



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Andrew and Taylor Howell  
6 New Towne Drive  
Hingham, MA 02043

Agent: Josh Green  
Crocker Design Group  
2 Sharp Street, Unit A  
Hingham, MA 02043

Property: 6 New Towne Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 49786 Page 273

Plan References: "Cut/Fill Exhibit," prepared by Crocker Design Group, 2 Sharp Street, Unit A, Hingham, MA, dated October 7, 2025 (1 Sheet)

"Long-Term Stormwater Operation & Maintenance Plan," prepared by Crocker Design Group, 2 Sharp Street, Unit A, Hingham, MA, dated October 7, 2025 (5 Sheets)

"Site Plan for Relocated Driveway," prepared by Crocker Design Group, 2 Sharp Street, Unit A, Hingham, MA, dated December 28, 2020 and revised through October 8, 2025 (5 Sheets)

RECEIVED

NOV 04 2025

Town Clerk  
Hingham, MA

#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Andrew and Taylor Howell (collectively the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to relocate a paved driveway and construct a retaining wall with related landscaping, grading, and drainage at 6 New Towne Drive in Residence District A.

The Board opened a duly noticed public hearing on the application without the receipt of testimony at a meeting held on October 6, 2025. A substantive session was held on October 27, 2025. All sessions were held via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2025 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, Crystal Kelly, and Gary Tondorf-Dick. Josh Green, of Crocker Design Group, presented the application to the Board. 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 33,855± SF improved by a single-family dwelling with a paved driveway, retaining walls, landscaping, and hardscaping. A sewer easement also runs through the west side of the property. The proposal calls for removing a portion of the existing paved driveway and reconstructing the driveway west of the existing driveway. The relocated driveway will require fill and construction of another retaining wall. The portion of the existing driveway that will be removed will be covered with loam and seeded. The Applicant originally obtained approvals from the Conservation Commission and Sewer Commission in 2020, but the Applicant decided to place the project on hold during COVID. The plans approved by the Conservation Commission are the same plans before the Planning Board with the present application. Total land disturbance associated with the project consists of 7,245 SF – 2,153 SF of which is in areas with a slope greater than 10% – and a net fill of 772 CY.

With respect to stormwater mitigation, runoff from the upper portion of the driveway will collect in a trench drain and discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Most of the remainder of the driveway will grade toward a crushed stone trench. A silt sock is proposed as an erosion control barrier, and a crushed stone construction entrance is shown at the entrance of the proposed driveway off New Towne Drive. Six trees are proposed for removal throughout the site, one of which is an 8" tree within the Tree Yard – requiring 4" of mitigation plantings. The Applicant proposes 10 new trees, totaling 30", in addition to other shrubs.

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 stormwater calculations, sewer line, stormwater mitigation system, stone trench, Cape Cod berm, construction sequencing, and Tree Yard. 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 Protected Tree removal, driveway slope, and vehicle fall protection. There was no public comment.

## **WAIVERS**

The Applicant requires a waiver of a submittal requirement under § I-1.5.h(ii) related to Critical Root Zone (CRZ) protection. There is a portion of the CRZ of a Protected Tree directly to the east of the existing driveway at the front of the property where minor grading is proposed. It should also be noted that the existing driveway, retaining wall, and roadway are already within this CRZ. Given the limited work proposed and the existing improvements within this CRZ, a waiver of this requirement would be appropriate. The Board has previously granted a waiver of this requirement in the past for similar reasons.

## **DESIGN AND PERFORMANCE STANDARDS**

The following Design and Performance Standards under Section I-1.6 are applicable to the driveway relocation project:

**a. Land Disturbance**

Total land disturbance associated with the project consists of 7,245 SF – 2,153 SF of which is in areas with a slope greater than 10% – and a net fill of 772 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable and does not create a great deal of additional impervious area beyond what exists on the site.

**b. Site Design**

The proposed driveway is largely located directly next to the existing driveway. Additionally, a large portion of the existing driveway will be removed and re-landscaped.

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

Six trees are proposed for removal throughout the site, one of which is an 8" tree within the Tree Yard – requiring 4" of mitigation plantings. The Applicant proposes 10 new trees, totaling 30", in addition to other shrubs.

**e. Limit of Clearing**

Six trees are proposed for removal throughout the site, one of which is an 8" tree within the Tree Yard – requiring 4" of mitigation plantings. Additionally, a mulch sock is proposed as a perimeter erosion control barrier around the down-gradient limit of work.

**f. Finished Grade**

Some grade changes are proposed to provide stability of the new driveway and the site where the existing driveway will be removed to existing topography to the greatest extent practicable. Grading elsewhere onsite will remain untouched.

**g. Stormwater Management**

Runoff from the upper portion of the driveway will collect in a trench drain and discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Most of the remainder of the driveway will grade toward a crushed stone trench.

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

There are no changes proposed with respect to traffic management or pedestrian access. The proposed driveway will be directly next to the existing driveway and curb cut.

**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 Tracy Shriver and seconded by Gary Tondorf-Dick, the Board voted to GRANT the application of Andrew and Taylor Howell for Site Plan Approval under § I-1 of the Zoning By-Law, with a waiver of a submittal requirement under § I-1.5.h(ii) related to Critical Root Zone protection, to relocate a paved driveway and construct a retaining wall with related landscaping, grading, and drainage at 6 New Towne 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,



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Tracy Shriver  
November 4, 2025

**In Favor:** Gordon Carr, Kevin Ellis, Crystal Kelly, 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.