

## HINGHAM PLANNING BOARD MINUTES

March 15, 2021 @ 7:00 PM

REMOTE MEETING

**Board Members Present Remotely:** Kevin Ellis, Gary Tondorf-Dick, Judith Sneath, Gordon Carr, Rita Da Silva

**Also Present:** Susan Murphy, Special Real Estate Counsel & Christine Stickney, Interim Planner

Meeting Agenda:

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1. **Whole Foods, 94 Derby Street – Suite 200**

Request for a Waiver of Site Plan review under §I-I, 5 for interior work of existing tenant in existing space.

2. **John & Kara Palermo and Gillis & Lori Cashman, 104 & 100 Otis Street**

Approval Not Required (ANR) Plan – land swap between neighbors.

3. **Hingham Farmer’s Market, 0 Station Street**

Request for Site Plan Review in Association with a Special Permit A2 under §§ I-G and I-I, along with a Special Permit A3/Parking Determination under §§ V-A and I-J at 0 Station Street, Official and Open Space District

4. **Proposed Amendments to the Zoning By-Law (Continued from 1/4/21, 2/8/21, 2/22/21, 3/1/21, 3/8/21)**

- Article DDD - Accessory Dwelling Units (ADUs) in Detached Structures

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

**3. Other Business:**

- Master Plan Update
- Adoption of Minutes
- Administrative Reports

*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.*

Hearing(s)

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**Whole Foods, 94 Derby Street – Suite 200**

Greg Bongo from CM&B presented on behalf of the Applicant. He explained that the Applicant is hoping to do a small renovation inside of the Whole Foods Market located at that address and is looking for a Waiver of Site Plan review under §I-I for interior work in the existing space. The proposed renovations include swapping two departments’ locations within the store.

Members of the Board and Mr. Bongo discussed the application, clarifying that the proposed renovations will not increase the amount of interior seating and will not affect the entry to the store and customers’ ability to social distance.

**Motion:** Kevin Ellis made a motion to waive site plan review under §I-I, 5 in connection with interior renovations of existing space at 94 Derby Street/ Whole Foods market Suite 200 in accordance with the application of Construction Management Builders, Inc. dated January 22, 2021.

**Second:** Gary Tondorf-Dick

**In Favor:** Judy Sneath, Gary Tondorf-Dick, Gordon Carr, Rita Da Silva, Kevin Ellis

**Opposed:** None

### **John & Kara Palermo and Gillis & Lori Cashman, 104 & 100 Otis Street**

John Palermo presented the application to the Board. He explained that the plan they have submitted is to sell a parcel of land to the Cashmans, 100 Otis Street, to demolish the structure currently on their lot, and build a new home on the remaining parcel of land, meeting all of the requirements for approval not required.

Members of the Board and Mr. Palermo discussed the application and noted that the frontage of the lot does meet the minimum requirement of 150 ft.

**Motion:** Kevin Ellis made a motion to endorse the Approval Not Required plan entitled “Plan of Land at 100-104 Otis Street, Hingham, MA dated January 14, 2021 stamped William Rainey (RPLS) Sheet 1 of 1” in accordance with Subdivision Control Law, MGL c41 §81P and the Hingham Subdivision Rules and Regulations.

**Second:** Judy Sneath

**In Favor:** Judy Sneath, Gary Tondorf-Dick, Gordon Carr, Rita Da Silva, Kevin Ellis

**Opposed:** None

### **Hingham Farmer’s Market, 0 Station Street**

Mark Cullings, President of the board of the Hingham Farmer’s market, presented the site plans to the Board. He explained that two plans were submitted, one which accounts for the current COVID-19 restrictions and one for if these restrictions were to be lifted.

The Board, Staff, and Mr. Cullings discussed the number of vendor booths, location of vendor parking, pedestrian flow, and the overall clarity of both the COVID-19 restriction plan and the “post”-COVID-19 restriction plan.

The Chair noted that this matter will be voted on at the next meeting and that any changes or edits to the proposed plans should be made before the next hearing.

**Motion:** Kevin Ellis made a motion to continue the hearing for the Hingham Farmer’s Market, Inc.’s application at 0 Station Street to March 22, 2021 at 6:45 pm.

**Second:** Rita Da Silva

**In Favor:** Judy Sneath, Gary Tondorf-Dick, Gordon Carr, Rita Da Silva, Kevin Ellis

**Opposed:** None

### **Proposed Amendments to the Zoning By-Law (Continued from 1/4/21, 2/8/21, 2/22/21, 3/1/21, 3/8/21) Article DDD - Accessory Dwelling Units (ADUs) in Detached Structures**

The Board reviewed the draft of the recommendation to the Advisory Board on ADUs and discussed what a study committee for ADUs may look like, including committee size and membership, the scope of the proposed study, as well as the timeline. The Board suggested that the proposed study committee would report back to the Planning Board by no later than October 22, 2022 with the merits of recommending the amendment to the By-Law along with proposed changes they would suggest to the proposed amendment. The Board clarified that this recommendation is against favorable action and in lieu thereof is recommending the formation of a study committee, the purpose of which would be to balance the intent of the by law with the concerns raised by the Board. It was added that this recommendation will go before the Advisory Committee sometime the following week.

**Public Comment**

Ray Estes, 92 Fort Hill Street, speaking for the petitioners, asked the Board how this recommendation, that would reportedly appear in the Town Meeting Warrant, would be affected if the article were to be withdrawn prior to the deadline.

Town Counsel explained that there would be no recommendation to the Advisory Committee if there is no Warrant Article.

**Motion:** Kevin Ellis made a motion to approve the report of the Planning Board and the recommendations and substance in the form finally presented during this meeting on March 15, 2021.

**Second:** Rita Da Silva

**In Favor:** Gordon Carr, Judy Sneath, Rita Da Silva, Gary Tondorf-Dick, Kevin Ellis

**Opposed:** None

**Other Business:**

- **Adoption of Minutes**

**Motion:** Kevin Ellis made a motion to approve the Planning Board meeting minutes from the March 8, 2021 meeting of the Planning Board as finally presented at this meeting on March 15, 2021.

**Second:** Gordon Carr

**In Favor:** Gary Tondorf-Dick, Judy Sneath, Gordon Carr, Rita Da Silva, Kevin Ellis

**Opposed:** None

- **Master Plan Update**

Gordon Carr explained that since the last meeting, a two-week time period was set for the general public to submit comments on the Master Plan for the Committee to review before finalizing their own comments to be submitted to Staff for discussion when the Master Plan hearing re-opens on March 29, 2021.

- **Administrative Reports**

The Board and Staff discussed the distribution of meeting notes and plans for future meetings.

As there was no other business, the meeting was adjourned at 9:11 P.M.

