



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Harborview Development LLC
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: 34 Otis Hill Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 57543 Page 4

Plan References: "Harbor View Development LLC., 34 Otis Hill Road, Hingham, MA," prepared by Aprea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated April 28, 2023 (14 Sheets)

"Site Plan Review, 34 Otis Hill Road, Hingham, Massachusetts," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated June 19, 2023 and revised through July 25, 2023 (1 Sheet)

RECEIVED

AUG 14 2023

Town Clerk
Hingham, MA

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 34 Otis Hill Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on July 31, 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. The Board

panel consisted of regular members Gordon Carr, Clerk, Rita DaSilva, Tracy Shriver, and Gary Tondorf-Dick. Xander Oram, 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 10,531± SF of land, improved by a single-family dwelling, detached garage, paved driveway, hardscaping, landscaping, and several trees. The proposal calls for demolition of the existing dwelling and detached garage and construction of a new dwelling with attached garage, paved driveway, hardscaping and landscaping. The total land disturbance associated with this project consists of 10,531 SF – 4,500 SF of which is in areas with a slope greater than 10% – and a net cut of 450 CY.

Runoff from a portion of the roof will direct into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Additionally, runoff from a portion of the paved driveway will direct into a crushed stone trench which will infiltrate some of the runoff, and discharge the rest into the subsurface infiltration system. Overflow from the subsurface infiltration system is proposed to discharge to a stone splash pad. The proposed dwelling will reconnect to existing water and sewer services, and electric/communication utilities are proposed to be underground. A silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work and a stabilized construction entrance is shown in the location of the existing/proposed driveway accessed from Rice Road. The plan shows five trees within the Tree Yard to be removed and the arborist report indicates two additional trees are recommended for removal. Per the revised arborist report, all trees noted in the report are recommended for removal as they are either in poor health or invasive. Therefore, no mitigation is required.

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 the HydroCAD model and calculations, replacement/mitigation trees, addition of a catch basin silt sack, driveway location, and stockpiling. 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 grading, landscaping, tree mitigation, a potential landscape plan submission condition of approval, and construction traffic. Two members of the public provided questions and comments related to drainage, construction traffic, and tree mitigation.

WAIVERS

The Applicant requested a waiver of a submittal requirement under § I-I, 5.g. Landscape Plan. The Applicant noted that future landscaping would be similar to existing conditions. During the hearing the Board agreed to require a landscape plan submission as a condition of approval rather than waiving the requirement altogether.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The total land disturbance associated with this project consists of 10,531 SF – 4,500 SF of which is in areas with a slope greater than 10% – and a net cut of 450 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 and blend with the natural landscape.

c. Character and Scale of Buildings

The proposed dwelling is consistent with the character and scale of other existing developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

The plan shows five trees within the Tree Yard to be removed and the arborist report indicates two additional trees are recommended for removal. Per the revised arborist report, all trees noted in the report are recommended for removal as they are either in poor health or invasive. Therefore, no mitigation is required.

e. Limit of Clearing

Seven trees are proposed for removal and a silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work – serving as the limit of work line.

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

h. Utilities

The proposed dwelling will reconnect to existing water and sewer services, and electric/communication utilities are proposed to be underground.

i. Pedestrian and Vehicular Access; Traffic Management

A slightly widened new paved driveway is proposed to provide adequate access to the site and maintains the existing curb cut off of Rice Road. 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-1,7. 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.

The proposed development meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Gordon Carr and seconded by Rita DaSilva, the Board voted unanimously to DENY the request for a waiver of a submittal requirement under § I-1, 5.g. related to a Landscape Plan and to GRANT the application of Harborview Development, LLC for Site Plan Approval under § I-1 of the Zoning By-Law to reconstruct a single-family dwelling and make other improvements including grading, landscaping, and hardscaping at 34 Otis Hill Road in Residence District A, subject to the following conditions:

1. Proof of Recording. 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. **Construction Vehicles.** 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. **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,



Gordon Carr
August 7, 2023

In Favor: Gordon Carr, Rita DaSilva, 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.