

Proposed by the Planning Board

Amend Zoning By-Law re: Sections I and IV

PROPOSED ARTICLE: Will the Town amend the Zoning By-law of the Town of Hingham, adopted March 10, 1941, as heretofore amended as follows:

Item 1: By amending Section I-I.a by deleting "I-I.6" and inserting "I-I.4" from the first sentence;

Item 2: By amending Section I-I.b by deleting the first word "in" and inserting "In";

Item 3: By amending Section IV-B.6.b. to change "20,000" to "5,000";

Item 4: By amending Section IV-B.6.b. to change "2500" to "1000";

or act on anything related thereto?

a. Upon written request of the applicant, the Planning Board may waive any of the submittal requirements set forth in Section ~~I-I.6I-I.4~~ deemed by the Planning Board to be not necessary for its review of the application. In addition, the Planning Board may waive other such requirements of this Section I-I, including the requirement for a public hearing, where the Planning Board determines that the project constitutes a minor site plan.

b. ~~In~~ order to constitute a minor site plan, the proposed work must be limited to (i) interior renovations to a building or structure that do not include a change of use or parking demand for which a Special Permit A2 or A3 is required and/or (ii) modifications to the site which, in the Planning Board's determination, do not materially or adversely affect conditions governed by the site plan review standards set forth in Section I-I.6 below.

c. The Planning Board may, by a majority vote of the Board, establish an administrative process for site plan review of certain site plan review applications. Pursuant to administrative review, the Planning Board may delegate to the town planner and/or to a designated Board member the authority to determine whether a project constitutes a minor site plan pursuant to subsection 5.b(i) above and, if so, to waive site plan review therefor. The Planning Board designee may refer any minor site plan review application to the Planning Board for its review in lieu of administrative review if, in such designee's discretion, the scope of the project merits review by the Board. In addition, any applicant may request site plan review by the Planning Board in lieu of administrative review at the time of application, or any applicant aggrieved by a minor site plan review decision of the designee may reapply for site plan review by the Planning Board and such review shall be considered a new application for site plan review, except that a separate fee shall not be required.

6. Review Standards and Approval

Site Plan approval shall be granted upon determination by the Planning Board that the plan meets the objectives of this subsection 6. In reviewing each such application the Planning Board shall study the site plan with reference to the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally, including its amenities. The Planning Board may impose reasonable conditions at the expense of the applicant, including performance guarantees, to promote these objectives.

The Planning Board shall limit the proposed development so that its impact on each of the municipal services, ways, utilities and other resources does not exceed its existing design capacity. This limitation shall be imposed upon the proposed development regardless of the intensity of development otherwise permitted by this Zoning By-Law.

In conducting a site plan review, the Planning Board shall consider the following:

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.

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;

IV-B Special Requirements to Schedule of Dimensional Requirements

1. No building, structure, parking area or septic system shall be constructed within 100' of a residence district, except where the zoning district boundary is in a street, in which case the setback from said boundary shall be 50'. A natural or landscaped vegetative barrier as approved under site plan review shall be retained or created and maintained within this setback.
2. A minimum of 15% of the area of each lot shall not be built upon, paved or parked upon, and shall be maintained either in its natural state or landscaped. Along the entire street frontage of each lot a green or landscaped strip not less than 15' wide shall be maintained in its natural state or landscaped with grass, trees and shrubs, not paved except for driveways, not parked upon and not built upon except for signs. The required 15% may include the 15' green strip.
3. Any yard space or area required to be kept open and unbuilt upon may, nevertheless, if otherwise lawful, be used for off-street automobile parking, or for outdoor storage of packaged articles, packaged supplies or packaged materials, provided any such outdoor storage space shall be effectively screened from view by some substantial means such as an ornamental wall an ornamental lattice or a dense planting. A green strip not less than thirty (30) feet wide on which to grow grass, bushes, flowers or trees, shall be maintained open and green, unbuilt upon, unused and unpaved and not parked upon, all along each side or rear property line of such a lot wherever it abuts land residentially zoned.
4. Frontage specified shall be the minimum width to a depth of 200'.
5. A green yard space not less than twenty (20) feet wide shall be maintained open and green with grass, bushes, flowers or trees or any combination of them, along the entire length of each side lot line or rear lot line of such a lot and (except for entrance and exit driveways) along the entire street frontage of such lot, and such yard space shall not be built on nor paved nor used for automobile parking. Not less than 80% of the land area of such a lot shall remain open and unbuilt on, but such open space may be used for automobile off-street parking, driveways, sidewalks and store service yards, except that such use shall not be permitted in any part of the 20' wide green perimeter strip above specified. Notwithstanding the foregoing, a green yard space not less than fifty (50) feet wide shall be maintained open and green with grass, bushes, flowers, trees, or in an undisturbed natural condition, or any combination of the foregoing, along the entire length of each side lot line and rear lot line of such lot where such side lot line or rear lot line abuts a Residence A or Residence B or Residence C District.
6. Site Plan Review, as defined in Section I-I, shall be conducted by the Planning Board or its designee and may be subject to professional consultant review consistent with Section I-F.3, for all projects which meet the following criteria:
 - a. all non-residential projects which are estimated to cost \$20,000 or more;
 - b. all projects that 1) create a land disturbance or an alteration of drainage patterns over an area greater than ~~20,000~~ 5,000 square feet; or 2) create a land disturbance of more than ~~2500~~ 1000 square feet in areas with slopes greater than 10%;
 - c. all projects that are part of a larger common plan of development or sale that would disturb more than one acre in the aggregate;
 - d. notwithstanding the foregoing, the following types of projects shall be exempt from site plan review under subsection b: