



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

RECEIVED

Applicant/Owner: Doug Keach
ALR Homes LLC
47G Street
Boston, MA 02127

APR 16 2026
Town Clerk
Hingham, MA

Property: 81 Kimball Beach Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 58911 Page 67

Plan References: Site Plan entitled, "Plan to Accompany Site Plan Review", prepared by Morse Engineering Company, Inc., dated March 5, 2026 and revised April 2, 2026 (1 Sheet)

Stormwater Report & Calculations, prepared by prepared by Morse Engineering Company, Inc., dated March 4, 2026

Architectural Plans, prepared by LR Designs, Inc., dated June 12, 2024 (8 Sheets)

Landscape Plan, prepared by CaddSight Design & Drafting, dated March 5, 2026 (1 Sheet)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Doug Keach, ALR Homes LLC (the "Applicant"), for Site Plan Approval under § I-I of the Zoning By-Law (the "By-Law") to authorize the reconstruction of a single-family dwelling with related driveway, retaining wall, utilities, stormwater management, and landscaping improvements at 81 Kimball Beach Road in the Residence A District.

The Board opened a duly noticed public hearing on the application at a meeting held on April 6, 2026 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. The Board panel consisted of its regular members Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, Crystal Kelly, and Gary Tondorf-Dick. The Applicant was represented by Gregory Morse, P.E., Morse Engineering Company, Inc., who 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 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 approximately 10,586 SF of land. It was previously improved with a single-family home that had been constructed in 1928. The property has frontage along Kimball Beach Road to the southwest and was accessed by a single gravel driveway. The dwelling was serviced by municipal water and sewer, an overhead wire to a nearby utility pole, and was heated by oil.

The Applicant received a building permit on September 18, 2024 to raze and reconstruct the existing dwelling. The then permitted project proposed an alteration of 4,980 SF of land, which did not require an application for Site Plan Review. The Building Department flagged the project on January 26, 2026 because the as-built conditions exceeded the 5,000 SF disturbance threshold and withheld issuance of an occupancy permit, which prompted the Applicant to file the required Site Plan Review application. The Applicant suggested that the planting of several trees along the western side of the property caused the previously unintended land disturbance.

In addition to demolition of an existing dwelling and construction of a new one, the project included a paved driveway, utility connections, and tiered retaining walls in the rear yard. The project did not require the removal of any trees within the Tree Yard, though two trees were removed outside of the Tree Yard, and numerous Critical Root Zones intersected with the limit of disturbance. The Applicant installed five (5) new arborvitae along the western side lot line, for an approximate total caliper of 15" in new trees.

The dwelling that was constructed resulted in a gross floor area of 6,679 SF and a living area of 3,717 SF. In terms of scale, the resulting FAR is just slightly higher than the neighborhood average (0.36 versus 0.33 respectively). The existing gravel driveway remains in its original condition, while a new paved driveway was added with a width of approximately 24.5-feet at the street and 22.8-feet at the garage. Water, sewer, and overhead wire services were disconnected from the existing dwelling and reconnected, and a new subsurface gas connection was installed.

As the project did not originally require Minor Site Plan Review, no stormwater systems were installed, although drainage patterns were not significantly altered by the construction of the new dwelling. Prior to the construction of the new dwelling, stormwater ran overland, untreated, to either the right of way of Kimball Beach Road or to the side and rear yards. The site was a mixture of lawn, hedge, and wooded areas, with trees primarily running along the property lines. The topography on-site was relatively level but sloped steeply downgradient in the northern portions of the property.

The Applicant now plans to direct portions of the new impervious coverage to crushed stone infiltration trenches to reduce runoff rates and volumes, promote recharge, and provide some treatment. Currently, there have been no official soil evaluations completed to verify soil conditions on-site, though it is certain that the site has elevated ledge outcrops which severely limit options like subsurface drywells or rain gardens. Soil evaluations will be completed as soon as possible to confirm that the proposed trenches will function as intended.

The Applicant also intends to modify the driveway by removing the cobblestone apron from within the right of way, as required by the Hingham DPW, and by reducing its width to 24', as required Site Plan Review Design and Performance Standards.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, PGB Engineering, reviewed this project to evaluate conformance with MassDEP Stormwater Management Standards and best engineering practices. Mr. Brennan's report, dated March 30, 2026, included comments related to the test holes to confirm the drainage calculations and critical root zone impacts associated with the proposed trench locations. The Applicant provided partially responsive documents. In combination with conditions of this Approval, the submission fulfills the purposes of Site Plan Review.

During the hearing, the Board raised questions and comments related to building permit process, expressing concern that an application for Site Plan Review was filed after construction of the dwelling had been completed. Members of both the Board and the public suggested that the character and scale of the house may have been modified to better align with the neighborhood had the required application been filed prior to completion of the development.

WAIVERS

The Applicant requested and the Board granted a waiver from the Design and Performance Standards under § I-1.6.h to allow the overhead electric, communication, and cable services to remain.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The project following completion of the proposed stormwater improvements will result in 5,710 SF of land disturbance overall and 520 SF of disturbance in areas with slopes greater than 10%. Previous drainage patterns have not been significantly altered.

b. Site Design

The as-built structure was constructed parallel to Kimball Beach Road, similar to many existing houses along that right of way. The dwelling's architectural style is not out of character for the surrounding houses.

c. Character and Scale of Buildings

The as-built structure is slightly larger than many of the surrounding dwellings, though there are (3) in the vicinity that have a larger gross and living floor area, and (11) with larger Floor Area Ratios. The dwelling is consistent with the average massing of the neighborhood.

d. Preservation of Existing Vegetation and Protected Trees

The project was constructed without removing any trees from the Protected Tree Yard, and disturbances to the Critical Root Zones were minimized as much as possible. Remaining trees still demonstrate healthy qualities. While no trees were removed from the Protected Tree Yard, (5) new arborvitaes were planted along the western property line that totaled approximately 15" of new caliper. No wooded areas or wildlife habitats were altered by the project.

e. Limit of Clearing

The limit of clearing and disturbance was reduced as far as practicable, with only (2) trees in the center of the lot requiring removal, and the limit of disturbance only exceeding the threshold for review by 710 SF.

f. Finished Grade

Grades on-site were maintained to the extent practicable, though a tiered retaining wall was required in one of the rear corners due to a pre-existing slope in excess of 3:1.

g. Stormwater Management

The proposed plan includes three crushed stone trenches to provide stormwater mitigation by infiltrating runoff from portions of the roof and the new paved driveway.

h. Utilities

Existing utility connections (water, sewer, and electric) were reconnected to the as-built dwelling, and a new gas service was installed.

i. Pedestrian and Vehicular Access; Traffic Management

The existing gravel driveway was left in its original condition, while a new paved driveway was added to the site. Adequate site distance is provided with the new paved driveway, which was lacking on the original gravel drive. As revised thorough the application process, the previously installed driveway will be modified to remove the cobblestone apron and comply with the maximum width of 24'.

j. Lighting

Exterior lighting is limited to wall mounted sconces, no light posts are proposed. All lighting is to be shielded. The lighting for the as-built dwelling is minor in nature and does not trespass onto abutting properties.

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, with the exception of a Standard under § I-1,6.h requiring an underground electrical/communication connection. A waiver of this Standard to allow an overhead connection will not adversely impact the interests set forth in subsection a. above.

MOTION

Upon a motion made by Tracy Shriver and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Doug Keach, ALR Homes LLC for Site Plan Approval under § I-1 of the By-Law to reconstruct a single-family dwelling with related driveway, utilities, and stormwater improvements at 81 Kimball Beach Road in the Residence A District, 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. Pre-Construction Meeting. A preconstruction review meeting with inspection marked limits of work shall be required prior to any additional construction activities on the site. The Applicant shall also coordinate with the Department of Public Works on any driveway modification within the Kimball Beach right of way.
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 installation of the crushed stone trenches.

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 Applicant shall provide funds, pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost for a representative of the Board to inspect the installation of the stormwater trenches. Modification of the trenches may be required based on those inspections to ensure that the trenches provide the required storage volume.
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, and all new trees planted to mitigate the removal of Protected Tree(s), 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 or new tree.

For the Planning Board,



Tracy Shriver
April 16, 2026

In Favor: Gary Tondorf-Dick, Crystal Kelly, Kevin Ellis, Gordon Carr, and Tracy Shriver

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.