



TOWN OF HINGHAM

Planning Board

RECEIVED

MAY 24 2024

Town Clerk
Hingham, MA

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/
Owner: ALR Homes, LLC
c/o Doug Keach
47 G Street
Boston, MA 02127

Agent: George Collins, P.E.
Collins Civil Engineering Group, Inc.
225 South Main Street
West Bridgewater, MA 02379

Property: 16 Foley Beach Road, Hingham, MA 02043

Deed Reference: Certificate of Title No. 135903 issued by the Plymouth County Registry District of the Land Court

Plan References: "16 Foley Beach Road, Hingham, MA, Doug Keach, ALR Homes, New Construction," prepared by Eckstrom Home Designs LLC, 115 Main Street, Suite 2B, North Easton, MA, dated May 15, 2024 (13 Sheets)

"Landscape Plan," undated (2 Sheets)

"Site Plan," prepared by Collins Civil Engineering Group, Inc., 225 South Main Street, West Bridgewater, MA, dated February 20, 2024 and revised through May 15, 2024 (3 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of ALR Homes (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to reconstruct a single-family dwelling with associated grading, landscaping, and hardscaping at 16 Foley Beach Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on April 22, 2024, with a second substantive hearing held on May 20, 2024. Both hearings were held 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 Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, Tracy Shriver, and Gary Tondorf-Dick. George Collins, P.E., Collins Civil Engineering Group, 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 & DISCUSSION

The subject property consists of 13,468± SF of land improved by a single-family dwelling, shed, paved driveway, and landscaped areas. The proposal calls for demolition of the dwelling and construction of a new dwelling with an attached garage, paved driveway, hardscaping, and landscaping. Total land disturbance consists of 11,945 SF – 2,890 SF of which is in areas with a slope greater than 10% – and a net fill of 162 CY.

The stormwater system consists of two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone, two crushed stone trenches, piping and manholes. Runoff from the roof will direct into the subsurface infiltration systems and one of the crushed stone trenches, while runoff from the driveway will direct into the other crushed stone trench. The subsurface infiltration systems and crushed stone trenches will all be interconnected and overflow into one of the crushed stone trenches over a level spreader weir near the northeast corner of the property. The proposed dwelling will connect to underground water, sewer, gas, and electric/communication utilities. Additionally, a silt sock is proposed as an erosion control barrier. Four trees are proposed for removal with this project – two of which are located in the 10' Tree Yard and total a required 28" of mitigation plantings. The Applicant proposes ten trees along the rear property line as mitigation plantings, totaling 40 caliper inches.

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 report included comments related to utility connections, HydroCAD models, a Cape Cod berm, an operation and maintenance plan, an overflow system, a stabilized construction entrance, the Tree Yard, building elevations, and observation ports. The Applicant provided revisions that address all of Mr. Brennan's comments.

During the course of the hearing, the Board raised a question related to Protected Trees near the proposed crushed stone trench, house and driveway location, yard space, and garage location. Board comments ultimately resulted in revisions related to the crushed stone trench depth and patio/deck footprints. There was no public comment.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance consists of 11,945 SF – 2,890 SF of which is in areas with a slope greater than 10% – and a net fill of 162 CY. Additionally, the proposed work is largely located within previously disturbed areas onsite and is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is within the same area as the existing dwelling but with an increased footprint and driveway on the opposite end of the property. A landscape plan is also proposed to improve the scenic qualities of the lot.

c. Character and Scale of Buildings

The character and scale of the proposed work is consistent with similar developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

Four trees are proposed for removal with this project – two of which are located in the 10' Tree Yard and total a required 28" of mitigation plantings. The Applicant proposes ten trees along the rear property line as mitigation plantings, totaling 40 caliper inches.

e. Limit of Clearing

Four trees are proposed for removal with this project – two of which are located in the 10' Tree Yard. Additionally, a silt sock is proposed along the down-gradient limit of work as a perimeter erosion control.

f. Finished Grade

This project proposes minor grade changes and is designed to most closely match the existing topography and provide stability for the new structures.

g. Stormwater Management

The stormwater system consists of two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone, two crushed stone trenches, piping and manholes. Runoff from the roof will direct into the subsurface infiltration systems and one of the crushed stone trenches, while runoff from the driveway will direct into the other crushed stone trench. The subsurface infiltration systems and crushed stone trenches will all be interconnected and overflow into one of the crushed stone trenches over a level spreader weir near the northeast corner of the property.

h. Utilities

The dwelling will connect to water, gas, and sewer, while electric and communication utilities are proposed to connect underground.

i. Pedestrian and Vehicular Access; Traffic Management

The proposed driveway will be on the opposite end of the property as exists today. 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.
- b. The proposed development meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Kevin Ellis and seconded by Gordon Carr, the Board voted unanimously to GRANT the application of ALR Homes for Site Plan Approval under § I-1 of the Zoning By-Law to reconstruct a single-family dwelling with associated grading, landscaping, and hardscaping at 16 Foley Beach 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. 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.

For the Planning Board,



Kevin Ellis

May 24, 2024

In Favor: Kevin Ellis, 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.