



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Jesse and Daria Johnson
66 Burditt Avenue
Hingham, MA 02043

Agent: Rebecca Verner
Gregory Lombardi Design, Inc.
2235 Massachusetts Avenue
Cambridge, MA 02140

Property: 66 Burditt Avenue, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 53100, Page 188

Plan References: "No. 66 Burditt Avenue Existing Conditions Plan," prepared by The Jillson Company, Inc., 32 Fremont Street, Needham Heights, MA, dated August 8, 2020 (1 Sheet)

"66 Burditt Avenue, Hingham, Massachusetts," prepared by Gregory Lombardi Design, Inc., 2235 Massachusetts Avenue, Cambridge, MA, dated April 12, 2022 and revised through June 1, 2022 (6 Sheets)

"Burditt Residence - Pool House," prepared by LDa Architecture & Interiors, LLP, 222 Third Street, Cambridge, MA, dated December 23, 2021 (2 Sheets)

"Permit Site Plan," prepared by Hancock Associates, 121 East Berkley Street, Boston, MA, dated April 13, 2022 (3 Sheets)

RECEIVED

JUN 30 2022

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Daria and Jesse Johnson (collectively, the "Applicant") for Site Plan Approval under § I-I of the Zoning By-Law (the "By-Law") and such other relief as necessary to demolish and reconstruct a pool house, pool, terrace, planter walls, sport court, parking area, stone veneer wall, fencing and other improvements at the property located in the Residence A District.

The Board opened a duly noticed 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. A second substantive hearing was held on June 6, 2022. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Judith Sneath, and Gary Tondorf-Dick. Rebecca Verner, Landscape Architect, Gregory Lombardi Design, Inc., presented the application on behalf of the Applicant to the Board. The Board was assisted in its review by Patrick Brennan, P.E., of Amory Engineers. At the conclusion of its 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 approximately ±89,000 SF of land with an existing dwelling, in-ground pool, garage, paved driveway, and associated lawn/patio areas. The parcel abuts Route 3A to the east and encompasses a steep declining slope into Broad Cove to the north.

The project proposes the demolition and reconstruction of a swimming pool, surrounding pool terrace, and pool enclosure fence; conversion of the garage to a pool house; reconfiguration of the driveway; and installation of a motor court, sport court, dry stacked boulder wall, stone veneer wall, landscaping, and planter walls. The project will result in approximately 30,000 SF of land disturbance overall. The plans also propose a ±2,949 SF mitigation area with over 300 plantings to offset the impact of hardscape disturbance within the buffer area to Broad Cove. The pool and basketball court require imported fill material supported by retaining walls as these improvements are located in areas of the property that slope downward toward Broad Cove.

Runoff from the new impervious surfaces and much of the backyard area will be captured in drains and conveyed to two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone. Overflow from the subsurface systems will discharge to the wooded area upslope of Broad Cove. Additionally, the Conservation Commission previously reviewed and approved the plans, including the stormwater management system and erosion and sediment controls, issuing an Order of Conditions on October 15, 2020.

During the course of the hearing, the Board comments focused on setbacks, lighting, landscaping, and the location of the proposed sports court. The Applicant relocated the proposed pole mounted lighting and basketball hoop following receipt of initial comments. A photometric plan verified for the Board that the outdoor lighting would not unreasonable interfere with the use of adjoining property.

WAIVERS:

Pursuant to § I-I, 9, the Applicant requested a waiver of the Traffic Impact Assessment submittal requirement under Section I-I,4.I.

DESIGN & PERFORMANCE STANDARDS:

a. Land Disturbance

The proposed project is largely to rebuild and update existing conditions currently onsite. The carriage house is proposed to be repurposed as a new pool house, the existing pool is proposed to be replaced with an updated pool, the proposed sport court is located in the area currently

housing play structures and utilities, and the car court is proposed to be a renovation of the existing driveway and parking area.

b. Site Design

The project is proposed to continue to blend with the natural landscape. A significant addition of healthy, large vegetation not previously on site is proposed to preserve the scenic qualities of the area.

c. Character & Scale of Buildings

The proposed architecture is a replacement of an existing carriage house. This carriage house is proposed to be renovated into a pool cabana to service the new pool. The building has been designed to complement the primary structure on property.

d. Preservation of Existing Vegetation & Protected Trees

The only tree removal proposed is the removal of invasive or declining/dead trees on the property, none of which are subject to the definition of a Protected Tree. While not required, the Applicant is replacing any removed trees with 90 – 93.5 caliper inches of trees along with a substantial amount of shrub and perennial plantings. In addition to this, the Applicant has removed the invasive materials from the coastal embankment, replacing these with native species, and has committed to the continued mitigation and management of this area. This mitigation has been approved by the Conservation Commission but was not a requirement of the Conservation Commission.

e. Limit of Clearing

The limit of clearing and erosion controls are clearly marked on the plans and the trees being cleared are invasive or dying.

f. Finished Grade

A Grading and Drainage Plan is included with the project Site Plan Submittal. The stormwater management system is proposed to capture runoff from the proposed improvements including the pool house, the basketball court, pool deck, and lawn areas. Trench drains and area drains are proposed to be installed at low points to collect surface water runoff and pipe it to two proposed subsurface infiltration systems. The subsurface infiltration systems are comprised of StormTech SC-740 chambers set in a bed of crushed stone wrapped with filter fabric. The systems are sized for a 1" water quality volume with outlets directed to discharge excess runoff to the north more than 50 feet away from Broad Cove, a tidal water body. The proposed project plans and stormwater management system have been reviewed and approved by the Hingham Conservation Commission. Some of the proposed site improvements will be located in the areas of the back and side yards where the topography is generally level with minimal grade changes required. The proposed pool and basketball court will require imported fill material as these improvements are located in areas of the property that slope downward toward Broad Cove and thus require the installation of the proposed retaining walls shown on the project plans. There will be minimal export of soils off-site, and a net import of soils to the site to implement the proposed grading.

g. Stormwater Management

Test pits were conducted by Hancock Associates in November of 2021 (refer to plan Sheet C-3). These test pits indicate sand and coarse gravelly sand onsite, which is conducive to the proposed infiltration of stormwater. The existing single family home is connected to the Town's water

supply system. The proposed project does not increase the number of bedrooms in the home and will not have an impact on the Town's water supply system.

h. Utilities

No utility changes are proposed as a result of this project.

i. Pedestrian & Vehicular Access; Traffic Management

As a renovation project, there will be no increase in vehicular traffic created with this project.

j. Lighting

All of the site lighting proposed for this project are shielded, downward casting path lights or step lights with the exception of two light poles being proposed at the sport court, however these will be downward casting and be placed in the center of the court to reduce light trespass onto the neighboring property. A photometric plan, prepared by the Applicant's design team, shows light trespass onto the abutting property at 0.1 foot-candles, which is below the maximum allowed of 0.25 foot-candles. Additionally, the number of lights on each pole has been reduced from two to one and seven new deciduous trees are proposed, in addition to the proposed fence, as a means of mitigating any light trespass onto the abutting property.

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, 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, as conditioned by this Approval, meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Daria and Jessie Johnson for Site Plan Approval under § I-I of the Zoning By-Law to demolish and reconstruct a pool house, pool, terrace, planter walls, sport court, parking area, stone veneer wall, fencing and other improvements at 66 Burditt 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 shall be required before issuance of a Building Permit.
3. 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.

4. Outdoor Lighting. Lights on the sports court poles shall be shielded to mitigate light encroachment onto the adjacent property to the west.
5. Setbacks. No structures, including light posts, basketball hoops, or fencing greater than 6' in height, shall be located within required setbacks.
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, Chair
June 29, 2022

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

Opposed: None