

HULL PLANNING BOARD

253 Atlantic Avenue, 2nd floor
Hull, MA 02045

Phone: 781-925-2117

Fax: 781-925-8509

Minutes: October 25, 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 Planning and Community Development

Others Present: Colm Kearns, Rocco Realty; Bob Burwick, Rocco Realty; Greg Morse, Morse Engineering; Adam Brodsky, Attorney, Drohan Tocchio & Morgan; Domenico Sestito, Board of Selectmen; Jennifer Constable, Board of Selectmen; Mark Abatuno, Chamber of Commerce; Steve Kiley, 1 Harvey Place

147-155 Nantasket Avenue Proposal

Colm Kearns, Rocco Realty; Bob Burwick, Rocco Realty; Greg Morse, Morse Engineering; and Attorney Adam Brodsky of Drohan Tocchio & Morgan; were at the meeting to present to the board conceptual plans for a proposed new development at 147-155 Nantasket Avenue. These included a conceptual architectural plan and a conceptual site plan.

The proposal stated that this is 8,608 square-feet of area with frontage on Berkley and Nantasket. It is currently a commercial building with a separate multi-family building in the back. The property bisects a multi-family A zone and the NBOD. It is bordered by commercial on the left and condos on the right and rear. They will take down the two buildings and replace them with one new building, which will be elevated on pilings/piers so that the underneath can be used as a seasonal open-air market place and the back can be used for parking. Above will be 14 residential units on four floors. The first three floors will have four one-bedroom units on each floor. There will be two two-bedroom units on the top floor. Parking will be located under the building, and in two stacked parking places at the corner of Berkley. Each bedroom is allotted one parking space. They stated that they don't anticipate any loading requirements. They stated that all habitable spaces are elevated above flood plan and incorporate all FEMA requirements. There will be a partition or breakaway wall between the market hall and the parking area. This is required for flood purposes.

The building is in an AO3 flood zone and will have 3' of freeboard. The total proposed height is 49' above grade. They requested clarification on their reading of the height bylaw. They also asked for clarification about the side setbacks, which are currently on the property line. They stated that they would want to extend a pre-existing nonconformity for side setbacks. They stated that they are not sure if the existing buildings behind the property currently have views. Hibbard said that it would help to know how much the views are impeded. They also requested information regarding the NBOD regulations regarding open space plan for properties under six acres. They felt the NBOD was inconsistent in this regard as to whether 15% or 20% would be required. They have provided for 15% in order to maximize parking.

McCann pointed out that 50% of the market hall floor needs to be market hall. They questioned whether it meant 50% of the total area. They stated that they needed the current configuration to get the needed parking. McCann asked if there were any near-site solutions for parking.

They said that the development would be more sustainable as a year-round venture if they have retail on first floor, but they need a certain amount of density to support the cost of the project. With the zoning height restrictions they couldn't make it fiscally acceptable with the needed number of residential units, because a retail floor requires a 10' height. DiIorio noted that if they wanted to enclose the market hall they would have to go through a variance application process with the Board of Appeals.

DiIorio stated that the bylaw gives them the height they are asking for, but they will have to show that they are not impeding residential views. McCann said he couldn't see past the fact that 50% of the market hall floor needs to be market hall and that he didn't see how that meant anything other than 50% of the footprint without a variance. It would not be something the board would be able to grant in a special permit review.

Hibbard agreed that there is flexibility on height and residential views, but not on the parking issue on the first floor.

Duffy noted that most of provisions of the NBOD will be coming into play for the first time with this project. He asked if they would articulate their plans in writing. They said that they will need to go back and regroup and consider their business decisions and talk about how they want to proceed. Their goal is to come in as soon as possible with a detailed plan as to how it conforms to what the bylaw allows. Peyton pointed out that the spirit of the NBOD was the resiliency element, particularly regarding flooding, and that as the board discusses the project this will be important to keep in mind.

Conflict of Interest Test

Hibbard reminded board members to take the online conflict of interest test if they have not yet done so.

Minutes

The board approved minutes as follows:

Motion	Duffy	Motion to approve the minutes of 9/13/17.
Second	Flynn	
Vote	Unanimous	

Motion	Duffy	Motion to approve the minutes of 9/27/17
Second	Flynn	
Vote	Unanimous	

Motion	Flynn	Motion to approve the minutes of 9/14/17, with edit to indicate that Peyton was absent.
Second	Paquin	
Vote	Unanimous	

673-677 Nantasket Avenue Decision

Hibbard stated that there is an issue with the wording in a segment of the 673-677 Nantasket Avenue decision regarding window display and advertising. Duffy pointed out that that is the first building that they didn't have a comment on or restriction on the type of signs in the windows. Paquin stated that it used to read, "There shall be no advertisement or signage of any kind in the windows along Nantasket Avenue. Product displays would be allowed." She stated that this was changed to read, "There shall be no advertisements or signage of any kind in any windows except the three display windows along Nantasket Avenue."

Duffy also noted that the documents provided by the applicant put the name of the entity along the top of the building. DiIorio said that the Building Department can refuse it if it doesn't conform to zoning. Paquin said that the

sign can't be backlit. She asked if Duffy wanted the decision to say "Relative to signage, as per zoning, it cannot be backlit." Flynn said that he thought this was already in the zoning bylaw. [See document for edits.]

2018 Zoning Amendments

Hibbard said he has heard that there will need to be a Special Town Meeting to approve the marijuana bylaw and that it has to be held by April 1. He stated that he has no other details as yet, but that it may have something to do with the state Cannabis Commission or the Attorney General's office. Due to the change in timeline, the board reviewed its schedule to see when to post public hearings. DiIorio said that only one hearing is required and two weeks' notice is required. Hibbard noted that the people who want to ban marijuana will argue for the bylaw be passed. DiIorio said that the location for medical marijuana dispensaries will be restricted and the rest would be up to a referendum.

In another matter, McCann noted that an amendment to the bylaw regarding flexible planning will need to be drafted so that any developers of the HRA property will be directed to the Planning Board rather than the Board of Appeals for special permitting and site plan review. DiIorio will edit the current bylaw for the board's review.

Motion	Paquin	Motion that we have Chris make the change to the flexible plan development to change it from the Zoning Board of Appeals to the Planning Board and that will be submitted to Town Meeting for a zoning change and that the board is asking Hibbard to sign on its behalf and forward to the Board of Selectmen.
Second	Peyton	
Vote	Unanimous	

New Business

McCann updated the board on the Community Preservation Committee, which met last week. The committee is planning to do a training with the Community Preservation Coalition and then will start working on a plan.

Paquin said that she has been attending meetings with the wayfinding committee. The consultant will have images for them at the next meeting and they will decide where the signs will go.

Flynn provided an update on the Capital Outlay Committee. He stated that the schools are going to do a consolidation study which will take about two years. He reported that the road projects are proceeding well. He stated that there is a proposal to build a skate park on the corner that was allocated for a new library. The Library Trustees said they could use that parcel. He said that the committee is also considering whether to go for a debt exclusion, and they are leaning in that direction. Their next meeting is on November 15.

White said that the Economic Development Committee will meet on November 15 at 7:30 a.m. at the hotel for a listening session with town businesses.

At 9:15 p.m. the Board voted unanimously to adjourn on a motion by Flynn, seconded by Paquin.

Minutes approved:  Date: 11-29-17

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

- Planning Board agenda for 10/25/17
- Site plan decision for 673-677 Nantasket Ave.
- 147-155 Nantasket Avenue conceptual designs and site plan