

HINGHAM PLANNING BOARD
February 1, 2016 @ 7:30 PM – Central North

Present: Planning Board Members, **Sarah Corey, Chairman, Gary Tondorf-Dick, Jennifer Gay Smith and William Ramsey. Judith Sneath, Clerk** arrived at 8:45 pm. Also present were, Community Planning Director Mary Savage-Dunham and Dolores DeLisle, Administrative Assistant

Planning Board Agenda

7:30 PM Call to Order

Old/New Business:

- 1. Review and Adoption of Minutes: January 25, 2016
- 2. Administrative / Committee Reports

7:45 PM Continued Public Hearing: Proposed Amendment to the Hingham Zoning By-Law

- Section II & III

8:00 PM Continued Public Hearings: Proposed Amendments to the Hingham Zoning By-Law

Joint hearings with the Zoning Board of Appeals

- Changes to Nonconforming Structures Accessory to Single Family and Two-Family Dwellings
- Uniformity Amendments
- Lot Shape Requirements

Hearing(s)

7:38 PM Call to Order

Old/New Business:

- 1. Review and Adoption of Minutes: January 25, 2016 - The Board asked for a revision to the conditions listed for the Short Street item, and, that a general discussion of the substantive issues be added to the Oakwood Circle item. Staff will revise as requested.
- 2. **Committee Reports:** Gary Tondorf-Dick reported that the CPC reviewed and supported 11 projects, but did adjust some amounts down to stay within the available funding. Bill Ramsey reported that the Traffic Committee is looking at the intersection of North/Fearing/Main streets.

7:45 PM Continued Public Hearing: Proposed Amendment to the Hingham Zoning By-Law - Section II & III

The Planner explained the article and the changes made subsequent to the last hearing. The Board asked for additional language to be added to the Overlay District section, noting that they were depicted on the zoning maps. The Board also did not want to vote without the full Board present. As such, the item was continued to February 8th.

8:00 PM Continued Public Hearings: Proposed Amendments to the Hingham Zoning By-Law

The Board was joined by Emily Wentworth, Senior Planner, and Joe Fisher and Joe Freeman. There was not a quorum of the ZBA, so Mr. Fisher and Mr. Freeman were participating as individuals. Ms. Wentworth stated that it was their preference to present on the Uniformity

Amendments and the Lot Shape Requirements and continue the Nonconforming Structures article to a future date.

The Board then heard a power point presentation on Uniformity and the history of two family dwellings in Hingham. This amendment proposes to remove date-based criteria from two specially permitted uses: two-family dwellings and bed & breakfast establishments. The Zoning Board believes that date based criteria may be inconsistent with the Uniformity Clause of the State Zoning Act. MGL c. 40A, s. 4. requires that properties be treated uniformly within a zoning district. The proposed amendment would eliminate the potential inconsistency with state law, while maintaining all other special permit requirements for these uses. The potential conflict with the uniformity clause was discussed, as was the possible impact of making the changes as proposed.

The Board discussed Bed and Breakfast Establishments and seemed to feel it wasn't a problem changing the regulations and technically allowing more properties to be eligible to apply for a permit. The Board then discussed the impact of changing the language for the conversion of single family houses. * (Ms. Sneath arrived at 8:45 pm while this hearing was in progress).

The Board discussed that the progression in permitting two family houses over time was trending to be more restrictive, and this change would be moving in the opposite direction. It was suggested that there might be approximately 11 conversions on average a year if the regulations were to change, based on the permitting history. The Board noted that some people may not be applying now because they think they are not eligible. A concern was raised about possible commercial investors and a trend towards rental properties. The Boards discussed what some possible conditions could be that might make the Board more comfortable with this change. Options discussed were owner occupancy, limiting the change to certain districts, etc.

Mr. Tondorf-Dick suggested that the change to allowing more two family units might have a broad reaching effect on the community over time and that the residents should be allowed to weigh in on this change. He stated that he wasn't sure it had been vetted widely. The Board decided to continue this public hearing to February 22nd and suggested that staff put something in the newspaper to encourage the public to participate in the hearing and voice their opinions. The Board then Voted to continue the hearing until February 22, 2016.

The next hearing was on Lot Shape Requirements. Ms. Wentworth went over the power point presentation and explained that the intent of this article is to eliminate confusion between the competing shape requirements for residential lots and to standardize the shape requirements across all zoning districts by removing the "circle", or dimensional requirement, from the definition of "Frontage" in Section VI and replace Section IV-C, 10. in its entirety as follows: "10. Lot Shape - In addition to the minimum lot area and frontage requirements, lots shall be laid out in such a manner so that a circle, with a diameter equal to eighty (80) percent of the minimum frontage requirement for the zoning district in which it is located, can be placed tangent to the front and within all other lot lines with no portion of the circle extending beyond the boundaries of the lot". The Board discussed frontage and lot shape and noted that lot shape really has the result of keeping a lot width for some distance back from the street, as opposed to a situation where the side property lines narrow with distance from the frontage. During the discussion, potential renumbering of Section IV-C was discussed, as well as possibly adding language to the current proposal. The Board was supportive of the change in concept, but would need to see the revised article before voting. The Board then Voted to continue the hearing to the meeting of February 22nd at 7:00 pm as they felt this would be a very quick discussion.

Other Business:

Before the Boards adjourned, they discussed their availability for a joint hearing on the Lincoln Building and determined that all were available on March 30th.

As there was no other business, the meeting adjourned at 9:45 PM.

Respectfully submitted,

Dolores A. DeLisle
Administrative Assistant