

TOWN OF HINGHAM
PLANNING BOARD



NOTICE OF DECISION
SITE PLAN REVIEW UNDER SECTION IV-B.6.b.2

Certified #7018 3090 0000 9231 8344

IN THE MATTER OF:

Applicant: Mr. Fred Butts
Premises: 156 Justice Cushing Way
Hingham, MA 02043
Date: March 19, 2020

Plan Reference: "Site Plan 156 Justice Cushing Highway Hingham, MA 02043" dated 1/20/20, 8 sheets, prepared by Cavanaro Consulting.

Summary of Proceedings:

This matter came before the Planning Board on the application of Fred Butts for Site Plan Review under Section IV-B.6.b.2 for the site disturbance and work associations with the construction of a new single family house.

The Planning Board heard the application at the regular meetings of August 19, 2019, October 21, 2019, November 18, 2019, January 27, 2020 and March 9, 2020 in the Hingham Town Hall at 210 Central Street. Members of the Planning Board present were Kevin Ellis, William Ramsey, Gary Tondorf-Dick, Judith Sneath and Gordon Carr. John Chessia, Chessia Consulting, served as the peer review engineer for the Board. Mr. Brendan Sullivan from Cavanaro Consulting and property owner Fred Butts were present to present the application to the Board. Mr. Sullivan explained this project triggers site plan review due to the area of land disturbance associated with the construction of the new single family house and associated improvements. During the development the majority of the parcel will be modified. This project needs a state highway access permit also which will be processed after local approvals have been issued.

Mr. Chessia reviewed the peer review letter and noted that the soils on site were not suitable for infiltration which requires relief from the Board to find that infiltration was proposed to the greatest extent practicable. The applicant then explained the multiple test pits and site investigation work done to try and find soil suitable for infiltration. He also explained the adjacent wetlands and drainage patterns, and that great attention was given to ensuring no increase in flooding offsite would occur as a result of this project. The Board discussed that the project would include fill and that with the filling and

construction there would be a high volume of truck traffic in the state highway. In addition the construction workers would likely park on the side of the roadway. The Police Chief stated that police details may be required during times of heavy truck traffic.

Board members then reviewed the project in accordance with the Site Plan Review Criteria contained in Section I-I (6) and made findings 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 project was peer reviewed by Chessia Consulting. The Fire Department provided comments on this project regarding public safety requirements.

- 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 this is a single family residence and that the criteria have been addressed.

- 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 Police details may be required during construction.

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

The Board found that a landscape plan was submitted.

- e. *adequacy of the methods of disposal of refuse and other wastes during construction and resulting from the uses permitted on the site including, but not limited to, discarded building materials, concrete truck wash out, chemicals, litter and sanitary wastes; provided, that discharge of refuse or other wastes into the municipal storm water system shall be expressly prohibited;*

The Board found that an O&M plan and a construction management plan have both been submitted and reviewed.

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 Board found that the project has been reviewed by town staff and peer review consultants. This is the construction of a single family home.

g. assurance of positive storm water 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 storm water 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 Storm water Management Policy and Standards including the Massachusetts Storm water Handbook, the Massachusetts Erosion and Sediment Control Guidelines and, if applicable, additional requirements under the Town of Hingham MS4 Permit for projects that disturb more than one acre and discharge to the Town's municipal storm water system;

The Board found that the project includes work that needs approval from Mass DOT. The work shouldn't begin until that approval is secured and if the project design changes as a result of the state review process a modification of the plan as approved by the Planning Board may be indicated, particularly for the Drainage. All limits of clearing shall be marked with orange construction fence. There are a number of minor technical comments that are detailed in the February 17, 2020 peer review memo that need to be addressed, but none of which the peer review engineer feels cannot be addressed or will have substantial impact on the design. The plans need to be revised to satisfy the outstanding comments on the stormwater standards and submit them for review by the peer review engineer prior to the start of work and not less than two weeks before the preconstruction meeting. Storm water Standard 2 requires sites with HSG C and D soils to recharge to the maximum extent practicable if the soils are not suitable for recharge. The applicant has performed soils testing and demonstrated that the soils are not suitable for infiltration, therefore the Board notes that soils condition and thus requires the applicant to design for recharge to the maximum extent practicable.

h. assurance that appropriate Best Management Practices have been incorporated to minimize the amount of disturbed areas and protect natural resources, stabilize sites when projects are complete or operations have temporarily ceased, protect slopes on the construction site, protect storm drain inlets and armor all newly constructed outlets, install perimeter controls at the site, stabilize construction site entrances and exits to prevent off-site tracking of material, and to provide for regular inspection of storm water controls at consistent intervals;

The Board found that a construction management plan and O&M plan have been submitted and reviewed. The applicant must supplement both as part of satisfying the peer review comments of February 17, 2020.

- i. *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 site was previously used as a horse pasture and over time some vegetation has been reestablished, however the site is presently fairly disturbed.

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

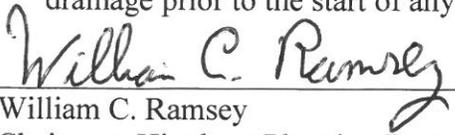
The Board found that this is not applicable.

DECISION AND VOTE:

The Board then voted unanimously to grant a waiver for the submittal requirement I-I.4.b Building Plans. The Board then voted to Approve Site Plan Review for the construction of a single family residence at property known as 156 Chief Justice Cushing Highway as shown on the plans titled “Site Plan 156 Justice Cushing Highway Hingham, MA 02043” dated 1/20/20, 8 sheets, prepared by Cavanaro Consulting, as presented at the hearings, with the findings and subject to the following conditions:

1. Applicant shall coordinate with the Police Chief or his designee regarding requirements for Police Details during construction.
2. The Table of Zoning Requirements and sight distances shall be added to the plans.
3. The applicant shall revise plans to address outstanding comments on the stormwater standards and submit them for review by the peer review engineer prior to the start of work and not less than two weeks before the preconstruction meeting. The edits include, but are not limited to the following: clarify the proposed contours on the east side of the proposed water quality swale; confirm that all data sources are tied to the same datum, provide outlet, pipe and invert sizing data, modify the water quality swale as detailed, supplement the O&M plan and construction management plan. The Applicant shall also design the drainage to provide for recharge to the maximum extent practicable.
4. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required as a condition of approval for all projects. The preconstruction meeting shall include the Police Chief or his designee, the Director of Community Planning, and the DPW superintendent or his designee at a minimum and will be coordinated by the Director of Community Planning.
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 stormwater system installed for the project.
6. 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 stormwater system design and performance standards of the approved project plans.

7. Prior to the start of work the Applicant must secure the street opening permit from the Mass DOT. If the project design is altered during that process a modification of site plan review may be required by the Planning Board, particularly with regard to drainage prior to the start of any construction.



William C. Ramsey
Chairman, Hingham Planning Board

Cc: Town Clerk; Building Department; Assessor; DPW; BOH; Chessia Consulting; Jeff Kilroy, HPD; Police Chief; Fire Marshal; Cavanaro Consulting; Conservation.