



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW WITH BUILDING PERMIT LAND DISTURBANCE

IN THE MATTER OF:

Applicant: Falconeiri Construction, Inc.
45 Industrial Park Drive
Hingham, MA 02043

Property: 21 Whiton Avenue, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 47658, Page 178

Plan Reference: "Site Plan, 21 Whiton Avenue, Hingham, MA" prepared by Cavanaro Consulting, 687 Main Street, Norwell, MA, dated October 5, 2021 and revised through October 25, 2021 (1 Sheet)

RECEIVED

NOV 05 2021

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Falconeiri Construction, Inc. (the "Applicant") for Site Plan Review under §§ I-I and IV-B, 6 of the Zoning By-Law (the "By-Law") for land disturbance exceeding 5,000 SF overall and 2,500 SF in areas with slopes greater than 10% with development of new residential home in Residence District A.

The Board discussed the application during a public meeting held on October 25, 2021 via Zoom as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily amending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Kevin Ellis, Chair, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick. Brendan Sullivan, P.L.S., P.E., of Cavanaro Consulting, appeared to present the application to the Board. The Board was assisted in its review by consulting engineer, Patrick Brennan, P.E., of Amory Engineers. At the conclusion of the review, the Board voted unanimously to grant Site Plan Approval with conditions set forth below.

BACKGROUND

The subject property consists of approximately 14,750 SF of land located on the east side of Whiton Avenue. It was previously improved by a single-family dwelling (ca. 1949) that was recently demolished. The proposed plan would reconstruct the dwelling and associated driveway. A stormwater management system, consisting of a subsurface infiltration system and dissipater trench for overflow, would be installed. During construction, silt socks along the north, east and south property lines would mitigate potential erosion and sedimentation.

The Board discussed with the Applicant the removal of trees from the property prior to application. Members reviewed the proposed landscaping plan and determined that additional and more varied plantings would be appropriate.

WAIVERS

Pursuant to § I-I, 5 of the By-Law, the Applicant requested the following waivers from Submittal Requirements under § I-I, 4:

- Location of structures within 100' of property lines;
- Traffic and driveway plans;
- Estimated net import/export of materials and traffic analysis; and
- Lighting plan.

FINDINGS

Based on the information submitted and presented during the review, and the deliberations and discussions of the Board during the meetings, the Board made the following findings in accordance with the Review Standards under § I-I, 6. of the By-Law:

- a. Protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting;***

The proposed plan calls for installation of stormwater management system, consisting of a subsurface infiltration system and dissipater trench for overflow, to capture runoff from the driveway and house. The proposed dwelling, though larger than the previous dwelling, will comply with all setback requirements to buffer the property.

- b. Convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;***

The project proposes reconstruction of an existing single-family dwelling. The continued use of the property will not alter impacts to vehicular or pedestrian movements in the neighborhood. Safe and convenient access to the development site for both pedestrians and vehicles will be maintained.

- c. ***Adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;***

The proposed dwelling includes an attached garage accessed via the reconstructed driveway. There is sufficient parking available on the site for the continued single-family use.

- d. ***Adequacy of open space and setbacks, including adequacy of landscaping of such areas;***

There remains one tree on the property that will be removed in connection with the proposed construction. Proposed landscaping, as modified by this Decision, is adequate for the single-family dwelling.

- e. ***Adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal storm water system shall be expressly prohibited;***

Measures identified in the Operation and Maintenance Plan and Illicit Discharge Statement will adequately protect the neighborhood from refuse and wastes both during and after construction. Silt socks along the north, east and south property lines will adequately mitigate potential erosion and sedimentation during construction.

- f. ***Prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;***

This is reconstruction project. The proposed dwelling will continue to be served by the public water and sewer system. There will be no additional impacts on the Town's resources.

- g. ***Assurance of positive storm water drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and storm water pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Storm water Management Policy and Standards including the Massachusetts Storm water Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal storm water;***

The Board's consulting engineer, Patrick Brennan, P.E., confirmed that the drainage design will adequately mitigate post-development runoff and erosion controls will mitigate potential erosion and sedimentation during construction activities.

- h. ***Assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of storm water controls at consistent intervals;***

The existing paved driveway will serve as a stabilized construction entrance. The application includes an Operation and Maintenance Plan that includes Best Management Practices to minimize potential construction impacts.

- i. ***Protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;***

No existing trees will remain on the property, but new plantings will be installed in appropriate locations.

- j. ***Minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site;***

The footprint of the single-family dwelling is consistent with others in the surrounding area.

DECISION

Upon a motion made by Kevin Ellis and seconded by Judith Sneath, the Board voted unanimously to grant the application of Falconeiri Construction, Inc. for Site Plan Approval under §§ I-I and IV-B.6 of the By-Law for land disturbance exceeding 5,000 SF overall and 2,500 SF in areas with slopes greater than 10% with development of a new residential home at 21 Whiton Avenue in Residence District A, and subject to the following conditions:

1. Pre-Construction Meeting. Prior to any construction on the site, the applicant shall schedule a pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing. Prior to pre-construction meeting applicant shall submit a revised landscape plan including more and more diverse plantings.
2. Inspections. Inspections shall be required during construction, and prior to issuance of a certificate of occupancy, of all elements of the project related to or affecting erosion control during construction, including during installation of the approved drainage and stormwater system. There shall be established, at the applicant's expense, a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.

3. As-Built Plan Requirement. Upon project completion an as-built plan must be submitted to the Building Commissioner prior to the issuance of a certificate of occupancy, and in no event later than two years after the completion of construction. In addition to such other requirements as are imposed by the Building Commissioner, the as-built plan must demonstrate substantial conformance with the stormwater system design and performance standards of the approved project plans.

For the Planning Board,



Kevin Ellis, Chair
November 5, 2021

In Favor: Kevin Ellis, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick

Opposed: None

