

## HINGHAM PLANNING BOARD MINUTES

April 11, 2022 @ 7:00 PM

REMOTE MEETING

**Planning Board Members Present Remotely:** Kevin Ellis, Judith Sneath, Gordon Carr, Rita DaSilva

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

**Members Absent:** Gary Tondorf-Dick

At 7:01 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.”*

### **Hearing(s)**

Chair Ellis stated the first matter would be an **Approval Not Required (ANR) application for 21 Leavitt Street.**

Mr. James Magner presented his application and plan. He stated the submission was related to the sale of a portion of his land to his neighbor.

There was discussion regarding the septic system, lot conformity and potential lease option.

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 endorse, pursuant to MGL c. 41 § 81P, the plan entitled “Plan of Land, 21 Leavitt Street, Hingham MA,” prepared by Hoyt Land Surveying, 1287 Washington Street, Weymouth, MA, dated December 13, 2021, revised through March 25, 2022.

**Second:** Rita DaSilva

**In Favor:** Gordon Carr, Judith Sneath, Rita DaSilva, Kevin Ellis

**Opposed:** None

Chair Ellis stated that the next matter was an **Approval Not Required (ANR) application for 62 & 70 Elm Street.**

Chair Ellis stated the applicant had requested withdrawal of the application without prejudice.

Chair Ellis MOVED to grant the request to withdraw without prejudice the application of James Cahill & Gillian Grossman and Jeremy & Jane Goldberg for Endorsement of Plan Believed Not to Require Approval under the Subdivision Control Law for 62 & 70 Elm Street located in Residence District A.

**Second:** Judith Sneath

**In Favor:** Gordon Carr, Rita DaSilva, Judith Sneath, Kevin Ellis

**Opposed:** None

Chair Ellis stated the next matter would be an application for **Site Plan Approval for 90 & 90A Industrial Park Road.**

Jeffery Tocchio, Esq. represented the applicant. Also present on behalf of the applicant were Joe DePasquali, Property Manager for AW Perry and Matt Collins and Taylor Corsano from Crocker Design Group.

Attorney Tocchio gave background and discussed the 60,000 square foot building that will be demolished and covered with slab and crushed stone, removal of walkways, retained driveways, wetlands and Conservation Commission Order.

Mr. Collins discussed erosion controls, vernal pools, slopes, 5-6 daily truck trips to remove debris and bring in of materials over six weeks.

There was discussion regarding whether there would be any impacts to the nearby Amazon project, septic systems, Board of Health sign-offs needed and recent vandalism of the structure.

Chair Ellis asked for Member comments.

There was discussion regarding reasons for demolition, marketing and potential future uses of the property.

Chair Ellis asked for public comments. There were 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 findings:

Proposed 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 demolition project proposes a smoothed surface covered with clean granular fill and topped with 4"-6" of crushed stone – yielding less impervious area. Landscaping along the building foundation is proposed to be removed while existing trees are proposed to remain unchanged – preserving sound and sight buffers, views, light, and air. Negative impacts on abutting properties will be reduced as a result of this project.

**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 project proposes no changes to vehicular and pedestrian movement, location of driveway openings, or access for service, utility and emergency vehicles. Two new construction entrances will be added, in addition to the current driveways onsite, to allow for access to the demolition areas.

**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 project proposes no changes to parking or traffic. Proper storage and movement of construction vehicles shall remain within the development and be a condition of this approval herein.

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

The project proposes no structures to remain onsite – as a result, setbacks do not apply to the proposal. Landscaping along the building foundation is proposed to be removed while existing trees are proposed to remain unchanged.

**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 project proposes demolished building and other materials to be removed from the site. No construction is proposed as part of 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 project proposes utilities to the property to be cut and capped in coordination with utility providers. The existing septic systems are to be properly abandoned per MassDEP

Title 5 requirements, pending administrative review by the Board of Health. Further, prior to and during the demolition, proper sediment and erosion control measures will be implemented, including installation of wired backed silt fencing throughout the site and silt socks within catch basins.

- 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.**

The demolition project proposes a smoothed surface covered with clean granular fill and topped with 4"-6" of crushed stone – yielding less impervious area. Proper sediment and erosion control measures will be implemented, including installation of wired backed silt fencing throughout the site and silt socks within catch basins. No other changes to the stormwater systems are proposed.

- 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.**

The area of disturbance for the demolition project has been minimized to the extent practicable. No work is proposed to occur within protected wetland resource areas, and proper sediment and erosion control measures will be implemented. A 2:1 rip rap slope is proposed within the western portion of the existing building where the vertical foundation wall is to be removed, in order to create a safe and stable slope transition for the finish ground surface. The proposed rip rap and crushed stone will provide adequate temporary site stabilization. Once the demolition is completed, the area of the foundation and removed structures will be permanently stabilized.

- 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 project proposes landscaping along the building foundation to be removed while existing trees will remain unchanged. A total of 800-900 CY of crushed fill are proposed to be brought to the site with no fill being removed.

**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 project does not depart from the character of the industrial park and is intended to be redeveloped in the future for a use consistent with the industrial park.

And MOVED to grant the application of 90 Industrial Park JV, LLC filed an application for Site Plan Approval under §§ I-I and IV-B.6 and waivers under § I-I of the Zoning By-Law and such other relief as necessary to demolish existing 60,000 ± SF building and to secure and stabilize the property in the Industrial Park and South Hingham Development Overlay Districts, 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. Septic Abandonment. Approval from the Board of Health shall be obtained regarding the proper abandonment of the existing septic systems per MassDEP Title 5 requirements.
3. 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.
4. Construction Vehicles. All construction vehicles shall be parked onsite, within the development, and no construction vehicles shall enter the premises before 7 AM on any given construction day.

**Second:** Rita DaSilva

**In Favor:** Judith Sneath, Gordon Carr, Rita DaSilva, Kevin Ellis

**Opposed:** None

Chair Ellis stated the Board would discuss meeting minutes of March 28, 2022 and asked for Board Member comments.

There was discussion regarding the EV parking station findings.

Chair Ellis left the meeting and Member Carr assumed the role as Chair in his absence.

Acting Chair Carr moved to approve the Planning Board Meeting Minutes of March 28, 2022 as presented to the Board.

**Second:** Judith Sneath

**In Favor:** Judith Sneath, Rita DaSilva, Gordon Carr

**Opposed:** None

Chair Ellis stated the next matter was **MBTA Communities**.

Ms. Wentworth presented materials and discussed relevant statutory definitions.

There was discussion regarding Hingham's designation as a bus community.

There was discussion regarding Multi-Family Zoning Requirements, district location and size, minimum unit capacity, impact of noncompliance, compliance calendar, guideline requirements, future potential articles and Select Board briefing.

Chair Ellis rejoined the meeting.

Chair Carr moved to adjourn the meeting at 8:15pm.

**Second:** Judith Sneath

**In Favor:** Judith Sneath, Rita DaSilva, Kevin Ellis, Gordon Carr

**Opposed:** None

Respectfully submitted,

Tracy L. Altrich  
Community Planning Assistant

Meeting Materials:

*21 Leavitt Street*

1. *Form A Application, dated March 23, 2022*
2. *Draft Plan, revised through December 12, 2021*
3. *Plan, revised through December 16, 2021*
4. *Plan, revised through March 25, 2022*

*90 & 90A Industrial Park Road*

1. *Application for Site Plan Package, dated March 18, 2022*
2. *Demolition Site Plan, dated March 17, 2022*
3. *Response to Questions from G. Crocker to M. Silveira, April 7, 2022*