



## HULL PLANNING BOARD

253 Atlantic Avenue, 2<sup>nd</sup> floor  
Hull, MA 02045

Phone: 781-925-2117

Fax: 781-925-8509

**January 9, 2013**

**Members Present:** Joseph Duffy, Chair, Timothy Reynolds, Jeanne Paquin, Vernon Wood, Kelly Phelan, Stephen Flynn, Nate Peyton

**Staff Present:** Robert Fultz, Community Development & Planning Director  
Ellen Barone, Administrative Assistant

**7:40pm** Chair J. Duffy called the meeting to order

**7:40pm** **225 Atlantic Avenue (Map 51/Lot 024) – Opening** of a Public Hearing on the application for Site Plan Review filed by Steven Fitzgerald to construct a garage.

Owner/Applicant: Dale Fitzgerald

Representative: Josh Bows, PE, Merrill Associates, Inc.

Abutters/Others: Michael Hughes, Joanne Hughes, Jeanne Bissett, Bryan Provenzano, Mary Neville

Documents: Site Plan – Merrill Assoc – Dated – 06/26/12 revised 10/29/12

Design Plans Sheets A-1 & A-2 – Custom Home Designs - Dated 10/24/12

Correspondence – Richard A.M. Lyon – Dated – 11/13/12

Comments from Town Departments & Design Review Board Read Aloud for the Record:

Fire: Capt. Daniel Evans – 12/5/2012

Police: Chief Richard Billings – 1/2/2013

Building Department: Peter Lombardo – 1/9/2013

DPW: Joseph Stigliani – 1/8/2013

Design Review Board: Don Ritz – 1/7/2013

Mr. Bows presented the project that is to include construction of a 34' by 50' garage for the storage of vehicles used for business and for his employment. The site is an existing 4500 square foot vacant lot located in an area zoned for Business. The garage will include an unfinished attic. Parking is indicated as five spaces within the garage and three on the exterior that include one handicap accessible space which was based on the building size of 1,700 square feet. The landscaping indicated on the site plan includes notations of lawn area to be loamed and seeded and various planting of shrubs and trees. The Design Plans include locations for lighting on the Atlantic Ave. side on both sides of the access door, on the South Avenue side at each of the garage doors and the access door. There are no lights planned at the rear of the garage. The driveway will be concrete and the landscaped islands will be cut out of the concrete with no berms. A small sign will be located adjacent to the door on the Atlantic Ave. side of the garage. There will be an underground infiltration system to handle roof runoff.

Mr. Bows and Ms. Fitzgerald clarified for the Board that although the Application states that the project name is "Proposed Business Service Garage" the garage will be used for storage only for vehicles that are used for business activities and that the cars will not be serviced on site. Mr. Fitzgerald owns all of the vehicles, all are registered and there are no plans to lease out any of the space for storage of other vehicles. It is not anticipated that storage of vehicles will be outside of the garage. The intent is to provide storage within the building. Some parking may take place outside. There will be no compressor on site. As the garage will not be open to the public, there are no hours of operation. The second floor attic space will be used for storage. The architectural features used in lieu of windows on the Atlantic Ave. side of garage will be trellises covered with plantings. There will be no dumpster located on the site. Mr. Bows was not sure if air conditioning will be used and where it would be located if it were used. The Applicant understands that if there is a change of use in the future, they must return to the Board.

Comments from Abutters:

Joanne Hughes – 233 Atlantic Ave. stated that she was representing Mary Meade an abutter who was not able to attend the meeting and expressed concern about continued full access of the Private Way for all abutters. Mr. Bows stated that there are no plans proposed to make any other changes on South Ave. other than typical curb cuts that you would have for any business. She also expressed concern with where the building would be located and that she currently has difficulty seeing up the street when exiting South Ave. as well as concern for construction vehicles blocking access. The Board informed her that if she is having a problem during construction she should contact the building department and they will handle that. The Board discussed the proposed tree in the Atlantic Ave. yard stating that it should not block the view for exiting South Ave. Mr. Bows will consider either relocating or planting a large enough tree to avoid a problem.

Mary Neville – 219 Atlantic Ave. referenced the 2002 Zoning Map that indicates that the area is zoned for business although factually she feels it is a residential area. The Board informed Ms. Neville that they must take the area for what it is zoned as. Ms. Neville asked with the understanding that the cars will have maintenance done at another site where will the cars be washed. Ms. Fitzgerald answered that she would imagine they would have a hose for washing down the vehicles and other activities may include washing windows, shining bumpers. Mr. Bows added that it would be just as anyone else would wash their car in their yard.

Michael Hughes – 233 Atlantic Ave. expressed concern with parking on Atlantic Ave., would the tow zone be changed, would the hydrant be moved? The Board stated those issues would be handled by the Police or Water departments; they are concerned with the changes being made to the visual aspects for traffic at the corner.

Brian Provenzano – 219 Atlantic Ave. what would happen if they sold to another business with a different use. The Board answered that they must come back to the Planning Board and go through the same process. Mr. Provenzano also expressed concern with visitors parking on South Ave. because that is where they park. The Board informed him that it is a private way and the people who own it can do what they want.

M. Neville – expressed concern with snow removal, where will the snow go and where will the water go when it melts. Ms. Neville referenced Section 34.4 Section g. of the Zoning By-law relating to the review of drainage and sediment control for developments. The Board informed her that if she is concerned with how the street is plowed, she should contact the DPW. The Board does not have jurisdiction to tell someone what they can do on the street. J. Bows stated that the Applicant is required to keep any snow removed from the property on the property and indicated that snow removed will be placed on the green area near the handicap parking space and if there is an overflow, it could be placed on the Atlantic Ave. side of the garage. The amount of snow that will fall on the site after the building is built is the same that fell on the site before the building was built.

M. Neville – asked to have clarification from the Town where the vehicles are currently being stored as to whether or not taxes are being paid. The Board informed her that property taxes would be paid to the Town of Hull, excise tax would be paid to the Town where vehicles are registered and equipment in the building would be taxed. This is not the purview of the Planning Board.

Mr. Bows asked that if the Board were to approve the project that they do it tonight and that he would then submit the final information that was requested. The Board informed Mr. Bows that they want clarification on the outstanding issues prior to making any decisions.

The Applicant was requested to provide the following information for the next meeting:

- Provide more detail for trellises on Atlantic Ave side of building and landscaping at the corner of South Ave.
- Provide a more definitive lighting plan that also includes the addition of lighting at handicapped parking space as well as the type of lighting
- Provide details for signage i.e. size, color, font etc.
- Indicate all parking spaces on the Design Plans to match the Site Plan
- New plans should include details for changes as suggested by the Design Review Board

If approved, comments from the Town Departments will be adopted as conditions to be included in the decision. A Condition will be added to insure that trees that are planted on the Atlantic Ave. side shall be maintained or trimmed between elevation .5 feet and 3 feet above the ground so as not to impede the view of vehicles exiting from South Ave. onto Atlantic Ave. A Condition will be added that states that if the property is sold and the use is changed the new Owner must come before the Planning Board for Site Plan Review.

- Upon a **motion** by S. Flynn and **2nd** by J. Paquin and a **vote** of 7/0/0;

It was **voted** to:

**Continue** the Public Hearing to January 23, 2013 at 7:30.

Town Meeting Warrant Articles – R. Fultz will draft the article for inclusion in the Town Warrant requesting that the Town approve an \$800,000 bond to fund construction of the underground infrastructure for utilities in conjunction with the rebuild of the Surfside of Nantasket Ave.

Nantasket Beach Area Zoning Update– R. Fultz

The Board received the Proposed Zoning Final Draft of the Nantasket Beach Overlay District prepared by MAPC dated 12/27/12. The Board was encouraged to review this information and email comments to R. Fultz. R. Fultz will continue to review and make necessary changes. More discussion will be scheduled for the January 23 meeting. R. Fultz will continue to meet with different groups including the School Committee and Advisory Board as well as conduct public meetings. Meetings scheduled at this time are with the Chamber of Commerce on January 29 and a public meeting on January 30. The final submission to be on the Town Warrant is due to the Town Clerk on February 7.

The Board discussed a previous meeting that the Board voted to send the Zoning By-Law Committee (ZBC) a letter stating that the Board did not support the ZBC's efforts in writing a By-law for seasonal/portable signs. J. Duffy stated that he had attended a few of the ZBC meetings and that they are working on a few By-laws to be submitted at Town Meeting i.e. adult entertainment, trailer parking and the temporary signs. J. Duffy did not write a letter however addressed the Board's position on the issue. The Board discussed the role of the Zoning By-Law Committee and their intent to submit a By-law change to the Planning Board and the Selectmen. It appears that the ZBC is not operating according to the procedures set out in the Town By-laws. J. Duffy will send the ZBC a letter with the specific language of the role of the ZBC also stating that anything that they are planning to submit at Town Meeting should be presented to the Board first.

The Board requested that E. Barone forward the meeting minutes that include the Board's vote of non-support of the Zoning By-law Committees efforts to write a By-law for seasonal/portable signs. J. Duffy will draft a letter to be sent to the ZBC and that will be forwarded to the Board for review.

**9:55pm** Upon a **motion** by T. Reynolds and **2nd** by J. Paquin a **vote** of 7/0/0;

It was **voted** to: Adjourn