



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Lauren and Alex Carabelli  
15 Howland Lane  
Hingham, MA 02043

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

Property: 15 Howland Lane, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 50836, Page 217

Plan References: "Carabelli Residence," prepared by Prea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated August 19, 2022 and revised through November 30, 2022 (11 Sheets)

"Site Plan, 15 Howland Lane, Hingham, Massachusetts," prepared by Merrill Engineers and Land Surveyors, 427 Columbia Road, Hanover, MA, dated October 24, 2022 and revised through December 8, 2022 (1 sheet)



#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Lauren and Alex Carabelli (collectively, the "Applicant") for Site Plan Review with waiver requests under § I-I of the Zoning By-Law (the "By-Law") and such other relief as necessary to construct two additions, relocate a paved driveway, landscape, and hardscape at 15 Howland Lane in Residence District B.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on December 19, 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, Kevin Ellis, and Gary Tondorf-Dick. Carmen Hudson, P.E., Merrill Engineers and Land Surveyors, 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 29,110± SF of land improved by a single-family dwelling with an attached garage, paved driveway, and landscaping, and abuts wooded areas and Cushing Pond. The proposal calls for additions to the existing dwelling, including a 782 SF garage off the south end, a 142 SF room off the northwest corner, and a porch and overhang off the front (east side) of the house. The existing garage is proposed to be converted into living space and the driveway relocated to access the new garage. A number of retaining walls and hardscaping are also proposed. In total, the project proposes 9,000 SF of total land disturbance – 4,500 of which is within areas of slopes greater than 10%. Additionally, a net fill of 100 CY is proposed with this project.

Runoff from the roof of the dwelling and garage is proposed to be directed into two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone. All of the existing utilities serving the dwelling are proposed to remain as is, including the overhead electric and communication utilities. Landscaping consists of mitigation planting per an Order of Conditions issued by the Conservation Commission. No trees are proposed to be removed – as such, no mitigation is required. A compost filter tube is proposed as a perimeter erosion control barrier around the limits of work and a gravel construction entrance is proposed in the location of the relocated driveway.

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 revisions to the stormwater management system calculations, as well as the design in relation to the wetland buffer zone, addition of catch basin erosion controls, proposed addition revisions in relation to the existing septic tank, addition of a zoning table, and retaining wall height information. The Applicant subsequently provided responses to all issues raised by Mr. Brennan.

During the course of the hearing, the Board raised questions and comments related to the layout of the proposed additions and tree removal. An abutter provided public comment related to driveway stormwater runoff and snow removal, overhead wire safety, and tree removal.

## **WAIVERS**

The Applicant requested a waiver of a submittal requirements under § I-I, 5.f (utility plan) and g (landscape plan). A waiver is not required for the utility plan, as the information is provided on the Site Plan already. With the exception of mitigation plantings required by the Conservation Commission, no landscaping or tree removal is proposed in connection with the project.

The Applicant also requested a waiver of the Design and Performance Standard requirement to install underground utility wires under § I-I, 6.h since the existing utility connections to the dwelling will serve the proposed additions.

## **DESIGN AND PERFORMANCE STANDARDS**

### **a. Land Disturbance**

The project proposes 9,000 SF of total land disturbance – 4,500 of which is within areas of slopes greater than 10%. Additionally, a net fill of 100 CY is proposed with this project. The proposed structures are cited to minimize disturbance to the existing topography and is located over developed land. Due to the steep topography, some grading is required, but proper stormwater controls are proposed to reduce or match peak runoff.

### **b. Site Design**

The proposed additions will blend with the existing dwelling and provide for safer access into and out of the property by reducing the slope of the driveway.

### **c. Character and Scale of Buildings**

The proposed additions are in line with the character and scale of other structures in the neighborhood.

### **d. Preservation of Existing Vegetation and Protected Trees**

Landscaping consists of mitigation planting per an Order of Conditions issued by the Conservation Commission. No trees are proposed to be removed – as such, no mitigation is required.

### **e. Limit of Clearing**

No clearing is proposed with this development. A compost filter tube is proposed as a perimeter erosion control barrier around the limits of work.

### **f. Finished Grade**

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

### **g. Stormwater Management**

Runoff from the roof of the dwelling and garage is proposed to be directed into two subsurface infiltration systems consisting of plastic chambers surrounded by crushed

stone. While not required as a single-family dwelling, the project complies with the MassDEP Stormwater Management Standards.

**h. Utilities**

No changes to utility connections are proposed.

**i. Pedestrian and Vehicular Access; Traffic Management**

The new driveway will provide for safer access into and out of the property by relocating it and reducing the slope.

**j. Lighting**

Typical wall mounted residential lighting is proposed at no higher than the allowed 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.

**MOTION**

Upon a motion made by Kevin Ellis and seconded by Rita DaSilva, the Board voted unanimously to GRANT the application of Lauren and Alex Carabelli for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of a submittal requirement under § I-I, 5.g related to a landscape plan and a design and performance standard under § I-I, 6.h related to underground wire installation, to construct additions, relocate a paved driveway, landscape, and hardscape at 15 Howland Lane 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. Plan Revisions and Supplemental Materials Prior to Issuance of a Building Permit. The Applicant shall add a paved berm along the southerly edge of the proposed driveway to prevent stormwater runoff onto the abutting property and add the location of the trees removed in the last 12 months on the property. Additionally, the Applicant shall supply a certified letter from a Certified Arborist confirming whether or not the proposed

development will affect the health or preservation of the 25" tree in the Tree Yard along the southerly property line. Finally, the Applicant shall obtain a letter from the appropriate utility companies confirming the safety of the overhead wires. All materials shall be supplied to the Community Planning Department.

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. Inspection of the protective barriers shall be required before issuance of a Building Permit.
5. **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.
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 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.
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 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.

For the Planning Board,



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Judith Sneath  
January 10, 2023

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

**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.