



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Jeffrey Greenman
41 Jarvis Avenue
Hingham, MA 02043

Agents: Dana Altobello, P.E.
Merrill Engineers & Land Surveyors
427 Columbia Road
Hanover, MA 02339

Property: 41 Jarvis Avenue, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 21462, Page 84

Plan References: "Site Plan," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated November 16, 2021 and revised through May 18, 2022 (1 Sheet)



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Jeffrey Greenman (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 ±1,067 square foot addition/garage, driveway, pool, patio, landscape, and other improvements at 41 Jarvis Avenue in Residence District A.

The Board opened a duly noticed and advertised public hearing on the application at a meeting held remotely on May 23, 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 Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick. Dana Altobello, P.E., Merrill Engineers & Land Surveyors, 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 was mindful of the statements of the Applicant, its representative, and the comments of the general public, all as made or received at the public hearing.

BACKGROUND

The subject property consists of 21,010 SF of land located within the Crow Point neighborhood at the corner of Howe Street and Jarvis Avenue. The lot is bound by an unconstructed portion of Parker Driveway (aka North Beach) and Hingham Bay to the north. The site is currently improved by an existing three bedroom single-family dwelling, seashell driveway, and related landscaping. The project proposes construction of a ±1,067 SF addition/attached garage, a paved driveway off Howe Street, an in-ground pool, a pervious patio, associated landscaping, and a 10' by 12' seasonal floating dock, resulting in 8,796 SF of land disturbance overall. No trees are proposed to be removed as a result of this project and a 1,600 SF mitigation area consisting of 34 shrubs is also proposed to mitigate disturbance within the buffer to Hingham Bay.

With respect to stormwater and drainage, downspouts off the new addition will be piped underground to a drywell to infiltrate roof runoff. Additionally, runoff from the new driveway and pool area will flow overland, across lawn area into Hingham Bay.

During the course of the hearing, the Board provided questions and comments pertaining to the proposed swale, grading, berm, paver driveway and runoff, pool location, existing shell driveway, and construction vehicle parking. In addition to Board comments, members of the public provided comments noting concerns related to abutter access to the right-of-way during construction. The Board included a condition of approval related to construction vehicles to address the concern.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The new garage addition, pool/patio and driveway have been designed to minimize land disturbance to natural topography and preserve the natural drainage patterns on the site. A drainage swale has been located on the east side of the site to keep all runoff away from abutting property.

b. Site Design

The new addition has been located and designed to fit naturally with the existing structure and the project will not detract from the scenic qualities of the lot.

c. Character & Scale of Buildings

The new addition has been designed to blend in with the existing structure and roof lines.

d. Preservation of Existing Vegetation & Protected Trees

The project proposes one shrub to be removed in the area of the proposed pool and a new 3" caliper Dogwood will be planted in the Tree Yard. No trees are proposed to be removed within the Tree Yard. Additionally, a 1,600 SF restoration area consisting of 34 shrubs is also proposed. Finally, the 30" diameter tree along Howe Street will be protected during construction.

e. Limit of Clearing

Clearing and grading will be limited to the addition, pool, and driveway areas, and erosion controls have been clearly marked on the plan.

f. Finished Grade

Slopes greater than 3:1 are not proposed for this project and grading is proposed to match or blend in with the existing grades as closely as possible.

g. Stormwater Management

Downspouts off the new addition are proposed to be piped underground to a drywell to infiltrate roof runoff. Additionally, runoff from the new driveway and pool area are proposed to flow overland, across lawn area to Hingham Bay. Due to runoff flowing into Hingham Bay, a tidal water body, stormwater runoff mitigation (rate and volume) is not required by the MassDEP Stormwater Standards. Finally, note 17 on the plan specifies that a test hole and soil evaluation shall be performed and witnessed by the Board's peer review engineer to determine seasonal high groundwater in the area and shall be redesigned if determined to be too high.

h. Utilities

All utilities required for the new pool/patio and proposed addition will run from the existing dwelling.

i. Pedestrian & Vehicular Access; Traffic Management

The new driveway is proposed to extend to the Howe Street in order to access the proposed garage addition. No other changes are proposed to pedestrian or vehicular access. The Hingham Fire Marshal has offered that the width of the proposed driveway is appropriate.

j. Lighting

A lighting plan was not provided nor required with the proposed plans. The development is not anticipated to create any unreasonable light interference, and the existing tree buffer surrounding the property provides for screening for abutting properties.

FINDINGS

- 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.

MOTION

To GRANT the application of Jeffrey Greenman for Site Plan Approval under § I-I of the By-Law to construct a ±1,067 square foot addition/garage, driveway, pool, patio, landscape and other improvements at 41 Jarvis Avenue in Residence District A, 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. Pre-Construction Meeting. A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing along with a test pit as indicated on the plan shall be required before issuance of a Building Permit.
3. The proposed floating dock requires a Moored Float Permit from the Hingham Harbor Master prior to installation. This decision does not permit the location of a floating dock.
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. Parking During Construction. All construction vehicles shall be parked onsite at all times. No construction vehicles shall enter or leave the premises outside of those permitted under the Town's General By-Laws.
6. 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.
7. 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.

8. 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,



Judith Sneath
June 24, 2022

In Favor: Kevin Ellis, Gordon Carr, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick
Opposed: None