

HULL PLANNING BOARD

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

Phone: 781-925-2117

Fax: 781-925-8509

MINUTES: March 22, 2017

Members Present: Harry Hibbard, Chair; Jason McCann, Vice-Chair; Nathan Peyton; Steve White; Steve Flynn; Joseph Duffy, Jeanne Paquin

Staff Present: Chris DiIorio, Director of Planning and Community Development

7:30 p.m. Hibbard called the meeting to order.

Public Hearing: 2017 Zoning Bylaw Amendments

Town Meeting Warrant articles regarding proposed amendments to the zoning bylaw were discussed as follows:

Article 17: Site plan review application fee

This article proposes taking the site plan review application fee out of the zoning bylaw and moving it into the Planning Board rules and regulations. This bylaw would not change the fee, but would allow the Planning Board to change it without having to go to Town Meeting. Board members suggested having the fee schedule available at town meeting in order to answer questions that might be asked. The fee schedule itself will be finalized through public hearing, not Town Meeting.

[See Article 17 as edited.]

Motion	Paquin	Motion to recommend favorable action on Article 17 at Town Meeting.
Second	Flynn	
Vote	Unanimous	

Article 20: Nonconforming uses

This article involves preexisting buildings on undersized lots. The bylaw as currently written considers only single-family homes on undersized lots as non-conforming. The change will allow the town to consider preexisting two family dwellings to be considered non-conforming as well, "provided the structure conforms with all of the other provisions of the zoning bylaw, including parking." Duffy noted that there have been recent cases before the Board of Appeals where this was an issue.

[See Article 20 as edited.]

Joanne Capone, 21 Rockland House Rd., asked how this would impact a situation like the project on Rockland Circle that was recently before the Zoning Board of Appeals and to which she was opposed. Her concern was that this bylaw change would make it easier for such projects to be done and would impact the safety of the neighborhood. Hibbard stated that this bylaw pertains only to preexisting structures. Paquin explained that if someone is tearing a house down and rebuilding, this bylaw does not apply and they have to conform to the proper zoning.

Motion	Paquin	Motion to recommend favorable action on Article 20.
Second	Flynn	
Vote	Unanimous	

Article 21: Construction or operations under a building or special permit

This article allows the town to conform to a change in state law. As it is now parties have 6 months to commence construction after receiving a building permit or a special permit. This amendment extends it to one year.

[See Article 21 as edited.]

Joanne Capone, 21 Rockland House Rd., said that if the bylaw is changed to one year, neighbors may have to live with construction for a longer period of time. Duffy said that the bylaw doesn't say how long the parties have to complete the project, but rather the time period they have in which to begin.

Motion	Paquin	Motion to recommend favorable action on Article 21.
Second	White	
Vote	Unanimous	

Article 22: Section 50 – Dimensional requirements and intensity regulations

Currently the Building Department has the authority to waive front setback requirements if the proposed building conforms to the front setbacks of other buildings in the neighborhood. This amendment will allow it to waive the requirements for commercial properties as well.

[See Article 22 as edited.]

Motion	Paquin	Motion to recommend favorable action for Article 22.
Second	White	
Vote	Unanimous	

Article 23: Parking and loading requirements

This amendment involves the parking requirements for establishments between Rockland House Road and Wharf Avenue and extends these to Water Street on the north. This area does not have to meet parking requirements because state lots are available for parking.

[See Article 23 as edited.]

Motion	McCann	Motion to recommend favorable action on Article 23with the additional amendment to make the change to the second column related to this section of Table 55 to change the word MDC to DCR.
Second	White	
Vote	Unanimous	

Article 24: Special permit time limits

This amendment proposes to extend the time limit for special permits from two to three years. Currently they lapse after two years, but a six month extension is possible. The state changed the law to “up to three years.” After discussion, the board decided to keep the town bylaw time limit at two years.

[See Article 24 as edited.]

Motion	Paquin	Motion to recommend favorable action on an amended Article 24, which will just reflect a change in 80-3 changing the word “included” to “excluded” and removing the dash between “two” and “year.”
Second	Duffy	
Vote	Passed 6/1	Flynn opposed

Following the discussion of the warrant articles, Joanne Capone, 21 Rockland House Rd., pointed out that these changes are difficult for the public to understand and said that it would be helpful if there were clearer explanations provided so that people can understand them prior to Town Meeting. Paquin noted that public hearings such as the one held this evening were the format for that. Hibbard noted that there are legal notices of the hearings in the town

newspaper. Duffy said that he would attempt to write a short description of each one, but did not promise that it was possible. McCann suggested that the minutes of the meeting might make the meanings clearer.

Motion	Peyton	Motion to close the public hearing.
Second	McCann	
Vote	Unanimous	

Minutes

The board approved minutes as follows:

Motion	Duffy	Motion that the board approve the minutes of February 8, 2017.
Second	McCann	
Vote	Unanimous	

Motion	Duffy	Motion that the board approve the minutes of February 22, 2017.
Second	Flynn	
Vote	Unanimous	

Motion	Duffy Amendment	Motion to approve the minutes of January 25, 2017 as amended "Peyton stated that he will not be running again for the South Shore Coalition and there will be a new representative" will be amended to read: "Peyton stated that he will not be running again for the Chair of the South Shore Coalition and there will be a new Chairperson."
Second	Flynn	
Vote	Unanimous	

0 Rockland Circle Decision

The board reviewed the Special Permit Modification Decision for 0 Rockland Circle.

Motion	Flynn	Motion to approve the special permit site plan review modification decision for 0 Rockland Circle.
Second	Paquin	
Vote	Unanimous	

NBOD Guidelines

This agenda item was pushed forward to a future meeting.

At 9:25 p.m. the Board voted unanimously to adjourn, on a motion by McCann, seconded by Peyton.

Minutes approved:  Date: 4-26-17

The following documents were submitted and are part of the official records:

- Planning Board agenda for 3/22/17
- Planning Board minutes for 1/25/17, 2/8/17, 1/25/17
- Town Meeting Warrant articles
- NBOD submission checklist
- 0 Rockland Circle decision