



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Bric Builders LLC
17 Ocean View Drive
Hingham, MA 02043

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

Property: 12 Howard Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 59100 Page 253

Plan References: "Major Site Plan, Assessors Lot 17-0-2.B, 12 Howard Road, Hingham, Massachusetts," prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated December 4, 2024 and revised through January 27, 2025 (5 Sheets)

"New Single Family Residence for Mr. & Mrs. Polmonari and Family at 12 Howard Road, Hingham, MA," prepared by Aperia Design, 5 Ringbolt Road, Hingham, MA, dated October 16, 2024 (4 Sheets)

"Operation and Maintenance Plan" prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated November 8, 2024 and revised through January 27, 2025 (6 Sheets)

RECEIVED

FEB 10 2025

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Bric Builders LLC (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to

reconstruct a single-family dwelling with related grading and hardscaping at 12 Howard Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on January 27, 2025 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. Paul Seaburg, 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 9,855± SF of land with frontage on both Howard Road and Bay View Avenue. The site currently improved by a single-family dwelling, a shed, paved driveways, a patio, landscaping, and lawn areas. The proposal calls for demolition of the existing raised ranch dwelling and construction of a new dwelling with an attached garage, paved driveway, gravel driveway, hardscaping, and landscaping. The proposed construction will result in a slight increase of impervious area of approximately 301 SF. Total land disturbance associated with the project consists of 13,225 SF – all of which is in areas with a slope greater than 10% – and a net cut of 288 SF.

3,370 SF of the proposed work is in the non-traveled landscaped portions of the right-of-ways of Howard Road and Bay View Avenue (which explains the land disturbance in excess of the lot size), but they are private ways and were in existence prior to adoption of the Subdivision Control Law. Additionally, work in right-of-ways is exempt from review under Section I-I, 3.e of the By-Law.

To mitigate the increase in impervious area, stormwater runoff from approximately half of the roof of the dwelling will direct into a subsurface infiltration system consisting of plastic pipes surrounded by crushed stone. Sewer and water service will connect to the existing sewer and water services off Howard Road and a new gas service will connect to the gas main in Bay View Avenue. Additionally, underground electric and communication utilities are proposed from an existing utility pole along Bay View Avenue. A silt sock is proposed as a perimeter erosion control barrier and a stabilized construction entrance is proposed at the location of the existing/proposed driveway off Howard Road. The site currently has a driveway off of both Bay View Avenue and Howard Road. The driveway off of Howard Road will be shifted slightly and repaved and the driveway off of Bay View Avenue will be converted to a pervious gravel surface and into a semi-circular access for easier egress. There are no trees that exist on the site. While no tree removal is proposed, the Applicant plans to install 3 trees in addition to a number of other shrubs and plantings.

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 the need for a test pit, inspection port locations, addition of an impervious barrier between the stormwater system and foundation, and dimensional discrepancies of the 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 tree plantings, the Tree Yard, test pits, gross floor area in comparison to other houses in the vicinity, square footage of the existing house, consistency with the character and scale of the neighborhood, and potential ledge removal. There was no public comment.

WAIVERS

The Applicant requested waivers of Submittal Requirements under Section I-I, 5.I (ii) Sight Lighting Plan and (iii) Transportation Impact Analysis. Given the residential nature of the project, waivers of these requirements would be appropriate.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 13,225 SF – all of which is in areas with a slope greater than 10% – and a net cut of 288 SF. 3,370 SF of the proposed work is in the non-traveled landscaped portions of the right-of-ways of Howard Road and Bay View Avenue (which explains the land disturbance in excess of the lot size), but they are private ways and were in existence prior to adoption of the Subdivision Control Law. Additionally, work in right-of-ways is exempt from review under Section I-I, 3.e of the By-Law. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is located in the same area as the existing dwelling but with an expanded footprint. A landscape plan is also proposed to add trees to the site and enhance the scenic qualities of the site, as well as to provide additional screening for abutters.

c. Character and Scale of Buildings

The proposed project is larger than the raised ranch that exists on the site but is similar in character and scale with recent developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

No trees are proposed for removal or exist on the site. However, the Applicant proposes to plant three trees in the Tree Yard.

e. Limit of Clearing

No trees are proposed for removal. Additionally, a silt sock is proposed as a perimeter erosion control barrier.

f. Finished Grade

Minor grades are proposed to provide for stability of the new structure and maintain existing patterns onsite.

g. Stormwater Management

To mitigate the increase in impervious area, stormwater runoff from approximately half of the roof of the dwelling will direct into a subsurface infiltration system consisting of plastic pipes surrounded by crushed stone.

h. Utilities

Sewer and water service will connect to the existing sewer and water services off Howard Road and a new gas service will connect to the gas main in Bay View Avenue. Additionally, underground electric and communication utilities are proposed from an existing utility pole along Bay View Avenue.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management or pedestrian access. The site currently has a driveway off of both Bay View Avenue and Howard Road. The driveway off of Howard Road will be shifted slightly and repaved and the driveway off of Bay View Avenue will be converted to a pervious gravel surface and into a semi-circular access for easier egress.

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 Tracy Shriver, the Board voted to GRANT the application Bric Builders LLC for Site Plan Approval under § I-1 of the Zoning By-Law, with

waivers of submittal requirements under Section I-I, 5.I(ii) and (iii) related to a site lighting plan and traffic impact analysis, to reconstruct a single-family dwelling with related grading and hardscaping at 12 Howard 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.** 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.
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.

For the Planning Board,



Gordon Carr
February 10, 2025

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.