


TOWN OF HINGHAM
PLANNING BOARD

**NOTICE OF DECISION
SITE PLAN REVIEW UNDER SECTION IV-B.6.b**

Certified #7017 3380 0000 3425 9668

IN THE MATTER OF:

Applicant: Christina Diloreto
178 Otis Street
Hingham, MA 02043

Premises: 178 Otis Street
Hingham, MA 02043

Date: August 20, 2019



PLAN REFERENCES: “Site Plan 178 Otis Street – Hingham” Prepared for Christina Diloreto, 178 Otis Street, Hingham, MA 02043, prepared by Cavanaro Consulting, dated 8/9/19, revised to 8/15/19, 1 sheet, and, “Landscape Plan”, 178 Otis Street, Hingham, MA, prepared by Sean Papich landscape architecture, dated July 22, 2019, 1 sheet.

SUMMARY OF PROCEEDINGS:

This matter came before the Planning Board on the application of Christina Diloreto 178 Otis Street, Hingham, MA, for Site Plan Review under Section IV-B.6.b. for site grading and drainage associated with improvements and the pool installation at the existing residence, property zoned Residence A.

The application was submitted on July 24, 2019 and the Planning Board heard the application at the regular meeting of August 19, 2019 in the Hingham Town Hall at 210 Central Street. Members of the Planning Board present were Judith Sneath, Kevin Ellis and Gordon Carr. Patrick Brennan, Amory Engineering, served as the peer review engineer for the Board. Mr. John Cavanaro, Cavanaro Consulting was present with Sean Papich, Landscape Architect and together they presented the proposal to the Board. Mrs. Gloria Diloreto, the mother of the applicant was also in attendance. Mr. Cavanaro explained that this is an after the fact permit and that he was not the original engineer on the project. The project started with renovations to the existing dwelling and installation of a swimming pool and an associated retaining wall. The project also includes landscaping, grading and the repaving of the driveway. Mr. Cavanaro explained the storm water infrastructure, which cumulatively reduces the water flowing off site. There will be a drywell in the front yard and overflow will be discharged into a trench drain

being installed along the northern edge of the driveway. The final course of pavement on the driveway is to be installed so as to create a slight berm and direct water flowing down the driveway into the trench drain also. This will prevent most of the runoff from flowing directly into the way. The size of the driveway is being reduced slightly also. Mr. Papich reviewed the landscape plan for the Board and acknowledged that the decorative trees along Otis Street need to be moved back from the public way to be completely on private property.

Mr. Brennan, peer review engineer, noted that with the proposed improvements the storm water runoff from the property under post construction conditions will not be greater than the preconstruction conditions. Mr. Brennan explained that there is work in the public way as well as on 178 Otis Street, and that he had been working closely with Randy Sylvester, DPW Superintendent, on the project drainage. Mr. Brennan noted that Mr. Sylvester is satisfied with the project as proposed, subject to suggested conditions of approval listed in Mr. Brennan's letter dated August 13, 2019. The conditions include moving trees out of the public right-of-way, and specific conditions regarding installation of the drainage improvements and ongoing maintenance of the erosion controls. Ms. Savage-Dunham, the planner, confirmed for the Board that she had reviewed the draft conditions with Mr. Sylvester and that he was satisfied with them. The Board members discussed the importance of maintaining the drainage system over time and the details of the berm on the driveway. Mr. Brennan explained that it would be a slight berm so that vehicles would not bottom out, but, that the water would be directed to the trench. Because of the importance of getting the pavement completed per plan, Mr. Brennan suggested that it would be good for him to meet with the paving contractor prior to the start of work to ensure the contractor was clear on the expected outcome.

FINDINGS:

Board members then reviewed the project in accordance with the Site Plan Review Criteria contained in Section I-I (6) as follows:

- a. *protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting;*

The Board found that the site drainage and proposed project has been reviewed by the Board's peer review engineer, Pat Brennan, Amory Engineers. This project consists of site improvements of an existing single family dwelling.

- b. *convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;*

The Board found that the driveway was existing and is being repaved and reduced in size.

- c. *adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;*

The Board found that this was not applicable as it is a single family house.

- d. *adequacy of open space and setbacks, including adequacy of landscaping of such areas;*

The Board found that the submitted landscape plan from Sean Papich shows two of the proposed flowering crabapple trees to be located within the Otis Street ROW. The Landscape Architect has assured the Board that these will be moved to a location outside the ROW.

- e. *adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;*

The Board found that this was not applicable.

- f. *prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;*

The pavement was damaged on Governor Long Road during the work on this site, likely during off-loading of heavy equipment. The DPW has advised the applicant that they **are** responsible for repairs of this damage.

- g. *assurance of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Stormwater Management Policy and Standards, and Massachusetts Erosion and Sediment Control Guidelines.*

The Board found that this project is partially completed. Work was halted to allow the applicant to secure approvals. Prior to the re-start of work a preconstruction meeting is required to check the erosion controls that are in place. This can occur the same day as the start of work. The remaining work to be done includes final drainage installation, final paving, final site stabilization work and work in the public way. A new street opening permit will be required for work not yet done in the public way. The driveway and pavement grading and design is intended to insure that runoff does not flow onto Governor Long Road. Mr. Brennan's letter of August 13, 2019 indicates that, with the implementation of the proposed improvements the runoff from the property under proposed conditions will not be greater than runoff under preconstruction conditions.

h. protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;

The Board found that this is the redevelopment on this site.

i. minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.

The Board found that this is not applicable.

DECISION AND VOTES:

The Board noted that the applicant requested a partial waiver of Site Plan Review submittals, specifically Section I-I.4.a. Location of Structures within 100' of locus; Section I-I.4.b. Building elevations and floor layouts (plans included in Building Permit Application); Section I-I.4.c. Traffic circulation, loading and parking areas, profiles and cross sections (not applicable to residential project); Section I-I.4.e. Detailed utility, and refuse storage and removal (not applicable – SFH use will remain); Section I-I.4.f. Traffic analysis (not applicable to SFH use); Section I-I.4.g. Capacity of Town soils, water supply, ways and services (not applicable – existing use); and Section I-I.4.i. Site lighting plan (not applicable to SFH use). The Board found that they had sufficient information to review the proposal and improvements needed for the drainage. Mr. Carr then made a motion to approve the request for a partial waiver of the Site Plan Review submittals as discussed finding that the material as provided is sufficient to review the project as proposed or are not applicable to the single family use. The motion was seconded by Mr. Ellis and all members voted in favor.

The Board then Moved, Seconded and SO VOTED to APPROVE the Site Plan Review for Christina Diloreto at 178 Otis Street as presented at the hearing and as shown on the plans titled: “Site Plan 178 Otis Street – Hingham” Prepared for Christina Diloreto, 178 Otis Street, Hingham, MA 02043, prepared by Cavanaro Consulting, dated 8/9/19, revised to 8/15/19, 1 sheet, and, “Landscape Plan”, 178 Otis Street, Hingham, MA, prepared by Sean Papich landscape architecture, dated July 22, 2019, 1 sheet, with the waivers, based on the findings and subject to the following conditions:

1. The applicant must submit a revised landscape plan showing that all proposed trees are located on the Applicant’s property and not within the public right of way of Otis Street.
2. The Applicant will repair the pavement damage on Governor Long Road (which was caused during construction). Repairs must be made to the satisfaction of the DPW Superintendent prior to issuance of a certificate of occupancy on this project.
3. Prior to wearing course paving, the Applicant’s paving contractor shall meet with the Planning Board’s consultant engineer to discuss construction of the bituminous concrete berm across the end of the driveway to insure that it directs runoff to the proposed French Drain and prevents it from flowing into Governor Long Road. The DPW Superintendent or his designee shall be included in this meeting.

4. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing is required. The DPW Superintendent or his designee must be at this meeting as well as the Planning Board's peer review engineer.
5. 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 during construction and the approved drainage and storm water 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. The Planning Board's peer review engineer shall attend the preconstruction meeting and inspect the drainage infrastructure during construction at the expense of the applicant.
7. A new street opening permit from the DPW is required for the work shown in the public way.
8. Upon project completion an as-built plan must be submitted to the Building Commissioner 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 storm water system design and performance standards of the approved project plans.
9. The Applicant must maintain all erosion controls in good working condition and repair any erosion that occurs until construction is complete and the site is fully stabilized.



Judith Sneath

Acting Chairman, Hingham Planning Board

Cc: Town Clerk; Building Department; Assessor; DPW; Sewer; BOH; Cavanaro Consulting; Pat Brennan, Amory Engineering; S. Papich.