



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SPECIAL PERMIT A3 (PARKING DETERMINATION) WITH SITE PLAN REVIEW

#### IN THE MATTER OF:

- Applicant:** Gill Research Drive, LLC  
c/o Jeffrey A. Tocchio, Esq.  
175 Derby Street, Suite 30  
Hingham, MA 02043
- Owner/s:** Gill Research Drive, LLC, 60 Research Road, Hingham, MA 02043;  
MDC Properties – Abington St. LLC, 286 Commonwealth Ave., Boston, MA  
02115;  
and Perry South Shore LLC, 20 Winthrop Square, Boston, MA 02110
- Property:** 60 Research Street, Hingham, MA 02043;  
73 Abington Street, Hingham MA 02043; and  
Portion of Commerce Road (Map 213/Lot 30)
- Deed References:** Plymouth County Registry of Deeds, Book 45225, Page 321;  
Book 47538, Page 288; and  
Book 30206, Page 157
- Plan References:** “Site Development Plans, Proposed Warehouse Facility for Gill Research Drive,  
LLC, 60 Research Road and 73 Abington Street, Hingham, MA 02043,”  
prepared by Crocker Design Group, dated October 19, 2021, revised through  
January 29, 2021
- “McCusker-Gill, 60 Research Road, Hingham, MA, Warehouse Building  
Schematic Design Set,” prepared by Dennis J. Swart Architecture, PC, dated  
October 16, 2020
- “Stormwater Management Report for Warehouse Building, 60 Research  
Road/73 Abington Street, Hingham, MA,” prepared by Crocker Design Group,  
dated October 19, 2020, revised through January 29, 2021

## **SUMMARY OF PROCEEDINGS**

This matter came before the Planning Board (the "Board") on the application of Gill Research Drive, LLC (the "Applicant") for Site Plan Review under Section §§ I-G, I-H and I-I of the Zoning By-Law (the "By-Law") and a Special Permit A3 Parking Determination and/or waivers under § V-A of the By-Law, to construct a new 30,500 (+/-) SF warehouse storage facility, with associated site improvements, at the properties located at 60 Research Road, 73 Abington Street, and 0 Commerce Road, in the Industrial Park District and South Hingham Development Overlay District.

The Board opened the initial, duly noticed public hearing on the applications during a meeting held on November 30, 2020 via Zoom as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts, dated March 12, 2020, Suspending Certain Provisions of the Open Meeting Law. Subsequent hearings were held on January 25, 2021, February 1, 2021, February 8, 2021, and February 22, 2021 by remote participation. The Board panel consisted of regular members Kevin Ellis, Chair, Judith Sneath, Rita DaSilva, Gordon Carr, and Gary Tondorf-Dick. Rita DaSilva and Gary Tondorf Dick filed written certifications pursuant to MGL c. 39, s. 23D, the so-called Mullins Rule, for hearings respectively held on November 30, 2020 and February 8, 2021.

The Applicant was represented during the hearings by Jeffrey A. Tocchio, Esq. and Scott Golding, Esq., Gabe Crocker, PE, and Kevin Gill. The Board was assisted in its review by consulting engineers John Chessia, PE and Jeffrey Dirk, PE, PTOE, and Susan Murphy, Special Town Counsel. At the conclusion of the hearing, the Board voted unanimously to grant Site Plan Review approval and the requested Special Permit, with conditions set forth below.

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

## **BACKGROUND AND DISCUSSION**

The subject property consists of approximately 12 acres of land in total located on the southerly side of the intersection of Industrial Park Road and Research Drive. The site was previously developed with an industrial building (ca. 1982) that is approximately 50,000 SF GFA.

The proposed plan calls for construction of a second 30,500 SF building, including 7 loading bays. The structure will serve as a storage warehouse for HVAC equipment manufactured onsite by the onsite sheet metal fabricator and contractor, McCusker-Gill. The proposed building location and configuration complies with all dimensional standards specified in the By-Law. Relief is requested through a Special Permit A3 to provide 157 parking spaces for all uses on the site where 161 is required under Section V-A. The total number of parking spaces proposed is inclusive of 27 trailer parking spaces and 2 "flex" outdoor storage/trailer parking areas for the operation of the warehouse use.

The Applicant proposes to temporarily access the site through 73 Abington Street during the construction phase. The Applicant represented that construction vehicles travel routes do not include Pine Street in Weymouth.

There are wetlands on the property associated with a drainage ditch that parallels Research Road on the south. There are also wetlands to the east on adjacent land to the south on the new parcel and extending into 73 Abington Street. The buffer zone from these wetlands extends into the property. As such, the proposed project is additionally subject to review by the Hingham Conservation Commission.

## **FINDINGS:**

### **Site Plan Review Findings**

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following findings in accordance with the Site Plan Approval Criteria under § I-I, 6. of the By-Law:

- a. Protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting;**

The proposed project complies with all dimensional setback requirements under Section IV of the Zoning By-Law. The building and related improvements additionally comply with stormwater and landscaping standards, subject to conditions set forth below. The perimeter of the site that abuts other industrial uses will be screened with sight-obscuring evergreen plantings. There will be no negative visual or auditory impacts related to the proposed construction.

- b. Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;**

The proposed project will not alter access to the site for motorists or emergency vehicles through the existing curb cut opening on Research Road. Drive aisles conform to the standards set forth in the By-Law. All proposed parking spaces comply with applicable dimensional requirements, and drive aisles within the site have been designed to accommodate semi-trailer truck circulation throughout the site.

- c. Adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;**

The proposed project provides for 157 standard parking space where 160 would otherwise be required. Based on the findings of the Board in connection with the Special Permit A3 to be issued by the Board, adequate parking is provided with the 157 standard parking spaces and additional trailer parking spaces. Drive aisles comply or exceed with the standards set forth in Section V-A of the By-Law.

**d. Adequacy of open space and setbacks, including adequacy of landscaping of such areas;**

The proposed warehouse building complies with all yard setback requirements. Due to the additional land that is being appended to the property by separate endorsed Approval Not Required Plan, (i) the building coverage will decrease from 17.4% to 15.3% (maximum of 40% allowed), and (ii) the floor area ratio will decrease from 0.19 to 0.16 (maximum of 0.35 allowed by right; 0.45 allowed by Special Permit). In addition, the open space will increase from 37% of the existing lot to 45% of the new (combined) property. The proposed plan calls for sufficient screening of parking and refuse areas, subject to conditions set forth below. All other standards for open space are met.

**e. Adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal storm water system shall be expressly prohibited;**

The property is connected to the Town of Weymouth sewer system via a sewer force main. The daily design flow of the existing uses and proposed warehouse facility fall within the maximum daily design flow permitted under the existing Sewer Connection Extension Permit for the Property.

**f. Prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;**

The proposed project will not have an adverse impact on the Town's resources. Sanitary waste will be directed to the existing sewer connection to the Weymouth sewer system. The site will be served by private trash service. Additionally, there is a contemplated easement to allow for a looped water service.

**g. Assurance of positive storm water drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and storm water pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Storm water Management Policy and Standards including the Massachusetts Storm water Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal storm water;**

The proposed development has been designed to convey stormwater runoff to subsurface infiltration and detention structures via roof drains and catch basins, and meets all relevant stormwater standards, provided, however, that a minor modification to the stormwater system in response to Conservation Commission comments will be made to reduce the rate of flow to the southerly wetland and review of the revised plan will be a condition of approval, along with conditions requiring some minor technical revisions recommended by the Board's peer review engineer, John Chessia, PE, in his 2/3/2021 letter. Sediment and erosion control measures will be implemented prior to demolition and construction including proposed compost filters, subject to review and approval of a SWPPP.

- h. Assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of storm water controls at consistent intervals;**

An operations and maintenance plan has been provided and reviewed by John Chessia. Minor technical revisions are identified as conditions of approval however there is a comprehensive construction plan prepared. Construction traffic will additionally be prohibited from using Pine Street in Weymouth.

- i. Protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;**

The perimeter of the site that abuts other industrial uses and includes parking areas will be screened with sight-obscuring evergreen plantings. There are resource areas on site and the Conservation Commission is regulating those portions of the site.

- j. Minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.**

The property is located within the South Shore Industrial Park and presently operates as a sheet metal contracting facility. The properties in the Industrial Park and immediate vicinity of the project operate with similar industrial uses. Based on the foregoing, this project is consistent with the character and scale of the buildings in the vicinity. The project improves the conditions based the analysis and engineering response to the existing site conditions.

#### Special Permit Findings

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following findings in accordance with the Special Permit Approval Criteria under § V-A, 6. of the By-Law:

- a. The parking is sufficient in quantity to meet the needs of the proposed project.**

The Applicant has proposed to provide 157 standard parking spaces where 161 are otherwise required, thereby requiring a waiver of 4 standard parking spaces. The project also includes 25 permanent tractor-trailer parking spaces and two “flex” outdoor storage/trailer parking areas that will facilitate loading and unloading of larger fabricated HVAC duct work or provide additional trailer parking when needed. The inclusion of additional trailer spaces and “flex” trailer spaces will reduce the need and frequency of trailer visits to the site. The site also provides a sufficient number of loading spaces for the proposed uses on the site. The adequacy of 157 standard parking spaces is supported by the Board’s peer review traffic engineer, Jeffrey Dirk, based on review of ITE data of comparable uses.

**b. Pedestrian access and circulation has been provided for.**

The proposed project will not alter the safety of pedestrian movements within the existing easterly portion of the site that will remain unchanged and will be safely accommodated in the areas of the new building.

**c. New driveways have been designed to maximize sightline distances to the greatest extent possible.**

Access to the site will continue to be through the existing curb opening along Research Road and there will be no new driveways.

**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.**

The applicant has requested two waivers. First, the waiver of four standard parking spaces is discussed above. Second, the Applicant has requested a waiver from the requirement to install curbing along the existing eastern edge of this site. This is an existing condition and facilitates the drainage improvements proposed along the eastern edge to allow for runoff to sheet flow into the proposed stone filter strips. These waivers will not adversely affect the operations on the site or abutting properties.

**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.**

As set forth in the above findings, the granting of relief pursuant to the application is consistent with the intent of this By-Law and will not increase the likelihood of accident or impair access and circulation.

**SITE PLAN REVIEW DECISION**

On a motion by Kevin Ellis, seconded by Judith Sneath, the Board unanimously voted to grant Site Plan Approval under Section I-G and Section I-H of the Zoning-Bylaw for the construction of a new 30,500 +/- SF warehouse storage facility, with associated site improvements, at the properties located at 60 Research Road, 0 Commerce Road and 73 Abington Street, located in the Industrial Park District and the South Hingham Development Overlay District, subject to the following conditions:

**1. Prior to issuance of building permit:**

- (a) The site plan shall be modified as follows:
  - (i) Consistent with any requirements set forth by the Conservation Commission, a revised site plan and related calculations shall be submitted which demonstrates a reduction in the peak rate of discharge to the southern wetland further to be below the existing runoff rate through expansion of the underground detention system. Upon approval by the Conservation Commission, such revised site plan shall be submitted to the Planning Board and its peer review engineer for review (if not previously peer reviewed).
  - (ii) Revise the detail on sheet C-8.1 to specify UG 1 for the separator row, not UG 2.
  - (iii) Replace the proprietary units proposed at the eastern side of the site with units that are NJCAT Certified.
  - (iv) Relocate the shutoff valves to the downgradient manhole outlet so that flow can bypass the oil/grit separators.
  - (v) The Landscape Plan shall be revised to indicate which trees are proposed as “parking lot trees” All proposed parking lot trees shall comply with the provisions of Section V-A.m. of the Zoning By-law, including size and location.
- (b) The Applicant shall deliver to the Planning Board a copy of the recorded temporary grading easement for the work within 80 Research Road.
- (c) The Applicant shall deliver to the Planning Board copy of the site investigation relative to illicit discharges confirming no such discharges.

**2. Conditions Related to Construction**

- (a) Pre-Construction Meeting. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required. The Applicant shall deliver a Stormwater Pollution Prevention Plan for review by the Planning Board or its designee not less than three weeks prior to the start of any work.
- (b) Construction vehicles shall be prohibited from using Pine Street in Weymouth to access the site for construction of the project.
- (c) 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 during construction and the approved drainage and stormwater system installed for the project. The Applicant shall fund the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
- (d) 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.

In Favor: Gordon Carr, Gary Tondorf-Dick, Judy Sneath, Kevin Ellis

Opposed: None

**SPECIAL PERMIT A3 DECISION**

On a motion by Kevin Ellis, seconded by Gary Tondorf-Dick, the Board unanimously voted to grant a Special Permit A3 in connection with the construction of a new 30,500 +/- SF warehouse storage facility, with associated site improvements, at the properties located at 60 Research Road, 0 Commerce Road and 73 Abington Street, located in the Industrial Park District and the South Hingham Development Overlay District, together with the following waivers and subject to the following conditions:

Waivers:

1. Section V-A.2 – Off-Street Parking Space Requirements (157 standard parking spaces where 161 are required)
2. Section V-A.5.g – Curbing will not be installed along existing eastern edge of the surfaced area.

Conditions:

1. The project shall be subject to the conditions set forth in the Site Plan Approval, of even date, granted by the Board in connection with this project, attached to this decision and incorporated herein by reference.
2. Applicant shall implement the following Transportation Demand Management (TDM) strategies, some of which may already be in-place:
  - (a) Assign a transportation coordinator to coordinate the TDM program;
  - (b) Post information regarding commuting options in a central location and/or otherwise make available to employees of the project;
  - (c) Implement a rideshare matching program for employees facilitated by the transportation coordinator to encourage carpooling;
  - (d) Provide a “welcome packet” to employees detailing available commuter options, the contact information for the transportation coordinator and information for employees to enroll in the rideshare program;
  - (e) Provide specific amenities to discourage off-site trips, including a break-room equipped with a microwave and refrigerator; offering direct deposit of paychecks; coordinating with a dry-cleaning service for on-site pick-up and delivery; allowing telecommuting or flexible work schedules; and other such measures to reduce overall traffic volumes and travel during peak traffic volume periods;
  - (f) Incorporate pedestrian accommodations within the Project site; and
  - (g) provide secure bicycle parking at an appropriate location within the Project site.

In favor: Carr, DaSilva, Ellis, Sneath, Tondorf-Dick

Opposed: None

For the Planning Board,



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Kevin Ellis, Chair

March 9, 2021

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.