be delayed if all required submissions are not included.**

Applicant is responsible for compliance with all provisions of the Zoning Bylaw governing Site Plan Review applicable to its project.

NOTE: If, in accordance with Section I-G, peer review is required of any portion of the Site Plan submissions you will be notified by Planning Department staff of the amount of peer review funds required to be deposited with the Town and the delivery deadline for receipt of such funds. If peer review funds are not timely delivered, the period of review may be extended.

Applicant acknowledges that it will be responsible for peer review fees (if applicable) in accordance with Section I-G of the Zoning Bylaw

Initials (required) _____

SUBMITTAL REQUIREMENTS CHECKLIST

Please provide to the Planning Board office two (2) hard copies and an electronic file of the Site Plan and submittal materials.

Section I-1.5 "Upon written request of the applicant, the Planning Board may waive any of the submittal requirements deemed by the Planning Board to be not necessary for its review of the application."

NOTE REGARDING WAIVER REQUESTS: *If any submittal waivers are requested, Applicant must submit a separate page entitled "Submittal Requirements Waiver Request" specifically identifying the waiver requested (by subsection and description) and the reason the Applicant believes it is not necessary for review of the Application. If Applicant is notified by Planning Department staff that submission will be necessary, the Applicant will be advised to submit such materials for review. If the Applicant elects not to submit such materials, and the request for such waiver is denied, review of the Application may be extended if such materials are required for the Planning Board to act.*

Waiver Requested

<input type="checkbox"/>	a.	Existing conditions and locus plan; diagram and statement of the ownership, area, dimensions, boundaries and principal elevations of the subject property; location of structures, other site improvements and conditions, and wetland resources within 100 feet of property line;
<input type="checkbox"/>	b.	Site layout plan showing the scaled and dimensioned location and footprint of existing and proposed buildings and structures, traffic circulation, access and egress drives, parking, fences, walls, walks, outdoor lighting, loading facilities, refuse facilities, and areas for snow storage, and applicable zoning setback lines;
<input type="checkbox"/>	c.	Architectural plans, if applicable, including building elevations and floor layouts;
<input type="checkbox"/>	d.	Detail sheets if applicable, including profile and representative cross sections of proposed driveways and parking areas;
<input type="checkbox"/>	e.	Zoning analysis of compliance with all relevant dimensional provisions of this By-Law, including parking requirements;
<input type="checkbox"/>	f.	Utility plan, which shall include all facilities for wastewater disposal and location of fire hydrants;
<input type="checkbox"/>	g.	Landscape plan, which shall include the following: (i) the location, general type and quality of existing vegetation, wooded areas, and other landscape features such as earth berms, walls, fences, and other hardscape, and (ii) the location of proposed plantings, including schedule with botanical and common name, quantity, and size of all proposed landscape material, and proposed earth berms, walls, fences, and other hardscape.
<input type="checkbox"/>	h.	Tree Protection and Mitigation Plan for Protected Trees, which shall include: (i) A tree protection plan which shall include the following information; provided, that the tree protection plan may be combined with the landscape plan (in subsection g) provided that all Protected Trees can be clearly identified; otherwise, a separate tree protection plan shall be required at such scale as is necessary to identify all Protected Trees. (A) The location, height, species, and Critical Root Zone of all existing Protected Trees, including Significant Trees, and all Protected Trees, including Significant Trees, that were removed within twelve (12) months prior to application for any demolition permit, building permit or other application for zoning approval or relief, with an indication of those Protected Trees to be removed and those to be retained, as applicable; (B) The location, caliper, species, and planting schedule of trees to be replanted to mitigate the removal of any Protected Tree(s), if applicable; and (C) For any Single-Family Dwelling lots or Two-Family Dwelling lots, the tree protection plan shall also show the Tree Yard.

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		(ii) A narrative maintenance plan for the protection of the Critical Root Zone for all Protected Trees that are within an area of the site to be disturbed during construction.
<input type="checkbox"/>	i.	Grading and drainage plan, which shall include existing and proposed topography at 1-foot intervals, spot grades where applicable, drainage analysis; stormwater improvements, calculated area of disturbance, cut and fill analysis, and erosion controls;
<input type="checkbox"/>	j.	A construction schedule and construction traffic management plan that shall include the proposed travel route for construction vehicles and material deliveries, the location of parking for construction workers, and measures that will be undertaken to reduce construction related traffic; and
<input type="checkbox"/>	k.	such other materials necessary to enable the Planning Board to make a positive determination on the proposed project, including, without limitation, any information required under subsection j below if necessary; and
<input type="checkbox"/>	l.	<p>Major Site Plans shall require the following additional submissions:</p> <p>(i) Analysis of compliance of the construction activities and the proposed project with the most current versions of the Massachusetts Department of Environmental Protection Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system, and an Operations and Management Plan for both the construction activities and ongoing post-construction maintenance and reporting requirements;</p> <p>(ii) Site Lighting Plan showing the location, height, photometric, orientation, and specifications for all outdoor site lighting, including information on the intensity and range of illumination for each source of light proposed with low cutoff dark sky compliant lighting fixtures and no overspill onto adjoining properties greater than 0.25 foot candle; and</p> <p>(iii) Transportation Impact Assessment (TIA) detailing the expected impact of the development on transportation infrastructure. For proposed development and/or redevelopment in excess of 25,000 gross square feet or generating more than 100 vehicle trips in any one hour as determined using the latest edition of Trip Generation published by the Institute of Transportation Engineers for the appropriate land use(s), the required TIA shall substantially conform to the Institute of Transportation Engineers' "Traffic Access and Impact Studies for Site Development: A Recommended Practice," latest edition and the Massachusetts Department of Transportation's (MassDOT's) Transportation Impact Assessment (TIA) Guidelines. In addition, the applicant shall submit a Transportation Demand Management (TDM) plan as part of the TIA.</p>

DESIGN AND PERFORMANCE STANDARDS

Provide a brief narrative description under each of the following Design and Performance Standards of how the Project will satisfy each Standard (see Section I-1.6 for Approval Criteria and Section I-1.7 for Design and Performance Standards). If you believe any of the Criteria are not applicable to the project, explain why it is not applicable.

a. *Land Disturbance*

Site/building design shall minimize land disturbance to natural topography to preserve natural drainage patterns on the site.

b. *Site Design*

Placement of buildings, structures, or parking facilities shall not detract from the site's scenic qualities and shall blend with the natural landscape.

c. *Character and Scale of Buildings*

The design of the project shall minimize unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on, or approved for, the site.

d. *Preservation of Existing Vegetation, including Protected Trees, and mitigation priority shall be given to the preservation of existing stands of trees, trees at site perimeter, and contiguous vegetation with adjacent sites, as follows:*

(i) The landscape shall be preserved in its natural state insofar as practical by minimizing removal of Significant Trees. Every effort shall be made through the design, layout, and construction of any project to save as many Significant Trees as possible.

(ii) For each inch of Diameter at Breast Height (DBH) of the Protected Tree(s) removed no less than one-half (0.5) inch of caliper of new, noninvasive species of tree(s) shall be replanted. Each new tree must have a minimum caliper of three (3) inches. If the Protected Tree to be removed is an overstory tree species (being a tree with a typical mature height of over forty (40) feet), the replacement tree(s) shall be an overstory tree species.

(iii) Clearing of other vegetation and alteration of topography shall be replicated with native vegetation planted in disturbed areas as needed to enhance or restore wildlife habitat, if any.

e. *Limit of Clearing*

Development envelopes for structures, driveways, wastewater disposal, lawn and landscape areas, and utility work shall be designated to limit clearing and grading.

f. *Finished Grade*

Finished grades should be limited to no greater than a 3:1 slope wherever possible, while preserving, matching, or blending with the natural contours of the land to the greatest extent possible. Where the finished grade will be greater than 3:1, the slope shall be protected with erosion control blankets or comparable slope stabilization practices to protect the slope from erosion until it is stabilized. Finished grade shall be no higher than the trunk flare(s) of Protected Trees to be retained.

g. Stormwater Management

The proposed project shall include adequate provisions or measures to prevent pollution of surface or groundwater, minimize erosion and sedimentation, prevent changes in groundwater levels, increased run-off, and potential for flooding, and minimize adverse impacts to neighboring properties by flooding from excessive run-off.

(i) The applicant shall demonstrate compliance with the Massachusetts Stormwater Management Standards, the Massachusetts Stormwater Handbook, Massachusetts Erosion Sediment and Control Guidelines, and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system to ensure that the peak rate and total volume of surface water run-off from the site shall not be increased nor degraded in quality after construction.

(ii) Sustainable low impact design and environmentally responsible green infrastructure improvements shall be incorporated wherever feasible.

h. Utilities

The proposed development shall be adequately served by public or private wastewater collection and treatment systems; public water system or private well; electrical distribution, telephone, cable, and fire alarm systems and may be served by a natural gas distribution system. All electrical distribution, telephone, cable, and fire alarm systems shall be installed underground.

i. Pedestrian and Vehicular Access; Traffic Management

The proposed development and/or redevelopment shall be designed with a forecast for the next seven years from the time of application to (i) minimize hazards to public health and safety as a result of traffic; (ii) provide safe access and circulation to and within the site for expected vehicles, pedestrians, and emergency vehicles; (iii) provide off-site improvements, where required, to offset the predicted impact of the development on the transportation infrastructure; (iv) reduce the impact of the proposed development on the transportation infrastructure serving the area and the Town by incorporating transportation demand management strategies; and (v) minimize the impact on scenic roads, historic districts, natural resources, and community character. The development shall not degrade safety for pedestrians, bicyclists, transit riders, motor vehicle occupants, or property.

(i) Driveways. Each development shall be served by an adequate driveway.

(A) The Board may, in certain circumstances, allow additional driveways where the access is shared or the project has frontage on two separate streets. Notwithstanding the foregoing, when the Planning Board finds that it is required for public safety, at least two (2) means of access to public ways and/or adequate private ways, shall be required, one (1) of which, upon approval of the Planning Board, maybe restricted to emergency vehicle use.

(B) All driveways shall be designed to afford adequate sight distance to pedestrians, bicyclists, and motorists exiting to public ways. Improvements may be required on the public way to facilitate vehicular turning movements in or out of the site and allow for safe pedestrian access to adjoining sidewalks, paths, walking trails or bikeways.

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(C) *Driveways shall be limited to the minimum width for safe entering and exiting, and shall in no case exceed 24 feet in width unless waived by the Planning Board to accommodate truck traffic or additional travel lanes where required to facilitate safe and efficient circulation within the development. The location of driveway openings in relation to adjacent streets and driveways shall provide for the convenience and safety of vehicular, pedestrian, and bicycle movement within the site, and shall comply with the driveway spacing guidelines as identified in MassDOT's Project Development & Design Guidelines. The number of curb cuts on state and local roads shall be minimized.*

(ii) *Interior Circulation. The proposed development shall assure safe interior circulation within its site by providing separate accommodations for pedestrians, bicycles, and vehicular traffic.*

(iii) *Sight Distance. Acceptable sight distance shall be provided and maintained at all driveways and intersections affected by the Development. At a minimum, these site distances shall meet the stricter of the MassDOT or the American Association of State Highway Transportation Officials (AASHTO) standards for safe-stopping sight distance (SSD) and for intersection sight distance (ISD) where exiting traffic may degrade the performance of the intersecting roadway. Determination of required sight distance shall be based on the higher of: a) the measured 85th percentile vehicle travel speed along the intersecting roadway approaching the driveway or intersection; or b) the regulatory (posted) or statutory speed limit. Where necessary, the required sight distance shall be adjusted to account for the grade of the intersecting roadway, the number of travel lanes to be crossed or design vehicle, following AASHTO guidelines.*

(iv) *Traffic Calming Features. Traffic calming measures such as raised crosswalks, raised intersections, curblin extensions, speed humps, rumble strips, sign/pavement marking treatments and/or landscaped islands may be required.*

j. *Lighting*

The proposed development shall not produce lighting so as to unreasonably interfere with the use and enjoyment of property within the Town. Lighting practices and systems shall: reduce light pollution, light trespass and glare in order to preserve and enhance the natural, scenic, and aesthetic qualities of the Town; conserve energy and decrease lighting cost without decreasing night-time safety, security, and productivity; and preserve the night sky as a natural resource to enhance nighttime enjoyment of property within the Town.

(i) *Shielding. All outdoor light fixtures shall be shielded so as to meet the goals of this section.*

(ii) *Light Trespass. Direct light from the light source is to be confined within the property boundaries and shall not cause overspill on adjacent property or into the night sky. Light trespass shall be limited to 0.25 foot-candles at the property line.*

(iii) *Height of Fixtures. Luminaires attached to a building for area lighting shall be mounted no higher than fifteen (15) feet above grade. Pole mounted exterior lighting fixture types shall be mounted no higher than twenty (20) feet above grade.*

