



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/
Owner: Archdiocese of Boston
66 Brooks Drive
Braintree, MA 02184

Agent: Bob Shepard
37 Derby Street, Suite 1
Hingham, MA 02043

Property: 1055 Main Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 2541 Page 469

Plan References: "Proposed Layout Plan, Church Parking Lot, 1057 Main St, Hingham," prepared by J2M Consultanting Associates, LLC, dated August 8, 2024 (1 Sheet)

RECEIVED

AUG 14 2024

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of the Archdiocese of Boston (the "Applicant") for Site Plan Review under §§ III-B, 8 and I-I, along with a waiver from the requirements of § V-A, 5.p of the Zoning By-Law (the "By-Law"), to reconstruct a parking lot without installing electric vehicle infrastructure and charging stations for the Resurrection Church at 1055 Main Street in Residence District B.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on August 12, 2024 via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2023 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Gordon Carr, Chair, Rita DaSilva, Kevin Ellis, Tracy Shriver, and Gary Tondorf-Dick. Bob Shepard presented the application to the Board. At the conclusion of the review, the Board voted unanimously to grant Site Plan Approval under §§ I-I and III-B, 8.b. of the Zoning By-Law with conditions set forth below.

Throughout its deliberations, the Board was mindful of the statements of the Applicant, its representative, and the comments of the general public, all as made or received at the public hearing.

BACKGROUND & DISCUSSION

The subject property is the site of the Resurrection Church (built 1957), rectory, and parking lot. The parking lot is also occasionally used as overflow parking for Notre Dame Academy next door. The proposal is to reconstruct the existing parking lot to the south of the church and install 13 new parking lot lights for safety and security. The existing parking lot consists of 248 parking spaces with 6 handicapped spaces and the reconstructed lot proposes 216 parking spaces with 10 handicapped spaces. Most of the parking spaces will become angled spaces and directional markings will be painted through the drive aisles for improved traffic flow. Additionally, the proposed plan shows 29 trees throughout the parking area in addition to trees at the wooded western edge of the parking lot. This is an excess of 7 trees beyond the 22 trees that would typically be required under Section V-A.5.m.

As a reminder, being a parking area with a religious use, this project qualifies for the protection of the Dover Amendment, which provides in part: “No zoning ordinance or by-law shall...prohibit, regulate or restrict the use of land or structures for...religious purposes...; provided, however, that such land or structures may be subject to reasonable regulations concerning the bulk and height of structures and determining yard sizes, lot area, setbacks, open space, parking and building coverage requirements.”

Given that the project proposes a parking lot with the same footprint and maintains the existing stormwater infrastructure and landscaping, the Board’s review is limited to the number of parking spaces, parking space width, and EV charging space requirement under Section V-A.5.p. Therefore the findings of the Board for this project will also be limited.

Parking Space Count: The exempt religious use under § III-B, 8.b requires 1 parking space per 3 seats according to the “Churches” use under the Parking Table in § V-A of the By-Law. According to the Church, with the exception of Christmas and Easter, the average number of attendees for a weekend mass ranges from 120 to 250. If the Board uses 250 seats as its baseline for a parking calculation, this would require 83 parking spaces. The Applicant currently has 248 spaces onsite and with the redesigned parking lot with improved circulation and angled spaces, 216 parking spaces are proposed. This is an excess of 133 parking spaces.

Parking Space Width: The Applicant proposes parking spaces with a width of 8.5’, where 8’ exists and 9’ is required under § V-A.3. While still short by 6” of the By-Law requirement, the proposed project will improve upon the existing conditions of the site and will not reduce the number of parking spaces that could result in a constraint in the future.

EV Charging: Based upon the 215 parking spaces proposed, the By-Law would require 54 spaces to be EV ready and 22 spaces, of the 54, to be equipped with EV chargers. The Applicant proposes

6 spaces to be EV ready and intends to install EV chargers once funds allow down the road. The Board recently granted a waiver of this requirement in November 2023 for a significant reduction in the required EV ready spaces and EV chargers at Hingham Woods. Given the short duration that the vast majority of attendees to services spend onsite – as well as the short distances parishioners likely travel – it is likely there will be minimal demand in the near term for such charging stations. The infrastructure being installed will serve the parking lot should future demand materialize.

During the course of the hearing, the Board raised questions related to parking space width, parking lot usage, bus travel, circulation, EV charger installation, additional trees, and type of pavement. There was public comment during the hearing related to potential opportunities to obtain EV chargers.

FINDINGS

Based on the information submitted and presented during the review, and the deliberations and discussions of the Board during the hearings, the Board made the following findings in accordance with the Approval Criteria under §§ I-I and III-B.8.b of the By-Law:

- a. The proposed development, inclusive of the use of land and structures for religious purposes qualifies for limited review pursuant to M.G.L. Chapter 40A, Section 3 and Section III-B.8.b of the Zoning By-Law.
- b. 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.
- c. The proposed development complies with all requirements of the Hingham Zoning By-law except for the following:

Parking Space Count: The exempt religious use under § III-B, 8.b requires 1 parking space per 3 seats according to the “Churches” use under the Parking Table in § V-A of the By-Law. With the exception of Christmas and Easter, the average number of attendees for a weekend mass ranges from 120 to 250. Using 250 seats as the baseline for a parking calculation, this would require 83 parking spaces. The Applicant proposes 216 parking spaces to be provided, which is an excess of 133 parking spaces. Therefore, the proposed 216 parking spaces is more than adequate for the site.

Parking Space Width: The Applicant proposes parking spaces with a width of 8.5’, where 8’ exists and 9’ is required under § V-A.3. While still short by 6” of the By-Law requirement, the proposed project will improve upon the existing conditions of the site. Given the successful operation of the parking lot since 1957 and the improved space

width and lot circulation, allowing 8.5' wide parking spaces where 9' is required is appropriate.

EV Charging: Based upon the 216 parking spaces proposed, the By-Law would require 54 spaces to be EV ready and 22 spaces, of the 54, to be equipped with EV chargers. The Applicant proposes 6 spaces to be EV ready and intends to install EV chargers once funds allow and demand merits down the road. Given the limited amount of time a vehicle is parked onsite and the infrequent maximum capacity of the parking lot, a finding to allow 6 spaces to be EV ready is appropriate.

MOTION

Upon a motion made by Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of The Archdiocese of Boston for Site Plan Approval under §§ III-B, 8 and I-I, to reconstruct a parking lot for the Resurrection Church at 1055 Main Street in Residence District B, 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 an electrical permit.
2. **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.
3. **Construction Vehicles.** All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
4. **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.

For the Planning Board,



Gordon Carr
August 14, 2024

In Favor: Gordon Carr, Rita DaSilva, Kevin Ellis, Tracy Shriver, and Gary Tondorf-Dick

Opposed: None

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed since the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Plymouth County Registry of Deeds and/or the Plymouth County Land Court Registry, and indexed in the grantor index under the name of the record owner or is recorded and noted on the owner's certificate of title.

