



# TOWN OF HINGHAM

## Planning Board

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Town Clerk  
Hingham, MA

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Ryan Dabransky  
3 Oakwood Circle  
Hingham, MA 02043

Agent: Gabriel Padilla, P.E.  
Grady Consulting, LLC  
71 Evergreen Street, Suite 1  
Kingston, MA 02364

Property: 3 Oakwood Circle, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 52650 Page 148

Plan References: "Landscape Plan for Dabransky Project," prepared by J. McKinnon Inc., 71 Evergreen Street, Kingston, MA, revised November 19, 2024 (1 Sheet)

"Plot Plan for Pool, #3 Oakwood Circle, Hingham, Massachusetts" prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated September 3, 2024 and revised through November 13, 2024 (1 Sheet)

#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Ryan Dabransky (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to construct a pool with associated grading, landscaping, hardscaping, and drainage at 3 Oakwood Circle in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on October 21, 2024, without the receipt of testimony. The Board held substantive hearings on November 4, 2024, November 18, 2024, and December 2, 2024. All 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 Gordon Carr, Chair, Rita DaSilva, Kevin Ellis, Tracy Shriver, and Gary Tondorf-Dick. Gabriel Padilla, Grady Consulting, LLC, 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 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 123,465± SF of land improved by a single-family dwelling, paved driveway, sports court, hardscaping, landscaping, and wooded areas. The proposal calls for construction of an inground pool with a pervious patio and landscaping around the pool/patio area. The total land disturbance associated with the project consists of 16,762 SF – none of which is in areas with a slope greater than 10% – and a net fill of 174 CY.

The pervious patio will allow stormwater to pass through it and infiltrate into the ground. There is also a trench drain proposed around three sides of the pool which will discharge into a subsurface infiltration system consisting of concrete chambers surrounded by crushed stone. Additionally, the Applicant proposes crushed stone infiltration trenches around the perimeter of proposed disturbance. The existing septic tank will be relocated as part of the project. A silt sock is proposed as a perimeter erosion control barrier. Finally, there was an unknown number of trees removed in the “yellow-shaded” disturbed area on the site plan, but the Applicant approximates 10 trees that were removed. While none of the trees removed were protected trees, the Applicant proposes to plant 13 new trees along with additional landscaping throughout 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 report included comments related to test pits and a detail for the subsurface infiltration system. 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 a disturbed area in association with prior site development, tree removal, project history, grading, septic location, and stormwater mitigation. Board comments ultimately resulted in additional tree plantings for the site. There was no public comment.

### **DESIGN AND PERFORMANCE STANDARDS**

#### **a. Land Disturbance**

The total land disturbance associated with the project consists of 16,762 SF – none of which is in areas with a slope greater than 10% – and a net fill of 174 CY. Additionally, the proposed work is located within previously disturbed/landscaped areas onsite and is designed to maintain existing drainage patterns to the greatest extent practicable.

**b. Site Design**

The proposed work is to the rear of the dwelling which is setback almost 400' from Oakwood Circle. A landscape plan is also proposed to improve the scenic qualities of the lot and heavy naturally wooded areas provide additional screening from abutters.

**c. Character and Scale of Buildings**

The proposed pool project is consistent with similar developments in the vicinity.

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

There was an unknown number of trees removed in the “yellow-shaded” disturbed area on the site plan, but the Applicant approximates 10 trees that were removed. While none of the trees removed were protected trees, the Applicant proposes to plant 13 new trees along with additional landscaping throughout the site.

**e. Limit of Clearing**

There was an unknown number of trees removed in the “yellow-shaded” disturbed area on the site plan, but the Applicant approximates 10 trees that were removed. A silt sock is proposed as a perimeter erosion control barrier and a stabilized construction entrance is proposed along the existing driveway and into a proposed landscaped area.

**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 pool.

**g. Stormwater Management**

The pervious patio will allow stormwater to pass through it and infiltrate into the ground. There is also a trench drain proposed around three sides of the pool which will discharge into a subsurface infiltration system consisting of concrete chambers surrounded by crushed stone. Additionally, the Applicant proposes crushed stone infiltration trenches around the perimeter of proposed disturbance.

**h. Utilities**

The existing septic tank will be relocated as part of the project. All other utilities will be unchanged as a result of this project.

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

There are no changes proposed with respect to traffic management or vehicular 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 Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted to GRANT the application of Ryan Dabransky for Site Plan Approval under § I-1 of the Zoning By-Law to construct a pool with associated grading, landscaping, hardscaping, and drainage at 3 Oakwood Circle in Residence District C, 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. In the event it is not feasible for construction vehicles to park onsite, the Applicant shall schedule a police detail to safely direct traffic.

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 and Community Planning Department 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. The as-built plan must also demonstrate substantial conformance with all other aspects of the approved project plans, including landscaping.
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,



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Gordon Carr  
December 9, 2024

**In Favor:** Gordon Carr, Rita DaSilva, Kevin Ellis, 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.