



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Harborview Development LLC
c/o Pat Blair
18 Shipyard Drive, Suite 2A, #23
Hingham, MA 02043

Agent: Brendan Sullivan, P.E., P.L.S.
Merrill Engineers & Land Surveyors
427 Columbia Road
Hanover, MA 02339

Property: 5 Woodbine Lane, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 56793 Page 330

Plan References: "Harbor View Development LLC, 5 Woodbine Lane, Hingham, MA,"
prepared by Aprea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated
February 27, 2023 (16 Sheets)

"Site Plan, 5 Woodbine Lane, Hingham, Massachusetts," prepared by
Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA,
dated April 13, 2023 and revised through May 15, 2023 (1 Sheet)



SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Harborview Development (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to reconstruct a single-family dwelling and make other improvements including grading, landscaping, and hardscaping at 5 Woodbine Lane in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on June 5, 2023 via Zoom as an alternate means of public access pursuant to Chapter 2 of the

Acts of 2023 temporarily suspending certain provisions of the Open Meeting Law. A subsequent session was held on June 26, 2023. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Tracy Shriver, and Gary Tondorf-Dick. Brendan Sullivan, P.E., P.L.S., Merrill Engineers and Land Surveyors, presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., PGB Engineering, LLC, 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 51,006± SF of land improved by a single-family dwelling, outbuildings, a gravel driveway, landscaping, lawn and wooded areas. The square footage of this property consists of 27,414 SF of land at 5 Woodbine Lane and 23,592 SF of land from the abutting Parcel A at 29 Jones Street as shown on a recent ANR Plan entitled "Plan of Land, 29 Jones Street, Hingham, 02043 Massachusetts." The Applicant intends to acquire Parcel A to allow for the combined 51,006 SF of land. The proposal calls for demolition of the existing dwelling and outbuildings and construction of a new dwelling with an attached garage, paved driveway, hardscaping and landscaping. The total land disturbance associated with this project consists of 21,000 SF – 6,000 SF of which is in areas with a slope greater than 10% – and a net cut of 625 CY.

Runoff from the paved driveway and garage portion of the roof will direct into a crushed stone trench which is proposed to infiltrate some of the runoff and discharge the rest into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Overflow from the subsurface infiltration system will discharge to a stone splash pad. Additionally, a new septic system is proposed in addition to existing water and electrical connections to be connected underground. A compost filter sock is also proposed as a perimeter erosion control barrier around the down-gradient limits of work and a stabilized construction entrance is shown in the location of the proposed driveway. One 12"-cedar Protected Tree within the Tree Yard is proposed for removal and two 3"-oak trees are proposed as the 6" required for mitigation. The Applicant further noted that existing trees that reside in the footprint of the proposed dwelling, patio, and front yard will be removed as well, but do not require mitigation. The existing backyard contains large areas of overgrowth and trees which are proposed to be removed as part of the regrading and septic instillation. The backyard will then be reseeded to improve lawn conditions from what currently exists onsite. With respect to ledge, the Applicant notes that the rock croppings onsite are rocks/boulders rather than ledge, so there should be minimal "ledge" removal. If any ledge is encountered the Applicant proposes to either chip or blast. Finally, while there is no Landscape Architect hired as part of the project at this point, the Applicant notes that the site will contain typical landscape beds, shrubs and trees within the site.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, PGB 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 drainage system specifications, utility connections, zoning information, the Tree Yard, architectural plan elevations, and site lighting. The Applicant provided revisions that address all of Mr. Brennan's comments.

During the course of the hearing, the Board raised questions and comments related to frontage, the proposed septic system location, Protected Trees, and ledge removal. There was public comment provided at the hearing related to drainage, construction sequencing and traffic, and landscaping for privacy. The Applicant met with abutters to address these concerns following the initial hearing on this application.

WAIVERS

The Applicant requested waivers of submittal requirements under § I-I, 5.g. Landscape Plan, I(ii) Site Lighting Plan, and (iii), Transportation Impact Analysis given the residential nature of the project.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The total land disturbance associated with this project consists of 21,000 SF – 6,000 SF of which is in areas with a slope greater than 10% – and a net cut of 625 CY. The proposed dwelling is located in the same area as the existing dwelling to minimize additional land disturbance and maintain existing drainage patterns and natural topography to the greatest extent practicable.

b. Site Design

The proposed dwelling is located in the same area as the existing dwelling to maintain the existing site design. Two unmaintained sheds are proposed for removal – reducing the number of structures on the site.

c. Character and Scale of Buildings

While the proposed dwelling is different from the Cape style of home existing onsite and in the Woodbine neighborhood, the proposed Colonial style dwelling is designed to fit the character and scale of other existing developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

One 12"-cedar Protected Tree within the Tree Yard is proposed for removal and two 3"-oak trees are proposed as the 6" required for mitigation. Additionally, an existing tree line is proposed to remain to allow for screening from abutters.

e. Limit of Clearing

One 12"-cedar Protected Tree within the Tree Yard is proposed for removal and two 3"-oak trees are proposed as the 6" required for mitigation. The Applicant further noted that existing trees that reside in the footprint of the proposed dwelling, patio, and front yard will be removed as well, but do not require mitigation. The existing backyard contains large areas of overgrowth and trees which are proposed to be removed as part of the regrading and septic instillation. The backyard will then be reseeded to improve lawn conditions from what currently exists onsite. The limit of work is noted on the plan and a compost filter sock is also proposed as a perimeter erosion control barrier around the down-gradient limits of work.

f. Finished Grade

This project proposes minimal grading and is designed to most closely match the existing topography and provide stability for the new structures.

g. Stormwater Management

Runoff from the paved driveway and garage portion of the roof will direct into a crushed stone trench which is proposed to infiltrate some of the runoff and discharge the rest into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Overflow from the subsurface infiltration system will discharge to a stone splash pad.

h. Utilities

A new septic system is proposed in addition to existing water and electrical connections to be connected underground.

i. Pedestrian and Vehicular Access; Traffic Management

A slightly reconfigured new paved driveway is proposed to provide adequate access to the site, but maintains the existing curb cut on Woodbine Lane. There are no changes proposed with respect to traffic management or pedestrian access.

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 Kevin Ellis and seconded by Tracy Shriver, the Board voted unanimously to GRANT the application of Harborview Development for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of submittal requirements under § I-I, 5.g and I related to a Landscape Plan, Site Lighting Plan, and Transportation Impact Analysis, to reconstruct a single-family dwelling and make other improvements including grading, landscaping, and hardscaping at 5 Woodbine Lane in Residence District C, subject to the following conditions:

1. **Proof of Recording.** The Applicant shall file a certified copy of this decision, the Approval Not Required (ANR) Plan to be endorsed, entitled “Plan of Land, 29 Jones Street, Hingham, 02043 Massachusetts,” and the deed granting Parcel A shown on the ANR Plan to the owner of 5 Woodbine Lane, in the Registry of Deeds and provide evidence of such recordings 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. **Construction Vehicles.** All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day. Construction vehicles shall turn right when exiting the premises and travel counterclockwise around the cul-de-sac.
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. Plan Revisions. Prior to a certificate of occupancy, the Applicant shall submit a Landscape Plan to the Community Planning Department to demonstrate native and adequate plantings proposed for the site.
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,



Kevin Ellis

June 29, 2023

In Favor: Kevin Ellis, Gordon Carr, Tracy Shriver, 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.