



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Peter T. & Vi Phan
c/o Jeffrey M. Hassett, P.E.
P.O. Box 92
Scituate, MA 02066

Agents: Jeffrey M. Hassett, P.E.
Morse Engineering Company, Inc.
P.O. Box 92
Scituate, MA 02066

Property: 4 Pine Grove Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 55720, Page 279

Plan References: "Site & Septic Design Plan," prepared by Morse Engineering Company, Inc.,
10 New Driftway, Suite 103, Scituate, MA, dated March 28, 2022, revised
through May 6, 2022 (2 Sheets)

"Phan Residence, 4 Pine Grove Road, Hingham, MA," prepared by 209
Design, 209 Broadway, Hanover, MA, dated March 15, 2022 (14 Sheets)

"Landscape Plan," prepared by Unknown, dated May 6, 2022(2 Sheets)



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Peter T. and Vi Phan (collectively, the "Applicant") for Site Plan Review with Waivers under § I-I of the Zoning By-Law and such other relief as necessary to raze and reconstruct a single family dwelling and other improvements at 4 Pine Grove Road in Residence District B.

The Board opened a duly noticed and advertised public hearing on the 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. Jeffrey Hassett, P.E., Morse Engineering Company, Inc., presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., 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 a 72,610 SF parcel of land, currently improved by an existing five bedroom, single-family dwelling, shed, gravel driveway, and related landscaping. There is a large lawn area around the buildings but most of the parcel is woodland. Hingham Middle School property abuts the site to the south and west; Hingham Community Nursery School is located to the east of the property. Additionally, there are wetlands located off site, east of the existing gravel driveway.

The proposed plan calls for demolition of the existing dwelling and shed and construction of a new five bedroom dwelling with an attached garage. New water and gas services will be provided by connections to existing mains in Pine Grove Road. A new septic system will be installed and overhead electric/telephone/CATV utilities will be routed from a new utility pole on the property. Two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone will accept runoff from the roof of the proposed dwelling. Overland flow from a portion of the driveway and the front yard will be directed to a grassed depression in the front yard. In addition, the existing gravel driveway is proposed to serve as a construction entrance. Finally, a mulch sock erosion control barrier is proposed along the east side of the proposed crushed stone trench.

During the hearing, Board members discussed tree removal and landscaping, wetland protection buffers, driveway surfaces, and groundwater protection considerations.

DESIGN & PERFORMANCE STANDARDS

a. Land Disturbance

The proposed project disturbs a total of 22,000± SF, with 550± SF being in areas with slopes greater than 10%. Per the Operations & Management Plan, the following are proposed within the plan as conditions to be imposed to control erosion and sedimentation as a result of the land disturbance:

- A mulch sock erosion control barrier along the down-gradient limit of work
- A stabilized construction entrance (the existing gravel driveway)
- Site stabilization practices including temporary seeding, geotextiles, mulching and netting, and permanent seeding
- Air quality and dust mitigation practices including watering areas of exposed soils, vegetative cover, calcium chloride, use of stone, and tarpaulin covered trucks during transportation of materials

- Storage and disposal of hazardous materials in accordance with the EPA regulations
- Temporary soil storage stabilization with sediment trapping measures, and extended stockpile stabilization with vegetative cover

b. Site Design

The placement of the proposed dwelling is similar to the existing dwelling and the proposed attached three-car garage will allow for improved circulation onsite.

c. Character and Scale of Buildings

The proposed dwelling is larger than both the existing single-family and surrounding residences along Pine Grove; however, it is located substantially further back from the street than others in the neighborhood and will not negatively impact the character of the neighborhood.

d. Preservation of Existing Vegetation and Protected Trees

Eight trees will be removed in connection with the project; however, these do not qualify as Protected Trees as they are located outside of the 10' Tree Yard. Six of the eight are Norway maple trees, which are classified as an invasive species by the Massachusetts Invasive Plant Advisory Group. The Applicant proposes to plant five 3" caliper Cleveland Select Pear trees and nineteen 7-8' White Pine trees, in addition to other landscape material.

e. Limit of Clearing

Minimal clearing is required to accommodate the paved driveway leading to the attached garage and the additional lawn area and leaching chambers.

f. Finished Grade

The proposed grades are largely unchanged from the existing.

g. Stormwater Management

The proposed project includes adequate measures to prevent negative impacts of stormwater and runoff during and after construction. This consists of two subsurface infiltration systems, a pervious patio, crushed stone surfacing along much of the driveway, a grassed depression, and a mulch sock surrounding the easterly and southerly portion of the construction area. The Board's peer review engineer found these proposed measures to be satisfactory.

h. Utilities

The proposed plan includes a new wastewater disposal system. No other changes are proposed to the utilities currently servicing the property.

i. Pedestrian and Vehicular Access; Traffic Management

The driveway design will be revised to comply with fire code requirements. A condition of this Approval will ensure this compliance.

j. Lighting

The development is not anticipated to create any negative light impacts and the existing tree line surrounding the property provides for screening for abutting properties. A condition of approval addresses shielding and height of any outdoor light fixtures.

WAIVERS

Pursuant to § I-I, 9, the Applicant requested the following waivers from submittal requirements under § I-I, 5:

- Site Lighting Plan; and
- Transportation Impact Assessment.

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 Approval Criteria under § I-I, 7 of the By-Law:

- a. The proposed development will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

DECISION

Upon a motion made by Gary Tondorf-Dick and seconded by Judith Sneath, the Board voted unanimously to GRANT the application of Peter T. and Vi Phan for Site Plan Approval under § I-I of the Zoning By-Law to raze and reconstruct a single family dwelling and other improvements at 4 Pine Grove Road in Residence District B, subject to the following conditions:

1. Recording of Decision. The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. Driveway & Access. Prior to issuance of a building permit, the Applicant shall submit a revised plan to the Community Planning Department and Fire Marshal to demonstrate compliance with appropriate driveway and fire hydrant regulations.
3. Pre-Construction Meeting. A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required before issuance of a Building Permit.

4. Limits of Work; Tree Protection Areas. During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved.
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, limits of work, and tree protection areas during construction and the approved drainage and stormwater system installed for the project, as well as the condition of the tree protection areas. The Planning Board may require, at the applicant's expense, the establishment of 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.
7. Maintenance of Protected and Replacement Trees. Each Protected Tree retained, and all new trees planted to mitigate the removal of Protected Tree(s), shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree or new tree.

For the Planning Board,



Kevin Ellis, Chair

June 10, 2022

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

Opposed: None