

TOWN OF HINGHAM

**SUPPORTING STATEMENT -
REQUESTED FINDINGS**



**FORM 2D
SPECIAL PERMIT A2
SITE PLAN REVIEW**

BOARD OF APPEALS

Petitioner Respond Ventures, LLC seeks

a Special Permit A2 under Section(s) III, IV and V

of the Zoning By-Law for property located at 25 and 33 Central Street

and asks the Board of Appeals make the following findings of fact in accordance with the provisions of law and Section I-G and I-I of the Hingham Zoning By-Law:

1. The proposed use is consistent with the general purposes of this By-Law and will not adversely affect the health, safety or welfare of the prospective occupants, neighbors, or the Town generally, for the following reasons:

SEE ATTACHED

2. The proposed development meets accepted design standards and criteria for the functional design of facilities, structures and site construction, in the following way(s).

SEE ATTACHED

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3. The proposed development will not create adverse impacts, or such potential adverse impacts will be mitigated, so that development will be compatible with the surrounding area, in the following way(s):

SEE ATTACHED

4. The proposed use provides safe access and circulation, taking into account driveways, entrances and exits, nearby intersections, sight distances and grades, in the following way(s):

SEE ATTACHED

5. a) Off-street parking in compliance with Section V-A of the By-Law is provided as follows:

SEE ATTACHED

- b) Safe and adequate off-street loading and delivery areas for materials and customers as well as sufficient access for service, utility and emergency vehicles, in the following way(s):

SEE ATTACHED

6. The proposed use provides safe and adequate means of waste disposal - sanitary, solid and storm water drainage - in the following way(s):

SEE ATTACHED

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7. Please indicate areas of compliance or noncompliance with all other applicable sections of the Hingham Zoning By-Law, or additional zoning relief sought.

SEE ATTACHED

8. Please indicate other regulatory permits and/or licenses (local, state and federal) required for development of this project.

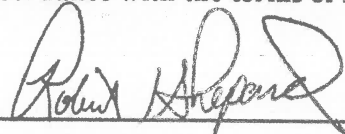
SEE ATTACHED

NOTE: It is anticipated that many of the above questions may be answered by the submission of plans and/or supplementary studies. In the review process the Board of Appeals and/or Planning Board have the authority to employ professional consultants or experts, at the applicant's expense as provided in Section I-I, to evaluate the information submitted on the boards' behalf.

The rights authorized by a special permit expire two years from the date the decision is filed with the Town Clerk, unless exercised or extended in accordance with the terms of M.G. L. 40A, §9.

Date May 17, 2019

SIGNATURE



(Petitioner/Agent)

Address c/o Shepard Construction & Development,
LLC, 25 Debry Street, Hingham MA

Tel. No. 617 592 3228

Please attach additional sheets if space provided is insufficient.

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25 and 33 Central Street
Form 2D Attachment

1. The proposed use is consistent with the general purposes of the Zoning By-Law for the following reasons:
 - the proposed use lessens congestion on streets through the provision of off-street garage parking in replacement of on-street parking and open air parking;
 - enhances overall safety by replacing obsolescent buildings with a building that will be constructed and operated in accordance with the highest health and safety requirements and standards;
 - will provide light and air through the construction of a large atrium, individual roof decks for each unit and by setting the building back from property lines more than required by the By-Law;
 - will preserve and protect the environment through LEED certification-eligible design and operating practices;
 - affirmatively responds to the goals and purposes of the Hingham Downtown Overlay District as set forth in the Zoning By-Law without any variance from its requirements.

The proposed use will not adversely affect the health, safety or welfare of the prospective occupants, neighbors, or the Town generally for the following reasons:

- the building has been designed and will be constructed and operating employing the highest industry and regulatory health, safety and welfare standards;
 - the building has been set back from the property lines from the nearest residential building (also located in the Downtown Overlay District) at a distance that is greater than the distance between the residential building and the residential building located on its other side;
 - the building's balconies and windows have been designed to respect the privacy of residential abutters;
 - the proposed use improves the immediate surroundings by removing on-street parking and congested open-air parking and increasing the overall parking capacity of the surrounding area.
2. The proposed development meets accepted design standards and criteria for the functional design of facilities, structures and site construction in the following ways:
 - It will comply with or exceed all applicable local and state codes and regulations;
 - best practices and standards for handicapped accessibility will be incorporated throughout the building and property including ones exceeding requirements:

covered wheelchair accessible vehicular drop-off at the main entrance and assignable covered wheelchair accessible parking for up to two cars and a van (where only one such space is required by law);

- all dwelling units will offer single floor living accessed by a common elevator large enough to accommodate a wheeled ambulance stretcher;
- all dwelling units will contain bathrooms and kitchens that are convertible to handicapped use;
- residents will enjoy year-round landscaping and park-like garden spaces incorporated into a glass-roofed, air conditioned, two story central atrium and on individual roof decks;
- green building systems and features will be incorporated in the building including some in excess of the Stretch Energy Code and the “Green Community” designation the Department of Energy Resources awarded Hingham for the first time last month; these features include an energy recovery ventilation unit that conditions free outdoor air entering the atrium space, fresh makeup air for dwelling unit HVAC systems that can be drawn via a smart HVAC system from the central atrium space in which gardens and potentially a water feature may provide unprecedented natural whole building humidification, natural air purification and increased oxygen content.

3. The proposed development will not create adverse impacts, or such potential adverse impacts will be mitigated, so that the development will be compatible with the surrounding area, in the following ways:

- the development has been designed to be consistent with the Downtown Hingham Overlay District requirements and to be sensitive to site constraints by, for example, pulling the building back from set-backs allowed under the Zoning By-Law;
- the proposed development is compatible with the surrounding area in that it will provide residential housing and commercial space in downtown Hingham and will replace on-street and open-air parking with garage parking; it will also provide parking in excess of zoning requirements in an area of the Town where there is a need for more parking.

4. The proposed use provides safe access and circulation, taking into account driveways, entrances and exits, nearby intersections, sight distances and grades in the following ways:

- a traffic report prepared by MDM Traffic Consultants indicates that the proposed use will have no adverse impact on nearby intersections and will only generate 15 drips during weekday morning and evening peak hours, consistent with the trips generated by the land’s current use (a copy of the traffic report is included with this application);

- the proposed use provides for a drop-off and pick-up driveway that will eliminate the current use of the Central Street for this purpose;
 - the proposed development has been engineered and designed to provide for modest grade changes for maneuvering pedestrians and vehicles, sight lines and queueing for vehicles exiting the proposed development;
 - the proposed development provides for two main means of access to the building, one for pedestrian and drop off and pickup at the front of the building and the other within the garage at the ground level, both handicap accessible and served by an elevator.
5. a) off street parking will be provided in accordance with Section V-A of the By-Law as follows:
- off-street parking will be provided in a garage located on the ground level of the building containing parking for 23 vehicles, including two handicapped spaces. The parking is comprised of 16 single spaces, two tandem spaces and five lift spaces.
 - a waiver is sought for (a) the need for an overhang for spaces 18' in length given the presence of the garage walls, (b) the provision of parking spaces in excess of those required by the Zoning By-Law and (c) if applicable, the lift spaces. There are, after 16 spaces allocable to the 8 residential units (all two bedroom units), seven additional spaces, which may be more than the use of the commercial space in the building is required to have by the Zoning By-Law. If, as is hoped, Krigsman Yoga is the occupant of the commercial space, we are prepared to designate seven spaces to the use of the commercial space by Krigsman Yoga; if there is another occupant of the commercial space who requires less parking in order to comply with the Zoning By-Law, we would nonetheless like to have the waiver in order to provide for future flexibility and to help improve the parking situation for the surrounding area.
- b) Safe and Adequate off-street loading and delivery areas for materials and customers as well as sufficient access for service, utility and emergency vehicles in the following ways:
- as mentioned above, there are two main entry points to the building, an off-street covered front entrance for pedestrians and vehicular drop off and pick up and an entrance within the garage, both handicap accessible and served by an elevator. Both entry point areas have been designed to be accessible for service, utility and emergency vehicles as well as for pedestrians and vehicles driven by residents, visitors and users of the commercial space.
6. The proposed use provides safe and adequate means of waste disposal (sanitary and solid) and storm water drainage in the following ways:

- sanitary sewage will be handled through the town's existing sewer system (adequate capacity and connectivity have been confirmed with the Department of Public Works);
 - solid waste will be disposed of in strict compliance with applicable law; trash collection will be located within the garage on the ground level of the building and will be removed by a private trash company;
 - the proposed use's civil engineering design will make use of existing connections to storm water drainage facilities in Central Street (included with this application is a memorandum from Ross Engineering that addresses this subject).
7. The areas of compliance or noncompliance with all other applicable sections of the Zoning By-Law and any additional zoning relief sought are as follows:
- the proposed development complies with the Zoning By-law in all respects except that waivers are sought for (a) replacement of overhang with a vertical wall for parking spaces 18 feet in length in the garage located on the ground level of the building, (b) the possible provision of more parking spaces than those required by the Zoning By-Law depending on the specific use made of the commercial space within the building (see 5 (a) above) and (c) if applicable, the lift parking spaces;
 - the setbacks of the proposed development are greater than those required by the Zoning By-Law.
8. Other regulatory and/or licenses (local, state and federal) required for the project include:
- Those permits, such as building permits and occupancy permits, incident to this application;
 - Fuel storage license for vehicles in a parking garage.