



30 Summer Street Hingham, Ma 02043
www.oakdd.com | 203.249.6340

October 10, 2020

Conservation Commission,

I am writing today regarding the current NOI being reviewed for 93 Kimball Beach Road. As everyone is aware there is quite the reaction from neighbors as well as some opinions regarding our right to build what we are proposing on this site. This letter is to better explain our position on what we are proposing as well as to address any and all concerns the surrounding neighborhood has with the project.

We have read in detail all letters sent into the commission and summarized all the concerns. Below is our response to all of them and we hope it helps everyone understand that we are working hard to have everyone's best interest in mind while building this project.

During our first meeting on 9/21/20 it came to our attention that the board is concerned about the increase in size of the home on the site. The board referred to the Hingham Wetlands Regulations Section 24, paragraph 6 on page 75. This paragraph states "Expansion of existing structures in the VE-, AE-, and A-Zones is prohibited. Reconstruction of existing structures must allow for free passage of flood waters."

Our proposed plan to 93 Kimball Beach is not an expansion, rather a tear down and rebuild qualifying it as a reconstruction. Based on the above language it only states that a reconstruction needs to allow for free passage of flood waters. Our current foundation plan incorporates a series of automatic flood vents in order to comply with FEMA building standards for work within Land Subject to Coastal Storm Flowage. In the attached Flood Vent layout plan you will see we have had our engineer Michael Shaheen of Coastal Structures in Plymouth Ma make notes on the plan to include additional vents. We have also included the ICC-ES evaluation of these vents which is the guideline he used to make sure we will satisfy the requirement for free passage of flood waters . We plan on updating the plan accordingly for the building permit process.

During the past few weeks we have done research on similar projects to our proposed plan in the AE and A zones. The following is a condensed report of what we have found the commission to have approved in recent years. The site plans showing the additional footage approved and mitigation that was proposed on these projects are all attached.

2 Beach Lane -

OOC issued on 5/21/20

Zone AE11

Additional 1,191 s.f. of footprint added

Mitigation 962 s.f.

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4 Foley Beach Rd -

OOO issued 1/25/17

Zone AE11

805 s.f. of additional footprint

No mitigation plan found in our search

17 Ocean View -

OOO issued 3/30/2016

604 s.f. of footprint added

300 s.f. of planting provided

No mitigation plan found in our search

12 Beach Lane -

OOO issued 9/16/2009

Zone A11

537 s.f. additional footprint

No mitigation plan found in our search

At 93 Kimball Beach (AE11 zone) we are requesting a modest 584 s.f. of additional footprint well within the setbacks required by the zoning regulations. This includes all deck, stairs and building footprints. We are also proposing a significant mitigation plan of native coastal salt tolerant plantings of 1,014 square feet. If you compare these numbers to the above projects approved by the board in recent years we feel we are not asking for an unreasonable increase in footprint and are proposing a very well thought out and significantly sized mitigation plan. Many of the projects above did not even have a mitigation plan along with the request.

In addition to the above, our plan is to remove almost all of the current plantings on site as they are all invasive species to our area. We will then replace all of them during the installation of our mitigation plantings. We are also removing a large patio on site and will be creating parking areas and driveways out of shell to allow for water to permeate the ground beneath. As we stated above, we are in compliance with the Hingham Wetland Regulations for reconstruction of existing structures and are not seeking variances or waivers.

Below are subjects that we found of concern in the 11 letters submitted to the Commission in opposition of the project.



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Storm water

As indicated in detail on our proposed site plan we will be installing a 750 Gallon dry well on the property. This dry well will be tied into all of the downspouts from the roof of the home ensuring all rain water is direct to the drywall and does not directly impact our neighbors. No change in topography will occur therefore we will not anticipate any change in the flow of surface water on the property. In fact as a result of the dry well there will be a significant reduction of surface water, resulting in less impact.

Lastly - we will be raising the foundation of the home (keeping within our overall height restrictions per zoning) and we will be installing the required flood vents in order to allow water to flow under the home into the gravel base in the event of floor waters from the ocean. This is a significant increase in water management during a flood event as the current home has a full basement with solid concrete walls and no flood vents. Therefore flood water is currently being diverted around the home and toward the neighboring houses. One neighbor is concerned about the current sump pump and were it would divert water in the future. Due to the fact that we will no longer have a basement this issue is completely mitigated.

FEMA Regulations

The proposed foundation has been designed in conjunction with all FEMA regulations and the structural members of the home and all utilities will be above the floodplain.

Sea Wall

When we purchased the lot we could not get clarification on who actually owned and was responsible for this sea wall as it mostly sits outside our property line. Our intention out of the gate was to repair it but we had to do some research on the responsible party before we approached this subject, therefore it was not included in the initial NOI. Since this submission, we have met with the town engineer and have had our attorney do the required research. We have found we are in fact responsible for the wall and are planning to repair the concrete cap as it is in terrible condition. An engineered plan to do so will be submitted in the near future as a separate request for approval. We are aware that it is an issue and are happy to move forward with the planning to repair the wall and the rip rap required.

Storage of snow

The neighborhood in this area is obviously very tight. This is something we have dealt with several times in past jobs when it came to snow removal. Our goal is to keep the site as clear as we can and we will be removing any snow that piles up to avoid blocking roadways or driveways.

Equipment access, parking, noise disruption and cleanliness

We are in the business of building homes in neighborhoods. As a rule on all jobs our staff and all sub contractors are aware of other people's privacy and personal lives. We do our best to avoid blocking driveways, or creating disruption with our neighbors. Obviously there are going to be times when large

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vehicles need to deliver materials or equipment. We plan on having someone on site at all of these times to help navigate the equipment to avoid any disruptions with our surrounding neighbors.

All contractors will be required to pull completely on our property to park. In the event there is not room they will be required to drop equipment and supplies and then park at the top of the hill and walk down.

At Oak we pride ourselves in a neat and clean job-site. We work hard to keep it as clean as possible at all times, not allowing dumpsters to overflow and avoiding working outside of the permitted hours determined by the town.

Environmental impact

It has come to our attention that some surrounding neighbors may feel we have not conducted any positive impact on the environment to date. This is true as we have done the bare minimum on site until we have an approved NOI. What I can tell you is that we have cut some of the invasive plantings on site to allow for easier access and more parking areas to avoid blocking the street. We have also installed a 12" mulch log around the entire property in preparation for the build and to contain any erosion. We are looking forward to producing an end product with a significant positive impact on the environment and surrounding area.

The salt marsh on the far side of the sea wall has also been a concern. We do not plan to disrupt anything beyond the wall as it is not part of our scope of work.

I hope that this letter has created a clearer understanding of our project and we look forward to presenting on the 19th

PJ Antonik
CEO/Founder
OAK Design and Development, LLC