



TOWN OF HINGHAM

Planning Board

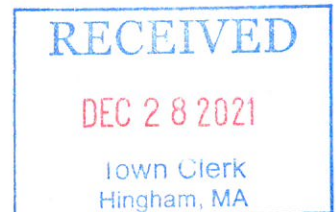
NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant: Kevin J. and Kathryn L. Caufield
10 Raynor Drive
Hingham, MA 02043

Owner: Alice H. Brewer 2000 Revocable Trust
3 Home Meadows Lane
Hingham, MA 02043

Agent: Jeffrey Tocchio, Esq.
Drohan Tocchio & Morgan, P.C.
175 Derby Street, Suite 30
Hingham, MA 02043



Property: 0 Home Meadows Lane, Hingham, MA 02043

Deed References: Plymouth County Registry of Deeds, Book 33681, Page 296 and Certificate of Title No. 109830 issued by the Plymouth County Registry District of the Land Court

Plan References: "Proposed Site Plan, 0 (Lot 2) Home Meadows Lane," prepared by Crocker Design Group, 2 Sharp Street, Hingham, MA, dated September 10, 2021 and revised through November 18, 2021 (8 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Kevin J. and Kathryn L. Caufield (collectively, 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% for 0 Home Meadows Lane in Residence District A.

The Board commenced its review of the application at a posted public meeting held remotely 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. Subsequent sessions were held by remote participation on November 8, 2021 and November 29, 2021. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick. The project team representing the Applicant included Jeffrey Tocchio, Esq. and Scott Goulding, Esq. of Drohan Tocchio & Morgan, PC, and Gabe Crocker, PE of Crocker Design Group. The Board was assisted in its review by Patrick G. Brennan, PE of Amory Engineers. At the conclusion of the review, the Board voted unanimously to grant Site Plan Approval with conditions set forth below.

Throughout its deliberations, the Board has been mindful of the statements of the Applicant and the comments of the general public, all as made or received at the public hearing.

BACKGROUND

The subject property consists of approximately 50,116 SF of land located off the north side of Home Meadows Lane in Residence A District as well as the Pear Tree Hill Local Historic District. The property is Lot 2 as shown on a plan entitled "Approval Not Required Plan of Land, 3 Home Meadows Lane, Assessors Map 72 Lots 32 & 33, Hingham, MA," endorsed by the Board on June 23, 2021 and re-endorsed on September 27, 2021.

The lot is improved by a single-family dwelling, originally constructed in 1850 as a barn/outbuilding, with an attached garage. The proposed plan calls for the existing dwelling to be moved or rotated on property, which will eliminate a nonconforming front yard setback of 20.5' where 25' is required. Related site improvements include a new attached garage, reconstructed retaining walls, new septic system, replacement of impervious driveway with porous pavement, and site drainage infrastructure.

WAIVERS

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

- Site lighting plan;
- Traffic analysis;
- Drainage analysis; and
- Import/export of material analysis.

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 Planning Board finds that project provides for improved site drainage, including installation of an underground infiltration system and associated drainage infrastructure, and elimination of an existing impervious paved driveway and construction of a pervious driveway. Typical lighting for residential properties will continue to be utilized. Sanitary waste for the existing single-family dwelling will be handled by a septic system that has been previously approved by the Board of Health, as applied to be modified concurrent with this application to address the rotation of the existing dwelling, which repairs/replaces the existing cesspool at 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 includes alteration of an existing single-family dwelling at the property, including the demolition of the existing garage and rotation of the existing dwelling to enhance setbacks, and to construct a new attached garage set back farther from the front lot line; thereby creating enhanced separation between the garage and street for improved vehicular safety. In the Planning Board's opinion, access to the existing single-family dwelling via reconstructed driveway off of Home Meadows Lane provides sufficient access.

- 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 new attached garage is set back farther from the front lot line and reconstructed driveway will provide enhanced separation between the garage and street for improved vehicular safety, and provide sufficient off street parking, loading and parking areas for vehicular traffic typical in a residential setting.

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

The moving/rotating of the pre-existing nonconforming dwelling results in the single-family dwelling coming into conformance with all applicable zoning and dimensional requirements of the Residence District A. Additionally, the property has a lot area of 50,116± square feet – greatly in excess of the 20,000 square feet required in the

Residence District A. As a residential redevelopment project, there is existing lawn and open space.

- 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 stormwater system shall be expressly prohibited;**

Sanitary waste for the existing single-family dwelling will be handled by a septic system that has been previously approved by the Board of Health, as applied to be modified concurrent with this application to address the rotation of the existing dwelling, which repairs/replaces the existing cesspool at the property.

- 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.**

Existing overhead electric and telecom services will be replaced with underground services. The water service is to be connected to the existing service for the dwelling, and gas service is to be connected from the existing line within Home Meadows Lane. Sanitary waste for the single-family dwelling will be handled by a septic system that has been previously approved by the Board of Health, as applied to be modified concurrent with this application to address the rotation of the existing dwelling, which repairs/replaces the existing cesspool at the property.

- g. **Assurances of positive stormwater 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 stormwater 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 Stormwater Management Policy and Standards including the Massachusetts Stormwater 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 stormwater system.**

As a single-family house, the project is exempt from the MassDEP stormwater standards; however, the residential project provides enhanced stormwater upgrades to site that include an underground infiltration system and associated drainage infrastructure with catch basins, drain manholes, control structures, ADS infiltration system with isolator rows and headers, and porous paver driveway (and removal of the existing paved driveway). Sediment and erosion control measures are incorporated into the plan set and will be implemented at the outset of construction commencement. The Planning Board found that the applicant exceeded the typical safeguards for redevelopment of an existing single-family residential project.

- 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 stormwater controls at consistent intervals.**

Based upon Amory Engineering's review, implementation of best management practices with the stormwater design are sufficient.

- 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.**

Discussion at the Planning Board meeting and view of the property assured members that the project will have a positive impact on the natural and historic features in the area. The project is subject to an issued Certificate of Appropriateness from the Historic Districts Commission, and has previously received Board of Health approvals, as applied to be modified concurrent with this application to address the rotation of the existing dwelling, for the repair/replacement of the existing septic (cesspool) at the property.

- 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 Planning Board found that the existing single-family dwelling, as altered, minimizes unreasonable departure from the character and scale of other abutting and proximate residential structures. The project is subject to an issued Certificate of Appropriateness from the Historic Districts Commission. The moving/rotating of the pre-existing nonconforming dwelling results in the single-family dwelling coming into conformance with all applicable zoning and dimensional requirements of the Residence District A.

DECISION

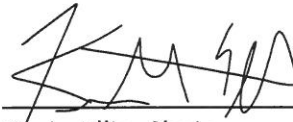
Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted unanimously to grant the application of Kevin and Kathryn Caulfield for Site Plan Review under §§ I-I and IV-B.6 for land disturbance exceeding 5,000 SF overall and 2,500 SF in areas with slopes greater than 10% at 0 Home Meadows Lane in Residence District A, including waivers of certain submittal requirements, and subject to the following conditions:

1. The Applicant shall record this decision at the Registry of Deeds and include evidence of said recording with the application for a building permit.
2. The Applicant shall record the Proposed Construction & Drainage Easement on Lot 2 for the Benefit of Lot 1 at the Registry of Deeds and include evidence of said recording with the application for a building permit.
3. 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 the meeting, the Applicant submit to the Community Planning Department a revised landscape plan with a schedule specifying the number and size of proposed plantings consistent with the landscaping plans reviewed by the Board during the meeting.

4. 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.
5. 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 be 'Kevin Ellis', written over a horizontal line.

Kevin Ellis, Chair

December 28, 2021

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