

HINGHAM PLANNING BOARD MINUTES

August 23, 2021 @ 7:00 PM

REMOTE MEETING

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

Also Present: Emily Wentworth, Senior Planner

At 7:02 p.m. Chairman Ellis called the meeting to order and stated the following:

“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)

Ian Heanue on behalf of JP Morgan Chase, 421 Lincoln Street

Chairman Ellis asked if a representative for the applicant was present for this matter. No one was present so Chairman Ellis moved on to the next Agenda item.

Robert Pasqualucci on behalf of Derby Academy 56 Burditt Avenue

Mr. Robert Pasqualucci, contractor, and Anthony Black of Derby Academy, appeared on behalf of the applicant. Chairman Ellis stated both agenda items brought forward by Derby Academy would be discussed together.

Mr. Pasqualucci stated repairs were needed in the school’s cafeteria due to a burst sprinkler pipe, that all repairs were related to finishes including flooring, carpet and sheetrock. Mr. Pasqualucci stated there were no structural, plumbing or electrical repairs anticipated and that the dollar amount of the repairs triggered the Planning Board’s review. Mr. Pasqualucci stated that they were looking to be ready for the school year.

Chairman Ellis asked if the work was limited to the interior of the building. Mr. Pasqualucci confirmed.

Mr. Carr asked if there were any changes to the occupancy. Mr. Black stated there were not.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following finding:

1. That the interior renovations to repair damage due to a sprinkler pipe burst in the cafeteria at 56 Burditt Avenue in the Residence A District constitutes a minor site plan under Section I-I, 5.b (i) of the By-Law.

Chairman Ellis moved to grant the request of Derby Academy to waive Site Plan Review under Section I-I, 5 of the By-Law.

Second: Gary Tondorf-Dick

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

Opposed: None

**Robert Pasqualucci on behalf of Derby Academy
56 Burditt Avenue**

Mr. Pasqualucci stated Derby Academy's second request was related to the expansion of the kindergarten space by enclosing an exterior 9x20 square foot porch.

Ms. Sneath asked if this would lead to an increased number of students. Mr. Black stated that the kindergarten class would go from 12 to 14 students.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following finding and Chairman Ellis moved to grant the request of Derby Academy to waive Site Plan Review under Section I-I, 5 of the By-Law.:

1. That the site work proposed in connection with the 188 square foot expansion of classroom space in an existing covered patio at 56 Burditt Avenue in Residence A District constitutes a minor site plan as it will not materially or adversely affect the conditions governed by the standards set forth in Sections I-I, 6. and III-B, 8. of the By-Law.

Second: Rita Da Silva

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

Opposed: None

Chairman Ellis asked if a representative for the 421 Lincoln Street application was present. There was no representative present.

**Gabe Crocker on behalf of Weathervane Office, LLC
2 Sharp Street**

Mr. Gabe Crocker presented on behalf of the applicant. Mr. Crocker stated Unit A was before the Planning Board previously and that building was wrapping up construction. Mr. Crocker stated he went before the Rockland Planning Board to expand the building with a 2000 square foot addition, and this

put 92 square feet over the property line in Hingham. Mr. Crocker stated he was looking to modify the approved site plan to identify the additional space.

Mr. Tondorf-Dick inquired about snow removal and parking.

Ms. Da Silva asked if any spaces were added for parking. Mr. Crocker stated 12 spaces were added relative to the new 2000 square foot addition.

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following finding:

1. That the minor modification in building footprint does not materially affect the findings made in connection with the Site Plan Approval for Unit A, issued August 12, 2019.

Chairman Ellis moved to Grant the application from Weathervane Office, LLC for a Minor Modification of the Site Plan Approval, dated August 12, 2019, to increase the approved building footprint by 92 square feet toward the Rockland town line at 2 Sharp Street in the Industrial Park and South Hingham Development Overlay Districts, subject to the following conditions:

- a) That the proposed work shall be completed and operated in accordance with the approved plans and representations made at the hearings before the Board; and
- b) All other conditions imposed by the Board in its Site Plan Approval, dated August 12, 2019, remain in full force and effect unless modified by this Permit.

Second: Gary Tondorf-Dick

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

Opposed: None

Chairman Ellis asked if a representative for 421 Lincoln Street was present. No representative was present.

**0 Pope's Lane/Joseph & Kathryn Crespo
Site Plan Review w/ Building Permit - Land Disturbance (Continued from 7/26/21)**

Chairman Ellis stated this was previously discussed during the June 21, 2021 meeting.

Mr. Jeff Hassett of Morse Engineering presented on behalf of the applicants Joe and Kathryn Crespo. Mr. Hassett stated the additional information requested has now been provided to the Board. He stated the site was a 24 acre parcel and that the single family house is about 1500 feet back. Mr. Hassett described the updates to the plans to address items including tree removal, the culvert, fire hydrant, driveway and title block from 0 to 5 Popes Lane.

Mr. Pat Brennan, the Town's peer review engineer stated he recommended that the culvert structural design be a condition of approval.

Mr. Tondorf-Dick asked about the replacement trees.

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

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 proposed plan calls for installation of an appropriately sized subsurface system to infiltrate roof runoff and erosion controls adequately protect adjoining conservation land from runoff. A fire hydrant will be located on the site within 800' of the proposed dwelling. The proposed dwelling and related improvements are also located on the interior of the site, so no residential properties in the area will be affected by sound or site lighting.

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 driveway will provide access to the proposed single-family dwelling. Modest alterations, including (i) installation of lampposts along the driveway; (ii) installation of a structural concrete slab over an existing culvert to support a fire truck; and (iii) reconfiguration of the driveway to access the new attached garage, will result in convenient and safe access to the development site for both pedestrians and 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 proposed dwelling includes an attached garage accessed via the reconfigured driveway. There is sufficient parking available on the site for a single-family use.

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

Proposed work is limited to previously disturbed areas on the site. Trees to be removed in connection with installation of the site utilities and other improvements are identified on the plan. Ten trees (2"-3" caliper) will be planted along the driveway. The remainder of the 24 (+/-) acre property will remain in its existing conditions. The site disturbance in relation to the overall land area is relatively modest. The plan proposes adequate open space and buffers.

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 storm water system shall be expressly prohibited;

Management of soil tracked from the site and control of dust will be a required condition of this approval.

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 single-family dwelling will not impact the Town's water or sewer services. The dwelling will be served by an existing potable well and a new onsite wastewater disposal system. Public safety resources will be expanding through installation of a new fire hydrant.

g. Assurance of positive storm water 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 storm water 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 Storm water Management Policy and Standards including the Massachusetts Storm water 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 storm water;

The Board's consulting engineer, Patrick Brennan, P.E., confirmed that the drainage design will adequately mitigate post-development runoff and erosion controls proposed along the south and west of the development area will mitigate potential erosion during construction activities.

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 storm water controls at consistent intervals;

Based on Board's consulting engineer. Patrick Brennan, P.E., confirmed the proposed infiltration system for roof run-off and erosion controls meet accepted design standards.

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 proposed construction is limited to previously disturbed areas of the site.

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 footprint of the single-family dwelling is consistent with others in the surrounding area.

The Board proposed the following conditions and Chairman Ellis moved to grant the application of Joseph and Kathryn Crespo for Site Plan Approval pursuant to Section I-I and Section IV-B.6 of the Zoning By-Law for land disturbance associated with the demolition of an existing dwelling and construction of a new dwelling with septic, access, utilities and grading estimated to exceed 5,000 square feet at 5 Popes Lane in Residence District C, as shown on the Site Plans, in accordance with the findings and subject to the conditions adopted by the Planning Board and incorporated herein:

1. Submission of specification sheet showing dark sky compliant lighting prior to application for a building permit;
2. Prior to application for a Building Permit, the Applicant shall submit a plan, prepared by a structural engineer, of the proposed structural concrete slab to be installed over the culvert to verify that the structure will support fire apparatus.
3. 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.
4. 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.
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.
6. Dust and Soil Control. At the end of each workday, the site contractor shall address with broom sweeping any soil tracked-out onto Popes Lane. The applicant shall have measures available on-site to address dust should it begin to occur during dry periods of construction.

Second: Gordon Carr

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

Opposed: None

Chairman Ellis asked if there was a representative for the 421 Lincoln Street application present. There was no one present. Ms. Wentworth gave an overview of the application and asked whether the Board would like to continue the matter.

Chairman Ellis moved to continue the hearing regarding 421 Lincoln Street to the September 13, 2021 meeting of the Planning Board.

Second: Rita Da Silva

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

Opposed: None

Hingham Master Plan (Continued from 8/9/2021)

Chairman Ellis stated that the Master Plan discussion had been continued from the August 9, 2021.

Mr. Carr stated there had been technical updates to the Master Plan and asked for additional questions or edits. Ms. Sneath commented that all previous edits appeared to have been incorporated.

Ms. Wentworth stated the Vanasse & Associates reports referenced in the Transportation section need to be validated.

Mr. Tondorf-Dick and Mr. Carr discussed Mr. Tondorf-Dick's comments regarding the updated Master Plan including: edits to the section regarding geology and soils; the redlines in the Economic Development section; deletion of a housing table; housing tools; the Economic Development section changes; and the potential need to change the font for ease of readability.

Chairman Ellis stated the maps were a good addition that added clarity and that the highlighting in Section 10 may need to be removed.

Mr. Carr discussed the process for getting the plan to this point and next steps.

Chairman Ellis moved to adopt the Hingham Master Plan as drafted, revised and reviewed.

Second: Judith Sneath

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

Opposed: None

Adoption of Minutes

Chairman Ellis asked for comments on the draft meeting minutes of July 12, 2021. Mr. Carr suggested changing the reference from Planning Department to Planning Board involvement in the Administrative Report section.

Chairman Ellis moved to approve the meeting minutes of July 12, 2021 with the proposed edit.

Second: Judith Sneath

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

Opposed: None

Chairman Ellis asked for comments on the draft meeting minutes of July 19, 2021. Mr. Tondorf-Dick requested adding a tree survey plan to the follow up items to be provided by the applicant regarding 101 Gardner Street.

Mr. Carr requested changing ‘Mr. Gardner’ at the top of page 3 to ‘Mr. Grady’.

Chairman Ellis moved to approve the meeting minutes of July 19, 2021 as amended by the Board.

Second: Judith Sneath

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

Opposed: None

Administrative Reports

Ms. Wentworth discussed the upcoming meeting schedule.

At 8:18 pm Chairman Ellis moved to adjourn the meeting.

Second: Gordon Carr

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

Opposed: None

Respectfully submitted,

Tracy L. Altrich
Administrative Assistant, Community Planning