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Stonewall won't block Hersey House

By Carol Britton Meyer
CMEYER@CHC.COM

When is a stonewall just a pile of rocks and when is it historically significant?

The answer to that question depends on who you ask.

After more than a decade of back and forth discussions at dozens of town board hearings, the zoning board of appeals put its stamp of approval, with conditions, on Developer Thomas Hastings' proposal for the Hersey House property. The front yard is bordered by a stonewall, which has been the subject of much discussion.

The plan calls for 15 units of age-restricted (age 55-plus) housing, including four affordable units, and restoration of the Hersey House.

ZBA approval of this 40B (Comprehensive Permit) project came last week after a number of changes were made to the plan and following a great deal of controversy. The process has been a long one due in large part to neighborhood concerns and the selectmen's desire to get the best project possible for the town and to iron out all the details, including the fate of the stonewall. (See related sidebar.)

Selectmen concerns for the most part centered around density, height, building materials, design, and the issue of fitting in

Project approval nears completion

with the surrounding neighborhood. Although the board is satisfied that their concerns have been met overall, the stone wall issue needs to be resolved before the board signs off on the plan.

Although not a condition of the ZBA's approval, the selectmen are requiring a promise from Hastings — in writing — that the stonewall that graces the front of the property will be preserved and maintained. The wall has been the subject of discussion at some prior hearings.

Hastings prefers removing the wall to make way for landscaping. Attorney Bruce Issadore, representing Hastings at this week's selectmen meeting, said that "while the wall looks like a pile of rocks to me and doesn't enhance the value of the property," Hastings would be willing to donate them to "someone who wants them."

The Historic Districts Commission agrees the wall should remain standing. "We don't consider the stone wall just a pile of rocks," said HDC administrator Andrea Young. "It's representative of a type of wall built during that period and continues in front of the church and around the corner." Zoning Administrator Sue Letizia-Eddy

said that Hastings agreed to notify the HDC prior to the beginning of construction and would offer the rocks to them.

Nevertheless, Issadore said, Hastings would be willing to leave the stonewall up if the selectmen required that condition before approving the plan.

He further suggested the selectmen approve the plan subject to a written agreement to that effect rather than delay the process further.

The selectmen stood firm however. "The board retained the right to review these plans for purposes like this," said Selectman Laum Burns. "It should be difficult to dispose of town assets [referring to the town's prior ownership of the Hersey House property]. We need to nail all these things down [before voting to approve the project]."

Upon receiving Hastings written commitment to retain the stonewall, the selectmen will vote to approve the project next week.

Selectmen Chairman Melissa Tully observed "both sides have been cooperative and are now extremely happy about getting to what the town wanted from this project."

Not everyone was pleased with the outcome. "This is a sad day for me," said Camille Colantonio, who once lived in the home beside Hersey House. "This is a travesty — the first dent in the armor of our historic district. This project makes mincemeat of our zoning bylaws." Her concerns center around parking, drainage, density, roadway width and layout, and a number of other issues.

Colantonio went on to say that "we were promised this project would go before Town Meeting before final approval was granted. It's sad that the 20,000 people of this town aren't having a say. This property belongs to us. Why do we have to allow this?"

Colantonio also requested that the selectmen ask Town Counsel James Toomey to look into a particular related issue. "In 1977, the selectmen asked that the care, custody, and control of Hersey House be given to the Council on Aging," she claimed. "The property was never returned to the selectmen."

Longtime Hingham resident Barbara Hood shares Colantonio's displeasure. "I find this whole process offensive," she said. "If we allow Hastings to do this, North Street should be taken out of the historic district."

Hersey House project approval has taken years

Developer Thomas Hastings' North Street Hersey House development started out as a Local Initiative Project (LIP) requiring the selectmen's approval, but at one point in the process changed to a 40B, which requires less scrutiny. However, the town reserved the right to provide more oversight than is ordinarily the case with Comprehensive Permits, which under state regulations allow more density than is normally permitted in exchange for including some affordable housing. This also left the plan subject to Selectmen approval of the exterior design of the townhouse units.

In 2006, Hastings presented another proposal calling for 18 age-restricted luxury townhouses, including five affordable units, and restoration of Hersey House. Under that plan, the historic building would have remained a single-family home but would have been moved closer to Hersey

Street

However, following a lengthy discussion in late 2006, the Selectmen instead granted preliminary approval, subject to resolution of a few remaining issues, of a modified version calling for Hersey House to remain at its current location and for 16 additional units to be located at the rear of the property. This was with the understanding that Hastings would seek advice from the Historic Districts Commission regarding exterior renovations to Hersey House.

Town Meeting approved the sale of the town-owned property to Hastings for \$1.5 million. Proceeds will help offset the \$8 million cost of converting the former Central Junior High School building into a new Town Hall in the mid-1990s.

The Planning Board and Selectmen had reservations about some of the changes proposed by Hastings throughout the

process, including a plan to build a three-quarter Colonial house beside Hersey House.

In response to concerns voiced by the two boards about certain aspects of the plan, Hastings went back to the drawing board a number of times and came up with a new one that no longer included the additional house. A key concern with the previous proposal to move Hersey House closer to the street was to maintain as much open space as possible in order to maintain the existing streetscape.

The Selectmen postponed their vote on the project a number of times pending further information related to the affordable housing count and other issues.

An agreement last year between Hastings and John and Kimberly McDowell of Lincoln Street, who sued the town in an attempt to stop Hastings' plan to develop

the Hersey House property for a number of reasons, brought an end to the litigation. The McDowells were among those who submitted proposals for the four-acre Hersey House parcel besides Hastings.

The compromise, which won Town Meeting support in 2006, allowed the town to sell the McDowells a small town-owned, land-locked parcel located beside Hersey House and behind the former Colantonio house at 223 North St. for a minimum of \$270,000 to the highest bidder.

The McDowells, the only bidders, signed a purchase and sale agreement with the town last June. A preservation restriction prevents development of the lot and allows relocation of the barn that also sits on the larger Hersey House property to the McDowell parcel. The McDowells plan to restore the barn.