



# TOWN OF HINGHAM

## Planning Board

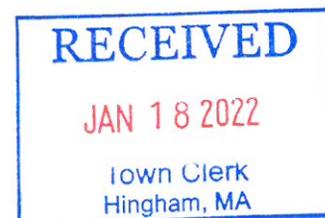
### NOTICE OF DECISION SITE PLAN APPROVAL MODIFICATION

#### IN THE MATTER OF:

Applicant/Owner: Canterbury Street, LLC  
16 Lewis Court  
Hingham, MA 02043

Property: 4 Jordan Way, Hingham, MA 02043

Plan Reference: "Site Layout, 4 Jordan Way, Hingham, MA," prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MA, dated March 7, 2021, last revised August 5, 2021 and hand marked to depict the boulder locations to the north (front) of the proposed dwelling and to the east of the end of the proposed driveway, received December 7, 2021



#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Canterbury Street LLC (the "Applicant") to modify a condition imposed in a Site Plan Approval, dated August 16, 2021, requiring installation of boulders demarcating a Tree Preservation Area prior to issuance of a building permit.

The Board discussed the application during a meeting held remotely on December 13, 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. The Applicant, represented by John Woodin, appeared to present the application to the Board. At the conclusion of the meeting, the voted unanimously to modify its previous Site Plan Approval with conditions as set forth below.

#### BACKGROUND

The Board granted Site Plan Approval, permitting an overall land disturbance of 37,174 SF, including 5,000 SF of disturbance in areas with grades greater than 10%, in connection with construction of a single-family dwelling on an approved subdivision lot. Condition #3 of the Site

Plan Review Decision required installation of boulders along the boundary of the Tree Preservation Area prior to issuance of a building permit. The Board imposed the performance deadline in part because site work associated with the subdivision resulted in some unapproved removal of trees prior to application for Site Plan Review.

The Applicant requested a modification of the above-referenced condition, suggesting that the boulders may impede construction and eventual tree replanting. Instead, he offered that the Tree Preservation Areas would be temporarily marked with either construction fencing or erosion controls and that the required boulders would be installed prior to issuance of an occupancy permit. Members acknowledged that no existing trees remain in the Tree Preservation Area most proximate to the driveway, so there are none to protect until new trees are planted in accordance with the previously approved site and landscape plans.

**DECISION**

Upon a motion made by Kevin Ellis and seconded by Gordon Carr, the Board voted unanimously to grant the application of Canterbury, LLC to modify Condition #3 imposed in a Site Plan Approval, dated August 16, 2021, such that installation of boulders demarcating a Tree Preservation Area shall be installed immediately following required tree plantings and prior to issuance of an occupancy permit.

For the Planning Board,



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Kevin Ellis, Chair  
January 12, 2022

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

**Opposed:** None