



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW WITH BUILDING PERMIT LAND DISTURBANCE

IN THE MATTER OF:

Applicant: Gerry Rankin
856 Main Street
Hingham, MA 02043

Owner: 901 Main Street, LLC

Property: 2 Annick Drive, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 47271, Page 6

Plan Reference: "Site Plan, 2 Annick Drive, Hingham, MA 02043," prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MA, dated June 20, 2021 and revised through July 26, 2021 (8 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Gerry Rankin (the "Applicant") for Site Plan Review under §§ I-I and IV-B, 6 for development of a single-family dwelling and related improvements resulting in land disturbance of greater than 20,000 SF overall and 5,000 SF in an area with slopes greater than 10%¹.

The Board discussed the application during a meeting held on July 26, 2021 via Zoom as an alternate means of public access pursuant to an Order issued by the Governor of Massachusetts, dated March 12, 2020, Suspending Certain Provisions of the Open Meeting Law. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, Judith Sneath, and Gary Tondorf-Dick. In addition to the Applicant, Gary James, P.E., appeared to present the application to the Board. The Board was assisted in its review by peer reviewer Patrick Brennan, P.E., of Amory Engineers. At the conclusion of the hearing, the Board voted unanimously to grant

¹ The applicable site plan review land disturbance thresholds for the project are 20,000/5,000 SF. The 901 Main Street subdivision benefits from the freeze provisions of MGL c. 40a, s. 6 such that the former Section IV-B, 6 standards apply.

Site Plan Approval with conditions and waivers from certain submittal requirements as set forth below.

BACKGROUND

The property consists of 1.61+/- acres of land located at the intersection of Annick Drive and Main Street. The lot is improved by a single-family dwelling that will be demolished and replaced. The proposed plan will result in overall disturbance of 21,990 SF of land, including 9,240 SF of disturbance in areas with grades of more than 10%.

The Board's consulting engineer reviewed both the proposed Site Plan Review plan set and the 901 Main Street approved subdivision plans, dated March 7, 2016 and revised through October 11, 2016. He highlighted changes between the approved subdivision and proposed site plans in a series of figures. The changes generally result in the reduction of impervious area by approximately 1,500 SF.

Mr. Brennan additionally conducted a site visit and confirmed that all trees shown on the plans remain within the Tree Preservation Area along the Main Street right of way and No Cut Zone since some site work and stockpiling of material from the Annick Drive roadway construction occurred on the property.

WAIVERS

The Applicant requested and the following waivers from submittal requirements under Section I-I, 4. of the Zoning By-Law:

4(f) Drainage analysis – drainage was approved in connection with the subdivision plan the proposed site plan will reduce the amount of impervious surface, and therefore related runoff.

4(i) Site lighting plan – not necessary due to existing tree buffers on the lot.

FINDINGS

Based on the information submitted and presented during the hearing, and the deliberations and discussions of the Board during the meeting, the Board made the following findings in accordance with the Special Permit Approval Criteria under § I-I, 6. of the By-Law:

- 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 proposed plan will result in approximately 1,500 SF less impervious area than approved in connection with the 901 Main Street Definitive Subdivision Plan, which in turn will reduce runoff from the property. The Tree Preservation Area and No Cut Zone adequately buffer

adjoining properties and street trees along the Annick Drive frontage improve views of the lot.

- 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 application is related to land disturbance. The proposed single-family dwelling is located in within a recently approved subdivision consisting of 4 lots. This particular lot was previously improved with a single-family dwelling and driveway to Main Street. The proposed plan redirects vehicular access from Main Street to Annick Drive. Elimination of the Main Street curb cut will improve traffic safety in the area.

- 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 proposed dwelling includes a two-car garage accessed via a driveway from Annick Drive. There is sufficient parking available on the site for a single-family use.

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

The proposed plan provides adequate open space. Existing mature trees will remain within the Tree Preservation Area along Main Street and 20' No Cut Zone along the southerly side property line. Three new trees were planted within the front yard along Annick Drive.

- 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;**

Final inspections and issuance of an Occupancy Permit for the residence will require temporary measures for dealing with construction debris to be removed from the site.

- 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 proposed residential use can be sufficiently address through the Town's water supply. The Board of Health had approved the septic system installation during the Definitive Subdivision application. The Executive Health Director will administratively approve of the proposed system.

- 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;

The application results in less impervious area and runoff than as proposed in the approved Definitive Subdivision Plan.

- 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;***

Based on Mr. Brennan's review, implementation of best management practices with the storm water design are sufficient.

- 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 Tree Preservation Area and No Cut Zone from the subdivision approval have been maintained.

- 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 footprint of the single-family dwelling is consistent with others in the neighborhood.

DECISION

Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted unanimously to grant the application of Gerry Rankin for site plan approval pursuant to Section I-I and Section IV-B.6 of the Zoning By-Law for the property located at 2 Annick Drive as shown on the plan set entitled "Site Plan, 2 Annick Drive, Hingham, MA 02043", prepared by James Engineering, Inc., dated June 20, 2021, revised through July 26, 2021, and grant the waivers set forth above, in accordance with the findings and subject to the following conditions:

1. Pre-Construction Meeting. Prior to any construction on the site, the applicant shall schedule a pre-construction review meeting with inspection of the erosion control installation and marked limits of clearing. Prior to such meeting, the applicant shall extend

the mulch log along the westerly boundary of the tree preservation area parallel to Main Street.

2. 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 during construction and the approved drainage and stormwater system installed for the project. There shall be established, at the applicant's expense, a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
3. As-Built Plan Requirement. 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.
4. Dust and Soil Control. At the end of each workday, the site contractor shall address with broom sweeping any soil tracked-out onto Annick Drive or Main Street. The applicant shall have measures available on-site to address dust should it begin to occur during dry periods of construction.

In Favor: Kevin Ellis, Gary Tondorf-Dick, Gordon Campbell, Judith Sneath and Rita DaSilva

Opposed: None

For the Planning Board,

Kevin Ellis, Chair
August 9, 2021

cc: Town Clerk; Building Department; Conservation; Assessors; R. Sylvester, Public Works; Health Department; Gary James; Patrick Brennan; Police Chief; Fire Marshal