

Minutes  
Regular Meeting

January 4, 2021

**HINGHAM PLANNING BOARD**

January 4, 2021 @ 7:00 PM

REMOTE MEETING

**Present Remotely:** Planning Board Members: **Kevin Ellis, Gary Tondorf-Dick, Judith Sneath, Gordon Carr, and Rita DaSilva**, Community Planning Directory Mary Savage-Dunham and Administrative Assistant Sherry Robertson

**Planning Board Agenda**

**Planning Board Remote Meeting information**

**Join Zoom Meeting** <https://zoom.us/join>

**Call in Number:** 929-205-6099 **Meeting ID:** 837 6387 5754 **Passcode:** 064265

This meeting is being held remotely as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law. You are hereby advised that this meeting and all communications during this meeting may be recorded by the Town of Hingham in accordance with the Open Meeting Law. If any participant wishes to record this meeting, please notify the chair at the start of the meeting in accordance with M.G.L. c. 30A, § 20(f) so that the chair may inform all other participants of said recording.

**7:00 PM Call to Order**

**6 Station Street – Matt Falconeri**

Request for waiver of Site Plan in Association with a Special Permit and a Special Permit A3 parking determination and waivers to allow a reduction in parking quantity and dimensional relief for parking spaces at the mixed use commercial/residential development located at 6 Station Street, in Business District A and the Downtown Hingham Overlay District.

**Crane Drive Definitive Subdivision –**

**Request for Endorsement of Plans (third modification)**

**400 Lincoln Street**

Request for waiver of Site Plan Review in Association with a Special Permit and a Special Permit A3 parking determination for a change of use to allow a restaurant, property in the Industrial District.

**400 Lincoln Street**

Request for waiver of Site Plan Review in Association with a Building Permit for cosmetic improvements to façade.

### **8:00 PM Public Hearings on Proposed Changes to the Zoning By-law**

#### **Limited Site Plan Review**

The intent of this article is to revise Section IV-B.6.b of the Bylaw to provide a process for administrative review of some of the minor projects that trigger site plan review relative to the amount of land disturbance or alteration of drainage patterns but could be processed at the staff level.

#### **Update Floodplain Map References**

The intent of this article is to edit Section III-C.1 of the Bylaw to revise the floodplain map references and the associated floodplain map to incorporate the recent FEMA revision to the Cape Cod Watershed Maps.

#### **Update to Floodplain Protection Overlay District Bylaw**

The intent of this article is to incorporate language from the Massachusetts 2020 Model Floodplain Bylaws into Section III-C of the Bylaw to assure that Hingham's local regulations contain the necessary and proper language for compliance with the National Flood Insurance Program (NFIP).

#### **Accessory Dwelling Units (ADUs) in Detached Structures**

This is a Citizen Petition. The intent is to modify Section V-K of the Bylaw to allow accessory dwelling units in a separate detached structure on the same lot as a principal dwelling.

#### **Old/New Business:**

1. Administrative Reports
2. Review and Adoption of Minutes from previous meetings

#### **Adjourn**

<b>Hearing(s)</b>
-------------------

Kevin Ellis called the meeting to order at 7:02 PM and read the above statement from the Governor regarding remote meetings.

#### **6 Station Street**

The applicant, Matt Falconeiri was present seeking a waiver of Site Plan Review in Association with a Special Permit and a Special Permit A3 parking determination and waivers to allow a reduction in parking quantity and dimensional relief for parking spaces at the mixed use commercial/residential development located at 6 Station Street. Also present was engineer John Cavanaro. Mr. Cavanaro explained that the sidewalk ended up being wider than planned resulting in a change of the number of parking spaces, reducing the total from 12 to 11, noting that the required amount of spaces is 8.

**Motion:** Kevin Ellis made a motion to waive Site Plan Review in association with a special permit as requested on 6 Station Street finding that the construction is substantially completed.

**Second:** Judith Sneath

**In Favor:** Rita DaSilva, Gary Tondorf-Dick, Gordon Carr, Judith Sneath, and Kevin Ellis

**Opposed:** none

The Board reviewed the criteria for a Special Permit A3 Parking Determination

**Motion:** Kevin Ellis made a motion to approve the Special Permit A3 for 6 Station Street for the provision of 11 parking spaces where 8 are required as presented at the hearing and shown on plans titled “Site Plan to Accompany Special Permit A3, 6 Station Street Hingham, MA, prepared for 6 Station Street LLC, 45 Industrial Park Rd., Hingham, MA, dated 12/4/20, with the findings and conditions discussed.

**Second:** Rita DaSilva

**In Favor:** Gary Tondorf-Dick, Gordon Carr, Judith Sneath, Rita DaSilva, and Kevin Ellis

**Opposed:** none

### **Crane Drive Definitive Subdivision – Request for Endorsement of Plans (third modification)**

Project Engineer Jeff Hassett was present remotely, as well as Peer Review Engineer John Chessia. Mr. Chessia stated that the plans are ready to be endorsed.

**Motion:** Kevin Ellis made a motion to endorse the plans for the Crane Drive Definitive Subdivision, third modification.

**Second:** Gary Tondorf-Dick

**In Favor:** Gordon Carr, Rita DaSilva, Judith Sneath, Gary Tondorf-Dick, and Kevin Ellis

**Opposed:** none

### **400 Lincoln Street**

Request for waiver of Site Plan Review in Association with a Special Permit and a Special Permit A3 parking determination for a change of use to allow a restaurant, property in the Industrial District.

Jamie Anderson was present remotely from Grossman Development and explained that a Jersey Mike’s sub shop is going into one of the units at the plaza. Mr. Anderson stated that there is no exterior work being done except the installation of a grease trap, and so they have requested a waiver of Site Plan Review. Mr. Anderson also explained that they are requesting a Special Permit A3 parking determination and stated that there is sufficient parking. Judith Sneath asked about the parking table. The Board asked the applicant to provide more information to ensure there is enough parking. The Board agreed to continue the parking discussion to the next meeting, but to vote on the requested waiver of Site Plan Review.

**Motion:** Kevin Ellis made a motion to waive Site Plan Review for 400 Lincoln Street for the improvement of unit 6A for a Jersey Mike’s food service establishment.

**Second:** Gordon Carr

**In Favor:** Rita DaSilva, Judith Sneath, Gary Tondorf-Dick, Gordon Carr, and Kevin Ellis

**Opposed:** none

**Motion:** Kevin Ellis made a motion to continue the hearing on the Special Permit A3 for 400 Lincoln Street to January 11, 2021.

**Second:** Gary Tondorf-Dick

**In Favor:** Gordon Carr, Judith Sneath, Rita DaSilva, Gary Tondorf-Dick, and Kevin Ellis

**Opposed:** none

#### **400 Lincoln Street**

Contractor Paul Dundas was present remotely to explain the request for waiver of Site Plan Review in Association with a Building Permit for interior cosmetic improvements and improvements to the façade. Mr. Dundas stated that these improvements to the Stop and Shop building include painting the façade and updating existing signage, and that there is no outside work.

**Motion:** Kevin Ellis made a motion to waive site plan review in association with a building permit for interior improvements at 400 Lincoln Street as requested by Vista Commercial Construction, LLC.

**Second:** Gordon Carr

**In Favor:** Rita DaSilva, Judith Sneath, Gary Tondorf-Dick, Gordon Carr, and Kevin Ellis

**Opposed:** none

#### **Adoption of Minutes**

The Board reviewed minutes from previous meetings at this time. The Board approved the minutes of December 7, 2020, as written. Gary Tondorf-Dick suggested edits to the minutes of December 14, 2020. The Board voted to approve the minutes of December 14, 2020, as amended.

#### **8:00 PM Public Hearings on Proposed Changes to the Zoning By-law**

Kevin Ellis made a statement that the public hearings on the proposed changes to the by-law will be opened tonight. He explained that the Board will introduce each article, allow the proponent to introduce the proposed change, and allow for public comment. He explained that there will also be opportunities at future meetings for the public to comment on these articles.

#### **Accessory Dwelling Units (ADUs) in Detached Structures**

This is a Citizen Petition. The intent is to modify Section V-K of the Bylaw to allow accessory dwelling units in a separate detached structure on the same lot as a principal dwelling.

This petition was submitted by Ray Estes, who was present remotely. Mr. Estes explained the petition, and his reasons for wanting the modification of the ADU by-law.

The Board asked questions about how this change could affect septic compliance as well as how the Assessor's office would view this change. The Board also asked about the capacity of homes that would be allowed this use. There were some public comments regarding septic, and if permits would be viewed on a case-by-case basis.

**Motion:** Kevin Ellis made a motion to continue the discussion of this proposed by-law change to the meeting of February 8, 2021.

**Second:** Gary Tondorf-Dick

**In Favor:** Judith Sneath, Gordon Carr, Rita DaSilva, Gary Tondorf-Dick, and Kevin Ellis

**Opposed:** none

#### **Limited Site Plan Review**

The intent of this article is to revise Section IV-B.6.b of the Bylaw to provide a process for administrative review of some of the minor projects that trigger site plan review relative to the amount of land disturbance or alteration of drainage patterns but could be processed at the staff level. Mary Savage-Dunham discussed the proposed language changes, and when minor site plans could possibly be reviewed at the staff level. There was no public comment.

**Motion:** Kevin Ellis made a motion to continue the discussion of this proposed by-law change to the meeting of February 8, 2021.

**Second:** Judith Sneath

**In Favor:** Judith Sneath, Gordon Carr, Rita DaSilva, Gary Tondorf-Dick, and Kevin Ellis

**Opposed:** none

### **Update Floodplain Map References**

The intent of this article is to edit Section III-C.1 of the Bylaw to revise the floodplain map references and the associated floodplain map to incorporate the recent FEMA revision to the Cape Cod Watershed Maps. Loni Fournier, Senior Planner and Conservation Commission Administrator was present to explain that this proposed by-law change is an update of 6 map panels.

### **Update to Floodplain Protection Overlay District Bylaw**

The intent of this article is to incorporate language from the Massachusetts 2020 Model Floodplain Bylaws into Section III-C of the Bylaw to assure that Hingham's local regulations contain the necessary and proper language for compliance with the National Flood Insurance Program (NFIP). Loni Fournier explained that all communities are required to adopt the language changes. The Board agreed that they would like time to go through the track changes being proposed.

**Motion:** Kevin Ellis made a motion to continue the discussion of this proposed by-law change to the meeting of February 8, 2021.

**Second:** Gordon Carr

**In Favor:** Judith Sneath, Gordon Carr, Rita DaSilva, Gary Tondorf-Dick, and Kevin Ellis

**Opposed:** none

### **Old/New Business:**

Administrative Reports

The Board thanked Mary Savage-Dunham for her years of service to the Town of Hingham, as this is her last week as Director of Community Planning.

As there was no other business, the meeting was adjourned at 9:17 PM.

Respectfully Submitted,  
Sherry Robertson,  
Administrative Assistant