



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

RECEIVED

JAN 16 2024

Town Clerk
Hingham, MA

IN THE MATTER OF:

Applicant: Salvatore and Rose Graceffa
10 Bulow Road
Hingham, MA 02043

Owner: Francesco and Maria Qualtieri
12 Bulow Road
Hingham, MA 02043

Agent: Jeffrey Hassett, P.E.
Morse Engineering Company, Inc.
10 New Driftway
Scituate, MA 02066

Property: 10 Bulow Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 56970 Page 191

Plan References: "10 Bulow Road," prepared by Copia Real Estate Design & Build, 425
Lincoln Street, Hingham, MA, dated October 30, 2023 (8 Sheets)

"Landscape Planting Plan," prepared by Guerrini Design Group, LLC, 16
Chestnut Street, Foxboro, MA, dated November 14, 2023 (1 Sheet)

"Location Plan," prepared by Morse Engineering Company, Inc., 10 New
Driftway, Scituate, MA, dated November 20, 2023 and revised through
December 1, 2023 (1 Sheet)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Salvatore and Rose Graceffa (collectively the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law

(the “By-Law”) to construct an addition, landscape, and hardscape at 10 Bulow Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on January 8, 2024 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, Tracy Shriver, and Gary Tondorf-Dick. Gregory Morse, P.E., Morse Engineering Company, Inc., 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 subject property consists of 15,257± SF of land improved by a single-family dwelling, shed, paved driveway, lawn areas, and some trees along the perimeter. The proposal calls for additions to the existing dwelling, hardscaping, and landscaping. The total land disturbance associated with the project consists of 4,600 SF – all of which is in areas with a slope greater than 10% – and a net cut of approximately 177 CY.

With respect to stormwater mitigation, a crushed stone trench is proposed along the northern property line to intercept overland flow off the property and the downspouts from the proposed addition on the west side will also direct into the crushed stone trench. There is another crushed stone trench along the base of a proposed retaining wall located behind the dwelling and the area below the proposed deck and addition off the southeast side of the dwelling will be covered with six inches of crushed stone. The area below the deck and addition is proposed to infiltrate runoff from the roof over the deck and southeast addition. No changes are proposed for utilities serving the existing dwelling. A mulch sock is proposed along the down-gradient limit of work and the existing driveway is proposed to be utilized as the construction entrance. No trees are proposed to be removed on the site. While no mitigation trees are required, the Applicant proposes to plant two new trees along with a number of other shrubs and plantings.

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 additional stormwater mitigation information, crushed stone trench detail, stormwater calculations, additional erosion controls, and corrected setback information. The Applicant provided revisions that address all of Mr. Brennan’s comments.

During the course of the hearing, the Board raised a question related to grading. There was no public comment.

WAIVERS

The Applicant requested a waiver of a Design and Performance Standard under § I-I, 6.h to allow electrical, telephone, and cable wires to remain above ground as this is simply an addition project.

The Applicant also requested a waiver of a Design and Performance Standard under § I-I, 6.i.(i)(C) to allow for a driveway opening of 25' in width, where the limitation is 24', as it is an existing condition.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The total land disturbance associated with the project consists of 4,600 SF – all of which is in areas with a slope greater than 10% – and a net cut of approximately 177 CY. Additionally, the proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is largely in the rear of the dwelling so as to minimize massing from the street. While there will not be any clearing or tree removal, a landscape plan is proposed to maintain and improve the scenic qualities of the lot.

c. Character and Scale of Buildings

The character and scale of the proposed work is consistent with similar developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

No trees are proposed to be removed on the site. While no mitigation trees are required, the Applicant proposes to plant two new trees along with a number of other shrubs and plantings.

e. Limit of Clearing

No clearing or tree removal is proposed for the site and a mulch sock is proposed along the down-gradient limit of work.

f. Finished Grade

This project proposes very little grade changes and is designed to most closely match the existing topography and provide stability for the new structures.

g. Stormwater Management

A crushed stone trench is proposed along the northern property line to intercept overland flow off the property and the downspouts from the proposed addition on the west side will also direct into the crushed stone trench. There is another crushed stone trench along

the base of a proposed retaining wall located behind the dwelling and the area below the proposed deck and addition off the southeast side of the dwelling will be covered with six inches of crushed stone. The area below the deck and addition is proposed to infiltrate runoff from the roof over the deck and southeast addition.

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, with the exception of Standards under § I-1, 6.h requiring an underground electrical/communication connection, and § I-1, 6.i.(i)(C) to allow an existing driveway opening of 25' in width, where the limitation is 24'. A waiver of these Standards to allow an overhead connection and a 25'-wide driveway opening will not adversely impact the interests set forth in subsection a. above.

MOTION

Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Salvatore and Rose Graceffa for Site Plan Approval under § I-1 of the Zoning By-Law to construct an addition, landscape, and hardscape at 10 Bulow Road in Residence District A, 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
January 16, 2024

In Favor: Kevin Ellis, Gordon Carr, Rita DaSilva, Tracy Shriver, 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.