



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Steve Levin
13 Ocean View Drive
Hingham, MA 02043

Agents: Thomas F. Patch, Esq.
P.O. Box 187
Hingham, MA 02043

Shawn Hardy, P.E.
Hardy & Mann Design Group
1285 Washington Street
Weymouth, MA 02189

Property: 13 Ocean View Drive, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 48289 Page 92

Plan References: "Drainage Report, Stormwater Operation and Maintenance," prepared by Hardy & Mann Design Group, 1285 Washington Street, Weymouth, MA dated January 13, 2025 and revised through March 20, 2025 (1 sheet)

"Kent Residence," prepared by Niche Architecture & Interiors, 399 Boylston Street, Floor 6, Boston, MA, dated March 21, 2025 (6 Sheets)

"Site Plan Layout, 13 Ocean View Drive, Hingham, Massachusetts," prepared by Hardy & Mann Design Group, 1285 Washington Street, Weymouth, MA dated February 19, 2025 and revised through March 24, 2025 (3 Sheets)

SUMMARY OF PROCEEDINGS

RECEIVED

APR 03 2025

Town Clerk
Hingham, MA

This matter came before the Planning Board (the “Board”) on the application of Steve Levin (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 hardscaping, landscaping, grading, and drainage at 13 Ocean View Drive in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on March 24, 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. Thomas F. Patch, Esq., and Shawn Hardy, P.E., Hardy & Mann Design 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 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 15,475± SF improved by a single-family dwelling, paved driveway, lawn, and landscape areas. The proposal calls for razing the existing dwelling and construction of a new single-family dwelling with an attached garage, pervious paver driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 10,911 SF – 4,842 SF of which is in areas with a slope greater than 10% – and a net cut of 26 CY.

Runoff from the proposed dwelling will discharge into 2 subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone. A trench drain is also proposed at the bottom of the driveway in front of the proposed garage to capture additional runoff. Existing water and sewer utilities will reconnect to the proposed dwelling. Electric and communication utilities are proposed to connect underground. A silt sock is proposed as a perimeter erosion control barrier around the limit of work and a construction entrance is proposed at the location of the existing driveway which will be slightly widened but remain in the same location as currently exists. One diseased tree is proposed to be removed but it is not within the tree yard. The Applicant proposes native species plantings in the rear of the site per Conservation Commission requirements, but has not provided a landscape plan otherwise.

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 includes comments related to the HydroCAD model infiltration rate and the addition of silt sacks in catch basins. The Applicant provided revisions that address Mr. Brennan’s comments.

During the course of the hearing, the Board raised questions and comments related to sequencing with the Conservation Commission and the building height calculations. There was no public comment.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 10,911 SF – 4,842 SF of which is in areas with a slope greater than 10% – and a net cut of 26 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is located within the same area as the existing dwelling with a slightly widened driveway interior to the lot and slightly increased footprint. Conservation mitigation plantings are also proposed, enhancing the scenic qualities of the site.

c. Character and Scale of Buildings

The proposed project is similar in character and scale with other developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

One diseased tree is proposed to be removed but it is not within the Tree Tard. The Applicant proposes native species plantings in the rear of the site per Conservation Commission requirements.

e. Limit of Clearing

One diseased tree is proposed to be removed but it is not within the Tree Tard. Additionally, a silt sock is proposed as a perimeter erosion control barrier around the limit of work.

f. Finished Grade

Minor grading is proposed to provide for stability of the development and maintain existing patterns onsite.

g. Stormwater Management

Runoff from the proposed dwelling will discharge into 2 subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone. A trench drain is also proposed at the bottom of the driveway in front of the proposed garage to capture additional runoff.

h. Utilities

Existing water and sewer utilities will reconnect to the proposed dwelling. Electric and communication utilities are proposed to connect underground.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management or pedestrian access. The proposed driveway will utilize the same curb cut and will be slightly widened interior to the site.

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 Steve Levin for Site Plan Approval under § I-1 of the Zoning By-Law to reconstruct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 13 Ocean View Drive 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. 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,



Gordon Carr
April 3, 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.