

Minutes
Regular Meeting

March 25, 2019

HINGHAM PLANNING BOARD

March 25, 2019 @ 7:00 PM – Central North Hearing Room

Present: Planning Board Members **Gordon M. Carr, Jennifer Gay Smith, William Ramsey, Judith Sneath, Gary Tondorf-Dick, Associate Member Ted Matthews,** Community Planning Director Mary Savage-Dunham, and Administrative Assistant Sherry Robertson.

Planning Board Agenda

**7:00 PM Panek Donuts, LLC, Victor Carvalho, Manager, 315 Lincoln St
JOINT HEARING WITH THE ZBA**
Request to Continue Hearing to May 6, 2019 and Extend Decision Deadline for Site Plan Review to June 23, 2019.

**REB, LLC. - 11 Bank Ave, 103 & 105 North Street
JOINT HEARING WITH THE ZBA**
Request for a Special Permit A3 parking determination, with waivers if necessary, under §V-A of the Zoning By-Law and such other relief as necessary, along with Site Plan Review in association with a Special Permit A2 under §I-G, §I-I and §III-G for the construction of a Mixed Use Commercial/Residential Building at property known as 11 Bank Ave, 103 and 105 North Street to accommodate 1,750 square feet of retail space and 8 one bedroom apartments, in the Business A and Downtown Hingham Overlay Districts.

Gregory McKee - 103-107 South Street
Site Plan Review under §§ I-G and I-I with a request for partial waiver of submittal requirements, and a Special Permit A3 Parking Determination and/or Waivers under §§ III-G and V-A for changes to the parking area and the construction of a covered patio, property zoned Business A/Downtown Overlay District

7 Howe Street – A.B Kahane & Associates
Request for a Site Plan Review under Section IV-B.6.b for alteration of >2500 s.f. in areas of slopes >10%.

220 Summer Street – Philip Austin
Request for a Site Plan Review under Section IV-B.6.b for the alteration of drainage patterns over an area > 20,000 s.f. for the construction of a single family home.

170 Gardner Street – Red Tail Lane Definitive Subdivision
Request to release Form E Covenant and Accept Surety for Cost to Complete

Request for Waiver of Site Plan Review in Association with Building Permit
6 Whiting Street

Old/New Business:

1. Administrative Reports
2. Review and Adoption of Minutes from previous meetings
3. Discussion of Leads on Articles for TM

Hearing(s)

7:00 Joint hearing with ZBA; Also present were ZBA members Joe Fisher, Robyn Maguire, Mario Romano, and Zoning Administrator Emily Wentworth.

Panek Donuts, LLC, Victor Carvalho, Manager, 315 Lincoln Street
For construction of a new Dunkin' Donuts take-out restaurant:
JOINT HEARING WITH THE ZBA

Planning Board Chairman Gordon Carr called the meeting to order at 7:06 PM and noted that Ted Matthews is seated on the special permit A3 for this application. The Boards stated that a Request to Continue was received from the applicant's attorney, Jeffery Tocchio. The applicant requested to continue to May 6, 2019, but the Board members discussed calendar conflicts in scheduling a joint hearing. Gordon Carr made a motion to approve the request to continue but to change the date to May 21, 2019 and to extend the decision deadline to June 23, 2019, which was seconded by William Ramsey and the Board members voted in favor. The Zoning Board of Appeals members also voted in favor of granting the continuance.

REB, LLC. - 11 Bank Ave, 103 & 105 North Street

for the construction of a Mixed Use Commercial/Residential Building at property known as 11 Bank Ave, 103 and 105 North Street:

JOINT HEARING WITH THE ZBA

Planning Board member Judith Sneath recused herself from this hearing as an abutter of the property, and Gary Tondorf-Dick stated for the record that he filed a Mullins Affidavit having missed the hearing on September 24, 2018.

The applicant John Barry introduced those present for the project, Landscape Architect Sean Papich, Attorney Walter Sullivan, Engineer John Cavanaro, Architect Vcevy Strelakovsky, and Traffic Consultant Maureen Chlebek from McMahon Associates. John Cavanaro presented the project and noted the changes that have been made since the last hearing. He explained that the project now calls for 8 one-bedroom apartments with 1,750 square feet of retail space. Mr. Cavanaro indicated on the plans where the parking will be located and how traffic will flow within the site, noting that there is much less impervious surface than the original plan. Landscape Architect Sean Papich described the landscape plan, the types of plantings proposed for the site, detailing the types of trees proposed for screening, and plantings to be used along the rear of the building. The applicant's traffic consultant, Maureen Chlebek explained their traffic assessment. Gary Tondorf-Dick and William Ramsey voiced concerns about the traffic exiting this site, as the intended exit is within close proximity to a crosswalk. Jennifer Gay Smith also voiced concerns about the proposed traffic pattern. Traffic Consultant Jeff Dirk of Vanasse and Associates reviewed the project for the town and was present to discuss his findings. Mr. Dirk agreed with the applicant's traffic assessment that this project would not be considered a large traffic generator. He stated that onsite circulation is an issue, that large vehicles would not have enough room to maneuver within the site. The Boards agreed that it is important to get updated fire department comments. John Chessia of Chessia Consulting Services also reviewed the drainage for the project, and stated that the plans need to be made clearer. He stated the roof drainage needs to be looked at in the rear of the property, and he has concerns of the water draining too closely to the existing building on North Street. Police Chief Olsson was present and stated that he feels that the parking concerns need to remain a top priority, and that it is important to be able to get the emergency vehicles in and out of the site. Neighbors Harry Wheeler of Bank Avenue and Ulrich Becker of Cottage Street were present and thanked the developers for their efforts to reduce the size of the proposal, but voiced concerns about screening, traffic patterns, location of the dumpster on the site, as well as the proposed gate to allow access to landscapers. Neighbor Judith Sneath asked the ZBA members about the commercial use on the first floor that was discussed in the first hearing. Joe Fisher stated that the issue is under advisement with counsel and remains a top priority for the Board. The applicant team stated that they will work with the fire department to make sure there is adequate space for the town's emergency vehicles, and make any changes necessary. Gary Tondorf-Dick asked about the photometric plan with regard to the grade of the area. Vcevy Strelakovsky discussed the photometric plan, and stated they have designed the lighting and fixture choices to avoid glare to the surrounding neighbors. Chairman Gordon Carr made a motion to continue the hearing to April 8, 2019 and to extend the decision deadline to May 8, 2019. The motion was seconded by William Ramsey and Jennifer Gay Smith and all members of the Planning Board voted in favor of the continuance. The ZBA members also voted to continue the hearing.

There was a brief recess at this time to allow the members of the Zoning Board of Appeals to exit.

The meeting reconvened at 8:40 PM.

Gregory McKee - 103-107 South Street

for changes to the parking area and the construction of a covered patio, property zoned Business A/Downtown Overlay District:

Chairman Gordon Carr noted that Associate Member Ted Matthews is seated on the Special Permit A3 for this application. The Board received a request to continue to April

8, 2019 and to extend the decision deadline to May 8, 2019. There were neighbors present who stated that they would like to have a chance to speak, but would not be at the next hearing. Since the applicant wasn't present, the Board stated that they could vote on the continuance as requested and could entertain a later date to further extend the hearing. The Board also encouraged the neighbors to send comments in writing prior to the hearing. Gordon Carr made a motion to continue the hearing to April 8, 2019 with a decision deadline of May 8, 2019. The motion was seconded by Judith Sneath and all voted in favor of the continuance.

Associate member Ted Matthews left the meeting at this time.

7 Howe Street – A.B Kahane & Associates

Request for a Site Plan Review under Section IV-B.6.b for alteration of an area greater than 2500 s.f. in areas of slopes greater than 10 percent:

Attorney Walter Sullivan was present on behalf of the applicant as well as Brendan Kling from Grady Consulting. Peer review engineer Pat Brennan from Avery Engineers was also in attendance. Walter Sullivan reviewed the circumstances that have triggered the site plan review process at this property. Mary Savage-Dunham stated that the applicant recently emailed updated plans, but has not received hard copies as of yet. Mr. Kling reviewed the plans and the corrective measures to address the concerns stated by Pat Brennan in his written comments, such as dry wells and changes with the gutters. Pat Brennan stated that the applicant has now modeled the system correctly and he suggested doing test pits. He proposed another dry well to infiltrate the drainage to avoid concerns that DPW has already raised regarding water going into the street. On behalf of the applicant, Walter Sullivan requested a continuance of the hearing to April 8, 2019 to give the applicant time to make changes to the plans and do test pits. Gary Tondorf-Dick made a motion to grant the applicant a continuance to the April 8, 2019 hearing and to extend the decision deadline to May 8, 2019. The motion was seconded by Jennifer Gay Smith and all members voted in favor of continuing the hearing.

220 Summer Street – Philip Austin

Request for a Site Plan Review under Section IV-B.6.b for the alteration of drainage patterns over an area > 20,000 s.f. for the construction of a single family home:

Present were the applicant, Philip Austin, Attorney Walter Sullivan, and Engineer Gary James. Mr. James discussed the changes to the plans since the last hearing. He stated that additional test pits have been done. Based on comments they are proposing a wall along Summer Street that will help save trees and help maintain the streetscape. Mr. James stated that efforts have been made to retain groundwater to divert it so it won't go into the street. Review engineer John Chessia of Chessia Consulting Services discussed the areas where the applicant proposes to add fill and stated he feels some corrections need to be made on the plans in reference to these areas. Gary James stated he would make those changes. Mr. James stated that this lot was impacted when the roadway was done and caused the water to not properly drain into the catch basin, and he feels this project will help improve things in that area. The applicant stated that the Board of Health will have a hearing on this project after the Planning Board has voted on it. The Board then reviewed the criteria for site plan review. The Board requested to note the trees to be preserved along Summer and Kilby Streets. Chairman Gordon Carr made motion to approve the site plan based on the findings and conditions and the 6 sheet plan set dated December 16, 2018 and revised March 11, 2019. The motion was seconded by William Ramsey and all members voted in favor of approving the plan subject to conditions.

170 Gardner Street – Red Tail Lane Definitive Subdivision

Request to release Form E Covenant and Accept Surety for Cost to Complete:

John Chessia prepared the estimate for the Cost to Complete and explained how he arrived at his estimate. Jennifer Gay Smith made a motion to vote to release the Covenant after receipt of the bond for an amount not less than \$460,000. The motion was seconded by William Ramsey and all members voted in favor to release the covenant upon receipt of bond.

Request for Waiver of Site Plan Review in Association with Building Permit

Ali Hashaum, Plaza Azteca, Inc. Operations Officer, requested a waiver from Site Plan Review for renovations and are exclusively interior improvements. William Ramsey made a motion to grant the request for a waiver. The motion was seconded by Jennifer Gay Smith and all members voted in favor of granting the waiver.

Old/New Business:

Mary Savage-Dunham discussed upcoming events with the Board, such as the Historic Preservation Awards to be held on April 7, 2019.

The Board reviewed the minutes of the March 11, 2019 meeting. Gary Tondorf-Dick made a motion to approve the minutes as written. The motion was seconded by Gordon Carr and all members voted in favor to approve the minutes.

The Board discussed the lead assignments for the Town Meeting articles.

As there was no other business, the meeting was adjourned at 10:05 PM.
Respectfully submitted,

Sherry Robertson,

Administrative Assistant, Community Planning Department