

Select Board

April 26, 2022

Present:

- Select Board: Mr. Joseph Fisher, Mr. Bill Ramsey, and Ms. Liz Klein
- Mr. Tom Mayo, Town Administrator
- Ms. Michelle Monsegur, Assistant Town Administrator for Finance
- Mr. Art Robert, Assistant Town Administrator for Operations

7:01 PM: Call to order

Mr. Fisher called the meeting to order and read the following statement:

“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. “

Harbor Media was the only party recording the meeting.

He announced that Select Board members participating in the meeting were himself, Mr. Bill Ramsey and Ms. Liz Klein.

7:02 PM: Mr. Gordon Carr, acting Chair of the Planning Board, called to order the meeting of the Planning Board and adopted the statement previously read by Mr. Fisher.

MBTA Community Multi-Family Zoning

Members of the Planning Board present included Gordon Carr, Judy Sneath, Rita DaSilva and Kevin Ellis, Chair. Ms. Emily Wentworth, Community Planning Director, shared a presentation outlining the draft guidelines for the MBTA Communities Multi-family Zoning Requirements issued by the Department of Housing & Community Development (“DHCD”). A briefing of the Select Board is a prerequisite for any MBTA community that opts to submit a Community Information Form. This form is required for the Town to maintain interim compliance with DHCD’s requirements while DHCD finalizes the guidelines.

An MBTA community is any community with MBTA service, which includes subway, bus or commuter rail service, or any community that is adjacent to a community that hosts such service. There are 175 communities in Massachusetts that fit these requirements. Two subsets of that definition are of particular interest to Hingham:

- A bus service community: an MBTA community with a bus station within its borders or within a half mile of its border or an MBTA community with a bus stop within its borders and no subway station or commuter rail station within its borders or within a half mile of its borders. Hingham does not fit these requirements.
- A commuter rail community: an MBTA community that has a commuter rail station, but no subway station, within its border or within a half mile of its border.

DHCD is currently categorizing Hingham as a bus community. Ms. Wentworth said that the Town believes that this designation is incorrect because Hingham has commuter rail.

Multi-family Zoning requirements include the following, as outlined in a new section of the Zoning Act, Chapter 40A, section 3A:

- An MBTA community must have at least one zoning district of a reasonable size in which multi-family housing is permitted as of right and meets other criteria set forth in the statute, including:
 - A minimum gross density of 15 units per acre that is no more than a half mile from a transit station, which can include commuter rail and ferry terminals
 - No age restrictions
 - Suitable for families with children (no limit on the number of bedrooms)
- A reduction in the voting threshold for certain housing-related zoning amendments, including:
 - As of right, multi-family housing in an eligible location, as defined as areas around transit, including the commuter rail and ferry
 - A size of at least 50 acres, as related to the half-mile radius around a transit station
 - Multiple districts are allowed, with one district required to consist of a minimum of 25 acres

Ms. Wentworth outlined some additional requirements of the new Zoning law with regard to the location of a multi-family district and the overall housing units and type of transit within such community. She explained that, if Hingham were categorized as a bus community, it would be required to provide up to an additional 1,986 multi-family housing units as opposed to 1,490 units if Hingham were categorized as a commuter rail community. If Hingham does not comply with the new zoning requirements, it would no longer be eligible to receive funds for certain State grant programs, including the Housing Choice Capital Grant, the Local Capital Project Fund and the Massachusetts Work Infrastructure Program. Ms. Wentworth pointed out the locations of Hingham's transit stations and outlined some of the challenges related to adding multi-family housing in those areas. She estimated that Hingham currently has 1,480 units of multi-family housing within ½ mile of transit stations. The next steps would be to submit the MBTA Community Information form to the DHCD and to submit updated parcel data to Massachusetts GIS. A change of designation from a bus community to a commuter rail community would allow Hingham an additional year to complete the compliance process. She also noted that the Town Administrator has already sent a letter to the State, which has initiated the appeal process to change the Town's designation. There was some additional discussion regarding the possible relationship between the Town's meeting the 10% threshold of Chapter 40B and compliance with the new zoning requirements of Chapter 40A, section 3A. Ms. Wentworth also explained that the Town would qualify for State grants during its interim compliance period. Mr. Ramsey suggested that the Town should engage in further study of how the zoning changes would affect Hingham's infrastructure, with respect to additional demands on the schools, Sewer, Police and Fire.

Members of the Planning Board expressed some concern with the compliance timeframe and the workload that would be involved for Town staff, as well as the impact on 40B compliance and compliance as it relates to Hingham's Master Plan and historic preservation goals. Mr. Fisher assured the Planning Board members that the Select Board would follow-up with Senator O'Connor and

Representative Meschino's offices regarding this issue. In addition, Real Estate Counsel Susan Murphy reported that the Massachusetts Municipal Association and the Massachusetts Municipal Lawyers Association have submitted lengthy comments and questions to the State regarding the proposed guidelines. She was hopeful that there would be further discussion before the final guidelines come out so that municipal organizations can have their concerns addressed.

Vote: Mr. Ramsey made a motion to authorize Emily Wentworth to submit the MBTA Community Information Form to the Department of Housing and Community Development as presented. Ms. Klein seconded

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

7:51 PM: Mr. Carr adjourned the meeting of the Planning Board.

Approval of Minutes

Vote: Ms. Klein made a motion to approve the minutes dated April 5, 2022. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Vote: Mr. Ramsey made a motion to approve the minutes dated April 7, 2022. Ms. Klein seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Vote: Ms. Klein made a motion to approve the minutes dated April 12, 2022. Mr. Ramsey seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Vote: Mr. Ramsey made a motion to approve the minutes dated April 21, 2022. Mr. Fisher seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: abstain

Mr. Fisher: yes

Special (One-Day) License: Untold Brewing

Mr. Mike Dyer of Untold Brewing and Ms. Victoria Maguire of WS Development were present. Mr. Dyer explained that this request is very similar to the successful series of events that they held last summer at The Green at the Derby Street Shoppes. The main difference with their request this season is that they have changed the days of the week to just Fridays and Saturdays. Mr. Dyer also noted that the hours of operation have been shortened by two hours. This year they plan to operate from 2:00 PM to 9:00 PM. Police Chief Jones reported no concerns with the request as presented to the Board.

Vote: Ms. Klein made a motion to approve the issuance of twenty-nine (29) Special (One-Day) Wine and Malt Beverages licenses to Mike Dyer on behalf of Untold Brewing for a series of events known as “The Green at Derby Street Shops,” to be held on Fridays and Saturdays beginning on June 4, 2022 and ending on October 29, 2022, as outlined in the letter dated March 15, 2022. The hours of the events shall be limited to 2:00 pm to 9:00 pm, and such licenses shall be further subject to the following conditions:

- The event location is shown as the “The Green” located between REI and Kohls at The Derby Street Shops, which space is approved for use for community events by the Modified Special Permit issued by the Zoning Board of Appeals, dated August 20, 2020, issued to WSM Hingham Properties, LLC, and shown on the Restricted Use Area Plan, dated March 9, 2020 and approved in connection with the Special Permit.
- In order to comply with the Special Permit, the event location shall be modified in order to provide a minimum 6’-wide pathway between the rear and main parking fields.
- Access shall be maintained to the fire sprinkler connection on the Kohl’s building façade.
- All applicable permits shall be obtained from the Board of Health.

Mr. Ramsey seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Special (One-Day) License: South Shore Conservatory

Ms. Sharon Bohan of the South Shore Conservatory presented. She explained that the event would include a concert by faculty members and a post-concert reception, including refreshments. She anticipates 75 guests. More information about the event is available on their website at <https://sscmusic.org/>. Police Chief Jones noted that he has reviewed the application and has no concerns about the event.

Vote: Mr. Ramsey made a motion to approve the request for a Special (One -Day) Wine and Malt Beverages license to Sharon Bohan on behalf of the South Shore Conservatory for the South Shore

Conservatory Spring Soiree to be held at the South Shore Conservatory on Sunday, May 15, 2022 from 5:00 pm to 7:00 pm. Ms. Klein seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Restaurant Common Victualler All-Alcoholic Beverages License: Hingham Shipyard Hospitality, Inc.

Mr. Dennis Quilty, Ms. Carlie O'Connor and Manager Des Sherry were present. Mr. Quilty said that the site of the restaurant is the former Beer Works restaurant. The seating capacity of the restaurant would be 230, which is the same as the former restaurant and includes 92 flex seats that could be utilized outside seasonally. Ms. O'Connor explained that the restaurant was named for its location, the site of the former Bethlehem Steel Company at the Hingham Shipyard, which was one of the largest shipbuilding locations in the U.S. during WWII. Police Chief Jones said that he has reviewed the application has no concerns.

Vote: Ms. Klein made a motion to approve the application for a Restaurant Common Victualler All Alcoholic Beverages License by Hingham Shipyard Hospitality, Inc. d/b/a The Beth, 18 Shipyard Drive, Suite 1K, Hingham, Desmond Sherry, Manager, filed with the Town of Hingham on February 15, 2022, with the following operating hours: Monday through Sunday: 11:30 AM to 1:00 AM. This approval is subject to the approval of all applicable town boards and departments, submission of a valid certificate of insurance evidencing liquor legal liability insurance coverage in at least the minimum statutory amounts, and the approval of the Massachusetts Alcoholic Beverages Control Commission.

Mr. Ramsey seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Entertainment License: Hingham Shipyard Hospitality, Inc.

Vote: Mr. Ramsey made a motion to approve the issuance of an Entertainment License to Hingham Shipyard Hospitality, Inc. d/b/a The Beth, 18 Shipyard Drive, Suite 1K, for background music, televisions, and live entertainment including up to four (4) instrumentalists and/or vocalists in the restaurant during the following operating hours: Monday through Sunday: 11:30 AM to 1:00 AM. Ms. Klein seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Appointment of Police Prosecutors and Special Police Officers

Police Chief Jones explained that Police Prosecutors and Special Police Officers are appointed annually for a one-year term. Special Police Officers typically work as site security at special events around town and as paid detail officers. They are subject to the same background investigation and psychological exam as full-time officers. Due to Police reform, Chief Jones noted that Special Police Officers are now required to have the same level of training as regular Police Officers. The Police Prosecutors are all full-time police officers from other communities that are assigned to work at the Hingham District Courthouse. An affirmative vote would allow them to have the full authority of a Hingham Police Officer while stationed at the Courthouse.

Vote: Ms. Klein made a motion to appoint the following Police Prosecutors and back-ups as Special Police Officers for the Town of Hingham for a one-year term ending April 30, 2023:

Hanover PD

- Sergeant David Salvucci
- Sergeant David Zemotel
- Sergeant James Smith

Hull PD

- Officer Kevin Olsen
- Detective Andrew Reilly

Norwell PD

- Sergeant William Pasteris
- Detective Sean Sutton
- Officer Kenneth Camerota

Rockland PD

- Officer Sean Brundige
- Officer Jeffrey Drenzo
- Officer Joseph Zielinski

Scituate PD

- Sergeant Kenneth Bates
- Sergeant James Bulman
- Detective Owen Kirkbride

Mr. Ramsey seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Special Police Officers

Vote: Mr. Ramsey made a motion to appoint the following individuals as Special Police Officers for the Town of Hingham for a term ending April 30, 2023:

Leslie Badger
Ryan Baring
Douglas Comman
Kenneth Corson
Joseph Driscoll
David Horte
George Kelley
Dillon Leary

Robert Mansfield
Daniel Martini
Michael McCue
William Morgan
Michael Murray
John Norkaitis
John Norris
Mitchell Powers

Matthew Puleo
Danny Sousa
James Tian
James Wells
Eric Wiessmeyer
Steven Wohlgemuth

Ms. Klein seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Recommendations for the Human Rights Commission

The Human Rights Commission represents the Town of Hingham's commitment to support the rights of all persons in Hingham to enjoy the free and equal exercise of their rights and privileges as secured by the Constitution and laws of the Commonwealth of Massachusetts and of the United States, and to promote diversity, equity and inclusion in the Town of Hingham. The Commission includes 13 members, recommended to the Select Board by various Town committees and departments.

Vote: Ms. Klein made a motion to appoint the following members to the Human Rights Commission:

- John, Marquardt, as recommended by the Chief of Police from the Hingham Police Department:
- Tim Miller-Dempsey, as recommended by the School Committee from the Hingham Public Schools:
- Sara Smithson, as recommended by the Council on Aging:
- Stephanie Gertz, as recommended by the Commission on Disabilities:
- Ruth Bennett, as recommended by the Housing Authority:
- Stephen Leary, as recommended by the Recreation Commission
- Ava Lydotes, High School Student, recommended by School Committee

Mr. Ramsey seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Mr. Fisher noted that the Select Board would follow-up with their five appointments to the Human Rights Commission in the near future.

Green Communities Program Update and Agreement with Your Electrical Solution, Inc.

Assistant Town Administrator, Mr. Art Robert reported that Hingham has recently been awarded a significant grant from the Green Communities program. In January, the State made 8.3 million available to 63 designated Green Communities for special energy-efficient projects. Hingham has been awarded \$185,475 to support two LED lighting retrofit projects. One of the projects would retrofit 1,227 interior lamps and fixtures and 20 exterior door lighting fixtures and 20 security fixtures at Town Hall. The value of this project is \$94,475. A second project at the high school would replace 510 interior lamps and fixtures, including 80 with emergency battery backup. The value of this project is \$95,870. The goal of these projects is to reduce energy costs, staff time commitment and to reduce standard greenhouse gas emissions. The projects are expected to begin in July 2022 and be complete by the end of the summer. In addition, Mr. Robert said that the Town has worked with HMLP to identify rebates in the amount of \$8,000 that the Town would be able to take advantage of once the projects are complete. Mr. Robert anticipated that the cost to the Town for these projects would not exceed \$1,000.

Vote: Mr. Ramsey made a motion to authorize the Town Administrator to sign the agreement with Your Electrical Solution, Inc. to provide supplies and/or services consisting of LED light replacement at Hingham Town Hall in an amount not to exceed \$95,870.00. Ms. Klein seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

Public Comment

“The Hingham Select Board encourages community engagement and welcomes questions and comments as agenda items are discussed at the meeting. In addition, we have set aside up to fifteen minutes for public comment for items that fall under the purview of the Select Board and are not already on tonight’s agenda. If any guests wish to speak, please seek to be recognized. Once recognized, state your name and address and address your comments to the Chair. Comments will be limited to three minutes per speaker and must relate to topics within the scope of the responsibilities of the Select Board. Speakers are encouraged to present their remarks in a respectful manner and not to indulge in personalities. The Public Comment period is not a time for debate by members of the Select Board. The Select Board is not adopting or endorsing any of the comments made during the Public Comment period.”

Ms. Diane DeNapoli, 16 Gardner Street, congratulated Ms. Gertz on her appointment to the Human Rights Commission.

Town Administrator/Select Board Reports

Mr. Mayo gave the following report on the Covid-19 crisis:

“Hingham is seeing a slight uptick in the number of confirmed and probable cases over the past week, with the current count of 49, which is up from 44 last week. These numbers are roughly consistent over the past few months, where we have been as low as 8 cases in mid-March and as high as 6 in early February. That is when cases really started to level off after a significant decrease from a high of 376 cases in the first week of January. People are still getting sick from Covid-19 and this pandemic, while we all want it to be gone, is, in fact, not gone. I think we should all continue to practice many of the public health protocols we have lived with over the past two years. Get vaccinated. Wear face coverings. Social distance when appropriate and frequently wash your hands. If anyone does need an at-home Covid test, we have them in the Health Department and the Senior Center here at Town Hall. Feel free to come in and request one or call ahead.”

Ms. Monsegur gave a logistics update on the Annual Town Meeting, set to take place this coming Saturday, April 30 at 2:00pm on the multi-purpose field at the high school. Doors will open at 12:30pm. Parking is available at the front, back and far parking lots. Overflow parking will be located at the South Shore Baptist Church, with shuttlebus service to and from the meeting. Chairs will be spaced 3 feet apart. Facemasks will not be required. There will be a drop-off area at Entrance B, near the front of the school, for people with mobility issues and there will be designated seating at the end of several aisles for those who need it. The Commission on Disabilities will have a table at entrance B and can help assist folks there. Assisted listening devices and large-print Warrant will also be available at Entrance B and Police Comfort Dog, Opry, will be stationed at Entrance B as well.

Mr. Ramsey and Mr. Fisher thanked the staff for all their work in preparing for Town Meeting. He encouraged everyone to attend on Saturday.

Mr. Fisher announced that this Thursday, April 28th is Holocaust Remembrance Day. It marks the anniversary of the Warsaw Ghetto uprising, which took place in 1943, when Jews in the Warsaw Ghetto in the German-occupied Poland during WWII rose up to oppose Nazi Germany’s final effort to transport the remaining Ghetto population to the death camps. On Holocaust Remembrance Day, the world reflects on the horrors of the Holocaust when the Nazi regime systematically murdered 6 million Jews and millions of other innocent people.

Vote: Mr. Ramsey made a motion to adjourn. Ms. Klein seconded.

Roll Call Vote:

Mr. Ramsey: yes

Ms. Klein: yes

Mr. Fisher: yes

The meeting adjourned at 8:56 PM.

Documents: A complete meeting packet of supporting documentation is on file and available for public review in the Board of Selectmen's office