

**HINGHAM PLANNING BOARD MINUTES**  
**October 16, 2023 @ 7:00 PM**  
**REMOTE MEETING**

**Planning Board Members Present Remotely:** Kevin Ellis, Gordon Carr, and Tracy Shriver

**Planning Board Members Absent:** Gary Tondorf-Dick and Rita DaSilva

**Also Present:** Michael Silveira, Senior Planner

At 7:01 PM 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 2 of the Acts of 2023 and all other laws, 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) & Discussion**

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**Hingham Woods**

**Special Permit A3 Waiver & Site Plan Review**

Chair Ellis noted the next item on the agenda was an application from Hingham Woods Condominium Association for a Special Permit A3 parking waiver under § V-A and Site Plan Review under § I-I of the Zoning By-Law to resurface the streets and parking spaces at Hingham Woods in Residence District E.

Chair Ellis noted that the application needed to be continued to the October 30, 2023 meeting due to a quorum issue of the Board.

Kevin Ellis made a motion, seconded by Tracy Shriver to CONTINUE the applications of the Hingham Woods Condominium Association for a Special Permit A3 parking waiver under § V-A and Site Plan Review under § I-I of the Zoning By-Law to resurface the streets and parking spaces at Hingham Woods in Residence District E to October 30, 2023 at 7 PM.

The motion passed unanimously by roll call vote.

**75 Sgt. William B. Terry Drive**

**Special Permit A3 and Site Plan Review**

Chair Ellis noted that the next item on the agenda was an application from Su Escuela Language Academy LLC for a Special Permit A3 under § V-A and Site Plan Review under § I-I of the Zoning By-Law to expand an existing private school and daycare at 75 Sgt. William B. Terry Drive in the Limited Industrial Park District.

Chair Ellis noted that the application needed to be continued to the October 30, 2023 meeting due to a quorum issue of the Board.

Kevin Ellis made a motion, seconded by Gordon Carr, to CONTINUE the applications of Su Escuela Language Academy LLC for a Special Permit A3 under § V-A and Site Plan Review under § I-I of the Zoning By-Law to expand an existing private school and daycare at 75 Sgt. William B. Terry Drive in the Limited Industrial Park District to October 30, 2023 at 7 PM.

The motion passed unanimously by roll call vote.

**8 Brandon Woods Circle**

**Site Plan Review**

Chair Ellis moved to an application from Jeffrey and Michelle Camuso for Site Plan Review under § I-I of the Zoning By-Law to construct a pool and pool house with associated landscaping, hardscaping, and grading at 8 Brandon Woods Circle in Residence District C.

Mr. Scott Fanara, engineer for the Applicant, presented the application to the Board.

Chair Ellis and Member Carr asked about tree removal associated with the project, to which Mr. Sean Papich, landscape architect for the Applicant, reviewed the tree removal proposed and the plantings plan with the Board. Chair Ellis further asked about the proposed retaining wall heights, to which Mr. Papich reviewed on the plan.

Chair Ellis invited public comment. There was none.

Based on the information submitted and presented during the hearing Chair Ellis made the following proposed findings for the Site Plan:

- a. The proposed development, as conditioned by the Approval, will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

Kevin Ellis made a motion, seconded by Gordon Carr, to GRANT the application of Jeffrey and Michelle Camuso for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of submittal requirements under § I-I, 5.I. related to a Site Lighting Plan and Transportation Impact Analysis, to construct a pool and pool house with associated landscaping, hardscaping, and grading at 8 Brandon Woods Circle in Residence District C, subject to the following conditions:

1. Proof of Recording. The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. The Applicant shall submit final architectural plans to the Community Planning Department prior to issuance of a building permit to ensure consistency in character with the existing development onsite and those in the area.
3. Pre-Construction Meeting. A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required before issuance of a Building Permit.
4. Limits of Work; Tree Protection Areas. During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved. Inspection of the protective barriers shall be required before issuance of a Building Permit.
5. Construction Vehicles. All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day. Construction vehicles shall turn right when exiting the premises and travel counterclockwise around the cul-de-sac.
6. 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, limits of work, and the approved drainage and stormwater system installed for the project. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
7. 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.

8. Maintenance of Protected Trees. Each Protected Tree retained shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree.

The motion passed unanimously by roll call vote.

### **100 Otis Street Site Plan Review**

Chair Ellis moved to an application from Lori and Gillis Cashman for Site Plan Review under § I-I of the Zoning By-Law to construct an addition and landscape at 100 Otis Street in Residence District A.

Mr. Brian Nelson, engineer for the Applicant, Mrs. Rebecca Verner, landscape architect for the Applicant, and Mr. Frank Pereira, architect for the Applicant, presented the application to the Board.

Chair Ellis asked about the elevations of the property in relation to the abutting properties, to which Mr. Nelson noted the surrounding properties were at a higher elevation.

Member Carr noted that some of the plans note "Guest House" as the label for the proposed addition and asked what these implications would be if approved. Mr. Silveira explained how guest houses are interpreted and that it would be a separate approval process from the Zoning Board if determined by the Building Commissioner that a guest house was shown. He further noted that the term is sometimes used interchangeably, but that it did not appear that there was a guest house actually shown on the plans. The Applicant further noted that the proposed addition was intended to be considered a guest house, but rather extra living space for the family. The Board asked the Applicant to remove the term "Guest House" from the plans as a condition of approval.

Member Carr asked about a construction entrance, to which Mr. Nelson reviewed where they are shown on the plan.

Member Shriver asked if there was a limit on the number of curb cuts for a property through Site Plan Review, to which Mr. Silveira noted that there was not.

Chair Ellis invited public comment. There was none.

Based on the information submitted and presented during the hearing Chair Ellis made the following proposed findings for the Site Plan:

- a. The proposed development, as conditioned by the Approval, will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

Kevin Ellis made a motion, seconded by Gordon Carr, to GRANT the application of Lori and Gillis Cashman for Site Plan Approval under § I-I of the Zoning By-Law to construct an addition and landscape at 100 Otis Street in Residence District A, subject to the following conditions:

1. Proof of Recording. The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. Pre-Construction Meeting. A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required before issuance of a Building Permit. The Applicant shall submit revised plans to the Community Planning Department prior to issuance of a building permit to remove references to the phrase "Guest House".
3. Limits of Work; Tree Protection Areas. During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by

temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved. Inspection of the protective barriers shall be required before issuance of a Building Permit.

4. Construction Vehicles. All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
5. 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, limits of work, and the approved drainage and stormwater system installed for the project. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
6. 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.
7. Maintenance of Protected Trees. Each Protected Tree retained, and all new trees planted to mitigate the removal of Protected Tree(s), shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree or new tree.

The motion passed unanimously by roll call vote.

### **0 Burr Road, Map 81 Lot 28 Site Plan Review**

Chair Ellis moved to an application from the Town of Hingham for Site Plan Review under § I-I of the Zoning By-Law to reconstruct an existing basketball court at 0 Burr Road, Map 81 Lot 28 in the Official and Open Space District.

Mr. Michael Moonan, representative for the Applicant, presented the application to the Board.

Chair Ellis asked about the construction schedule, to which Mr. Moonan reviewed that it would mainly be in the spring.

Member Carr asked if the Applicant did any outreach regarding the application, to which Mr. Mark Thorell, Applicant, noted that the project had been on a number of Recreation Commission agendas. Mr. Silveira also noted that any abutters within 300' of the property received notice of the hearing.

There were no members of the public present.

Based on the information submitted and presented during the hearing Chair Ellis made the following proposed findings for the Site Plan:

- a. The proposed development, as conditioned by the Approval, will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

Kevin Ellis made a motion, seconded by Gordon Carr, to GRANT the application of the Town of Hingham for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of a submittal requirements under § I-I, 5.f, g, and h related to a utility plan, a landscape plan, and a tree protection and mitigation plan, to

reconstruct an existing basketball court at 0 Burr Road, Map 81 Lot 28 in the Official and Open Space District, subject to the following conditions:

1. Recording of Decision. The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. Pre-Construction Meeting. A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required before issuance of a Building Permit.
3. Limits of Work. During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area.
4. Parking During Construction. All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
5. Inspections. Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.

The motion passed unanimously by roll call vote.

#### **Other Business**

Kevin Ellis made a motion, seconded by Gordon Carr, to accept the Planning Board meeting minutes of the September 11, 2023 meeting.

Kevin Ellis made a motion, seconded by Gordon Carr, to adjourn at 8:05 PM.

The motion passed unanimously by roll call vote.

#### Meeting Materials:

*Agenda Summary, dated October 16, 2023*

#### 8 Brandon Woods Circle:

*Site Plan Review Application, received September 11, 2023*

*Site Plan, dated September 5, 2023*

*Stormwater Report, dated September 5, 2023*

*Response to Peer Review Comments, dated October 11, 2023*

*Stormwater Report, revised October 11, 2023*

*Landscape Plan, revised October 11, 2023*

*Site Plan, revised October 11, 2023*

*Site Plan, revised October 12, 2023*

*Pool House Preliminary Elevation Plan, dated October 13, 2023*

*P. Brennan Peer Review Report, dated October 5, 2023*

*P. Brennan Peer Review Report, dated October 13, 2023*

#### 100 Otis Street:

*Site Plan Review Application, received September 19, 2023*

*Site Plans, dated September 18, 2023*

*Landscape Plans, dated September 18, 2023*

*Architectural Plans, dated September 19, 2023*

*Stormwater Report*

*Response to Peer Review Comments, dated October 12, 2023*

*Landscape Plans, revised October 12, 2023*

*Site Plans, revised October 10, 2023*

*Stormwater Report, revised October 2023*

*P. Brennan Peer Review Report, dated October 5, 2023*

*P. Brennan Peer Review Report, dated October 13, 2023*

0 Burr Road:

*Site Plan Review Application, received September 20, 2023*

*Application Narrative, dated September 20, 2023*

*Waiver Requests, dated September 20, 2023*

*Site Plans, dated September 20, 2023*