

HINGHAM PLANNING BOARD
June 6, 2016 @ 7:00 PM – Central North

Present: Planning Board Members, **Sarah Corey, Chairman, William Ramsey, Jennifer Gay Smith, Gary Tondorf-Dick and Judith Sneath, Clerk.** Also present: Community Planning Director, Mary Savage-Dunham and Dolores DeLisle, Administrative Assistant

Planning Board Agenda

7:00 PM **Request for Withdrawal without Prejudice**
W/S/M HINGHAM PROPERTIES, LLC – 90 Derby Street
Request for Withdrawal of Site Plan Review in Association with Special Permit A2, and also the Special Permit A3 and associated Site Plan Review for the application to operate a seasonal "Open Market" on Fridays within the parking area near the Kohl's building at 90 DERBY STREET in the Industrial Park and South Hingham Development Overlay District.

Request for Withdrawal without Prejudice
Scenic Road Hearing: Alicia Secor & James McGorry: 246 Lazell Street

Town of Hingham Recreation Commission
Kress Field Playground Improvements: Request for Waiver of Site Plan Review
0 Off Gardner Street a.k.a Map 203 Lot 100

7:45 PM **Joint Hearing with the Zoning Board of Appeals**
RSL REALTY, LLC – 51-55 South Street & 147 North Street
Request for a Special Permit A2 under § III-G, 6. and § I-F, Special Permit A3 Parking Determination under § III-G, 7. Special Permit A3 Parking Waivers under § V-A, and related Site Plan Reviews under § I-G and § I-I of the Zoning By-Law, and such other relief as necessary to construct a 3-story Commercial/Residential Building, similar in footprint to the previously demolished “Lincoln Building”, at 51-55 SOUTH STREET zoned Business District A and the Downtown Hingham Overlay District, and provide overnight residential parking at 147 NORTH STREET, zoned Residence A.

- Old/New Business:
1. Review and Adoption of Minutes: May 16, 2016
 2. Administrative Reports
 3. Other Business: Zoning Reform Bill

Hearing(s)

7:07 PM **Request for Withdrawal without Prejudice**
W/S/M HINGHAM PROPERTIES, LLC – 90 Derby Street
Request for Withdrawal of Site Plan Review in Association with Special Permit A2, and also the Special Permit A3 and associated Site Plan Review for the application to operate a seasonal "Open Market" on Fridays within the parking area near the Kohl's building at 90 DERBY STREET in the Industrial Park and South Hingham Development Overlay District.

The Chair called the meeting to order and read aloud the Request for Withdrawal for 90 DerbyStreet/ Derby Street Shoppes “Open Market”. Robert Devon, Attorney, was present for the applicant. A motion was made, seconded and SO VOTED to Grant the Request to Withdraw.

Request for Withdrawal without Prejudice

Scenic Road Hearing: Alicia Secor & James McGorry: 246 Lazell Street

The Chair read aloud the Request the Request to Withdraw without Prejudice for 246 Lazell Street. The applicants were not present. A motion was made, seconded and SO VOTED to grant the Request for Withdrawal.

**7:10 PM Town of Hingham Recreation Commission
Kress Field Playground Improvements: Request for Waiver of Site Plan Review
0 Off Gardner Street a.k.a Map 203 Lot 100**

Mark Thorell, Recreation Director, and Vicki Donlan, Recreation Commission Chair, were present for the Recreation Commission. Mr. Thorell provided background on the project and explained that the idea to improve this playground facility began with the Farm Hills Neighborhood Association talking to the Recreation Commission. Once the idea was developed the proposed playground project ultimately received a state grant as well as CPC funding. It was approved by the Board of Selectmen as well as Town Meeting. The proposal is to install a commercial grade boundless playground next to the existing basketball court, and remove the informal playground equipment. The installation is scheduled for August when there is no use of the ball field. The Planning Board expressed support for the project and noted that it was consistent with other facility improvements in town, and would be an asset to the neighborhood.

The Board discussed the limited amount of existing parking and the current use of the playing fields and playground. Mr. Thorell explained that the basketball court is not rented. It is used for informal games. The softball field is permitted. Women's softball uses the field Tuesday and Thursday nights in the spring. The South Shore baseball Club uses the field three weekdays from 3-5 pm in the spring in fall. The playground has peak usage in the morning. Mr. Thorell explained that this softball field was not used or permitted as much as other ball fields in town. Therefore, the usage is less. The Chair stated that, if no additional traffic is expected as a result of this project, that the use was not changing substantially. Mr. Thorell and Ms. Donlan agreed and acknowledged that, if conflicts over parking arise, they would work with the Police Chief on them. The Chair acknowledged the Police Chief's comments and request for a look back. The Applicant said they have been talking with the Chief as well and understood the concerns. The Board and applicant discussed vehicular and pedestrian safety and the indication that no parking signs would be required per the Police Chief's comments. Public comment was favorable and there were no objections raised.

The Board then went through the site plan review criteria, as follows:

- No lighting is proposed, the site is flat and has gravel and grass into which the water naturally percolates. No changes to grade are proposed. The surface of the playground is pervious and supports the existing drainage patterns.
- The parking field is separated from the play field area by log posts. A recommended condition is that the Applicant must install signage at the exit of the parking lot clearly indicating that no parking is allowed on the street and will support the Police Chief in his efforts to add "no parking" signs on the street.
- There currently are no formal handicapped parking spaces. The following conditions were recommended:
 - The applicant must coordinate with the Building Commissioner and Roger Fernandes at DPW for the design and installation of the required handicapped accessible parking spaces.
 - The applicant will continue to manage usage of the ball field to avoid parking overflow.
 - If offsite or illegal parking becomes a persistent issue, the applicant must meet with the Police Chief and Town Planner to identify opportunities to resolve the problem.
 - If the Police Chief identifies concerns or complaints with parking within the first year, a one year look back hearing with the Planning Board shall be required.

- No changes to the landscape or buffers proposed. A recommended condition is that any ground (lawn) disturbance resulting from the installation work shall be stabilized and seeded at the completion of the project, and protected from foot traffic until the grass is established.
- The project site is flat and pervious. Storm water runoff will not be concentrated or have an increased peak flow leaving the site as a result of this project. Water will flow overland and infiltrate into the lawn area or gravel parking field. A recommended condition is that a preconstruction meeting must be held prior to the start of work with the project manager, Building Commissioner, Recreation Director, Conservation Administrator and Town Planner (at a minimum) to discuss the implementation, project details, and placement/installation of erosion control measures.
- The project supports goals from the Open Space and Recreation Plan. In addition, this site is an existing recreation area and playground. The use is not changing; the equipment is simply being upgraded.

The Board then Moved, Seconded and So VOTED to **WAIVE** the requirement for the submittal of additional application materials including drainage report, and full site plans and, further, to **APPROVE** the Site Plan Review for the Kress Field Playground Improvements as presented in the materials and at the hearing, with the following conditions:

1. The Applicant must install signage at the exit of the parking lot clearly indicating that no parking is allowed on the street and will support the Police Chief in his efforts to add “no parking” signs on the street.
2. The Applicant must coordinate with the Building Commissioner and Roger Fernandes at DPW for the design and installation of the required handicapped accessible parking spaces.
3. The Applicant will continue to manage usage of the ball field to avoid parking overflow.
4. If offsite or illegal parking becomes an issue, the Applicant must meet with the Police Chief and Town Planner to identify opportunities to resolve the problem.
5. If the Police Chief identifies concerns or complaints with parking within the first year, a one year look back hearing with the Planning Board shall be required.
6. Any ground (lawn) disturbance resulting from the installation work shall be stabilized and seeded at the completion of the project and protected from foot traffic until the grass is established.
7. A preconstruction meeting must be held prior to the start of work with the Project Manager, Building Commissioner, Recreation Director, Conservation Administrator and Town Planner (at a minimum) to discuss the implementation, project details and placement/installation of erosion control measures.

Mr. Ramsey joined the meeting at 7:40 PM.

7:49 PM **Joint Hearing with the Zoning Board of Appeals**
RSL REALTY, LLC – 51-55 South Street & 147 North Street
Request for a Special Permit A2 under § III-G, 6. and § I-F, Special Permit A3 Parking Determination under § III-G, 7. Special Permit A3 Parking Waivers under § V-A, and related Site Plan Reviews under § I-G and § I-I of the Zoning By-Law, and such other relief as necessary to construct a 3-story Commercial/Residential Building, similar in footprint to the previously demolished “Lincoln Building”, at 51-55 SOUTH STREET zoned Business District A and the Downtown Hingham Overlay District, and provide overnight residential parking at 147 NORTH STREET, zoned Residence A.

The Chair opened the hearing and acknowledged the Applicant, Charlene Flynn, owner of TLC Realty, and members of the development team Steve Meyers, Architect, John Cavanaro, Cavanaro Consulting, and Attorney, Richard Henderson. Paul Brogna, P.E., peer review engineer for the Board, was also present. Mr. Henderson presented an overview of the new parking plan. A potential arrangement has been worked out with St. Paul’s Church at 147 North Street that would allow the eight space parking requirement to be satisfied in the Rectory parking lot. Lincoln Street residents would only be allowed to park there between the hours of 7:00 PM and 7:00 AM to avoid congestion.

Ms. Sneath and Mr. Ramsey asked for more clarity and details about the agreement with St. Paul's, stating that there were already traffic issues experienced in the area. Ms. Sneath also questioned if St. Paul's Dover Amendment protection would be lost if a commercial agreement was entered into and noted that the current By-Law requires a one-year lease. Members of the Zoning Board of Appeals joined the meeting at 8:16 PM.

Ms. Sneath and Mr. Ramsey suggested possibly amending the parking hours to 9:00 pm to 6:00 or 7:00 am. to help alleviate congestion during peak traffic times, and questioned whether that in fact would be practical. Ms. Corey felt it might be too burdensome to the tenants. Different assessments of the current parking lot usage and timing were voiced. Following discussion, Ms. Corey stated that she was okay with the proposed parking arrangement. In the context of the Dover Amendment issue, Mr. Tondorf-Dick made a comparison to the approved parking agreement between Resurrection Church and Notre Dame Academy and stated that he was also okay with the proposed arrangement. Ms. Sneath requested a review by Town real estate counsel and more guidance regarding typical timeframes for overnight parking. Mr. Ramsey suggested that the timing information should be obtained from the Church.

Mr. Henderson presented an overview of the MBTA consents required: 1. The installation of four lampposts on the north side of the building; 2. Foot traffic during construction; 3. Storage of construction materials; 4. Installation of cornices; 5. Fencing. He stated he expects to have secured permissions in a couple of weeks.

Mr. Paul Brogna, Seacoast Engineering, presented a report of his site visit. The new proposed parking arrangement would now mitigate any prior issues regarding parking at 28 South Street. A photometric plan of the site lighting suggests that too much light might be generated. A confirmation letter from Aquarion Water has been received. Ms. Sneath stated that the following should also be addressed: snow removal around the building, landscaping on the tunnel cap section, extending the brick walkway and loading zones.

Ms. Corey opened the floor for comments from the public. Mr. William Moras stated that he was on the Building Committee with St. Paul's Church and that he would meet and review the issues discussed with the Committee. Ms. Corey recapped the items that need to be addressed and/or conditioned. A Request to Extend the Hearing letter was completed, extending the hearing to June 13, 2016. The ZBA hearing was extended to June 15, 2016. Mr. Ramsey disclosed for the record that he is a member of the congregation of St. Paul's Church.

9:01 PM Old/New Business:

1. Review and Adoption of Minutes
The Minutes for May 16, 2016 were adopted as presented
2. Reorganization of the Board
A Motion was Made, Seconded and SO VOTED that Judith S. Sneath becomes Chairman and William C. Ramsey becomes Clerk of the Board.
3. Other Business: Zoning Reform Bill
Mr. Tondorf-Dick expressed his concerns with Zoning Reform Bill S2144 currently up for consideration in the Senate. After discussion, the Board requested that Mr. Tondorf-Dick draft a memo to Senator O'Connor and Representatives, Bradley and Murphy for the Board's review, stating the Board's opposition to the Bill in its current form.

As there was no other business the meeting adjourned at 9:15 pm.

Respectfully submitted,

Dolores A. DeLisle
Administrative Assistant