



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Falconeiri Construction, Inc.
45 Industrial Park Road, Suite 3
Hingham, MA 02043

Agents: Brendan Sullivan, P.E., P.L.S. and Caroline Rees, P.E.
Merrill Engineers and Land Surveyors
427 Columbia Road
Hanover, MA 02339

Property: 18 Elm Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 60266 Page 13

Plan References: "Site Plan, 18 Elm St," prepared by Merrill Engineers and Land Surveyors,
dated May 5, 2025 and revised through January 29, 2026 (2 Sheets)

"Sport Court, Planting Layout and Distances," prepared by Merrill
Engineers and Land Surveyors, dated March 17, 2026

"Photometric Plan and Lighting Details," prepared by LEDLightExpert,
dated March 19, 2026

RECEIVED

APR 06 2026

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Falconeiri Construction Inc. (the "Applicant") to modify a Site Plan Approval, originally issued June 18, 2025 under § I-I of the Zoning By-Law ("the By-Law") to authorize a sports court and retaining wall at 18 Elm Street in the Residence A District.

The Board opened a duly noticed public hearing on the application at a meeting held on February 9, 2026 both in person at Hingham Town Hall and remotely 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. A second substantive session was held remotely on March 23, 2026. The Board panel consisted of its regular members Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, Crystal Kelly and Gary Tondorf-Dick. Brendan Sullivan, P.E., P.L.S., of Merrill Engineers and Land Surveyors, 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 was created in June 2025 through the division of the former Old Ship Parish House property at 107 Main Street. In addition to endorsement of the Approval Not Required Plan, the Board issued Site Plan Approval at the June 9, 2025 meeting for development of the lot with a new single-family dwelling with an attached garage, paved driveway, paved parking area, hardscaping, and landscaping. The driveway would access Elm Street in the same location as the existing gravel driveway. Total land disturbance associated with the approved plan consisted of 24,000 SF – 6,500 of which is in areas with a slope greater than 10%.

The property has since been acquired by the Applicant. Simultaneous with the purchase, an exclusive use easement was created that benefits the sellers at 107 Main Street. The easement contemplated recreational uses; however, the installation of the sports court last fall was not permitted and expanded the area of disturbance that was original approved for 18 Elm Street. The updated total disturbance area on the lot is now approximately 34,000 SF, and the updated disturbance area on slopes greater than 10% is approximately 11,500 SF. According to the modification request, 3 additional trees in excess of 6" in caliper were removed from the easement and 31 trees were planted.

Complaints received by the Building Department were largely specific to the pole mounted lighting for the sports court. Though the lighting is located fairly close to single-family homes on Elm Street (approximately 18' from the property line), the complaints originated from residents from the Lincoln School Apartments at 86 Central Street. While the lighting complied with zoning setbacks and maximum candle foot standards, it was revised during the hearing process to be lower and better screened to further reduce visual impacts associated with the project.

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 and best engineering practices. Mr. Brennan's report indicated that the proposed crushed stone trench to be located adjacent to the sports court will adequately mitigate post-development runoff so that it will not exceed existing conditions. He also advised the Applicant

that the retaining wall north of the sports court may require a building permit as it exceeds 4 feet in height in certain locations.

During the course of the hearing, the Board raised concern that the easement holder did not obtain the necessary building permits and modification of the original Site Plan Approval prior to installation of the sports court. Members asked questions related to retaining wall, landscaping and pole mounted lighting in order to assess impacts on the surrounding neighborhood and address comments raised by abutters.

WAIVERS

The Applicant continues to require a waiver of the submittal requirement under Section I-I.5.I(iii) (Transportation Impact Analysis).

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-I,7. of the By-Law:

- a. The modification 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 development, as modified, meets all applicable Design and Performance Standards.

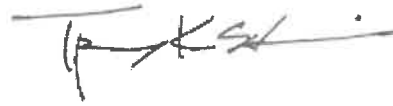
MOTION

Upon a motion made by Tracy Shriver and seconded by Crystal Kelly, the Board voted to APPROVE the application of Matthew Falconeiri, Falconeiri Construction Inc., to modify a Site Plan Approval, originally issued June 18, 2025 under § I-I of the By-Law to authorize a sports court and retaining wall at 18 Elm Street 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. Prior to application for any permits from the building department, including but not limited to the retaining wall or electrical permit for the lighting revisions, the Applicant shall submit to the Community Planning Department a landscape plan, prepared by a registered landscape architect, depicting any Protected Trees removed from the site in connection with the sports court and proposed mitigation to create an overstory of Copper Beech trees to better screen the sports court for the Lincoln School Apartments.

3. All conditions of the previous Site Plan Approval, dated June 18, 2025, remain in full force and effect unless specifically modified by this Decision.

For the Planning Board,



Tracy Shriver
April 6, 2026

In Favor: Gordon Carr, 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.