

HULL PLANNING BOARD

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Minutes: May 24, 2017

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

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

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

Planning Board Reorganization

The board conducted its annual reorganization as follows:

Motion	Flynn	Motion to nominate Joe Duffy for Chairman
Second	Hibbard	
Vote	Motion failed 5-2	

Motion	McCann	Motion to nominate Hibbard for Chairman
Second	Peyton	
Vote	Unanimous	

Motion	Hibbard	Motion to Steve White as Vice-Chair
Second	Peyton	
Vote	Motion withdrawn	

Motion	Peyton	Motion to nominate Jason McCann as Vice-Chair
Second	White	
Vote	Unanimous	

Motion	Flynn	Motion to nominate Steve White as Clerk
Second	Peyton	
Vote	Unanimous	

Meeting Schedule

The board reviewed its schedule for the remainder of the year. The amended schedule is as follows:

- July 12, 2017
- July 26, 2017
- August 9, 2017
- August 23, 2017
- September 13, 2017
- September 27, 2017
- October 11, 2017
- October 25, 2017
- November 8, 2017
- November 29, 2017
- December 13, 2017
- January 3, 2018

Motion	Paquin	Motion to approve schedule as changed.
Second	McCann	
Vote	Unanimous	

Minutes

The board approved minutes as follows:

Motion	McCann	Motion to approve the minutes dated April 26, 2017.
Second	White	
Vote	Passed 6-0-1	Peyton abstained

Other Business

Frank Kerr was present to ask the board about a Town Meeting article proposing a new noise bylaw that had been referred to the Planning Board for study. Duffy suggested a joint hearing with the Planning Board and Building Commissioner Peter Lombardo. Kerr said that Lombardo had told him that there was no existing noise bylaw. Paquin pointed out that when the board reviews projects, it puts hours of construction in the order of conditions. Kerr said that he wants clarity in the town about this. McCann suggested that the matter be referred to the Zoning Bylaw Committee, which includes members of Planning Board, the Board of Appeals, and the Building Department. Any recommendations that they put forward would come back to the Planning Board for public hearings.

The board asked Kerr to leave his contact information so that he can be notified when the next Zoning Bylaw Committee occurs.

Motion	McCann	Motion to refer this to the study of the Zoning Bylaw Committee for its next meeting.
Second	Paquin	
Vote	Unanimous	

Main Street ANR

The board reviewed an ANR for 75 Main Street. DiIorio explained that this is a through lot with frontage on Main Street and Newton Street, and the current owners are trying to split the parcel. He stated that there is a question about whether the structure on the back lot is a house. The plans refer to as a house, but the Building Department is calling it an accessory structure. He stated that there is no evidence that this is a habitable building or has been used as a house. He noted that it is important for zoning purposes whether it is considered a house.

David Ray, Nantasket Survey Engineering, said that the building has a chimney and plumbing. He stated that the law doesn't say that it has to be a dwelling. He said that he has case law supporting this. He further stated that he has tax maps from 1936 that show the building on the land, but it was smaller at that time.

McCann asked if the board can endorse a plan that would then require a variance. Duffy stated that it can be made clear in the endorsement that there is no guarantee of zoning approval. Duffy said that there is no case law saying that the building has to be habitable. He said that the basic elements for the ANR are all met. The parcels front on public ways, comply with frontage requirements, and vital access is provided.

DiIorio suggested adding a note of no determination on whether the structure is a house or is habitable. Flynn said that anyone buying the lot should do due diligence and find out whether it is a buildable lot. White pointed out that on the plan in front of the board the structure is marked as a house and this is the plan the board would be endorsing.

After further discussion, Ray marked the plan to change the indication of "house" to "building."

The board voted as follows:

Motion	Flynn	Motion to approve the ANR with the standard disclaimer that it doesn't grant anybody permission to build on it. Hull PlanningBoard endorsement does not constitute an interpretation of zoning.
Second	Duffy	
Vote	Unanimous	

Substitute Motion	McCann	Endorse the ANR with the typical endorsement and the additional notation that the Planning Board made no determination as to the adequacy and nature of the structures on either lot. Planning board is making no determination on the one story structure being a house or habitable.
Second	Paquin	
Vote	No vote	

Discussion of Town Meeting

The board discussed various articles that were considered at Town Meeting, including the Sanctuary City article, the article considering the James Avenue taking, and the resolution for Charles Gould.

Blighted Properties

White had requested a conversation about blighted properties. In specific he asked about the house on Atlantic Avenue next to Marylou's. He suggested that the board could devise a strategy to address the issues of blighted and/or abandoned properties, and suggested as an initial step a phone call to inquire about the owners' plans. He said he would like to be more proactive about reaching out to people, and said that there are programs that the town may be able to connect them with to help them.

McCann suggested that DiIorio might make a list of possible solutions for these properties. Paquin suggested that the Aquarium owners should be called as well. McCann suggested involving the Building Department, because they already have involvement with some of these properties and may have contact information.

Marijuana Zoning

DiIorio said that he was at the most recent Marijuana Task Force meeting and had told them that the board would be interested in writing zoning regarding where retail stores, if any are ultimately permitted, can be located. He said that his impression was that most of the task force members are against retail sale. He further stated that the task force wants to move forward with information gathering and surveying.

After discussion, the board agreed to start holding public hearings after the summer. Before then it will discuss ways to open the discussion. Duffy said that they could think about doing a nonbinding ballot initiative in November to see what the town wants. Flynn predicted that at the next Town Meeting there will be a citizens' petition to ban retail sales.

Pemberton Point Economic Development Plan

The board voted as follows on representatives to the CPA Committee, the Downtown Initiative, and the Pemberton Point Economic Development Plan.

Motion	Paquin	I nominate Jason McCann for the Planning Board's member to the CPA Committee.
Second	White	
Vote	Unanimous	

Motion	McCann	I nominate Jeanne Paquin for the Downtown Initiative Technical Assistance Grant working group.
Second	White	
Vote	Unanimous	

Motion	Flynn	I'd like to nominate Steve White for Pemberton Point Economic Development Plan.
Second	Paquin	
Vote	Unanimous	

Peyton noted that regarding the Pemberton Point Economic Development Plan, the Seaport Economic Council is very clear that they want to be sure that the MBTA is engaged in the process.

George Washington Boulevard Corridor Construction

The board discussed the project recently proposed by Hingham to reduce Rockland St. and Summer Street to one lane in both directions between the Hingham rotary and the Summer Street light at Martins Lane. Paquin said there has been a lot of discussion on social media about the problems this will create for the town. She said that she would like to know that there has been intensive traffic enforcement on that stretch, since the high rate of accidents is the purported reason Hingham wants to pursue the project. She further stated that the rotary does not have any lines to indicate that it is a two lane rotary and that traffic will be backed up in both directions.

DiIorio said that there was a recent meeting with safety officials from Hull, Hingham, Cohasset, and MassDOT, at which there was much concern expressed, even by some in Hingham. He said that there is currently no funding for the pilot program and it will not occur this year. Paquin said that the town should still be planning, just in case it happens in the future.

McCann thought it would be helpful to give an official statement from the Planning Board regarding impact on economic development, particularly in the summer.

Other Business

Paquin asked if the new A Street liquor store will come before Planning Board. DiIorio said that there is another project at the TBX buildings for four stories mixed use, and another for the building in which Marvel's is located, for 35 micro units.

At 9:50 p.m. the Board voted unanimously to adjourn, on a motion by Paquin, seconded by McCann.

Minutes approved:  Date: 6/14/17

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

- Planning Board agenda for 5/24/17
- Planning Board minutes for 4/26/17
- Meeting schedule
- Main Street ANR
- Scope of services for Community Branding and Wayfinding grant
- Board of Appeals agenda for June 6