

**HINGHAM PLANNING BOARD**  
January 9, 2017 @ 7:00 PM – Central North

**Present:** Planning Board Members, **Judith S. Sneath, Chairman, William Ramsey, Jenn Gay Smith and Gary Tondorf-Dick.** Also present: Community Planning Director, Mary Savage-Dunham

**Planning Board Agenda**

- 7:00 PM      CHRISTINA ESTATES AT BAKER HILL**  
Request for Bond Reduction
  
- 7:15 PM      LISA PARSONS – 69 WATER STREET**  
Request for Waiver of both Public Hearing and Site Plan Review under Section I-I.5 in Association with a minor modification to a Special Permit A2 to keep the ground floor in retail use and the residential use above.
  
- 7:30 PM      PROPOSED AMENDMENTS TO THE HINGHAM ZONING BY-LAW FOR CONSIDERATION AT THE 2017 TOWN MEETING**  
The Planning Board will open the public hearings on the proposed by-law changes and then set the schedule for substantive hearings. By-law changes proposed include: *Lot Width, Regulation of the Sale and Consumption of Marijuana Not Medically Prescribed, Parking Design Standards, Lot Area and Lot Line Definitions, and, Changes to Nonconforming Accessory Structures*
  
- 7:45 PM      Discussion of Potential Warrant Article - Ch. 41 s. 81U**
  
- 7:55 PM      39 & 47 Canterbury Street – Canterbury Street LLC.**  
Site Plan Review in accordance with Section IV-B (6)b – Request to Continue Hearing and Extend Time for Decision
  
- 8:00 PM      Form A Plan: Map 188 Plots 26 & 29, aka 170 Gardner Street and 1 Gardner Terrace**  
Joseph Kennedy  
*Old/New Business:*
  - 1. Review and Adoption of Minutes: 7/18, 7/27, 10/3, 11/14, 11/21, 12/5, 12/12 and 12/19/2016
  - 2. Discuss memo to BOS regarding use of tunnel cap
  - 3. Master Plan – discussion of draft goals & objectives
  - 4. Administrative Reports

**Hearing(s)**

- 7:00 PM      CHRISTINA ESTATES AT BAKER HILL**  
Request for Bond Reduction

Acting Chairman Ramsey opened the hearing and said that the applicant has requested that the pending bond reduction request be continued to a meeting in February. The Town Planner provided a brief update on the progress on the project completion as well as filing the COA for the modification. The Board (Gary Tondorf-Dick, Judith Sneath, and William Ramsey) discussed what date in February to continue to. The Planner suggested February 6, 2017. The Board checked their availability and then moved, seconded and so voted to continue the discussion on the bond reduction request to February 6, 2017.

- 7:15 PM      LISA PARSONS – 69 WATER STREET**  
Request for Waiver of both Public Hearing and Site Plan Review under Section I-I.5 in Association with a minor modification to a Special Permit A2 to keep the ground floor in retail use and the residential use above.

Chairman Sneath welcomed Lisa Parsons and asked her to provide background on the request. Planning Board member Jennifer Gay Smith joined the panel. Ms. Parsons explained that the

change being proposed to is actually leave the first floor use as it is (commercial and storage) instead of changing it to residential as approved recently. The footprint is staying the same and the parking requirement is the same. The residential use will be on the second and third floors and the first floor use will remain as is. The request is for Waiver of both Public Hearing and Site Plan Review under Section I-I.5 in Association with a minor modification to a Special Permit A2 to keep the ground floor in retail use and the residential use above. The Board then Moved, seconded and so voted to waive public hearing and site plan review under section I-I.5 as described at the hearing and in the application materials finding that this is a minor modification.

**Review and Adoption of Minutes: 7/18, 7/27, 10/3, 11/14, 11/21**

The Board approved the minutes of July 18, July 27, as written. The Board approved the minutes of October 3 as written with Bill Ramsey abstaining. The Board approved the minutes of November 14 as written with Jennifer Gay Smith abstaining. The Board approved the minutes of November 21 with revisions as noted and discussed. The December minutes were carried over to the next meeting.

**7:30 PM PROPOSED AMENDMENTS TO THE HINGHAM ZONING BY-LAW FOR CONSIDERATION AT THE 2017 TOWN MEETING**

The Planning Board will open the public hearings on the proposed by-law changes and then set the schedule for substantive hearings. By-law changes proposed include: *Lot Width, Regulation of the Sale and Consumption of Marijuana Not Medically Prescribed, Parking Design Standards, Lot Area and Lot Line Definitions, and, Changes to Nonconforming Accessory Structures*

The Chairman opened the hearings on the zoning by-laws under consideration for the 2017 Town Meeting. The Chairman noted that the schedule for the substantive hearings would be discussed and set today. The Board grouped the Lot Width, Lot Area and Lot Line Definitions, and, Changes to Nonconforming Accessory Structures together and scheduled them for January 30<sup>th</sup>. The Board asked if the Board of Appeals would also participate in that hearing. Regulation of the Sale and Consumption of Marijuana Not Medically Prescribed, Parking Design Standards were scheduled for February 6<sup>th</sup> for substantive hearing. The Planner distributed hardcopies to the members of the public for their use and information also. The Chairman recognized Victor Baltera from Advisory who said that the articles would be delegated to other AdCom members moving forward. The Chairman then read the proposals into the record word for word and the Board members present as well as members of the audience identified questions for staff. The Board then continued the public hearings as noted and discussed.

**7:45 PM Discussion of Potential Warrant Article - Ch. 41 s. 81U**

The Board then discussed a potential Warrant Article requesting that the Board of Selectmen include an article on the Warrant that asks that the Town accept the provisions of Ch. 41 s. 81U.

The Planner called out the second to last paragraph of that Chapter/Section for the Board to review. This paragraph basically provides that expenditure of the bond, up to 100,000, may be made without going to town meeting to call the bond, IF the town has accepted the provisions of Ch. 41 s. 81U (subject to the approval of such expenditure by the Board of Selectmen). Staff explained that accepting the provisions of Ch. 41 s. 81U. would provide another tool for the town to ensure completion of the work as specified in approved (subdivision) plans without needing to call a special town meeting or wait for the next town meeting date. Staff distributed a memo on *Troubled Subdivisions* for review.

Mr. Patch noted that this paragraph was added in 1987 and was concerned about any potential downside of adopting the provision. After additional discussion the Board continued this matter to the January 11<sup>th</sup> meeting to allow the Board time to review the material provided and consider the recommendation.

**9:00 PM Form A Plan: Map 188 Plots 26 & 29, aka 170 Gardner Street and 1 Gardner Terrace: Joseph Kennedy**

The Applicant and their surveyor presented the plan and the Board asked questions. The Board ultimately requested that the surveyor correct the parcel number and change the language in one

of the notes on the plan, and, said if a revised mylar was provided on January 11<sup>th</sup> with the changes they would consider the matter at the start of the meeting.

**9:25 PM**      **39 & 47 Canterbury Street – Canterbury Street LLC.**  
Site Plan Review in accordance with Section IV-B (6)b – Request to Continue  
Hearing and Extend Time for Decision

The Board voted to continue the site plan review hearings to the meeting of January 23<sup>rd</sup> and extend the deadline for filing the site plan review decisions to February 15, 2017 as requested by the applicant. The reason is to have the site plan review hearings with the hearing on the common driveway for the lots which is scheduled for January 23, 2017.

*Old/New Business:*

1. Discuss memo to BOS regarding use of tunnel cap – this item was continued to the next hearing.

As there was no other business, the meeting adjourned at 9:30 PM.

Respectfully submitted,  
Mary Savage-Dunham, AICP  
Director of Community Planning