



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Breakwater Development LLC
213 Wompatuck Road
Hingham, MA 02043

Agent: Caroline Rees, Project Engineer
Merrill Engineers and Land Surveyors
427 Columbia Road
Hanover, MA 02339

RECEIVED

MAR 17 2026

Town Clerk
Hingham, MA

Property: 28 Arnold Road, Hingham, MA 02043

Deed References: Plymouth County Registry of Deeds Book 59384, Page 198

Plan References: "Driveway As-Built Plan, 28 Arnold Road, Assessor's Map 100 Lot 60, Hingham, Massachusetts," prepared by Merrill Engineers and Land Surveyors, dated January 8, 2026 and revised through February 27, 2026 (1 Sheet)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Breakwater Development LLC (the "Applicant") to modify a Site Plan Approval under § I-I of the Zoning By-Law (the "By-Law"), originally issued June 28, 2024, to approve relocated subsurface utilities, driveway, retaining wall, grading, and landscaping details at 28 Arnold Road in the Residence A District.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on March 9, 2026 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. The Applicant's Agent, Caroline Rees, Merrill Engineering, presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., PGB

Engineering, LLC. At the conclusion of the review, the Board voted unanimously to approve the requested modification of Site Plan Approval 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 project site consists of approximately 6-acres of land located off Arnold Road. In June 2024, the Board issued Site Plan Approval for construction of a new dwelling with an attached garage, gravel driveway, and related improvements. The project is largely complete at this time; however staff review of the as-built plan revealed a number of discrepancies from the approved plans. These include the following:

- The septic system was relocated from the front (east) side of the dwelling to the north side of the dwelling.
- The subsurface infiltration systems were relocated to the south side of the lot to accommodate the new location of the septic system. Although the configuration of chambers for subsurface system # 2 on the attached plan is different from the Site Plan Set submitted 6/17/24, there are still 9 chambers in this system.
- The layout of the gravel driveway configuration/emergency vehicle turnaround area has been modified. The surface of the turnaround area has changed to reinforced grass.
- The retaining wall surrounding the emergency vehicle turnaround area has been extended.
- The grading around the dwelling has been modified to accommodate the relocated septic and subsurface infiltration systems. The elevation of the garage slab was lowered 0.5' to accommodate the revised grading and the retaining wall extending from the rear face of the garage was removed.
- The rear deck was replaced with a smaller stone patio.
- A retaining wall was added in the rear yard, along the planting area.
- Additional planting areas have been added.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, PGB Engineering, reviewed this project modifications to evaluate conformance with MassDEP Stormwater Management Standards and best engineering practices. Mr. Brennan confirmed that the post-construction rate of stormwater runoff will increase modestly, but the volume will decrease from pre-construction conditions. He indicated that the change from the approved plan is negligible from an engineering perspective.

The Board received public comment from abutters that both expressed support and concern with the modifications. The Applicant addressed those concerns related noise generated by the HVAC equipment and explained for the location, dampeners, and landscaping work to mitigate potential impacts.

FINDINGS

Based on the information submitted and presented during the review of the plan modifications, and the deliberations and discussions of the Board during the hearing, the Board made the following findings:

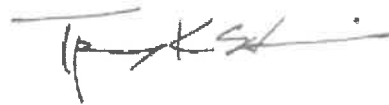
- a. The proposed development, as conditioned by the Approval, will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Tracy Shriver and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Breakwater Development LLC to modify a Site Plan Approval under § I-I of the By-Law, originally issued June 28, 2024, to approve relocated subsurface utilities, driveway, retaining wall, grading, and landscaping details at 28 Arnold Road in the Residence A District, subject to the following conditions:

1. Recording of Decision. 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. All conditions of the previous Special Permit and Site Plan Approval Decisions, dated February 10, 2025, remain in full force and effect unless specifically modified by this Decision.

For the Planning Board,



Tracy Shriver
February 17, 2026

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.