



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW WITH BUILDING PERMIT LAND DISTURBANCE

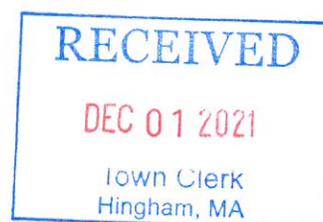
IN THE MATTER OF:

Applicant/
Owner: Spiros and Athena Giannaros
392 Main Street
Hingham, MA 02043

Property: 392 Main Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 50226, Page 7

Plan References: "Existing Conditions Plan, 392 Main Street, Hingham, MA 02043," prepared by Cavanaro Consulting, 687 Main Street, Norwell, MA, dated November 23, 2021 (Drawing No. EC) and "Site Plan, 392 Main Street, Hingham, MA 02043," prepared by Cavanaro Consulting, dated November 12, 2021 and revised through November 23, 2021 (Drawing No. SP)



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Spiros Giannaros (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 to raze and reconstruct a single-family dwelling and other improvements at 392 Main Street in Residence District A.

The Board discussed the application during a public meeting held on November 29, 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, Gordon Carr, 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 55,560 SF of land located on the south side of Main Street near its intersection with Pleasant Street and Arnold Road. Last December, a fire caused significant damage to the existing dwelling (ca. 1861). The homeowners now seek permits to demolish the dwelling and construct a new dwelling with an attached garage, in-ground pool, and related improvements, including a driveway, patios, retaining walls and septic system.

The property is located within the Hingham Centre Historic District. The Historical Administrator confirmed the demolition of the existing dwelling was approved and the Historic Districts Commission issued a Certificate of Appropriateness for the proposed new construction.

WAIVERS

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

- Location of structures within 100 feet of property line.
- Traffic and driveway plans.
- Estimated net import/export of material and traffic analysis.
- Lighting plan and details.

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;**

No negative impacts will result from the project. Runoff from the majority of the roof ($\pm 3,600$ s.f.) will be conveyed to a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. A 6-inch by 6-inch crushed stone trench is proposed around the majority of the perimeter of the proposed driveway.

- 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 and 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 new driveway. Guest parking is identified to the front of the dwelling. 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;**

The proposed dwelling will be more centrally located on the lot, resulting in improved buffers to the abutting property to the east. The application includes a landscaping plan that proposes appropriate plantings.

- 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;**

Erosion controls 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 system and a new onsite wastewater disposal system is proposed. 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 around the down-gradient perimeter of the work area will mitigate potential erosion 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 concrete driveway will serve as a stabilized construction entrance. The application includes a Stormwater Operation and Maintenance Plan that includes Best Management Practices to minimize potential pre and post construction impacts. Retaining walls and plantings will stabilize the site following construction.

- 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;**

The Historic Districts Commission approved the project, including demolition of the existing fire-damaged structure and construction of the proposed dwelling within the Hingham Centre Historic District.

- 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 and appropriately sized in relation to the lot, which consists of more than double the square footage required for the District.

DECISION

Upon a motion made by Kevin Ellis and seconded by Gordon Carr, the Board voted unanimously to grant the application of Spiros Giannaros for Site Plan Review under § I-I and § IV-B.6 of the By-Law for land disturbance exceeding 5,000 SF to raze and reconstruct a single-family dwelling and other improvements at 392 Main Street in Residence District A, including waivers of certain submittal requirements, 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.
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,

A handwritten signature in black ink, appearing to read 'Kevin Ellis', written over a horizontal line.

Kevin Ellis, Chair

November 30, 2021

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

Opposed: None

