



TOWN OF HINGHAM
PLANNING BOARD

NOTICE OF DECISION
Planning Board
Special Permit A3



IN THE MATTER OF:

Certified Mail# 7018 3090 0000 9231 6791

Applicant: Amanda Shields
105 Summer St
Hingham, MA 02043

Premises: 25 Central Street
Hingham, MA 02043

Date: January 5, 2020

Background and Discussion:

This matter came before the Planning Board at a duly noticed public hearing on December 16, 2019. Planning Board members present were Kevin Ellis, Judith Sneath, William Ramsey, Gordon Carr and Gary Tondorf-Dick. The application before the Board was submitted by Amanda Shields requesting a modification of the existing Special Permit A3 Parking Determination, with waivers if necessary, under Section V-A Off-Street Parking Regulations of the Town of Hingham Zoning By-law to expand the permitted hours of operation of a health club (yoga studio) within an existing 1,400 SF unit at 25 Central Street, located in the Business A and Downtown Overlay Districts. A waiver of Site Plan Review was requested as there is no physical construction associated with this application.

Amanda Shields presented the application and said that her goal is to expand the hours of operation for classes in order to accommodate demand for additional classes and have an opportunity for special events also. She reviewed the chart submitted that compares her requests with the Merchant's lot capacity analysis to demonstrate available parking exists. The classes will be limited to 20 participants. The proposal is to allow the revised class schedule to be as follows: Monday - Friday 6:00 am - 10:30 am, 12:00 pm -1:00 pm, and 4:00 pm - 8:00 pm, Saturday 6:00 am - 10:30 am, 12:00 pm-1:00 pm, and resuming at 2:00

pm. On Sunday classes will be from 6:00 am -10:30 am, and will resume at 12:00 pm. The additional classes allowed by this approval will be limited to 20 students to ensure parking for the other businesses. Ms. Shields also stated that the intent of adding classes at 4 pm on weekdays is to accommodate youth sports groups who have expressed an interest in classes. Many of these participants are expected to get dropped or, or carpool. She also has been in communication with Saint Paul's Church to see if the students could utilize their parking lot.

The Board noted that they were supportive of local businesses and glad that her business is doing so well that there is demand for expansion. The Board also thanked the applicant for providing the chart comparing her request to the capacity study of the Merchant's lot. The Board asked the applicant if she would be amendable to a condition requiring a look back in one year. Ms. Shields said that was acceptable to her. She stated that she was interested in providing another benefit to Downtown and she wanted to be sure that the expanded operation did not create any hazardous traffic conditions. The Board advised her that if the expanded hours did create issues or concerns regarding parking or traffic that they would consider modifying the permit to address any issues that are raised by the Police Chief.

Findings and Decisions:

Mr. Ramsey made a motion to waive site plan review in association with the Special Permit A3 for 25 Central Street, Krigsman Yoga, with the finding that there is no outside work or renovations proposed. The motion was seconded by Judy Sneath and all members voted in favor.

The Board then made findings per Section V-A.6 in the By-law, as follows:

a) The parking is sufficient in quantity to meet the needs of the proposed project;

The Board found that the capacity analysis of the merchants lot parking lot indicates that there is parking availability during the proposed class times, the proposed classes to be added are limited to 20 participants, and that the afternoon classes are geared towards school aged children and are considered to be primarily drop off only.

b) Pedestrian access and circulation has been provided for;

The Board found this not applicable.

c) New driveways have been designed to maximize sightline distances to the greatest extent possible;

The Board found this not applicable.

d) It is impractical to meet these standards and that a waiver of these regulations will not result in or worsen parking and traffic problems on-site or on the surrounding streets, or adversely affect the value of abutting lands and buildings and

The Board made no finding.

e) *The granting of relief is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.*

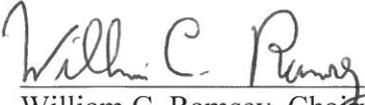
The Board found in the affirmative and noted that the conditions on Central Street shall be monitored for one year.

Mr. Ramsey made a motion, seconded by Gary Tondorf-Dick and SO VOTED unanimously to approve the modification to the Special Permit A3 for the expansion of hours for the health club (yoga studio) at 25 CENTRAL STREET, as presented herein and at the hearing, with the findings and subject to the following conditions:

1. The Applicant shall return to the Planning Board not later than December 2020 and report back on any issues or concerns with the revised class schedule or parking complaints. This lookback will be a duly noticed public hearing and the Board may modify the permit to address any issues that are raised by the Police Chief.
2. The class schedule shall be modified as proposed by the applicant in the submitted chart dated November 2019.

This Decision shall not become effective until (i) the Town Clerk has certified on a copy of this decision that twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such an appeal has been filed, that it has been dismissed or denied, and that (ii): a copy thereof has been duly recorded in the Plymouth County Registry of Deeds and indexed in the grantor index under the name of the owner of record.

Town of Hingham Planning Board



William C. Ramsey, Chairman

In Favor: Ramsey, Ellis, Carr, Sneath, Tondorf-Dick
Opposed: none

Cc: Town Clerk, Building Department, Police Chief