

HULL PLANNING BOARD

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Minutes: November 29, 2017

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

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

Minutes

The board approved minutes as follows:

Motion	McCann	Motion to approve the minutes dated October 25, 2017.
Second	Duffy	
Vote	Unanimous	

New Business

McCann stated that the Community Preservation Committee met on Monday and developed questions for their training with the Community Preservation Coalition. Going forward they will focus on educating the public and working on a budget, which will have to be adopted at the upcoming Town Meeting. In addition, the coalition will come on Monday to train the relevant town staff. The committee will meet on the first Monday of every month.

White stated that the Economic Development Committee had a productive meeting with Chamber of Commerce and local business owners. The committee is meeting once every two weeks and its vision and scope continue to evolve.

Public Hearing: 147-155 Nantasket Avenue Special Permit and Site Plan Review

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

The relevant documents may be viewed in the archives of this meeting. These included: an existing conditions plan, a DNR request, a site plan for each property, photographs of the site, a site layout plan, and architectural renderings of the property, interior floor plans, and a site view plan.

Morse presented the following points:

- This is 8,608 square-feet of area with frontage on Berkley and Nantasket, both of which provide utilities to the property.
- The topography is relatively flat with elevations from 10-12'.
- The entire property is located in an AO3 flood zone.
- The proposal is to raze both buildings and replace them with onefour-story mixed-use building.
- The first floor will include 1,687 square feet of retail space at the front of the building. The ground level in the back provides an open-air parking area for residential units on the upper floors. There will be a roof deck.
- There will be two dumpsters be at the rear of the building; one for trash and one for recycling.
- The building will be fully sprinklered and there will be exterior sprinklers as well.
- Open space is along the southern property line and the intersection of Berkeley and Nantasket, and will include landscaping.
- The proposed building is 47' in height, which is the maximum allowed. 43' is allowed by right and the bylaw allows up to 47' by special permit.
- The applicants have prepared a view analysis in order to show that views behind the building are not materially more impeded than they are with the current structure.

- The group recently met with town departments and have made some changes based on that meeting. One change is the addition of a fire lane in the parking area, which creates the need for relocation of four parking spaces. 16 parking spaces are required, and there were initially 15 onsite and one offsite. Now they will be locating 12 onsite and four offsite. They are in negotiations with neighboring properties for either long-term lease or purchase of parking spaces.
- Other changes were the addition of a recycling dumpster, and a photometric plan showing proposed lighting, which has not been completed at this time. Utility departments were at the department head meeting and explored utility options.

Brodsky stated that a 47' structure would not impede the current residential views. He stated that the applicant is requesting a special permit, which the board is able to grant via section 7 of the NBOD. The structures are nonconforming and do not comply with setbacks. He stated that according to the bylaw, the board can waive the front setback requirement. He stated that there is an existing non-conformity on the east side, which will be made slightly more conforming. He said that under the bylaw the board can grant a special permit for relief under Section 7.1.4. He also stated that 3.8 provides the ability for a streamlined process.

Peyton asked how the fire lane impacted the open space. The applicant said that right now they exceed the required open space. They will be providing screening via fence and landscaping. Peyton asked them to clarify the aerial photos showing the impact on views and whether that includes the access ways to the roof deck. The applicant said that the access ways can extend up an additional 10'.

Hibbard said that the side yard setback under 7.1.4 has a 10' issue at the back left of the property where it encroaches into the residential area. The applicant said that they view this as a side yard rather than a rear yard and that there is an existing building that already encroaches in the side setback. Hibbard said that this is another relief that they require.

The applicant said that there is a three-foot corridor between the structure and the adjacent structure. He also pointed out that the initial plans for an open-air market have been changed to a year-round retail space. This will be flood-proof construction so it can be year-round.

Regarding height, Brodsky said that the bylaw is very complicated but allows for a special permit if the burden of proof is met regarding views. He stated that they need the height to make it a viable project. He further said that the view that the neighborhood sees is the view between the buildings on either side of Berkley. The new structure will not materially change that. He said that the neighborhood in the back can't presently see beyond the current building. Flynn noted that they are using 3' of flood elevation allowed to bring the base height up to 43', but it didn't seem that they were using that 3' for flood elevation, since they are flood-proofing the first floor. He wanted to know if they were still allowed the 3' if they aren't going to use it. Brodsky said that the bylaw is designed to make sure that the residential space would have to be at or above the base flood elevation. They are making use of that credit in their calculations. He stated that the preference expressed by the town and the board was that they do retail rather than the marketplace, and this is the only way they can accomplish that.

Paquin said that the board will need to see a lighting plan. She also said that it will receive letters from the town departments that have reviewed the project.

White noted that the NBOD was created for projects like this, but questioned why it couldn't be done at 43'. The applicant said that they have tried to make it consistent with what the NBOD was created for. White asked if the board can get a better look at what the site line would look like. He said that if they are going to build things that impede peoples views they should be building things that people like to look at.

Don Ritz of the Design Review Board summarized the DRB's letter to the board, noting the following issues:

- Lack of second means of egress.
- Egress through the open parking structure.
- Location of site maintenance equipment location
- General details of cornices and eaves and moldings

- Egress issue on roof decks
- HVA Cunits behind the mansard
- Screening of parking

[Note: The full DRB letter is available in meeting archives.]

The applicant said that they would like input on aesthetic qualities. Hibbard suggested that he discuss this directly with the DRB.

Hibbard pointed out that the applicants have requested that instead of hiring John Chessia, the board get estimates from three engineers for review, and take the lowest priced one. Hibbard said that he would not like to commit to the lowest price, as Chessia is already familiar with the town's bylaw. The applicant will provide some alternative names to DiIorio.

Members of the public spoke as follows:

- Joanne Capone, 21 Rockland House Road, stated that she was against this project because it will block her view. She said that all buildings are putting the neighbors through hell and no one is listening to them.
- Barbara Connick, 28 Rockland House Road, stated that she didn't see how it would not impede the views of smaller houses. She said there is no need for more residential units in town.
- Kevin of Park Avenue, stated that this project is exactly what the Nantasket Beach Overlay is all about. He said that there is a demand for residential units in town.
- Phil Seroll stated that he owns property on Berkeley Road. He said he was concerned about the dumpsters becoming an eyesore and wanted to know if they can be pushed back away from the street. The applicant said that they were happy to consider that concern. Seroll further said that drainage is very important and that in the past, promises about drainage were not kept.
- Laura Murphy, 19 Atherton Road, said that she was excited that something was going into the space, but was concerned about the height and the parking. She said parking is already difficult. She further stated that Atherton and Berkeley both flood when it rains and since this is going to be a large structure, she was concerned about how it would affect the storm sewer.

Hibbard noted that success requires a lot of communication with the neighbors. Brodsky said that he was happy to give his card to neighbors so that they could contact him. Hibbard also noted that comments about residential unit vacancies are not germane to this matter.

Ritz said that all dumpsters are required to be screened by bylaw. Flynn said that the dumpster trucks also sometimes do damage to the screening and the applicant might want to consider moving them off the street.

Hibbard said that according to the bylaw the applicant needs to provide a licensed survey of topography and architectural and engineering plans showing views. These are supposed to be within 250' for abutting residential properties. He said that this is a key issue and they should follow the letter of the bylaw.

McCann suggested that the applicant get a letter from potential off-site parking locations and that if it is a condition of approval, it would be good to have that ahead of time.

The board voted as follows:

Motion	McCann	Motion to continue the hearing on 147-155 Nantasket Avenue special permit and site plan review to December 27 at 7 p.m.
Second	Peyton	
Vote	Withdrawn	

Motion	McCann	Motion to continue the hearing on 147-155 Nantasket Avenue to Wednesday, January 3, 2018, at 7:45 p.m.
Second	Flynn	
Vote	Unanimous	

At 9:20 p.m. the Board voted unanimously to adjourn on a motion by Peyton, seconded by Paquin.

Minutes approved:  Date: 1-3-18

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

- Planning Board agenda for 11/29/17
- Minutes for 10/25/17
- 147-155 Nantasket Avenue site plan review application
- 147-155 Nantasket Avenue site plan review plan set
- Letter from DRB regarding 147-155 Nantasket Avenue
- 147-155 Nantasket Avenue site plan
- 147-155 Nantasket Avenue site view plan