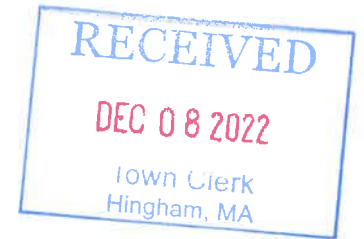




TOWN OF HINGHAM

Board of Appeals



NOTICE OF DECISION SPECIAL PERMIT AND VARIANCE MODIFICATION

IN THE MATTER OF:

Applicant and Property Owner: The Trustees of Reservations
572 Essex Street
Beverly, MA 01915

Premises: World's End Reservation
0 Off Martins Lane (Map 20 Lot 60)
Hingham, MA 02043

Deed Reference: Certificate of Title No. 41485 and 48822 issued by the Plymouth County Registry District of the Land Court

Plan References: The Trustees of Reservations, World's End Traffic and Parking Management Plan, Final Amended Plan dated November 21, 2022.

SUMMARY OF PROCEEDINGS

This matter came before the Board of Appeals (the "Board") on the application of the Trustees of Reservations (the "Applicant" or the "Trustees") to modify the "Traffic and Parking Management Plan" (the "Plan") approved in connection with a Special Permit A1 under § III-A, 3.6 and a Variance from § IV-B, 1 and 5 of the Zoning By-Law (the "By-Law") originally issued by the Board on February 10, 2017, as amended, to update management strategies and add three additional Tier Two events on an annual basis at World's End off Martins Lane in the Official & Open Space District.

The Applicant simultaneously filed related applications with the Planning Board to modify Site Plan Approval under § I-I and a Special Permit A3 Parking Determination and/or Waivers under § V-A of the By-Law for the proposed modifications. The Boards opened the initial, duly noticed public hearings on these applications during a joint meeting held remotely on October 17, 2022 via Zoom as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022 temporarily amending certain provisions of the Open Meeting Law. The Planning Board and the Board of Appeals then continued their hearings separately to different dates. The Board of Appeals hearing was continued to November 17, 2022, but then continued at the Applicant's request to November 22, 2022. The Board of Appeals panel consisted of its regular members Robyn S. Maguire, Chair, Paul K. Healey, and Jed Ruccio.

The Applicant was represented during the hearings by Anne Smith-White, Director, of the South Shore Portfolio for the Trustees of Reservations. At the conclusion of the hearings, the Board of Appeals voted unanimously to modify its Special Permit A1 and Variance Decisions, with conditions as set forth below.

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

BACKGROUND

In 2017, the Applicant received approvals to improve vehicular and pedestrian circulation and increase parking in conjunction with a visitor center and gatehouse relocation project at the World's End Reservation. The associated "Parking, Circulation, and Amenities Project" included both physical improvements and operational changes intended to mitigate traffic impacts on the surrounding neighborhood that may arise during certain large events. The operational changes specifically were identified in a plan entitled, "World's End Traffic and Parking Management Plan," dated January 25, 2017.

In 2019, the Applicant filed for a review of impacts following completion of the "Parking, Circulation and Amenities Project" at World's End, 0 Martins Lane, as required by Condition #6 of Special Permit and Variance Decisions issued by the Board on February 10, 2017. At the conclusion of the public hearings, the Board voted to modify, in accordance with Condition #6, the original Decisions and associated plan to include additional security and hours of operation protocols, as well as increased measures related to traffic and parking for Tier 1 events.

In connection with the present application, the Trustees initially proposed minor modifications to the Plan including an increase in the number of Tier Two events they are permitted to hold annually from 2 to 5. The request was modified during the hearing process to 2 additional Tier Two events, for a total of 4 annually.

FINDING:

Based upon the information submitted and received, and the deliberations and discussions of Board members during the hearing, the Board determined that that the proposed modifications do not materially or adversely affect conditions governed by the Special Permit A1 under § III-A, 3.6 and a Variance from § IV-B, 1 and 5 of the Zoning By-Law; as such, the project constitutes a minor modification of the Special Permit and Variance decisions, issued February 10, 2017 and as amended through November 7, 2019.

DECISION:

Upon a motion made by Paul K. Healey and seconded by Jed Ruccio, the Board voted unanimously to modify the Special Permit A1 under § III-A, 3.6 and a Variance from § IV-B, 1 and 5 of the Zoning By-Law originally issued by the Zoning Board of Appeals on February 10, 2017, as amended, and to update management strategies and add two additional Tier Two events, allowing a total of 4 Tier Two events on an annual basis, at World's End on Martins Lane in the Official & Open Space District, subject to the following conditions:

1. The Applicant shall operate the use in a manner consistent with the approved plans and the representations made at the hearings before the Board such that future programming will be limited to those detailed in the "World's End Traffic and Parking Management Plan," dated January 25, 2017, revised through November 7, 2019, and further amended during this public hearing process.
2. All other conditions in the existing Special Permit and Variance decisions dated February 10, 2017, as amended, shall remain in full force in effect unless modified by this decision.
3. The Applicant will report to the Zoning Administrator all scheduled events at World's End for a period of one year and the Zoning Administrator will meet with the Trustees on a quarterly basis to evaluate progress and address any issues.

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.

For the Board of Appeals,



Robyn S. Maguire, Chair
December 8, 2022