

TOWN OF HINGHAM

Board of Appeals



ZONING APPLICATION CHECKLIST

FORM 1 INSTRUCTIONS

Please collect the materials indicated below, which collectively make up an application to the Board of Appeals. The complete set of documents is filed with the Town Clerk, along with the filing fee. Duplicate copies of the items specified below are also filed with the Board of Appeals at the same time as the filing is made with the Town Clerk. Incomplete filings will not be accepted for processing and scheduling. Hearings are scheduled on a first-come, first-serve basis.

REQUIRED DOCUMENTS	FILE WITH CLERK	FILE WITH ZBA
	Number of Copies Specified Below	
This Checklist (Form 1)	✓ 1	N/A
Application for Hearing (Form 2)	✓ 1	4
Supporting Statements – Requested Findings	✓ 1	4
<ul style="list-style-type: none"> Administrative Appeal (Form 2A) ✓ Variance (Form 2B) Special Permit A1 (Form 2C) Special Permit A2 (Form 2D) 		
Evidence of Standing to Seek Relief	1	✓ N/A
<ul style="list-style-type: none"> Deed or Certificate of Title Signed Option to Purchase Lease with Property Owner's Authorization Letter 		
Plot Plan	✓ 1	4
Plan shall show scale, north arrow, lot dimensions and area, existing building and structures. Include topography, floodplain, wetlands, and other features as relevant.		
Plan(s) of Proposed	✓ 1	4
Site plan shall show scale, north arrow, dimensioned location of all improvements, including floor area, and elevations. Include, if applicable, physical features, off-street parking plan, landscape plan, grading, drainage, and lighting plans. Architectural plans shall include sufficient detail to demonstrate dimensions of buildings/structures, materials, and other details.		
Other Applicable Information	✓ 1	4
<ul style="list-style-type: none"> Drainage Report and/or Traffic Impact Assessment, as required Optional letters of support, photographs, etc. 	REPORT PHOTOS	
Digital Copy of Application	N/A	1 ✓
Provide all documents electronically on compact disk or submit by email to ZBA@hingham-ma.gov		

STEVEN J MEYERS AIA LLC
STUDIO-MEYERS

1323

53-13/110 MA
26865

Date 7/21/2020

Pay to the
Order of TOWN OF HINGHAM

\$ 300⁰⁰/₁₀₀

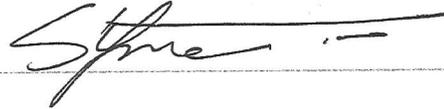
Three Hundred and no/hundred's Dollars

 Security features
are included.
Details on back.

BANK OF AMERICA 

ACH R/T 011000138

For ZBA FILING - 158 DOWNER AVE.

Sydney  NP

⑈001323⑈ ⑆011000138⑆ 004647030484⑈

BOARD OF APPEALS
781-741-1494



PLANNING BOARD
781-741-1419

APPLICATION FOR
ZONING HEARING

Application Date 7/21/2020

The undersigned hereby petitions the Board of Appeals and/or the Planning Board for the following:

Appeal Variance Special Permit A1
 Special Permit A2 Site Plan Review Special Permit A3

Subject Property 158 DOWNER AVENUE Zoning District A

Petitioner's Name JUSTIN TEAGUE Address 158 DOWNER AVENUE

Name STEVEN MEYERS / ARCHITECT Address 73 SOUTH ST. HINGHAM

Name _____ Address _____

Brief Description of Work:

EXISTING FOUNDATION OF DETACHED GARAGE IS FAILING
AND IS IN DIS-REPAIR. REMOVE EXISTING GARAGE
FRAMING AND FOUNDATION, AND CONSTRUCT NEW DETACHED
GARAGE IN SAME FOOTPRINT.

Applicants for an **Appeal** must complete **Form 2A**

Applicants for a **Variance** must complete **Form 2B**

Applicants for a **Special Permit A1** must complete **Form 2C**

Applicants for a **Special Permit A2** must complete **Form 2D**

Applicants for a **Special Permit A3** must complete **Form 2E**

Form 2

The undersigned is _____ the owner of the subject property, or _____ the holder of a written option to purchase the subject property, or _____ the holder of a valid lease to the subject property. (In this last instance written authorization from the property owner must be submitted with the other application documents.)

Record title to the subject property stands in the name(s) _____

Address of owner of record 158 DOWNER AVENUE

Title Reference:

(Unregistered land) Plymouth County Registry of Deeds, Book 51456, Page 136

(Registered land) Land Court Certificate of Title No. _____, Book _____, Page _____

State briefly what is currently on the premises:

SINGLE FAMILY HOME WITH DETACHED GARAGE

Attorney, agent, or other representative acting for petitioner:

Name STEVEN MEYERS / ARCHITECT Address 73 SOUTH ST., HINGHAM

Name _____ Address _____

Written evidence of agent's standing to represent petitioner may be requested.

Signed as a statement of fact under the pains and penalties of perjury, this 21 day of July, ~~20~~20.

SIGNATURE [Signature]
(Petitioner/Agent)

Print Name STEVEN J. MEYERS

Address 73 SOUTH ST. HINGHAM, MA

Tel. No. 781-383-8222

check all that apply:

- Property Owner(s)
- Applicant
- Owner's Agent
- Applicant's Agent

Note: Do not attempt to discuss the merits of your case with any member of the Board of Appeals and/or the Planning Board at any time after filing this application and prior to the hearing thereon.

TOWN OF HINGHAM



SUPPORTING STATEMENT - STATUTORY FINDINGS

FORM 2B VARIANCE

BOARD OF APPEALS

Petitioner JUSTIN TEAGUE seeks

a Variance from Section (s) IV-A (FRONT YARD SETBACK)

of the Zoning By-Law for property located at 158 DOWNER AVENUE

and presents the following findings of fact in accordance with the provisions of M.G. L. 40A, §10:

1. The following circumstances relating to the soil conditions, shape, or topography especially affect the land or structure(s) in question, but do not affect generally the zoning district in which the land or structure(s) are located.

THE SIZE OF THE LOT AND TOPOGRAPHY LIMIT THE ACCESS FROM SUMNER STREET, WHICH IS ELEVATED FROM DOWNER AVE, WHICH IN TURN, LIMITS WHERE A GARAGE STRUCTURE CAN BE PLACED FOR ACCESS BY VEHICLES. THESE CIRCUMSTANCES AFFECT THIS LOT AND GARAGE STRUCTURE IN PARTICULAR, BUT DO NOT AFFECT GENERALLY THE DISTRICT. THE FAILING STRUCTURAL SUPPORTS (SEE ATTACHED STRUCTURAL ENGINEER'S REPORT) AND SOIL CONDITIONS WILL REQUIRE THE RE-BUILDING OF THIS GARAGE STRUCTURE. VEHICLE ACCESS OUT TO SUMNER ST. IS THE MOST DIRECT APPROACH.

2. Owing to the circumstances described above, a literal enforcement of the provision of the Zoning By-Law would involve substantial hardship, financial or otherwise, to the undersigned for the following reasons.

THE IRREGULAR TOPOGRAPHY AND UNDERSIZED NATURE OF THIS PROPERTY, IN COMBINATION WITH THE ACCESS TO SUMNER ST. AND LOCATION OF THE MAIN RESIDENCE, PRESENT SUBSTANTIAL DIFFICULTIES AND HARDSHIP WITH RELOCATING THE GARAGE ELSEWHERE ON THE PROPERTY. ALSO, THE EXISTING GARAGE STRUCTURE LIMITS THE PETITIONER'S PRACTICAL USE OF A GARAGE DUE TO THE SIZE OF OVERHEAD DOORS AND THE ENTRY ACCESS AT THE APRON TO THE GARAGE. THERE ARE POTENTIAL SAFETY ISSUES FOR VEHICLES ENTERING / EXITING THE CURRENT GARAGE STRUCTURE.

ZBA - 10/2001

Form 2B

3. Relief may be granted without substantial detriment to the public good for the following reasons.

THE PROPOSED PROJECT IMPROVEMENTS WILL NOT CREATE ANY NEW TRAFFIC OR NOISE ISSUES TO NEGATIVELY IMPACT THE NEIGHBORHOOD, AND WILL IMPROVE THE APPEARANCE OF THE GARAGE STRUCTURE IN A MANNER CONSISTANT WITH THE NEIGHBORING CHARACTER OF DESIGN. THERE WILL BE NO ADVERSE EFFECTS ON THE NEIGHBORHOOD AND THERE WILL BE NO HARM TO THE PUBLIC GOOD.

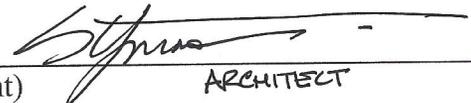
4. Relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning By-Law for the following reasons.

THE INTENT OF THE PROPOSED PROJECT WORK IS TO ESSENTIALLY REPAIR AND REBUILD A NEW GARAGE STRUCTURE ON THE EXISTING FOOTPRINT, THEREFORE NOT INTENSIFYING THE NON-CONFORMITY OF THE EXISTING BUILDING FOOTPRINT. A GRANT OF A VARIANCE IN THESE CONDITIONS WILL ALLOW FOR A REASONABLE USE THAT IS CONSISTANT WITH SINGLE FAMILY USE IN RESIDENCE A ZONING DISTRICT, IT WILL CONSERVE THE VALUE OF THE BUILDINGS AND PROPERTY, AND ULTIMATELY, THE PROPOSED PROJECT WILL BE AESTHETICALLY PLEASING FOR THE NEIGHBORHOOD, WHILE PROVIDING A MORE FUNCTIONAL BUILDING FOR THE PROPERTY OWNERS.

NOTE: The law does not permit the Board of Appeals to grant a variance unless all of the legal requirements are satisfied. Each one of the above findings must be answered in detail.

The rights authorized by a variance expire one year from the date the decision is filed with the Town Clerk, unless exercised or extended in accordance with the terms of M.G. L. 40A, §10.

Date 7/21/2020

SIGNATURE 
(Petitioner/Agent) ARCHITECT

Address 73 SOUTH ST. HINGHAM, MA

Tel. No. 781-383-8222

Please attach additional sheets if space provided is insufficient

DRAWING REVISIONS	
ACTION	DESCRIPTION

DATE:
ELEVATIONS SHOWN HEREON REFERENCE MAID TO THE SURFACE OF THE ADJACENT PUBLIC HIGHWAY.

PLAN:
LOCAL LIES IN PLANNING ZONE X AS SHOWN ON THE ZONING MAP AND IS SUBJECT TO THE ZONING BY-LAW AS AMENDED BY ORDER 15-00-000-017 EFFECTIVE AUGUST 14, 2015.

OWNER OF RECORD:
158 DOWNER AVENUE
HINGHAM, MASSACHUSETTS 02043
ASSESSOR'S PARCEL #07-1478
DEED BOOK: 19456, PAGE 136

CALCULATIONS:
1. PLAN IN DEED BK. 2953, PG. 16, 16D

NOTES:
ALL DIMENSIONS SHOWN ON THIS PLAN ARE BASED UPON VISIBLE ADJACENT GROUND UTILITIES AND ARE APPROXIMATE ONLY. NECESSARY PRECAUTIONS SHOULD BE TAKEN AT ALL OCCASIONS. (DEED 1-80-232-4644)

UTILITIES:
ALL UTILITIES SHOWN HEREON WERE FIELD AND FIELD LOCATED BY CAVANARO CONSULTING INC. ON FEBRUARY 29, 2020. ALL UTILITIES ARE SHOWN AS SHOWN ON THE FIELD RECORDS. ALL UTILITIES ARE SHOWN AS SHOWN ON THE FIELD RECORDS. ALL UTILITIES ARE SHOWN AS SHOWN ON THE FIELD RECORDS. ALL UTILITIES ARE SHOWN AS SHOWN ON THE FIELD RECORDS.

GENERAL NOTES:
1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

SCALE: 1" = 10'

CAVANARO CONSULTING
158 DOWNER AVENUE
HINGHAM, MASSACHUSETTS 02043
P.O. BOX 181735
NORWELL, MASSACHUSETTS 02061
PHONE: 781.659.9187
FAX: 781.659.9186

EXISTING CONDITIONS PLAN
158 DOWNER AVENUE
HINGHAM, MA

PREPARED FOR:
JUSTIN TEAGUE
158 DOWNER AVENUE
HINGHAM, MA 02043

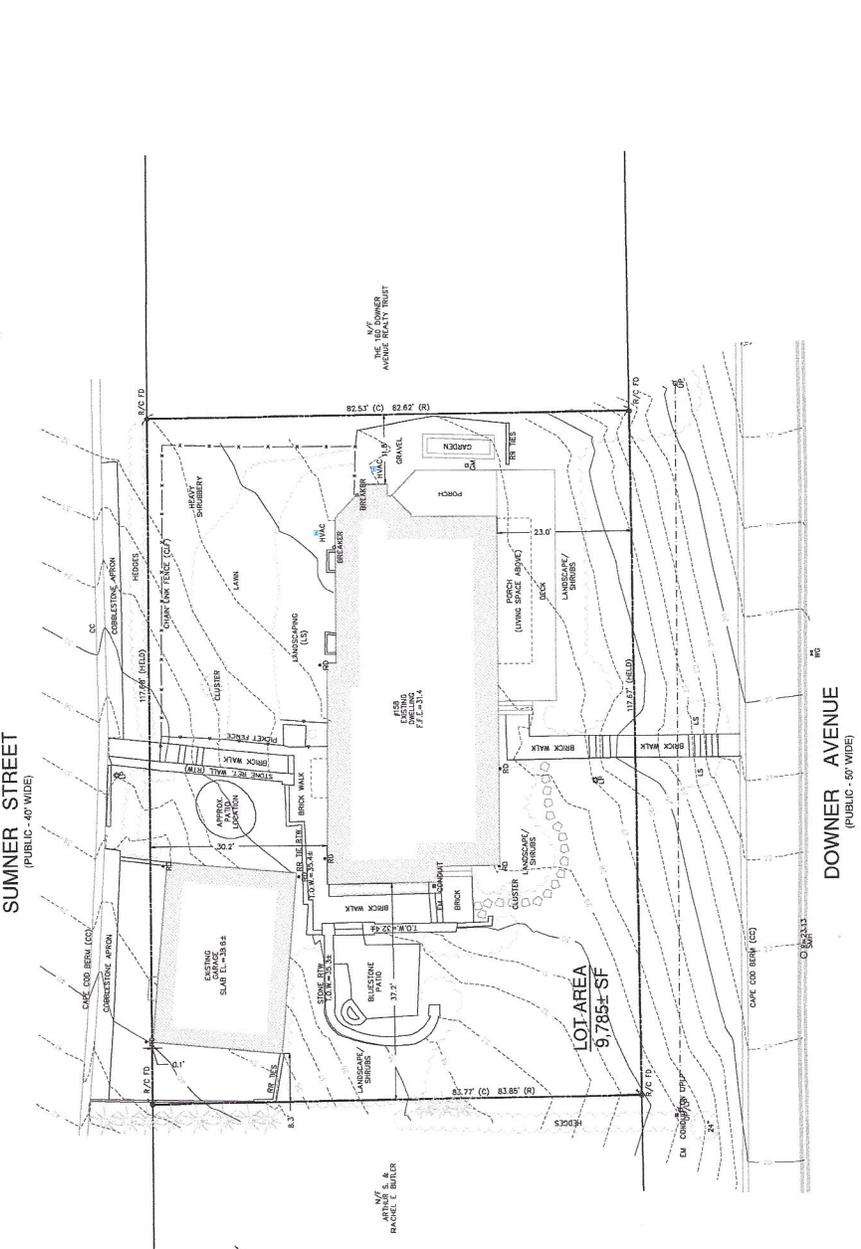
PROJECT NO.: 19191
SCALE: AS SHOWN
DATE: 1/28/2020
DESIGNED BY: --
DRAWN BY: DB
SHEET NO. 1 OF 1
FILENAME: 158DOWNER.VIA\19191.DWG

ZONING REQUIREMENTS
RESIDENCE DISTRICT X
REQUIRED MINIMUM BUILDING HEIGHT: 35 FEET
MINIMUM FRONT SETBACK: 15 FEET
MINIMUM REAR SETBACK: 15 FEET
* IN ALL RESIDENCE DISTRICTS, THE FRONT SETBACK OF THE BUILDING OR STRUCTURES IN BUILDING NECESSARY TO CONFORM ALL STRUCTURES.

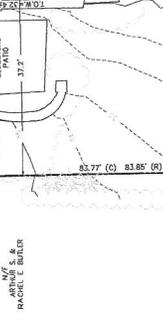
EXISTING CONDITIONS NOTE:
THIS PLAN IS A PRELIMINARY PLAN. THE SITE CONDITIONS SHOWN AT THE TIME OF FIELD SURVEY CONDUCTED BY CAVANARO CONSULTING, INC. AND/OR PROVIDED ARE FOR INFORMATIONAL PURPOSES ONLY. THIS PLAN DOES NOT REPRESENT A GUARANTEE OF ANY KIND. THE ZONING BOARD AND/OR OTHER REGULATORY AGENCY THRESHOLDS.



LOT AREA
9,785 ± SF



ARTIST & ARCHITECT
RACHEL L. BULLER



LEGEND	
○ TRANS	TRANSFORMER
⊗ HOLE	HAND HOLE
⊗ RO	ROOF DRAIN
⊗ EXST. COULOUR	EXIST. COULOUR
⊗ WETLAND BUFFER ZONE	WETLAND BUFFER ZONE
⊗ FLOOD ZONE	FLOOD ZONE
⊗ OVERHEAD WIRE	OVERHEAD WIRE
⊗ STONE WALL	STONE WALL
⊗ EXISTING TREES AND SPRINGS	EXISTING TREES AND SPRINGS
⊗ TRAILING/LANDSCAPE	TRAILING/LANDSCAPE
⊗ WETLAND VALVE	WETLAND VALVE
⊗ ELEC. METER	ELECTRIC METER
⊗ DRAIN MANHOLE	DRAIN MANHOLE
⊗ SEWER MANHOLE	SEWER MANHOLE
⊗ CATCH BASIN	CATCH BASIN
⊗ HYDRANT	HYDRANT
⊗ WATER GATE	WATER GATE
⊗ WATER SERVICE	WATER SERVICE
⊗ UTILITY POLE	UTILITY POLE
⊗ LIGHT	LIGHT
⊗ TAND LIGHTING	TAND LIGHTING
⊗ GAS VALVE	GAS VALVE
⊗ IRRIGATION VALVE	IRRIGATION VALVE

DIG SAFE
CALL 800-4-A-SAFE
OR VISIT WWW.DIGSAFE.CA

NOT TO SCALE

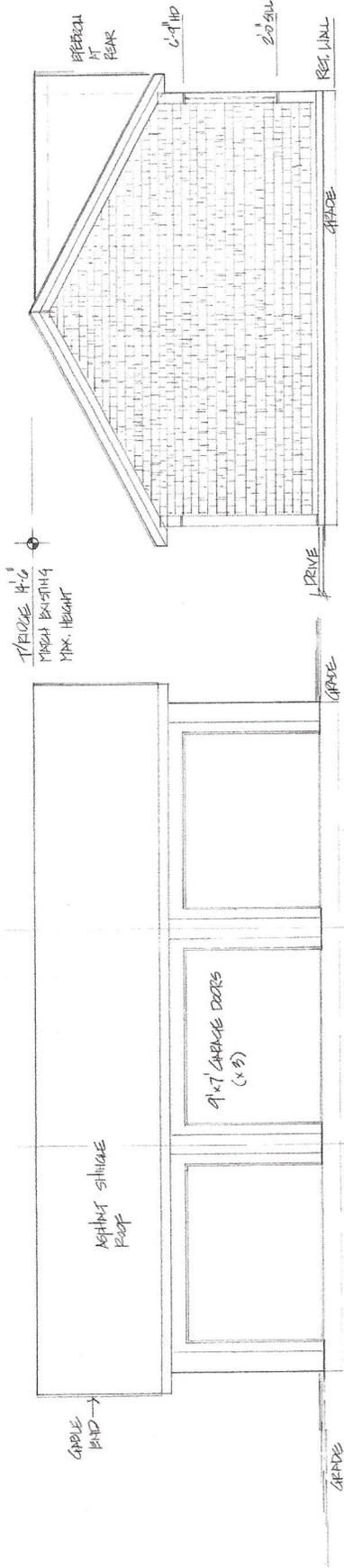
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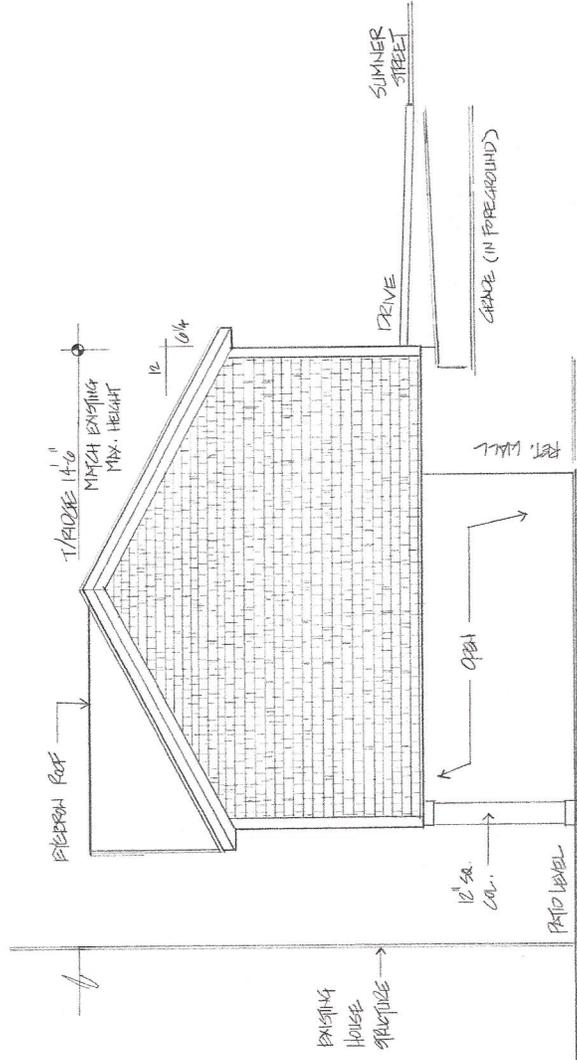
LEGEND

LEGEND



3 FRONT ELEVATION (SUMNER STREET)
1/4" = 1'-0"

4 RIGHT SIDE ELEVATION
1/4" = 1'-0"



5 LEFT SIDE ELEVATION
1/4" = 1'-0"

ANDERSON STRUCTURAL ENGINEERING, INC.

764 PLAIN STREET
MARSHFIELD, MASSACHUSETTS 02050
781-837-6949
FAX 781-834-6253

May 29, 2020

Mr. Justin Teague
158 Downer Avenue
Hingham, MA 02043

Re: 20-021 158 Downer Avenue
Hingham, MA
Existing Garage Review

Dear Justin,

As requested, we visited the above referenced garage to evaluate the general condition of the existing structure and comment on the its suitability for a proposed renovation. Based on our observations and subsequent review, our preliminary assessment follows:

- The structure is currently used as a two-car garage and small workshop. The wood framed roof consists of a main hip with a layover shed roof on the right side (as viewed from Sumner Street). Existing rafters and ceiling joists varied in depth and spacing. Nailed connections appeared loose and/or inadequate. Wall framing is 2x4 at 16" to 24" on center. Roof and exterior walls are board sheathed with areas of deterioration due to weather and/or ground contact.
- Shed roof rafters that layover main hip rafters may not be adequately supported. Hip beams and rafters have noticeable deflection. Ceiling joists that typically resist lateral movement at the eaves appear inadequate. Consider replacing entire roof system and reframe structural continuity and improved aesthetics.
- Overhead door headers and portions of the wall framing were obscured from view. Sill conditions that were exposed appeared satisfactory.
- The foundation consists of 10" +/- wide poured concrete walls on the left two thirds, and 8" CMU on the right third. The CMU foundation does not extend far enough out of the ground to provide separation between the soil and the wood framed walls. As a result, the right side wall is partially buried and has deteriorated. The wood framed workshop floor appeared damaged as well from ground contact.
- The poured concrete walls that support the two-car garage portion (left side) have numerous cracks as does the concrete slab. The exterior grade at the rear

drops off sharply, particularly in the rear left corner (see attached photo). The timber retaining wall that is in close proximity appears to be leaning downhill slightly. We have no knowledge of how far the garage wall extends into the ground at the rear, or how the timber walls were designed or constructed. However, we suspect this existing system of retainage may be inadequate and continued downhill movement of these walls may be likely.

Reuse of the existing CMU walls are not recommended unless the presence of adequate footings that extends 4'-0" below grade are encountered. Concrete underpinning and/or adding blocks at the top to accommodate the grade seems impractical.

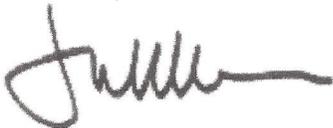
The movement of the poured concrete walls noted above is a significant concern and may pose an ongoing problem. As discussed during our visit, we feel reinforcement of the walls via tiebacks and/or underpinning would be involved and not necessarily an effective method of reinforcing either the garage foundation or the timber retaining walls.

We recommend the superstructure be temporarily shored or removed, and new reinforced concrete retaining walls be installed (see attached proposed retaining wall plan). If conditions allow, the new retaining walls could be located uphill near the front and left garage walls thus reducing the overall height of the wall and avoid undermining the main house foundation. Once the new retaining walls are installed and the grading issues are resolved, the existing (or new) garage structure can be resupported with new framing members and isolated footings as necessary.

Due to the amount of foundation work necessary and the other deficiencies noted (roof framing, floors, roof/wall sheathing), we feel retrofitting of the remaining undamaged structure would be more difficult than demolishing it and replacing it with a new building with similar features. We understand that the scope of work is subject to local code considerations. Therefore, if removal of the superstructure in its entirety is not possible, then temporary dismantling of undamaged portions might be considered to facilitate the installation of the retaining walls. Salvaged members could then be reassembled after the necessary foundation work has been completed.

Please note our review is limited to the specific items that are noted above. If you have any questions or comments, please don't hesitate to contact us.

Sincerely,

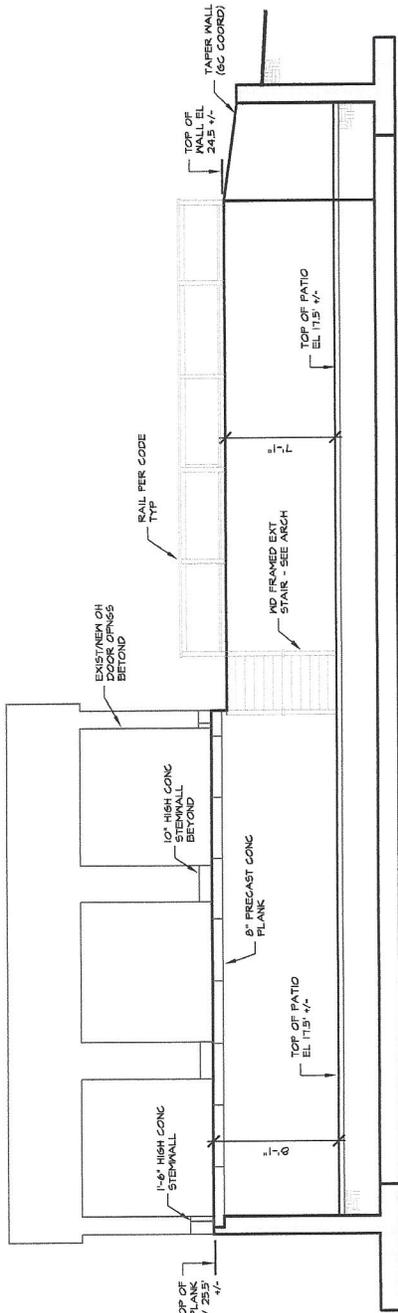


Thomas E. Anderson
President / Senior Project Manager

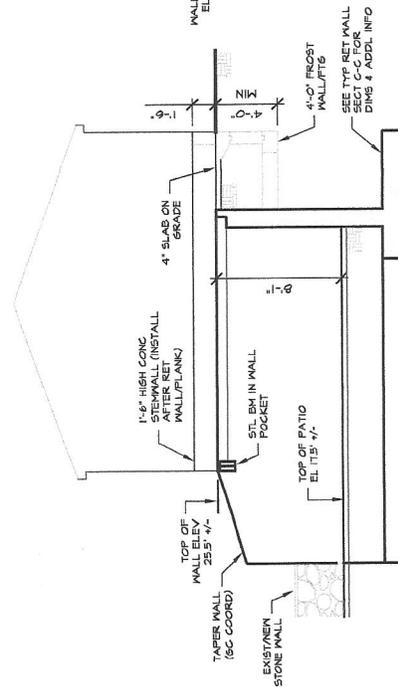
Encl.



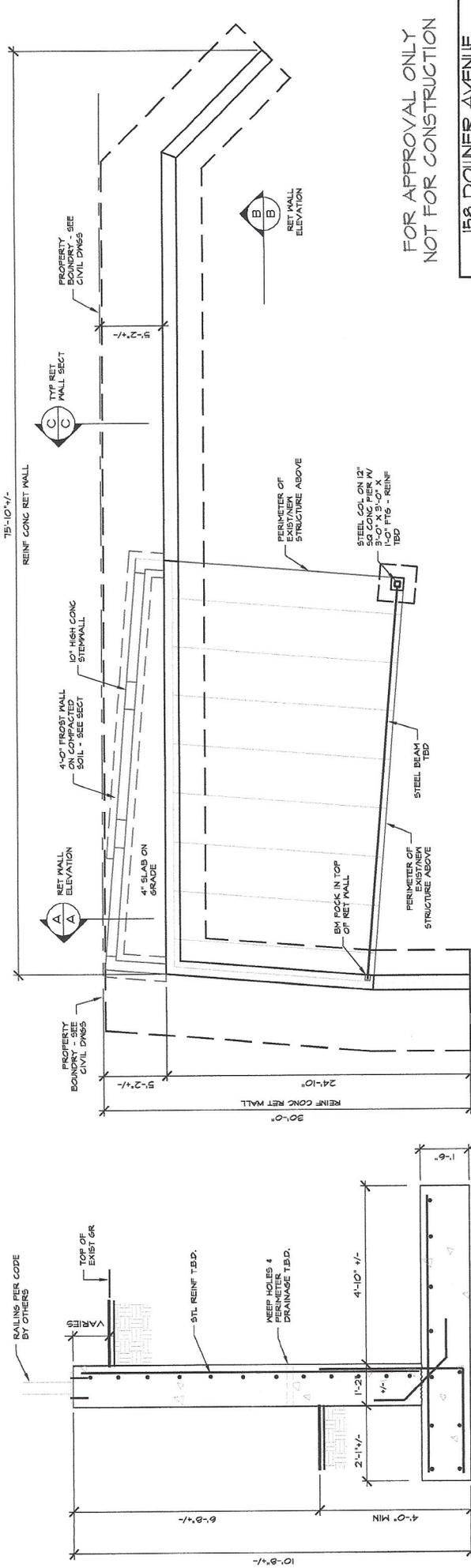
LEFT REAR FND WALL & TIMBER RETAINING WALL



RETAINING WALL ELEV B-B
1/8" = 1'-0"



RETAINING WALL ELEV A-A
1/8" = 1'-0"



PROPOSED RETAINING WALL PLAN
1/8" = 1'-0"

THIS DRAWING IS FOR PICTORIAL REFERENCE ONLY & ALL INFO SHOWN IS APPROXIMATED & THEREFORE NOT SUITABLE FOR CONSTRUCTION OR MATERIALS ESTIMATING

TYP RETAINING WALL SECTION C-C
3/8" = 1'-0"

FOR APPROVAL ONLY
NOT FOR CONSTRUCTION

158 DOWNER AVENUE MASSACHUSETTS	
GARAGE MODIFICATIONS	
Date: 5/25/20	Drawn By: TEA
Anderson Structural Engineering, Inc. 764 Plain Street Marstonsfield, MA 02060	
Scale: A6 NOTED	Drawn: 20-021-S1

