



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Tracy Shriver
12 Boulder Glen Road
Hingham, MA 02043

Agent: Paul Seaberg
Grady Consulting LLC
71 Evergreen Street, Suite 1
Kingston, MA 02364



Property: 12 Boulder Glen Road, Hingham, MA 02043

Deed Reference: Certificate of Title No. 125188 issued by the Plymouth County Registry District of the Land Court

Plan References: "Shriver Residence," prepared by Shriver Studio, LLC, Hingham, MA dated October 27, 2023 (7 Sheets)

"Site Plan," prepared by Grady Consulting LLC, 71 Evergreen Street, Kingston, MA, dated October 25, 2023 and revised through November 11, 2023 (6 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Tracy Shriver (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to construct an inground pool and addition at 12 Boulder Glen Road in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on November 27, 2023 via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2023 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Kevin Ellis, Chair, Gordon Carr, Rita DaSilva, and Gary

Tondorf-Dick. Paul Seaberg, Grady Consulting LLC, presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., PGB Engineering, LLC, P.C. At the conclusion of the review, the Board voted unanimously to grant Site Plan Approval under § I-I of the By-Law with conditions set forth below.

Throughout its deliberations, the Board was mindful of the statements of the Applicant, its representative, and the comments of the general public, all as made or received at the public hearing.

BACKGROUND & DISCUSSION

The project site consists of 92,837± SF of land improved by a single-family dwelling, paved driveway, above-ground pool, decks, lawn and wooded areas. The proposal calls for removal of the above-ground pool and pool deck and construction of an addition, in-ground pool, hardscaping and landscaping. The total land disturbance consists of 6,500 SF of land with a net cut of 190 CY.

Runoff from the proposed patio around the pool will be captured in a trench or slot drain and discharged into an infiltration trench consisting of perforated plastic pipe surrounded by crushed stone. No changes are proposed for utilities serving the existing dwelling. A compost filter sock is proposed as a perimeter erosion control barrier around the down-gradient limits of work and a stabilized construction entrance is shown off the north end of the existing driveway to provide access to the rear yard where the construction is proposed. Four trees are proposed for removal throughout the development area – none of which are within the Tree Yard. All Protected Trees are also outside of the limit of work. While no mitigation is required under Site Plan Review, the Applicant does propose a number of shrubs for mitigation required by the Conservation Commission.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, PGB Engineers, reviewed this project to evaluate conformance with MassDEP Stormwater Management Standards (SMS) and best engineering practices. Mr. Brennan's initial report included comments related to crushed stone trench details, HydroCAD model, Tree Yard, and erosion control material. The Applicant provided revisions that address all of Mr. Brennan's comments.

During the course of the hearing, the Board raised questions and comments related to grading, ledge, and fencing. There was no public comment.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The total land disturbance consists of 6,500 SF of land with a net cut of 190 CY. The proposed addition and pool are designed around existing topography. Additionally, post-development drainage tributary area drainage patterns are consistent with those of the pre-development conditions.

b. Site Design

The proposed work is sited in the rear of the dwelling and in the same area as existing structures, minimizing any detracting from scenic qualities of the site.

c. Character and Scale of Buildings

The character and scale of the proposed structures are consistent with similar developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

Four trees are proposed for removal throughout the development area – none of which are within the Tree Yard. All Protected Trees are also outside of the limit of work.

e. Limit of Clearing

Four trees are proposed for removal throughout the development area – none of which are within the Tree Yard. All Protected Trees are also outside of the limit of work. While no mitigation is required under Site Plan Review, the Applicant does propose a number of shrubs for mitigation required by the Conservation Commission. Additionally, a compost filter sock is proposed as a perimeter erosion control barrier around the down-gradient limits of work.

f. Finished Grade

Minor grade changes are proposed with this project and none of the proposed grading provides a slope steeper than 3:1. Additionally, a compost filter sock is proposed as a perimeter erosion control barrier around the down-gradient limits of work.

g. Stormwater Management

Runoff from the proposed patio around the pool will be captured in a trench or slot drain and discharged into an infiltration trench consisting of perforated plastic pipe surrounded by crushed stone.

h. Utilities

No changes are proposed for utilities serving the existing dwelling.

i. Pedestrian and Vehicular Access; Traffic Management

No changes are proposed for pedestrian and vehicular access or traffic management.

j. Lighting

Typical residential lighting is proposed with this project.

FINDINGS

Based on the information submitted and presented during the review, and the deliberations and discussions of the Board during the hearings, the Board made the following findings in accordance with the Approval Criteria under § I-1,7. of the By-Law:

- a. The proposed development, as conditioned by the Approval, will not adversely affect the health, safety and welfare of the prospective occupants, the occupants of neighboring properties, and users of the adjoining streets or highways, and the welfare of the Town generally.
- b. The proposed development meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Kevin Ellis and seconded by Rita DaSilva, the Board voted unanimously to GRANT the application of Tracy Shriver for Site Plan Approval under § I-I of the Zoning By-Law to construct an in-ground pool and addition at 12 Boulder Glen Road in Residence District C, subject to the following conditions:

1. **Proof of Recording.** The Applicant shall file a certified copy of this decision in the Registry of Deeds and provide evidence of such recording with the application for a building permit.
2. **Pre-Construction Meeting.** A preconstruction review meeting with inspection of the erosion control installation and marked limits of clearing shall be required before issuance of a Building Permit.
3. **Limits of Work; Tree Protection Areas.** During clearing and/or construction activities, the marked limit of work shall be maintained until all construction work is completed and the site is cleaned up. All vegetation beyond the limit of work shall be retained in an undisturbed state and no stockpiling of topsoil or storage of fill, materials, or equipment may occur within the protected area. Without limiting the foregoing, Protected Trees to be retained shall be surrounded by temporary protective fencing or other appropriate measures before any clearing or grading occurs, and maintained until all construction work is completed and the site is cleaned up. Protective barriers shall be large enough to encompass the Critical Root Zone of all Protected Trees to be preserved. Inspection of the protective barriers shall be required before issuance of a Building Permit.
4. **Construction Vehicles.** All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
5. **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, limits of work, and the approved drainage and stormwater system installed for the project. The Planning Board may require, at the applicant's expense, the establishment of a consultant fee account pursuant to Massachusetts General Laws Chapter 44 Section 53G, to fund the cost of such inspections.
6. **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.

7. Maintenance of Protected Trees. Each Protected Tree retained shall be maintained in good health for a period of no less than twenty-four (24) months from the date of final inspection, or issuance of a Certificate of Occupancy, if applicable. Should such tree(s) die or be removed within such twenty-four (24) month period, the owner of the property shall be required to replace such tree with a tree consistent with the requirements within nine (9) months from the death or removal of such Protected Tree.

For the Planning Board,



Kevin Ellis

December 1, 2023

In Favor: Kevin Ellis, Gordon Carr, Rita DaSilva, and Gary Tondorf-Dick

Opposed: None

This decision shall not take effect until a copy of the decision bearing the certification of the Town Clerk that twenty (20) days have elapsed since the decision has been filed in the office of the Town Clerk and no appeal has been filed, or that if such appeal has been filed, that it has been dismissed or denied, is recorded with the Plymouth County Registry of Deeds and/or the Plymouth County Land Court Registry, and indexed in the grantor index under the name of the record owner or is recorded and noted on the owner's certificate of title.