



TOWN OF HINGHAM  
PLANNING BOARD

RECEIVED

JUN -4 2019

Town Clerk  
Hingham, MA

June 3, 2019

Chris Shaughnessy  
520 Bodwell Street Ext.  
Avon, MA 02332

**Certified Mail #7018 1830 0000 1812 6301**

**Re: Definitive Subdivision Modification “Crane Drive” formerly “Red Tail Lane”**

**Plan Reference:** Definitive Subdivision Modification Plan, Plan of Land, “Crane Drive” formerly “Red Tail Lane” Hingham, MASS. Being a subdivision of Assessors Map 188 Plot 108, dated July 20, 2017, revised to 5/23/19, prepared by Morse Engineering, 7 sheets.

**Background**

The application for Definitive Subdivision of 170 Gardner Street was submitted on April 29, 2019 and the hearing on the modification opened on May 21, 2019 with the final hearing and action by the Board at the meeting of June 3, 2019. The Planning Board panel consisted of Judith Sneath, Kevin Ellis, Gordon M. Carr and Gary Tondorf-Dick. The Planning Board peer review engineer was John Chessia of Chessia Consulting.

**Discussion**

The project consists of a Modification of Subdivision for changes including the request to change the surface basin to a subsurface chamber, change the drainage lot to a drainage easement, to reduce the gravel sub base to 12” where 24” was required and rotate the house on a piece of land formerly known as 170 Gardner Street. This subdivision is under construction and these modification requests stem from a desire to rotate the house to face Gardner Street and to shift the new house further away from the existing house on Gardner Terrace. The Board did discuss concerns that had been expressed by the Gardner Terrace neighbor stating that clearing within the tree preservation area had occurred. The Board noted that the photographs of the site and subsequent site visits demonstrate that the Gardner Terrace lawn area extends over the property line and that this developer did not clear trees in error. Pursuant to this discussion the Applicant stated a desire to install boulders on the 15’ tree preservation area boundary and supplement the existing vegetation with new plantings to provide an improved screening. The Board was supportive of this and abutters expressed support for the planting plan also. The Board reviewed the drainage modifications and the peer review memorandum, and noted that the site is very well drained being predominantly gravel. The Board noted that additional

revisions to the drainage analysis was indicated in accordance with the peer review letter of May 31, 2019 and they determined those changes could be conditioned for completion prior to endorsement of the plans. The Board of Health approved the plan change at their meeting of May 16, 2019. septic system with conditions. The new house will be served by public water and the way will remain private in perpetuity.

### **Discussion of Waivers**

The project includes the request for three waivers from the Rules and Regulations. The Board discussed the requests and made findings, as follows:

1. Section 4.B (3) (a): Table 1 - Request to allow 12” gravel sub base where 24” is required.

The Board found that this is essentially a driveway to a single family home and the road will never be put up for acceptance as a public way. In addition, the regulations have now been revised to permit this for future developments of this scope and there is a public benefit to not overbuilding this road for no reason. Finally, the existing material on this site is excellent gravel and very well drained and this waiver is not inconsistent with the intent of Subdivision Control.

2. Section 4.E - Request to allow the stormwater management system to be in an easement in a subsurface infiltration system where previously it was on a separate lot in an open basin.

The Board found that this is reasonable and there is a public benefit to shifting the house further away from the existing houses on Gardner Terrace because it allows for a better overall site development and landscape plan. The Board also found that the existing material on this site is excellent gravel and very well drained, and that the regulations have now been revised to permit this for future developments of this scope. Finally, the Board found that this waiver is not inconsistent with the intent of Subdivision Control.

### **CERTIFICATE OF ACTION**

I, Gary Tondorf-Dick, Clerk of the Hingham Planning Board, certify that at a regularly scheduled meeting of the Hingham Planning Board on June 3, 2019, the Board voted to **APPROVE** the plan “Definitive Subdivision Modification Plan, Plan of Land, “Crane Drive” formerly “Red Tail Lane” Hingham, MASS. Being a subdivision of Assessors Map 188 Plot 180, prepared by Morse Engineering Co. Inc., 19 Union Street, PO Box 92, Scituate, MA 02066, prepared for Chris Shaughnessy, 520 Bodwell Street Ext., Avon, MA 02332, dated July 20, 2017, revised to 5/23/19, 7 sheets, as amended, with the waivers to the Subdivision Rules and Regulations, approved herewith and incorporated herein by reference, and subject to and on the conditions as discussed which, if not complied with, shall, at the option of the Planning Board (the “Board”), operate as a rescission of this approval:

**A. Prior to endorsement of the Subdivision Plan:**

1. Note #7 on the cover sheet must be revised to reflect the Rules and Regulations amended through August 18, 2014.
2. The Applicant must update the O&M plan and the drainage analysis as detailed in the peer review memo of May 31, 2019 prior to the endorsement of the plans.
3. A final plan with all inverts, pipe sizes, etc. as called out in the May 31, 2019 memorandum from Chessia Consulting shall be provided. In addition, the Applicant must provide the correct sizing data for the Stormceptor unit and if necessary the plans must be revised to indicate the properly sized unit prior to endorsement.
4. If the project is approved the SWPPP must be updated accordingly.
5. Applicant shall provide the illicit discharge certification prior to endorsement of plans.

**B. Conditions During Construction**

1. Soil tests witnessed by the peer review engineer shall be performed at all proposed infiltration system locations during construction and prior to backfilling.
2. Boulders shall be installed 15' off the eastern property line where 10' was required extending from the cul de sac southerly to the east property line and the applicant shall supplement the landscaping within the tree preservation area as shown on the plans revised to May 23, 2019.

**C. General Conditions**

1. All previous conditions remain in full force and effect except as modified herein.
2. This tree preservation area shall be noted in the Homeowners Association documents with a restriction on removal of trees excepting those that are dead or pose a hazard.

**WAIVERS**

The Board voted unanimously to **GRANT** the following request for waivers from the Planning Board Rules and Regulations:

3. Section 4.B (3) (a): Table 1 Request to allow 12" gravel sub base where 24" is required.
4. Section 4.E - Request to allow the stormwater management system to be in an easement in a subsurface infiltration system where previously it was on a separate lot in an open basin.



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Gary Tondorf-Dick, Clerk  
Hingham Planning Board

Cc: Greg Morse; Building Commissioner; BOH; Town Clerk; J. Chessia;

**NOTARIZATION**

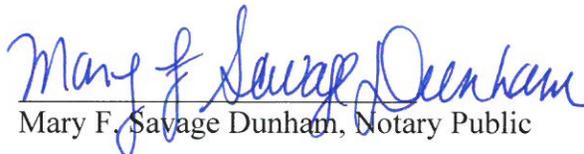
EXECUTED this 4 day of June 2019

**Commonwealth of Massachusetts**

Plymouth, ss

June 4, 2019

Then personally appeared Gary Tondorf-Dick, Clerk of the Hingham Planning Board, and acknowledged the foregoing to be the free act and deed of said Board.

 My Commission Expires: 10/29/21  
Mary F. Savage Dunham, Notary Public

