



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Matthew and Stacey Corson
120 Downer Avenue
Hingham, MA 02043

Agent: Paul Seaberg
Grady Consulting, LLC
71 Evergreen Street, Suite 1
Kingston, MA 02364



Property: 102 Downer Avenue, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 47008, Page 31

Plan References: "Minor Site Plan, Assessors Map 27 Lot 9, 102 Downer Avenue, Hingham, Massachusetts," prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated December 8, 2022 and revised through January 18, 2023 (6 sheets)

"New Residence for Matt and Stacey Corson," prepared by William F. Lee Architect & Associates, LLC, 636 Mayflower Street, Duxbury, MA, dated December 12, 2022 (12 sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Matthew and Stacey Corson (collectively the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law"), and such other relief as necessary to raze and rebuild a single-family dwelling and make other improvements including an inground swimming pool, pervious driveway, landscaping, and hardscaping at 102 Downer Avenue in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on January 23, 2023 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. Rick Grady, P.E., Grady Consulting, LLC, 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 18,623± SF of land improved by a single-family dwelling, shed, paved driveway, lawn and areas of ledge. The proposed project calls for demolition of the existing dwelling and construction of a new dwelling with an attached garage, in-ground pool, patios, a paved driveway, crushed stone driveway and landscaping. The total land disturbance associated with this project is 13,929 SF with a net fill of 315 CY.

Runoff from the roof of the dwelling and the majority of the paved driveway is proposed to be directed into one of two subsurface infiltration systems consisting of concrete chambers surrounded by crushed stone. Connections are proposed to existing sewer, water and gas utilities serving the existing dwelling. Additionally, new electric/communication utilities are proposed to be underground from a new utility pole located off the southern corner of the property. There is no tree removal associated with this project, but six new shade trees are proposed for planting nonetheless. Some ledge removal in the rear of the property will be required, but will be chipped rather than blasted. Finally, a compost filter sock is proposed as a perimeter erosion control barrier around the down-gradient limits of work.

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. Mr. Brennan's initial report included comments related to subsurface infiltration system test pits, additional information, and design, erosion control material and location, and a suggested outdoor lighting condition. With the exception of confirmatory test pits, the Applicant provided revisions that address all of Mr. Brennan's comments. Test pits were conducted prior to the hearing, requiring plan revisions to the stormwater system and grading. A condition to address this issue is included herein.

During the course of the hearing, the Board raised questions and comments related to the grading, stormwater, ledge removal, tree removal, and house design. An abutter provided public comment related to the groundwater and ledge removal.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The project proposes to disturb 13,929 SF of land, with a net fill of 315 CY. The proposed development is designed to remain consistent with existing topography to the greatest extent practicable. The post-development drainage patterns are consistent with pre-development conditions.

b. Site Design

The proposed building and site are designed around the existing topography with the proposed garage on the high side of the site and a walkout basement on the low side of the site to reduce the amount of grading and removal of existing ledge. The post-development drainage patterns are consistent with pre-development conditions.

c. Character and Scale of Buildings

The proposed building design is consistent with the size and character of existing buildings that have been constructed in the neighborhood.

d. Preservation of Existing Vegetation and Protected Trees

While there is no tree removal associated with this project, six new shade trees are proposed for planting throughout the property.

e. Limit of Clearing

No additional clearing is proposed with the exception of some ledge removal, which will be chipped rather than blasted. A silt sock erosion control barrier is proposed on the down gradient side of the proposed work to prevent runoff.

f. Finished Grade

Finished grades will be no greater than a 3:1 slope and match existing grades to the greatest extent practicable.

g. Stormwater Management

Runoff from the roof of the dwelling and the majority of the paved driveway is proposed to be directed into one of two subsurface infiltration systems consisting of concrete chambers surrounded by crushed stone.

h. Utilities

Connections are proposed to existing sewer, water and gas utilities serving the existing dwelling. Additionally, new electric/communication utilities are proposed to be underground from a new utility pole located off the southern corner of the property.

i. Pedestrian and Vehicular Access; Traffic Management

The proposed plan depicts two driveways: a peastone semi-circular driveway to the front of the dwelling and a bituminous concrete driveway leading to the attached garage. While multiple driveways are discouraged, the addition of the semi-circular driveway will

improve vehicular circulation onsite and provide a convenient access and egress, particularly for visitors to the property.

j. Lighting

Typical residential lighting is proposed with this project.

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 Gary Tondorf-Dick and seconded by Kevin Ellis, the Board voted unanimously to GRANT the application of Matthew and Stacey Corson for Site Plan Approval under § I-I of the Zoning By-Law, to raze and rebuild a single-family dwelling and make other improvements including an in-ground swimming pool, pervious driveway, landscaping, and hardscaping at 102 Downer 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. Sight Lighting. Proposed outdoor lighting shall be consistent with that of a single-family home and shall not project onto abutting properties greater than the 0.25 foot-candle limit.
3. Plan Revisions. The Applicant shall revise plans to reflect the revised stormwater system and grades following a positive report from the Board's peer review engineer. Revised plans shall be provided to the Community Planning Department prior to issuance of a building permit.
4. 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.

5. 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.
6. 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.
7. 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.
8. 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.
9. Maintenance of Protected and Replacement 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.
10. In case blasting is required onsite, the affected abutters will be notified and informed of applicable procedures.

For the Planning Board,



Judith Sneath
February 27, 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.