


TOWN OF HINGHAM
PLANNING BOARD

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NOTICE OF DECISION
SITE PLAN REVIEW UNDER SECTION I-H and IV-B.6.b

Certified Mail # 7017 1000 0000 1995 8572

IN THE MATTER OF:

Applicant: Canterbury Street LLC.
15 Lewis Court
Hingham, MA 02043

Premises: 111 Weir St
Hingham, MA 02043

Date: September 16, 2020

Plan References: “Plan of Land at 111 Weir Street Hingham, MA” dated March 6, 2020, last revised 8/14/20, 4 sheets, prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MA, 02339, prepared for Canterbury Street, LLC., 15 Lewis Court, Hingham, MA, 02043, “Landscape Plan” sheet L1 prepared by TISH, dated 6/25/2020, revised to 8/26/20, and “Construction Period Control” dated June 20, 2020, revised to 9/2/20.

Summary of Proceedings:

This matter came before the Planning Board on the application of Canterbury Street LLC, 15 Lewis Court, Hingham, MA 02043, for Site Plan Review under Section IV-B.6.b for the construction of a new dwelling at 111 Weir Street, property zoned Residence C.

The Application was submitted on May 11, 2020. Pursuant to (1) the Order issued by the Governor of Massachusetts dated March 12, 2020 Suspending Certain Provisions of the Open Meeting Law and applicable provisions of the Open Meeting Law found at 940 CMR 29 et seq., the public meetings of the Planning Board were conducted by remote participation. The Board opened the hearing on July 13, 2020, and continued it to July 27, 2020 and August 10, 2020, and finally to September 14, 2020 at which time the Board rendered it's decision.

Board members present included Chairman Kevin Ellis, Rita DaSilva, Gordon Carr, Gary Tondorf-Dick and Judith Sneath. Mr. John Chessia, Chessia Consulting, served as the peer review engineer for the Planning Board. The Applicant, Canterbury Street LLC was represented by Gary James, James Engineering, and John Woodin.

Project Description:

Mr. James of James Engineering presented the project to the Board. He explained that this was new construction on 111 Weir Street. The parcel had been designed to a great extent during the subdivision approval process and in fact the drainage as shown is the same as required in the subdivision drainage analysis. Mr. James then shared his screen to review the plans for the site for a new single family home. He stated that the parcel is more than six acres in size and it is along the dam that was repaired in conjunction with the Patterson Pond Subdivision. He noted the trees on the plan that they are planning to remove and reviewed the landscape plan, which he stated had been approved by the Conservation Commission. John Chessia stated that some of his comments have been addressed and added to the plan. He stated that the plans meet storm water requirements. The Board expressed concern about the scope of tree removal required to fit such a large house on the lot and asked the applicant to consider revising the plans to save or retain more trees. The Board also noted that the landscape plan as proposed was not offsetting the clearing. The Applicant ultimately modified the utility and grading plan to save more trees, and submitted a tree protection detail to clarify how trees will be protected during construction.

Site Plan Review

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 for the civil design, storm water, grading and erosion control as well as compliance with regulations. This is a single family residence outside lighting should be dark sky compliant. There were no substantive issues found. This is a single family residence in an environmentally sensitive area and as such the outside lighting should be dark sky compliant.

- 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;*

This residence is accessed from an existing shared driveway that the fire department has reviewed. There are no sidewalks on this driveway. Fire department had no comments. Utility easements are shown on the plan.

- 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 the By-Law;*

The Board found that this is a single family residence, and 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 has been submitted. The evergreen trees should indicate height not caliper on the submitted landscape plan.

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 the peer review engineer reviewed the storm water as part of the larger SWPPP submitted for the development of all the Patterson pond estates lots, and 47 and 49 Canterbury as well. The Peer review engineer then reviewed this proposal for consistency with the original swppp and found no inconsistencies.

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; based on that review any adverse impacts on the town's resources have been avoided or mitigated. The Conservation Commission and Board of health have approved this plan.

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 soils and substrate are not suitable for infiltration on this lot, similar to other nearby lots in the Patterson Pond Estates subdivision. The Applicant has worked to meet this standard to the greatest extent practicable. The drainage design on this lot does not assume infiltration and is consistent with the overall drainage for the subdivision. The applicant submitted a construction period control dated June 20, 2020, revised to September 2, 2020. The drainage design approved for the Patterson pond estates subdivision included this lot with projected development and that analysis did not include any infiltration credit for this lot. Similarly the Board approved this drainage

design and poor infiltration conditions on the Jordan way lots and has granted partial waivers of this standard on sites with similar conditions. There is an approved storm water pollution prevention plan for the Patterson Pond Estates subdivision which includes this lot.

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 the developer is following the approved storm water pollution prevention plan for the Patterson Pond Estates subdivision. The Conservation Commission reviewed and approved this site for development subject to the Order of Conditions.

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 a landscape plan has been submitted. This landscape plan accomplishes the objectives to the greatest extent possible. Site Plan Sheet 3 of 4 contract document outlines the protection of natural and historic features. The conservation commission has approved this project. With the modified utility route and elimination of the retaining wall 8 additional trees shall remain and the expectation is that they are not to be damaged during the construction process, as shown on Plan sheet 3 of 4. The Construction Period Control plan dated June 20, 2020 and revised to 9/2/20 also shows the protection of the trees and tree canopies during construction activities, specifically on sheet 5.

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 the construction of a single family home is consistent with the surrounding single family neighborhood.

DECISION AND VOTE:

With a motion made by Kevin Ellis and seconded by Judy Sneath, the Board then voted with Board members Ellis, Carr, Sneath, Tondorf-Dick and DaSilva in favor to Approve Site Plan Review for # 111 Weir St, as shown on the plans titled “Plan of Land at 111 Weir Street Hingham, MA” dated March 6, 2020, last revised 8/14/20, 4 sheets, prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MA, 02339, prepared for Canterbury Street, LLC., 15 Lewis Court, Hingham, MA, 02043, “Landscape Plan” sheet L1 prepared by TISH, dated 6/25/2020, revised to 8/26/20, and “Construction Period

Control” dated June 20, 2020, revised to 9/2/20, as presented at the hearings, with the findings and subject to the following conditions:

1. Outside lighting fixtures shall be dark sky compliant with full cutoff fixtures.
2. Utility easements shall be maintained as shown on the plan for sufficiency of access for service.
3. The Applicant shall coordinate with the Police Chief or his designee regarding requirements for Police Details during construction. Staging areas and construction vehicle parking, etc. will be discussed at the preconstruction meeting with staff and the police prior to any work commencing.
4. The Applicant shall change the evergreen tree specifications to 6-8’ in height and don’t show caliper.
5. Utility easements must be recorded prior to certificate of occupancy.
6. A pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing is required. The preconstruction meeting shall include the peer review engineer, the police chief, the Conservation Agent and the Director of Community Planning and will be coordinated by the Director of Community Planning. Construction vehicle and material parking and staging will be discussed at the meeting. Police details may be required at the discretion of the police chief.
7. 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.
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 will adhere to the Construction Period Control dated June 20, 2020 revised to September 2, 2020.
10. Applicant shall provide a detail on how the trees to remain will be protected during construction prior to the preconstruction meeting.



Kevin Ellis
Chairman, Hingham Planning Board

Cc: Town Clerk; Building Department; Assessor; R. Sylvester, DPW; BOH; James Engineering; Chessia Consulting; Conservation; Jeff Kilroy, HPD; Police Chief; Fire Prevention.