

NOTICE OF DECISION

Special Permit A3

Applicant: Falconeiri Construction
88 West Grove Street
Middleboro, MA 02346

Project Site: 6 Station Street
Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 35269 Page 271 and Book 45607 Page 291

Plan References:

“Site Phasing Plan” Proposed Retail and Residential Units, 6 Station Street, Hingham, MA, prepared by Strekalovsky Architecture, dated January 8, 2019, 2 sheets.

“Site Plan Set, 6 Station Street, Assessor Map 61 Lot 79, Hingham, MA 02043” prepared by Cavanaro Consulting, prepared for Falconeiri Construction, 88 West Grove Street, Middleboro, MA 02346, dated 11/21/18, revised to 1/4/19, 5 sheets.

“Preliminary Landscape Plan” prepared by Sean Papich landscape architecture, prepared for 6 Station Street, Hingham, MA, dated December 10, 2018, and revised to January 23, 2019, 1 sheet.

PROCEEDINGS

On November 29, 2018, Falconeiri Construction (“Applicant”) filed an application (“Application”) for a Special Permit A2 under §§ I-F, III-A (4.22), and III-G of the Zoning By-Law, along with Site Plan Review under §§ I-G and I-I and a Special Permit A3 Parking Determination and/or Waivers under §§ III-G and V-A, and such other relief as necessary to construct a Commercial/Residential Building at in Business District A and the Downtown Hingham Overlay District.

A public hearing of the Planning Board was duly noticed and opened on December 18, 2018 jointly with the Board of Appeals and closed on January 28, 2019 at a joint hearing with the Board of Appeals. The Applicant was represented by John Cavanaro, Cavanaro Consulting; Sean Papich, Papich landscape architecture; Attorney Richard Henderson; Jack Gillon, Traffic Engineer; and Matthew Falconeri, owner. The Planning Board hearings were conducted by Judith Sneath, Gordon Carr, Gary Tondorf-Dick and Associate Member Ted Matthews. The Planning Board consulted with Patrick Brennan, Amory Engineers (civil engineering) and

Jeffrey Dirk, Vanasse and Associates, (traffic engineer) who acted as a consultants to the Planning Board pursuant to Section I-I (2) of the Zoning By-Law.

BACKGROUND AND DISCUSSION

This property located at 6 Station Street has an area of 10,532 square feet and is in the Business District A District and the Downtown Overlay District as well as the Flood Plain Protection Overlay District. The site was previously developed with a gas station and more recently the location of the one story Settles Glass building. The proposed building is a 3 story building that will serve a combination of retail and residential uses. The retail will be on the first story facing North Street and the residential use will be on the second and third stories with residential garages and surface parking on the opposite side of the lot from North Street facing Station Street side. The project is a redevelopment of an existing vacant blighted site which will result in the reduction of impervious surfaces, and filling in an existing gap in the streetscape between the harbor and downtown Hingham with a new mixed use project and restored green area and improvements in the public way. The Historic Districts Commission issued a Certificate of Appropriateness for the project in October 2018. Town departments reviewed and commented on the project identifying their requirements should the project advance. The Board heard public comment during the process, both in writing and at the hearings. The Planning Board had the project reviewed for civil engineering as well as parking and traffic considerations. The project will also require approvals from the Selectmen for work that is within the public way. Jeffrey Dirk reviewed his findings and suggested potential conditions for the Board at the January 28, 2018 meeting. The Boards discussed the internal site circulation and traffic patterns entering and exiting the site in depth. Jeff Dirk stated that the sight lines were satisfactory and the Board discussed the proposal to provide 3 parking spaces per unit where two are required in order to provide parking for guests. The Board felt this was reasonable and there was adequate space. The Board discussed that during the times that the loading space was being utilized the access to the easternmost garages would be impeded and noted that this is internal to the site and will not impact the public way. The Applicant stated that a small box truck would be the vehicle typically utilizing the loading zone. The property manager will have to coordinate with the residents regarding deliveries or move in's. The Applicant stated that turnover in the residential units is expected to be infrequent and the use of the loading space would be coordinated during the day and at times to not impact the residents. This would be described in a Traffic Management Plan for the site. The Applicant is requesting a parking waiver to allow the commercial parking requirement of 10 spaces to be satisfied with the Station Street parking lot. The August 15, 2017 Parking Demand Observations for the Station Street Parking Lot indicates the weekday and weekend peak occupancy of spaces to be 51% at the highest peak demand period (7 pm Saturday) and 42% at the weekday peak demand period (2 pm on a weekday). This demonstrates sufficient capacity to support the 10 parking spaces required for the proposed commercial space at 6 Station Street as presented. The Board spoke at length regarding traffic calming and sight lines in the area and expressed interest in maintaining safety for pedestrians during and after construction of this project and acknowledged that the Board of Selectmen will be considering work in the public way associated with this project in the future. Traffic calming would benefit the project and the area by keeping vehicular speeds down. The Board noted that the sightline to the south on Station Street was not good as a result of an on street parking space adjacent to the 1 Station Street building. The Board suggested that the Applicant and Mr. Dirk take that into consideration during review and discussion of traffic calming opportunities with the Selectmen, Police Chief and the Department of Public Works.

WAIVERS

The Board then discussed the following waivers:

1. Request for a waiver from Section III-G.7.a.i to allow 3 off street parking spaces for each 2 bedroom unit where 2 are required. The Board found that the intent is to provide one visitor parking space per unit. This will enable onsite parking for visitors instead of the on-street parking which supports the retail stores and, the site is still well landscaped even with the surplus parking areas. After discussion the Board voted to approve this waiver request.
2. Request for a waiver of strict adherence to Sections III-G, 7 and V-A to allow the 10 commercial parking space requirement to be provided in the Station Street parking lot. The Board found that the August 15, 2017 Parking Demand Observations for the Station Street Parking Lot indicates the weekday and weekend peak occupancy of spaces to be 51% at the highest peak demand period (7 pm Saturday) and 42% at the weekday peak demand period (2 pm on a weekday). This demonstrates sufficient capacity to support the 10 parking spaces required for the proposed commercial space at 6 Station Street as presented. Based upon this information the Board voted to approve this waiver request.
3. Request for a waiver of Section V-A.5.e. to allow the loading space location as proposed understanding that when it is in use vehicles in the easternmost garages may have difficulty accessing or exiting their garages. The Board found that the utilization of the loading zone is expected to be infrequent, the applicant proposes to have a Traffic Management Plan to manage move in's and move outs because the loading space when in use will block access to the easternmost residential garages and that the turnover in these residential units is expected to be low and it is reasonable to expect that the property manager will be able to coordinate the use of the loading zone so as to not interfere with the use of the garage spaces. After discussion the Board moved, seconded and so voted to approve this waiver request.

FINDINGS – SPECIAL PERMIT A3

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

The Board found that yes, the Station Street Parking Lot Parking Demand Observations from August 15, 2017 indicates sufficient available parking to support the 10 parking spaces required for the commercial uses. The parking for the residential units is provided on site and each unit is afforded a visitor parking space as well.

b) Pedestrian access and circulation has been provided for;

The Board found that yes, the site is served by a continuous sidewalk network and numerous improvements to the sidewalks and crosswalks are being proposed as part of the improvements in the ROW.

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

The Board found that yes, the peer review engineer Jeff Dirk reviewed the project and in his January 15, 2019 letter states that access to the site from Station Street can be provided in a safe manner based on the sight distance plans that have been provided and recognizing that the access will serve residents and guests of the project only and that the associated volume of traffic that will use the access is relatively minor (less than 5 vehicles per hour).

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 found that yes, the waivers as requested are reasonable and the project is conditioned to provide additional mitigation to offset potential impacts.

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 saying yes.

VOTE AND CONDITIONS

Upon a motion made by Gordon M. Carr and seconded by Gary Tondorf-Dick, the Board voted 4-0 to APPROVE the Special Permit A3 Parking Determination with associated Site Plan approval for 6 Station Street as presented at the hearings and as shown on the “Site Phasing Plan” Proposed Retail and Residential Units, 6 Station Street, Hingham, MA, prepared by Strelakovsky Architecture, dated January 8, 2019, 2 sheets; “Site Plan Set, 6 Station Street, Assessor Map 61 Lot 79, Hingham, MA 02043” prepared by Cavanaro Consulting, prepared for Falconeiri Construction, 88 West Grove Street, Middleboro, MA 02346, dated 11/21/18, revised to 1/4/19, 5 sheets; and “Preliminary Landscape Plan” prepared by Sean Papich landscape architecture, prepared for 6 Station Street, Hingham, MA, dated December 10, 2018, revised to January 23, 2019, 1 sheet, based on the findings, with the waivers, and subject to the following conditions:

1. The parking requirements table on the plans shall be revised to state commercial parking provided in the Station Street parking lot.
2. The applicant shall finalize a Traffic Management Plan which includes language regarding the coordination of the use of the loading space because when in use the loading space will block access to the easternmost residential garages. The Traffic Management Plan shall be provided to the Planning Board prior to the issuance of the first Certificate of Occupancy.
3. Any modification to the site as proposed, or increase in density shall require modification of permits and further review of the traffic engineering.

Gordon M. Carr
Chairman, Hingham Planning Board
EXECUTED this ____ day of February, 2019

Votes:

In favor: Matthews, Carr, Tondorf-Dick, Sneath

Opposed: none

Cc: Clerk; Board of Selectmen; ZBA; Fire; Police; Sewer Department; Assessor; DPW; Building; BOH; P. Brennan; Susan Murphy; J. Cavanaro; J. Dirk; V. Strekalovsky; S. Papich; R. Henderson; J. Gillon; S. Girardi, HMLP.