

**HINGHAM PLANNING BOARD**  
March 30, 2016 @ 7:00 PM – Central North

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

**Planning Board Agenda**

**7:00 PM      Joint Hearing with the Zoning Board of Appeals**  
RSL REALTY, LLC 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, and provide overnight residential parking at 28 SOUTH STREET in Business District A and the Downtown Hingham Overlay District.

**8:30 PM      100 Sharp Street – Cazeault Realty Trust**  
Site Plan in Association with Building Permit  
Construct a steel frame roof over existing concrete slab  
Request for Partial Waiver of Submittal Requirements  
  
Ratification of Advisory Committee Recommended Motion  
Article SS: Lot Shape Requirements

**Old/New Business:**

- 1. Review and Adoption of Minutes
- 2. Administrative Reports
  - a. Draft *Summary of Zoning Articles for 2016 Town Meeting & BOS* presentation of same (March 31 at 7:15 PM)
  - b. Other Business

**Hearing(s)**

**7:00 PM      Joint Hearing with the Zoning Board of Appeals**  
RSL REALTY, LLC 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, and provide overnight residential parking at 28 SOUTH STREET in Business District A and the Downtown Hingham Overlay District.

The Chair opened the meeting and acknowledged Richard Henderson, Henderson & Henderson P.C., representative for the applicant, RSL Realty, LLC. Also present were Steve Meyers, Architect, John Cavanaro, Cavanaro Consulting, Inc., Reuven Levy and Charlene Flynn for the Applicant.

Mr. Henderson presented an overview of the application for the construction of a 3-story Commercial/Residential Building, similar in footprint to the previously demolished “Lincoln Building” located at 51-55 South Street and the addition of overnight residential parking at 28 South Street. The 1st floor will include five retail spaces and the 2<sup>nd</sup> and 3<sup>rd</sup> floors will include 8 one bedroom apartments. There will be a total of 8 parking spaces provided at 28 South Street, a green roof to help mitigate storm water impacts, the construction will be done replicating the historic appearance of the demolished building, the introduction of additional lighting for safety, an alarm system and handicap access, a common brick walkway with access to the pedestrian brick way, a roof deck with an elevator and 2 means of egress. The applicant explained the overnight parking as proposed, and, asked the Boards to schedule a site visit to see the parking.

The Board members then had an opportunity to ask questions. The Planning Board members all voiced support for the redevelopment of the Lincoln Building and the work that had gone into the proposal by the Applicant. This is an important piece of the downtown streetscape and everyone is looking forward to seeing it reconstructed. The Board asked questions about the parking proposal, and if the applicant had been in touch with the MBTA or the immediate private abutter regarding construction easements or concerns regarding construction. The floor was opened for comments. Andrea Young, Historic Administrator, provided a copy of the approved elevations and decision from 2014 and noted that any change to the approved plan would require another hearing. Police Chief Olsson noted his comments for the record regarding the proposed off-street parking, concerns about construction impacts, and disruption to the square. Fire Chief Olsson noted his comments for the record regarding fire safety and access both at 28 South Street, and, at the Lincoln Building and its surrounds during construction. Paul Brogna was present as the peer review engineer for the Boards and reviewed his comments for the record, and agreed that a site visit would be helpful. He also noted concerns about storm water management at 28 South Street, stating that the existing basin was not at the low point so it might not be as effective as it should be, and, it needed to be cleaned out. He also had comments regarding parking, construction, traffic management, and site lighting which were detailed in his written comments. Members of the public spoke in favor of the project.

The Boards then discussed the schedule for the site visit and the next hearing. The site visit was scheduled for April 10 at 4 pm, and, the hearing was continued to May 2<sup>nd</sup> at 7:00 pm. The Applicant requested an extension to the site plan hearing, and, decision date in writing, and with that the Boards continued the hearings.

**8:45 PM**      **100 Sharp Street – Cazeault Realty Trust**  
Site Plan in Association with Building Permit  
Construct a steel frame roof over existing concrete slab  
Request for Partial Waiver of Submittal Requirements

Christopher Cazeault of 100 Sharp Street explained to the Board that he was requesting Site Plan Approval for the construction of a steel frame roof over an existing concrete slab to protect material stored on the slab from the elements. The gutters would discharge into drywells just as they do presently, just relocated. The Planner noted the Applicant was requesting a partial waiver of submittal requirement, and said that, given the minor nature of the application the Board might consider a full waiver of site plan. After additional discussion the Board voted unanimously to waive site plan review for the installation of the canopy over the existing concrete slab at 100 Sharp Street.

**Ratification of Advisory Committee Recommended Motion**  
**Article SS: Lot Shape Requirements**

Prior to the Advisory Committee vote Special Counsel Susan Murphy reviewed all the articles and provided comments on the language. Most comments were, as she explained, “form over substance”. In reviewing the Lot Shape article Ms. Murphy questioned the reasoning behind insertion of the April 28, 1986 date. Ms. Murphy asked if the intent was to make this section more permissive. Everyone (Linda, Emily, Sarah and Mary) agreed that it was NOT the intent of the Planning Board to make this section more permissive, and, if the date were to stay in that would be the outcome. Ms. Murphy explained that inserting the date would make this section more permissive because the lots created before that date that do not meet this criteria would still be conforming as to frontage, as opposed to preexisting nonconforming.”

For this reason the Advisory Committee Recommended Motion deletes that date to avoid the unintended consequence of making the regulations more permissive. The Planning Board discussed this, and, agreed that the intent was not to make the regulations more permissive. The Board then voted to ratify the Advisory Committee Recommended Motion.

As there was no other business, the meeting adjourned at 9:00 PM.

Respectfully submitted,

Dolores A. DeLisle  
Administrative Assistant