



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Canterbury Street LLC  
c/o John A. Woodin  
15 Lewis Court  
Hingham, MA 02043

Agents: James Engineering, Inc.  
125 Great Rock Road  
Hanover, MA 02339

Property: 5 Jordan Way, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 50290, Page 291

Plan References: "5 Jordan Way, Hingham, MA," prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MA, dated March 7, 2022, revised through April 20, 2022 (5 Sheets)

"Landscape Plan," prepared by Tish Campbell, 15 Boulder Glen Road, Hingham, MA, dated March 25, 2022 (1 Sheet)

"Private Residence, 5 Jordan Way, Hingham, MA," prepared by Axiom Architects, 2048 Washington Street, Hanover, MA, dated May 2, 2022 (4 Sheets)



#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Canterbury Street LLC (the "Applicant") for Site Plan Approval under § I-I of the Zoning By-Law (the "By-Law") and such other relief as necessary to construct a 5 bedroom single family dwelling and related improvements at 5 Jordan Way (Lot 6A Canterbury Estates) in Residence District C.

The Board opened a duly noticed public hearing on its Site Plan Review application at a meeting held remotely on May 9, 2022 via Zoom as an alternate means of public access pursuant to Chapter 20 of the Acts of 2021 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Gary Tondorf-Dick, Acting Chair, Gordon Carr, and Judith Sneath. Gary James, Engineer for the Applicant, of James Engineering, Inc., presented the application to the Board. The Board was assisted in its review by Patrick Brennan of Amory Engineers. At the conclusion of the review, the Board voted unanimously to grant Site Plan Approval under § I-I of the By-Law 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 48,556 SF of land located on Jordan Way, which was approved by the Board in 2018 as part of the Patterson Pond Estates/Canterbury Estates Subdivision. The application proposes construction of a new single family dwelling on the lot with a paved driveway, patio, walk, retaining walls, and related landscaping.

The proposed construction differs somewhat from that originally shown on the approved subdivision plan. The house and walk that are currently proposed are smaller than what was initially proposed during the subdivision process. On the other hand, the proposed driveway and patio are larger than previously shown, and the driveway is now located on the east side of the lot rather than the west. Additionally, the subsurface chamber system for the roof runoff has been split into two smaller systems rather than one. The current plan modifies the configuration of proposed retaining walls, but generally maintains the previously approved drainage patterns. Finally, with respect to the landscape plan, 2 Heritage River Birch trees and numerous plantings are proposed in addition to the existing tree yard in the rear of the property.

Patrick Brennan, P.E., of Amory Engineers, reviewed the application and provided comments on both the changes to the approved subdivision plan and the current proposal more generally. He noted that the area of impervious surface would modestly increase by 72 SF and confirmed that runoff would not measurably increase. He suggested that a catch basin or trench drain be added to capture and direct driveway runoff into the larger subsurface infiltration system in the front yard and to increase the number of chambers from 9 to 12 in the smaller system to the rear of the proposed dwelling. Mr. Brennan also recommended the following construction-related best management practices: installation of a stabilized construction entrance and extension of the existing erosion controls along the western property line. In response, the Applicant revised the plans to incorporate the most of the suggested improvements. There remains a 15 ft. area between the existing mulch sock and retaining wall that could be subject to erosion. Since this area is on the adjacent property, Mr. Brennan suggested extension of the mulch sock if allowable.

During the course of the hearing, the Board discussed in the following: Site Plan Review standards based on the zoning freeze for previously approved definitive subdivision plans under MGL c.

40A, s. 6; site drainage; retaining walls; an additional tree; and replacing the Heritage River Birch trees with Norway Spruce trees.

## **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 project provides for adequate site drainage, including drainage lots as part of the Jordan Way subdivision, subsurface infiltration chambers, riprap, and an additional catch basin. Fire hydrant locations are appropriate and in accordance with the approved Definitive Subdivision plans. Additionally, 1 Norway Spruce tree with a minimum height of 8 ft. are to be planted and added to the landscape plan to the west of the dwelling as a condition of approval herein to provide additional screening for the abutting property and remain consistent with other approved site plans within the subdivision.

- 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 driveway has been relocated to the left side of the proposed home; otherwise, the project proposes no changes to vehicular and pedestrian movement, or access for service, utility and emergency vehicles and remain in accordance with the approved Definitive Subdivision plans.

- 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 single-family dwelling includes a 3-car garage for parking of vehicles. The Board reviewed and approved traffic patterns within the overall development in connection with the 2018 subdivision application.

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

The proposed construction complies with all applicable setback requirements specified under Section IV-A for Residence District C. A revised landscape plan will propose two Norway Spruce trees in place of the two proposed Heritage River Birch trees in addition to numerous plantings in the front of the home. One additional tree will be required as a condition of this approval.

- 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;**

The proposed driveway will be used as a stabilized construction entrance during the construction phase of the project. A mulch sock will control erosion during construction and will be inspected periodically. Stockpiles will be established in designated areas and encompassed by erosion controls to contain sediment laden runoff as necessary and will be temporarily seeded, mulched or covered.

- 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.**

The proposed dwelling will be connected to public water, sewer, gas, and electric services, and poses no adverse impacts on the Town's resources.

- 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.**

The project complies with the MassDEP Stormwater Standards. Sediment and erosion control measures are incorporated into the plan, some of which have already been installed. Runoff from the roof and driveway will be directed to subsurface infiltration chambers.

- 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.**

An existing stone wall in the rear of the property is proposed to remain, and stone boulders from the excavated site are proposed to be reused for a retaining wall. No changes are proposed to the existing tree line.

**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 proposed project is aligned with the character and scale of similar residential structures in the neighborhood.

**DECISION**

Upon a motion made by Gary Tondorf-Dick and seconded by Gordon Carr, the Board voted unanimously to GRANT the application of Canterbury Street LLC for Site Plan Approval under § I-1 of the By-Law to construct a 5 bedroom single family dwelling and related improvements at 5 Jordan Way (Lot 6A Canterbury Estates) in Residence District C, subject to the following conditions:

1. Recording of Decision. The Applicant shall file a certified copy of the decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. Additional Trees. One Norway Spruce tree with a minimum height of 8 ft. shall be added to the landscape plan to the west of the dwelling and two Norway Spruce trees with a minimum height of 8 ft. shall be added to the landscape plan in replacement for the two Heritage River Birch trees as identified to be planted on the Landscape Plan. Said plan shall be submitted to the Community Planning Department and Building Commissioner 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.
4. Construction Vehicles. All construction vehicles shall be parked onsite, within the development, and no construction vehicles shall enter the premises before 7 AM on any given construction day.
5. 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.
6. 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,



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Kevin Ellis, Chair

May 12, 2022

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

**Opposed:** None