



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: John and Sarah Lucey
Two Alexandra Realty Trust
2 Alexandra Way
Hingham, MA 02043

Agent: Caroline Rees, P.E.
Merrill Engineers and Land Surveyors
687 Main Street
Norwell, MA 02061

Property: 2 Alexandra Way, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 56289, Page 230

Plan References: "Barn Permit Set," prepared by Patrick Ahearn, 160 Commonwealth Avenue, Suite L3, Boston, MA, dated August 22, 2022 (11 Sheets)

"Cabana Construction Set," prepared by Patrick Ahearn, 160 Commonwealth Avenue, Suite L3, Boston, MA, dated August 22, 2022 (5 Sheets)

"Carriage House Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA, dated August 24, 2022 and revised through September 1, 2022 (1 Sheet)

"Existing Conditions, 2 Alexandra Way, Hingham, MA 02043," prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA, dated August 23, 2022 and revised through September 26, 2022 (1 Sheet)

"Pool Terrace Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA, dated August 24, 2022 and revised through September 1, 2022 (1 Sheet)

"Proposed Conditions, 2 Alexandra Way, Hingham, MA 02043," prepared by Cavanaro Consulting, 687 Main Street, P.O. Box 5175, Norwell, MA, dated August 23, 2022 and revised through September 30, 2022 (1 Sheet)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of John and Sarah Lucey (collectively, the "Applicant") for Site Plan Approval with Waiver Requests under § I-I of the Zoning By-Law (the "By-Law") and such other relief as necessary to construct a sports barn and pool house, reconfigure an auto court, hardscape, landscape and other improvements at 2 Alexandra Way in the Residence A District.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on October 3, 2022 via Zoom as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Judith Sneath, Chair, Gordon Carr, Rita DaSilva, and Kevin Ellis. Caroline Rees, P.E., Merrill Engineers and Land Surveyors, and Sean Papich, ASLA, Sean Papich Landscape Architecture, presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., Amory Engineers, P.C. 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 5.17± acres of land, improved by a single-family dwelling, driveway, in-ground pool, sports court, hardscaping, and associated landscaping. The proposal calls for construction of a sports court barn, a pool house cabana, hardscaping, and landscaping. Overall, the project will disturb approximately 14,000 SF – 3,000 SF of which is in areas with slopes greater than 10%. The net cut associated with this project is 430 CY – mainly consisting of ledge. Ledge removal is proposed within the area of disturbance and will be both blasted and hammered.

Runoff from the roof of the proposed barn will be piped to a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone and overflow from the subsurface system will be discharged to an existing low area in the southern portion of the property. Further, erosion control measures include a silt sock erosion control barrier along the down-gradient perimeter of the work. Additionally, existing onsite utilities will serve the new structures. Finally, twenty-seven trees are proposed to be removed – all of which are outside the 10' Tree Yard. While not required, eleven new native deciduous and evergreen trees are proposed to be planted throughout the site, along with numerous shrubs and other plantings.

In addition to staff, the Board’s civil peer review engineer Patrick Brennan, Amory Engineers, reviewed this project to evaluate conformance with MassDEP Stormwater Management Standards (SMS) and best engineering practices. Comments in Mr. Brennan’s initial report included requests for test hole data and inspection ports for the proposed stormwater infiltration system, septic system piping on the site plan, silt sock material change and extension, roof drain cleaning in the Long-Term Operation and Maintenance Plan, and metes and bounds to be shown on the Existing Conditions plan locus. The Applicant subsequently provided responses to all issues raised by Mr. Brennan.

During the course of the hearing, the Board raised comments related to the size of the barn, distance from abutters, and ledge removal. One abutter to the property provided comments during the public hearing related to ledge removal and stormwater runoff.

WAIVERS

Pursuant to Section I-I, 9, the Applicant requested a waiver of the utility plan submittal requirement under Section I-I, 5.f as no utilities serving the site will be changed as a result of this project.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The project proposed approximately 14,000 SF of total land disturbance – 3,000 SF of which is in areas with slopes greater than 10%. The net cut associated with this project is 430 CY – mainly consisting of ledge. Ledge removal is proposed within the area of disturbance and will be both blasted and hammered. Proposed structures are cited over presently developed land to preserve natural drainage patterns to the greatest extent practicable. Due to the hilly topography of the site, some grading is required.

b. Site Design

The proposed accessory structures are designed to complement the existing structures and the new autocourt will be reconfigured over its existing footprint. The proposed structures will be placed within the site so as to not detract from the site’s scenic qualities and to allow the perimeter of wooded areas to provide screening for abutting properties and blend with the natural landscape.

c. Character and Scale of Buildings

The proposed accessory structures are designed to complement the existing structures on the site and are set back hundreds of feet from the street – thus remaining hidden from the streetscape.

d. Preservation of Existing Vegetation and Protected Trees

Twenty-seven trees are proposed to be removed – all of which are outside the 10' Tree Yard. While not required, eleven new native deciduous and evergreen trees will be planted throughout the site, along with numerous shrubs and other plantings.

e. Limit of Clearing

The limit of clearing and disturbance is marked by the silt sock erosion controls on the plan. A total of twenty-seven trees are proposed to be cleared throughout the site.

f. Finished Grade

The proposed finished grade is designed to most closely match the existing topography and to provide stability for the new structures.

g. Stormwater Management

Runoff from the roof of the proposed barn will be piped to a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone and overflow from the subsurface system will be discharged to an existing low area in the southern portion of the property. Further, proposed erosion control measures include a silt sock erosion control barrier along the down-gradient perimeter of the work.

h. Utilities

Utility connections for new structures will tie into those that exist from the principle dwelling.

i. Pedestrian and Vehicular Access; Traffic Management

No changes to the driveway are proposed – thus pedestrian and vehicular access and traffic management are unaffected.

j. Lighting

Typical residential building mounted lighting is proposed and will not exceed the 15' height limitation.

FINDINGS

Based on the information submitted and presented during the review, and the deliberations and discussions of the Board during the hearings, the Board made the following findings in accordance with the Approval Criteria under § I-I, 7. of the By-Law:

- a. The proposed development, as conditioned by the Approval, 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 Gordon Carr and seconded by Kevin Ellis, the Board voted unanimously to GRANT the application of John and Sarah Lucey for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of a submittal requirement under § I-I,5.f related to a utility plan, to construct a sports barn and pool house, reconfigure an auto court, hardscape, landscape and other improvements at 2 Alexandra Way 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. Inspection of the protective barriers shall be required before issuance of a Building Permit.
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 the approved drainage and stormwater system installed for the project. 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 Trees. Each Protected Tree retained 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.

8. The applicant shall contact Mr. Patrick Milligan, 16 Alden Road, prior to commencement to removal of ledge in order to provide information and address any concerns regarding impact of ledge removal on his property.

For the Planning Board,



Judith Sneath
November 8, 2022

In Favor: Judith Sneath, Gordon Carr, Rita DaSilva, and Kevin Ellis

Opposed: None

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed since the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Plymouth County Registry of Deeds and/or the Plymouth County Land Court Registry, and indexed in the grantor index under the name of the record owner or is recorded and noted on the owner's certificate of title.