

**Board of Selectmen**  
**April 21, 2016**  
**7:02 Regular Session**

Present: Mr. Ted Alexiades, Town Administrator; Mr. Paul Healey, Chairman; Mr. Paul Gannon; Ms. Mary Power; and Mr. Tom Mayo, Assistant Town Administrator.

**Questions from the public regarding items no on the agenda**

*Mr. Kris Philips, 66 Whitcomb Ave,* addressed the BOS about a possible conflict of interest regarding the Independent Hearing Officer that had has been assigned to his case to investigate potential disciplinary action against him.

*Mr. Ed Demko, 18 Bradley Park,* read a statement that he co-authored with *MaryAnne Blackmur, 253 Main Street.* Mr. Demko requested Hingham residents review the full text of Town Meeting Warrant Article 19. He's apprehensive about this article and feels the warrant language raises more questions than it answers.

**Avalon Bay Development Agreement**

Mr. Healey reviewed the Avalon Hingham Shipyard II project and noted the changes in the latest iteration. Avalon Bay reduced the density to 190 units in addition to addressing traffic issues. The ZBA still makes the final decision regarding the permitting of this project and if approved, the Memorandum of Agreement would accompany their decision. (A copy of the Memorandum of Agreement is available in the Selectmen's Office)

Ms. Susan Murphy, Special Real Estate Counsel, reviewed the Avalon Hingham Shipyard II Memorandum of Agreement. She explained this agreement includes a one million dollar payment to the town for fire safety equipment but reiterated it doesn't bind the Zoning Board of Appeals in any way in making its decision.

Ms. Murphy reviewed the LIP process; acronym for (Local Initiative Project). She explained the process benefits the developer by not restricting them to get permanent financing through the subsidizing agency or a particular lending institution. The town benefits because it becomes party to the Regulatory Agreement that gives Hingham enforcement rights with respect to compliance of the affordable housing aspects of the project.

*Mr. Demko, 18 Bradley Park Drive,* questioned if there's a height restriction on this project. Ms. Murphy explained under 40B there is no height restriction and the project as proposed, is approximately five stories high.

*Tom Hoffman, 3 Sherman Way,* questioned the finance interest savings that Avalon Developer's is getting by the town agreeing the LIP Program. Mr. Alexiades explained that Avalon does not finance their projects; they use internal cash, so it's hard to quantify. He added that there's a lot more benefit to the town than the million dollars. There's mitigation to the intersection, sewer and to a number of neighborhood issues on both sides of the street.

Mr. Gannon recommended there should be something in the contract keeping this project to 190 units. He's concerned after the one year safe harbor has expired, Avalon Bay will be requesting more units. Mr. Gannon advised more negotiating is needed on this aspect of the project and he will not support this memorandum under any circumstances until it's resolved.

Mr. Healey has hesitation in engaging in hypothetical's because it involves speculation and conjecture. The redevelopment of existing sites is something we have to deal with often. His focus is on what is before us today and if in the future another 40B site application comes up, we will address it.

Ms. Murphy explained the agreement speaks to the application originally filed in February and the current pending application. Any modifications to that application would require approval from the Zoning Board.

*Ms. Judy Kelley, 190 Harvest Lane,* would like the contract to include 190 as the total number of units allowable for this project.

*Mr. Josh Winslow, 24 Bradley Woods Drive,* requested the Board to consider negotiation of 171 units. If Avalon were to add 19 more units they would be unable to exceed 190.

Voted- motion to approve the Avalon Hingham Shipyard II Memorandum of Agreement. Mr. Healey and Ms. Power voted yes. Mr. Gannon voted no. The motion passed 2-1.

### **Selectmen/ Town Administrator Reports**

Mr. Healey discussed the Historic District Commission and recognized their efforts. The expertise required to be appointed to this committee is a challenge because it requires various disciplines. He explained additional steps are being taken to post the plan submissions on-line so people unable to attend the meeting can still view the proposals.

Mr. Healey discussed an initiative petition for a Warrant Article submitted by residents regarding traffic in Hingham Square. He suggested following Town Meeting the BOS concentrate energy in a comprehensive study regarding the traffic situation in the square. He proposed coming up with an ancillary effort in conjunction with the Summer Street Corridor Study that includes parking, traffic, and pedestrian traffic. . Mr. Healey asked for the patience of the residents who petitioned this Warrant Article.

Mr. Healey reminded residents that there will be an Artisan and Craft Fair at the Hingham Public Library on April 30, 2016 from 9:00-3:00.

Mr. Healey reported there will be a Memorial Service for Corporal Christopher Orlando on April 29, 2016 at St. Paul's Church in Hingham Square. He welcomed the presence of Hingham Residents to show support for the Orlando Family.

The Meeting Adjourned at 8:27 p.m.

Diane Picot

**Documents: (A complete meeting packet of supporting Documentation is on file and available for public review in the Board of Selectmen's Office).**

1. Avalon Hingham Shipyard II, Memorandum of Agreement

**Approved: June 16, 2016**