



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Luke Feinberg
7 Meadow View Road
Hingham, MA 02043

Agents: Scott Fanara
Grady Consulting, LLC
71 Evergreen Street, Suite 1
Kingston, MA 02364



Property: 7 Meadow View Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 55412, Page 338

Plan References: "Feinberg Residence," prepared by Sally Weston Associates, 222 North Street, Hingham, MA, dated March 7, 2022 and revised through March 30, 2022 (4 Sheets)

"Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA, dated May 25, 2022 and revised through July 7, 2022 (1 Sheet)

"Plot Plan," prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated May 24, 2022 and revised through July 6, 2022 (1 Sheet)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Luke Feinberg (the "Applicant") for Site Plan Approval under § I-I of the Zoning By-Law (the "By-Law") and such other relief as necessary to raze an existing single family dwelling, garage, shed and chicken coop and reconstruct a single family home with garage 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 July 11, 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, Judith Sneath, and Gary Tondorf-Dick. Scott Fanara, Grady Consulting, LLC, 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 13,104 SF of land, improved by a single-family dwelling, deck, detached garage, shed, chicken coop, asphalt driveway, and associated landscaping and hardscaping. The dwelling is served by an on-site subsurface septic system, public gas, public water, and public overhead electric. Existing stormwater overland flow is routed to a catch basin on Meadow View Road. There is no evidence of any existing on-site stormwater mitigation.

The proposed work is to raze the existing structures and construct a new single-family dwelling with an attached garage, relocated asphalt driveway, hardscaping, and landscaping. A new subsurface septic system is proposed in compliance with state and local regulations. The dwelling will continue to be served by the public gas, water, and electric utilities. Two large dry wells are proposed in the rear of the dwelling to capture stormwater from the roof drains and infiltrate onsite, and have been designed to reduce stormwater runoff. Additionally, a fieldstone retaining wall is also proposed along a portion of the north property line as well as a significant increase in the number of trees and plantings onsite.

During the course of the hearing, the Board raised questions and provided comments pertaining to the proposed drainage system and Tree Yard. No public comment was provided prior to or during the hearing.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The existing lot is fully improved by existing structures, hardscaping, and landscaping. The proposed project will disturb 13,000± SF of the 13,104 SF lot, with no areas of slopes greater than 10%. The new proposed dry wells have been incorporated to capture stormwater from the roof drains and infiltrate onsite, and have been designed to reduce stormwater runoff.

b. Site Design

The proposed dwelling is set a bit further back from the street than the existing dwelling. A substantial number of trees and plantings are proposed in addition to the few already existing on the site. Additionally, the proposed driveway entrance is set further away from the abutting property to the north than what currently exists onsite.

c. Character & Scale of Buildings

The proposed dwelling and other improvements are aligned with the character and scale of other structures in the neighborhood and the number of structures on the site will be reduced to one.

d. Preservation of Existing Vegetation & Protected Trees

The project proposes the removal of three deciduous trees on the property ranging between 6 and 10 caliper inches. One of these three trees are within the 10' Tree Yard. The deciduous tree to be removed in the Tree Yard is 6" in caliper and requires replanting of one 3" caliper tree. Additionally, a hazardous/damaged 24" caliper white pine tree within the rear Tree Yard was removed in May 2022, requiring 12 caliper inches of mitigation planting absent a certified letter from a certified arborist. The Applicant is proposing the planting of sixteen evergreen trees (8'-10' in height/3" in caliper), 4 deciduous trees (1.5"-2" in caliper), and a significant number of shrubs and other plantings. Existing trees to remain are within the Tree Yard and are to be protected during construction, as identified on the Landscape Plan.

e. Limit of Clearing

No clearing is proposed other than the removal of the three deciduous trees.

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

A stormwater management system does not currently exist on the site. As a means of addressing this issue, two large dry wells are proposed in the rear of the dwelling to capture stormwater from the roof drains and infiltrate onsite, and have been designed to reduce stormwater runoff. In accordance with the Operation and Maintenance Plan, temporary swales are proposed to be constructed as needed during construction to direct runoff to sediment traps. Additionally, infiltration systems and subsurface storage systems are not proposed to be placed in service until after the installation of base course pavement and vegetative stabilization of the areas contributing to the systems.

h. Utilities

All existing utilities will remain, with minor rerouting due to relocation of the proposed dwelling. All changes have been preliminarily approved by the DPW Superintendent. The Board of Health or its Agent will review the onsite wastewater disposal system.

i. Pedestrian & Vehicular Access; Traffic Management

The proposed driveway entrance is set further away from the abutting property to the north than what currently exists onsite. No other changes are proposed to pedestrian or vehicular access.

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 proposed tree buffer surrounding the property will provide 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.
- a. The proposed development, as conditioned by this Approval, meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Judith Sneath and seconded by Kevin Ellis, the Board voted unanimously to GRANT the application of Luke Feinberg for Site Plan Approval under § I-I of the Zoning By-Law to raze an existing single family dwelling, garage, shed and chicken coop and reconstruct a single family home with garage and other improvements at the property located in the Residence A District, 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. Parking During Construction. All construction vehicles shall be parked onsite. 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, 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,



Judith Sneath
July 20, 2022

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

Opposed: None

