

HINGHAM PLANNING BOARD MINUTES

March 14, 2022 @ 7:00 PM

REMOTE MEETING

Planning Board Members Present Remotely: Kevin Ellis, Judith Sneath, Gordon Carr, Rita DaSilva; Gary Tondorf-Dick

Also Present: Emily Wentworth, Community Planning Director, Michael Silveira, Senior Planner; Susan Murphy, Esq., Special Real Estate Counsel

Members Absent: None

At 7:00 p.m. Chair Ellis called the Planning Board meeting to order and stated the following:

“This meeting is being held remotely as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending 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.”

Chair Ellis stated that Member DaSilva would be joining late and that the Agenda items would be re-ordered.

Hearing(s)

Chair Ellis stated the first matter would be a Site Plan Review waiver request for **100 Sharp Street**.

Mr. Adam Wolfrey presented for the applicant. Mr. Wolfrey of Centerline Communications LLC stated they were an authorized agent for T-Mobile. Mr. Wolfrey gave an overview of the proposed project and stated there would be no increase to height or ground area of the tower.

Chair Ellis asked for Member comments.

There was discussion regarding antennae, location of the tower and visibility of the tower.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the finding that the cell tower equipment upgrades at 100 Sharp Street in the Industrial Park and South Hingham Development Overlay Districts constitute a minor site plan under Section I-I, 5.b (ii) of the By-Law as the modifications to the site do not materially affect conditions governed by the site plan review standards; and to GRANT the request of American Tower Corporation to waive Site Plan Review under Section I-I, 5 of the By-Law.

Second: Judith Sneath

In Favor: Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Ellis

Opposed: None

Chair Ellis stated that the next matter was the **Otis Street, Town Pier** Site Plan Review request.

Ms. Wentworth stated a Request to Withdraw the application was received in advance of the meeting.

Chair Ellis moved to GRANT the requested withdrawal without prejudice of an application from the Town of Hingham for Site Plan Review under §§ I-H and I-I of the Zoning By-Law and such other relief as necessary to reconstruct approximately 500 linear feet of existing bulkhead, replace 50 linear feet of bulkhead with stone revetment, construct approximately 75 linear feet of new stone revetment, and restore approximately 250 square feet of coastal beach on Town Pier/Iron Horse Park located at 0 Otis Street (Map 50, Lot 50) in the Official and Open Space and Hingham Harbor Overlay Districts.

Second: Gary Tondorf-Dick

In Favor: Judith Sneath, Gordon Carr, Gary Tondorf-Dick, Kevin Ellis

Opposed: None

Chair Ellis stated the next matter would be **96 Derby Street, Legal C**, Site Plan Review Waiver Request and Special Permit A3 Parking Determination.

Ms. Donna Cruz, Paralegal for Legal C and Mark Hayward, Esq. appeared on the applicant's behalf. Ms. Victoria Maguire, W/S/M Development, gave an overview of the project. Ms. Maguire stated that Derby Street Shops supported the outdoor dining proposal. Ms. Maguire described the parking and wastewater treatment calculations, and stated the seat count would not increase, but would allow the restaurant to spread out and flex some outdoors.

There was discussion about historical use, other restaurants wanting additional spaces in the future, tenant feedback about giving up spaces in front of their locations and consideration about future applications and tenants.

Ms. Caroline Hessberg, Derby Street Shops, stated that outdoor dining brings in customers and abutting tenants are in full support of Legal C's program.

There was discussion regarding location of seating and handicap spaces, overall impact to parking availability and April-October use of spaces.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following Special Permit A3 findings:

a. The parking is sufficient in quantity to meet the needs of the proposed project;

The Derby Street Shops Shared Parking Analysis confirms that there is a surplus of parking during peak hours of operation for the shopping center during those months in which the restaurant would offer outdoor dining. Additionally, the Applicant demonstrated that

seasonal operation of the outdoor dining area pursuant to the Outdoor Table Service (OTS) permit originally issued by the Select Board on September 15, 2020 did not adversely affect parking availability within the shopping center, despite the displacement of 6 parking spaces.

b. Pedestrian access and circulation has been provided for;

Pedestrian access and circulation is largely unchanged as a result of this project. Ample space remains provided for along the sidewalk area for pedestrians.

c. New driveways have been designed to maximize sightline distances to the greatest extent possible;

No changes to entrances or sight distances are proposed.

d. It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings; and

The seasonal flex of seating into the parking spaces will not result in or worsen parking or traffic on-site or the surrounding streets.

e. The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.

The proposed seasonal flex of parking will not increase the likelihood of accident or impair access and circulation.

And moved to GRANT the application of W/S/M Properties LLC for a Special Permit A3 Parking Determination under § V-A to allow Legal C Bar to seasonally maintain an outdoor dining area that displaces six parking spaces and a portion of the sidewalk adjacent to the restaurant located at 96 Derby Street in the Industrial Park and South Hingham Development Overlay Districts, subject to the following conditions:

1. The Applicant shall submit a request to the Board, following one year of operation of the outdoor dining area, to review project impacts on parking availability. With the request, the Applicant shall include any reports of parking or pedestrian complaints, non-compliance, and/or such other issues related to the outdoor dining area. The review shall take place during a noticed public hearing and the Board may modify the permit to address any identified issues.
2. The permit shall be limited to the current restaurant and will expire in the event that Legal C is no longer operating from this property.
3. After expiration of the current Outdoor Table Service Permit on April 1, 2022 and prior to operation of the outdoor dining area, the Applicant shall submit a revised plan for review and approval by the Community Planning Director and the Building Commissioner to demonstrate that a minimum of 3' is provided between tables and stanchions and that a

minimum of 6' remains beyond the stanchions for an unobstructed pedestrian walk.

4. Outdoor table seating shall be permitted from April 1 through October 31.

Second: Gary Tondorf-Dick

In Favor: Gordon Carr, Judith Sneath, Gary Tondorf-Dick, Kevin Ellis

Opposed: None

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following Site Plan Review findings:

- 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.**

No changes are proposed to drainage, fire hydrant locations, sound and site buffers, or preservation of views, light and air.

- 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.**

With the modest exceptions, there are no changes to vehicular and pedestrian movement, location of driveway openings, or access for service, utility and emergency vehicles are proposed within the site. The exceptions include outdoor dining area located on the sidewalk and within specified parking spaces. The proposed plan maintains adequate pedestrian access along the sidewalk and diners within the parking area will be protected with jersey barriers.

- c. **Adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law.**

The Derby Street Shops Shared Parking Analysis confirms that there is a surplus of parking during peak hours of operation for the shopping center during those months in which the restaurant would offer outdoor dining. Additionally, the Applicant demonstrated that seasonal operation of the outdoor dining area pursuant to the Outdoor Table Service (OTS) permit originally issued by the Select Board on September 15, 2020 did not adversely affect parking availability within the shopping center, despite the displacement of 6 parking spaces.

- d. **Adequacy of open space and setbacks, including adequacy of landscaping of such areas.**

No changes to open space, setbacks, or landscaping are proposed.

- e. **Adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal stormwater system shall be expressly prohibited;**

No construction is proposed for this project.

- f. **Prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources.**

The restaurant capacity will not be increased since permitted seats will be flexed seasonally from indoors to outdoors; therefore, Town resources, including water and public safety, will not be impacted.

- g. **Assurances of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Stormwater Management Policy and Standards including the Massachusetts Stormwater Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system.**

No changes to drainage systems or patterns are proposed. The proposed outdoor dining will be located on existing impervious surfaces.

- h. **Assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of stormwater controls at consistent intervals.**

No disturbance to land or natural resources is proposed. The proposed outdoor dining will again be located on existing impervious surfaces.

- i. **Protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations.**

The outdoor dining area will be located interior to the shopping center and will not affect views from public ways.

j. Minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.

No changes to the existing structures are proposed.

And moved to GRANT the application of W/S/M Properties LLC for Site Plan Approval with Waivers, under §§ I-G and I-I, to allow Legal C Bar to maintain a permanent seasonal outdoor seating area that displaces 6 parking spaces and a portion of the sidewalk adjacent to the restaurant located at 96 Derby Street in the Industrial Park and South Hingham Development Overlay Districts, subject to the following conditions:

1. After expiration of the current Outdoor Table Service Permit on April 1, 2022 and prior to operation of the outdoor dining area, the Applicant shall submit a revised plan for review and approval by the Community Planning Director and the Building Commissioner to demonstrate that a minimum of 3' is provided between tables and stanchions and that a minimum of 6' remains beyond the stanchions for an unobstructed pedestrian walk.
2. The Applicant shall be responsible for regular cleaning of trash and food in the outdoor dining area and shall not allow trash, food or other nutrients to accumulate or be deposited (intentionally or unintentionally) into storm drains.

Second: Gordon Carr

In Favor: Judith Sneath, Gary Tondorf-Dick, Gordon Carr, Kevin Ellis

Opposed: None

Chair Ellis stated Member DaSilva joined the meeting.

Chair Ellis stated that the next items on the agenda was **103, 105 and 109 North Street Site Plan Review and Special Permit A3 Modifications.**

Member Sneath stated she was recusing herself from the matter.

Ms. Carmen Hudson from Cavanaro Consulting and John Barry, owner were present. Ms. Hudson provided history of original mixed-use project and presented the proposed modifications which included removing a unit to have 8 dwelling units and 13 parking spaces and described a landscape wall.

Chair Ellis asked for Member comments.

There was brief discussion about the original application and peer review photographs.

Mr. Richard Johnson, Amory Engineers provided an overview of the peer review, presented photographs and discussed segmented wall.

There was discussion regarding a decorative topper on the wall, which was not yet completed, rip rap and tree protection, slope, existing garage and vertical drops.

Chair Ellis asked for public comment.

Ms. Judith Sneath, 89 North Street, asked for clarification regarding the peer review and rip rap.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following Special Permit A3 findings:

a. The parking is sufficient in quantity to meet the needs of the proposed project;

The proposed modifications, including the elimination of an existing dwelling unit and a previously approved parking space, result in a reduction in parking requirements for the existing multifamily building to 12 spaces, where 13 are proposed. The Board finds that the number of spaces for the property overall is sufficient and the excess space will not negatively affect the site design approved in connection with the Special Permit A3 Decision, dated July 25, 2019, and Site Plan Approval, dated July 23, 2019.

b. Pedestrian access and circulation has been provided for;

Pedestrian access and circulation is unchanged as a result of this project.

c. New driveways have been designed to maximize sightline distances to the greatest extent possible;

No changes to entrances or sight distances are proposed.

d. It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings; and

The provision of one excess parking space on the property will not result in or worsen parking or traffic problems either on-site or the surrounding streets.

e. The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.

The proposed modification of the 2019 approved parking plan will not increase the likelihood of accident or impair access and circulation.

And moved to GRANT the application of JMGH Hingham LLC for Modification of a Special Permit A3 Parking Determination under §§ III-G and V-A of the Zoning By-Law to allow the Applicant to install a landscape wall in place of a structural wall, eliminate an existing dwelling unit at 103-105 North Street, and provide 13 parking spaces where 12 are required in the Business District A and Downtown Hingham Overlay District, subject to the following condition:

1. All other conditions imposed by the Board in its Special Permit A3, originally issued July 25, 2019, remain in full force and effect unless modified by this Permit.

Second: Gordon Carr

In Favor: Gary Tondorf-Dick, Rita DaSilva, Gordon Carr, Kevin Ellis

Opposed: None

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following Site Plan Review finding: That the proposed modifications do not materially affect the findings made in connection with the Site Plan Approval, issued July 23, 2019, under § I-I of the Zoning By-Law.

And moved to GRANT the application of JMGH Hingham LLC for Modification Site Plan Approval under §§ I-G and I-I of the Zoning By-Law to allow the Applicant to install a landscape wall in place of a structural wall, eliminate an existing dwelling unit at 103-105 North Street, and provide 13 parking spaces where 12 are required in the Business District A and Downtown Hingham Overlay District, subject to the following condition:

1. All other conditions imposed by the Board in its Site Plan Approval, originally issued July 23, 2019, remain in full force and effect unless modified by this Permit.

Second: Gary Tondorf-Dick

In Favor: Rita DaSilva, Gordon Carr, Gary Tondorf-Dick Kevin Ellis

Opposed: None

Chair Ellis stated the next matter was **0 R Rockwood Road and 36 East Street.**

Walter Sullivan, Esq. represented the applicants. Attorney Sullivan introduced the development team, Mr. Jacob Lilley, Architect and Mr. Jeff Hassett, Engineer.

Mr. Lilley presented the light study and described the process followed and lights used for the study. Mr. Lilley described locations where the lights were viewed from and stated the street lights buffered the light study lights from Main Street. Mr. Lilley shared the single story house rendering.

Mr. Hassett presented revised plans showing a revised driveway that followed Mass DOT standards.

Chair Ellis asked for Member comments.

There was discussion regarding the responsiveness of the light study, the cross-sectional plan from Main Street, visibility of lights and light pollution.

Mr. John Haven, Landscape Architect, described the slope on the site and proposed deciduous tree plantings and understory trees.

There was discussion regarding potential improved screening trees and existing landscape.

Attorney Murphy discussed zoning compliance issues discussed previously and the Building Commissioner's involvement regarding issues to be addressed should a building permit be sought by the applicants.

There was discussion regarding the rationale for Planning Board questions resulting from the implication of this application on other projects in the future and not reflective of concerns with applicant's project specifically, site plan review requirements including access, frontage, intensity, site and septic design, the Hatfield case, dimensional review, Zoning Board and other officials' review.

There was discussion regarding the driveway and caliper of trees to be planted.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis proposed the following findings:

- 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.**

The project provides for improved site drainage, including installation of an underground infiltration systems and associated drainage infrastructure. The building site is located a distance from East Street, minimizing impacts on the streetscape, while still meeting standards for proximity to a fire hydrant. A significant tree line will also be retained to buffer adjoining residential properties from views of the proposed construction.

- 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.**

The existing gravel driveway will be extended to access the proposed dwelling, but the single-family use will not otherwise affect the existing driveway opening at East Street with the exception of an increased radius on the right side of its intersection on East Street. The application includes a certification from the project engineer that the compacted gravel construction is suitable for emergency vehicles.

- c. **Adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law.**

The new, 2-car attached garage and extended driveway provide sufficient off street parking for vehicular traffic typical in a residential setting.

d. Adequacy of open space and setbacks, including adequacy of landscaping of such areas.

The proposed construction complies with all applicable setback requirements specified under Section IV-A for Residence District A. While 125 trees would be removed from the property in connection with the construction, a significant existing tree line would be retained along property lines shared with residential owners and 65 additional trees would be planted.

e. Adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal stormwater system shall be expressly prohibited;

The existing gravel driveway will be used as a stabilized construction entrance during the construction phase of the project. The Operation & Maintenance Plan calls for weekly inspection of the entrance and immediate removal of mud and sediment tracked onto the roadway. A mulch sock will be installed along the down gradient to control erosion during construction.

f. Prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources.

The proposed dwelling will be connected to the same utilities serving the existing dwelling, including public water, gas, and electric services. A new septic system would service both the proposed dwelling and existing dwelling to be converted to a home office.

g. Assurances of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Stormwater Management Policy and Standards including the Massachusetts Stormwater Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal stormwater system.

As a single-family house, the project is exempt from the Mass DEP stormwater standards; however, the residential project provides enhanced stormwater upgrades to the site that include underground infiltration systems and associated drainage infrastructure. Sediment and erosion control measures are incorporated into the plan set and will be implemented at the outset of construction commencement.

h. Assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites

when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of stormwater controls at consistent intervals.

Based upon Amory Engineering's review, implementation of best management practices with the stormwater design are sufficient.

- i. Protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations.**

The site is balanced in terms of cut and fill. A number of trees will be removed in connection with the proposed construction and grading work; however, a substantial tree line will be preserved. During the course of review, the Applicant adjusted the driveway in order to preserve a portion of an existing stone wall. The existing historic dwelling (ca. 1740) will be retained and converted to a permitted accessory use.

- j. Minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.**

The proposed dwelling differs from the existing and others in the area in terms of character and scale; however, the structure is located at a substantial distance from the roadway and adequately screened from nearby residential properties.

And moved to grant the application of Christine and Gregory Fletcher Site Plan Approval under § I-I and IV-B.6, including waivers of certain submittal requirements, to construct a single-family dwelling at 0 Rockwood Road and 36 East Street in Residence A District, subject to the following conditions:

1. Pre-Construction Meeting. Prior to any construction on the site, the applicant shall schedule a pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing.
2. Inspections. Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction, including during installation of the approved drainage and stormwater system. There shall be established, at the applicant's expense, a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
3. The Planting Plan, Sheet L1, dated January 18, 2022 shall be adjusted to reflect that 58 of the 65 trees being planted shall be 3" caliper or larger excepting the evergreen trees which shall be 8'-10' in height. Any newly planted trees shall be maintained in good health for a period of no less than 24 months following the certificate of occupancy, and any that die shall be replaced by the applicant.
4. No construction vehicles to enter the site before 7:00am. All construction vehicles to be parked on the site.

5. **As-Built Plan Requirement.** Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.

Second: Judith Sneath

In Favor: Rita DaSilva, Gordon Carr, Gary Tondorf-Dick, Judith Sneath, Kevin Elis

Opposed: None

Chair Ellis stated the next matter would be **Special Permit and Site Plan Review Procedures and Tree Preservation and Protection By-Laws the Articles for the 2022 Town Meeting Warrant.**

Attorney Murphy walked the Board through the Draft Recommended Motion containing all changes previously discussed by the Board.

There was discussion regarding overall comfort with current draft of the amended by-law, findings and conditions as delineated in decisions, use of checklists to confirm compliance with by-law, updated application approach and findings and conditions.

Chair Ellis asked for public comment. There was none.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis moved to recommend adoption of Article CCC: Special Permit and Site Plan Review Procedures article in the form received and as modified by the Board during the public hearing.

Second: Gordon Carr

In Favor: Rita DaSilva, Judith Sneath, Gary Tondorf-Dick, Gordon Carr, Kevin Elis

Opposed: None

Ms. Priya Howell, proponent of Tree Preservation and Protection article, stated that assuming the article was approved by the Advisory Committee she had gathered signatures to withdraw the Article DDD, Citizen Petition's for Tree Preservation and Protection.

There was discussion regarding tracking the inches of caliper of trees removed over the next year.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting Chair Ellis moved to recommend "no action" on the Article DDD: Citizen Petition's for Tree Protection and Preservation.

Second: Gary Tondorf-Dick
In Favor: Judith Sneath, Rita DaSilva, Gordon Carr, Kevin Ellis
Opposed: None

There was a brief discussion regarding next steps regarding the articles.

Chair Ellis suggested draft meeting minutes be discussed at the next meeting.

Chair Ellis stated the Board would discuss meeting minutes.

Chair Ellis moved to approve the January 24, 2022, February 7, 2022, February 14, 2022 and February 28, 2022 meeting minutes of the Planning Board as reviewed by the Board.

Second: Gary Tondorf-Dick
In Favor: Gordon Carr, Judith Sneath, Rita DaSilva, Gary Tondorf-Dick, Kevin Ellis
Opposed: None

There was a discussion regarding the upcoming meeting schedule and future administrative reports.

Chair Ellis moved to adjourn the meeting at 9:43pm.

Second: Judith Sneath
In Favor: Rita DaSilva, Gary Tondorf-Dick, Gordon Carr, Judith Sneath, Kevin Ellis
Opposed: None

Respectfully submitted,

Tracy L. Altrich
Administrative Assistant, Community Planning

Meeting Materials:

100 Sharp Street:

1. *Application for Site Plan Approval Waiver, dated March 8, 2022*
2. *Structural Analysis Report, dated December 17, 2021*
3. *Plan Set, dated January 4, 2022*

Otis Street, Town Pier:

1. *Application for Site Plan Approval, dated January 10, 2022*
2. *P. Brennan Letter to Planning Board, dated January 31, 2022*
3. *Continuance and Extension Request, dated February 11, 2022*
4. *Withdrawal Request, dated March 10, 2022*

96 Derby Street:

1. *Application for Site Plan Approval, dated February 18, 2022*
2. *Application for Special Permit A3 Parking Determination, dated February 18, 2022*
3. *Plans*

103, 105 & 109 North Street:

1. *Letter from C. Hudson to E. Wentworth and Application, dated February 1, 2022*
2. *Plan Set, Revised through February 1, 2022*
3. *Plan Set, Revised through March 3, 2022*
4. *H. Wheeler Email to E. Wentworth, dated March 14, 2022*
5. *Notice of Decision, Site Plan Review in Association with a Special Permit A2, dated July 23, 2019*
6. *Notice of Decision, Special Permit A3, dated July 25, 2019*

0 R Rockwood Road and 36 East Street:

1. *Application for Site Plan Approval, dated October 12, 2021*
2. *Letter from J. Hassett to Planning Board with Enclosures, dated October 12, 2021*
3. *Site and Septic Design Plan Sheet 1, dated October 12, 2021*
4. *Site and Septic Design Plan Sheet 2, dated October 12, 2021*
5. *Revised Application for Site Plan Approval, dated November 4, 2021*
6. *Site and Septic Design Plan, dated November 4, 2021*
7. *Landscape Plan, dated November 8, 2021*
8. *P. Brennan Peer Review Letter to Planning Board, dated November 8, 2021*
9. *Letter from Lt. DiNapoli to Planning Board, dated November 8, 2021*
10. *Letter from Lt. DiNapoli to Planning Board, dated November 10, 2021*
11. *Continuation and Extension Request, dated November 18, 2021*
12. *DaSilva Certification, dated November 29, 2021*
13. *J. Hassett Letter to Planning Board Regarding Revisions, dated December 6, 2021*
14. *Site and Septic Plan, Revised through December 6, 2021*
15. *3D Renderings, dated December 6, 2021*
16. *Landscape Plan Rendering, dated December 6, 2021*
17. *Planting Plan, dated December 3, 2021*
18. *Site Section, dated December 3, 2021*
19. *J. Hassett Letter to Planning Board Regarding Response to Peer Review, dated December 8, 2021*
20. *J. Hassett Letter to Planning Board with Updated Drainage Analysis, dated December 8, 2021*
21. *Updated Site and Septic Plan, dated December 8, 2021*
22. *Letter from Lt. DiNapoli to Planning Board, dated December 10, 2021*
23. *W. Sullivan Letter to Planning Board, dated December 13, 2021*
24. *J. Hassett Letter to Planning Board Regarding Driveway, dated December 13, 2021*
25. *Fully Executed Continuation and Extension Request, dated December 20, 2021*
26. *K. Heffernan Letter to Planning Board, dated January 7, 2022*
27. *Site and Septic Design, Revised through January 13, 2022*
28. *Planting Plan, dated January 18, 2022*
29. *Continuation and Extension Request, dated January 26, 2022*
30. *Continuation and Extension Request, dated February 3, 2022*
31. *Continuation and Extension Request, dated February 16, 2022*
32. *J. Hassett Letter to Planning Board, dated February 28, 2022*

33. *Lighting Study, dated February 28, 2022*
34. *Section from Main Street to Proposed Residence, dated February 28, 2022*
35. *Section from Home Meadows to Proposed Residence, dated February 28, 2022*
36. *Site and Septic Design Plan, dated February 28, 2022*
37. *Updated Lighting Study, received March 8, 2022*

Zoning Articles:

1. *2022 Draft Zoning By-Law Mark-Up, updated January 24, 2022*
2. *2022 Draft Zoning By-Law Mark-Up, updated February 26, 2022*
3. *2022 Draft Zoning Bylaw Mark-Up (Redline v. 1.24.22 draft), dated February 26, 2022*
4. *2022 Draft Zoning By-Law Mark-Up, updated March 3, 2022*
5. *2022 Draft Zoning By-Law Clean Version, updated March 3, 2022*

Special Permit and Site Plan Review Procedures and Tree Protection and Preservation:

1. *Special Permits and Site Plan Review Procedures Article*
2. *Section I Excerpt from Draft Zoning Article - Clean Version, dated January 21, 2022*
3. *Tree Protection Article Annotated with Tree Preservation Measure incorporated into Site Plan Review*
4. *Site Plan Review/Special Permit Presentation, dated November 29, 2021*
5. *2022 Zoning Amendments Hearings Presentation (see slides 3 & 4), dated January 3, 2022*
6. *Special Permits and Site Plan Review Presentation, dated January 24, 2022*
7. *Special Permits and Site Plan Review Presentation, dated January 31, 2022*
8. *Special Permits and Site Plan Review Presentation, dated February 7, 2022*
9. *Special Permits and Site Plan Review Presentation, dated February 14, 2022*
10. *Special Permits and Site Plan Review Presentation, dated February 28, 2022*
11. *Public Comment Email from D. Pozdniakov to E. Wentworth, dated January 24, 2022*
12. *Letter from Building Commissioner to Planning Board, dated February 16, 2022*
13. *2022 Draft Zoning By-Law Comments & Mark-Up from G. Tondorf-Dick, dated February 13, 2022*
14. *V. Maguire Letter to Planning Board, dated February 28, 2022*
15. *2022 Draft Zoning By-Law Comments & Mark-Up from G. Tondorf-Dick, dated March 6, 2022*
16. *Memo from Climate Action Planning Committee (CAPC) to Planning Board, dated March 7, 2022*
17. *2022 Draft Zoning By-Law Mark-up (Redline Section I and Definitions 3.11.22 v. 3.3.22), dated 18. March 11, 2022*
19. *Article CCC Draft Recommended Motion, dated March 11, 2022*
20. *Article CCC Draft Recommended Motion, dated March 14, 2022 with track changes*