



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Goose Holdings LLC
c/o Matthew Murmes
1714 Beacon Street
Brookline, MA 02445

Agent: Gabriel Padilla
Grady Consulting, LLC
71 Evergreen Street, Suite 1
Kingston, MA 02364

Property: 33 Independence Lane, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 58324 Page 301

Plan References: "Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA 02043, dated December 21, 2023 (1 Sheet)

"Schematic Design Plans," prepared by Aprea Design Inc., 5 Ringbolt Road, Hingham, MA 02043, dated October 3, 2023 (6 Sheets)

"Site Plan, #33 Independence Lane, Hingham, Massachusetts," prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated November 30, 2023, and revised through January 4, 2024 (4 Sheets)

RECEIVED

JAN 16 2024

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Goose Holdings LLC (the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to reconstruct a single-family dwelling with associated landscaping, hardscaping, grading, and drainage at 33 Independence Lane in Residence District B.

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. Gabriel Padilla, 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 subject property consists of 14,663± SF of land improved by a single-family dwelling, shed, paved driveway, lawn areas, and several trees. The proposal calls for demolition of the existing dwelling and construction of a new dwelling with a paved driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 10,615 SF – 3,410 SF of which is in areas with a slope greater than 10% – and a net cut of 43 CY.

Runoff from the proposed driveway will collect into a trench drain and discharge into a sand filter which will then discharge to a subsurface infiltration system consisting of concrete chambers surrounded by crushed stone. Runoff from the roof and pervious areas will flow overland to the sand filter and also discharge into the subsurface infiltration system. A new septic system has been installed for the existing dwelling already and will serve the proposed dwelling in addition to existing water. Electric and communication connections will be placed underground. A compost filter sock is proposed as a perimeter erosion control barrier around the limits of work and a stabilized construction entrance is shown in the location of the existing/proposed driveway. Three trees are proposed for removal throughout the site – one of which is within the Tree Yard, totaling 14 caliper inches and requiring 7 inches of mitigation plantings. The Applicant proposes three 7-8' evergreen trees as mitigation, which equals 9 caliper inches.

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 drainage system details and design, tree protection specification, the Tree Yard, erosion control material, DEP Standards, and the construction schedule. 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 tree removal and the Tree Yard. One member of the public asked about the square footage of the proposed house and noted the setbacks increasing.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The total land disturbance associated with the project consists of 10,615 SF – 3,410 SF of which is in areas with a slope greater than 10% – and a net cut of 43 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 within the footprint of the existing dwelling. Additionally, 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

Three trees are proposed for removal throughout the site – one of which is within the Tree Yard, totaling 14 caliper inches and requiring 7 inches of mitigation plantings. The Applicant proposes three 7-8' evergreen trees as mitigation, which equals 9 caliper inches.

e. Limit of Clearing

Three trees are proposed for removal throughout the site – one of which is within the Tree Yard. Additionally, a compost filter sock is proposed as a perimeter erosion control barrier around the limits of work.

f. Finished Grade

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

g. Stormwater Management

Runoff from the proposed driveway will collect into a trench drain and discharge into a sand filter which will then discharge to a subsurface infiltration system consisting of concrete chambers surrounded by crushed stone. Runoff from the roof and pervious areas will flow overland to the sand filter and also discharge into the subsurface infiltration system.

h. Utilities

A new septic system has been installed for the existing dwelling already and will serve the proposed dwelling in addition to existing water. Electric and communication connections will be placed underground.

i. Pedestrian and Vehicular Access; Traffic Management

A slightly widened driveway is proposed. No changes are proposed for pedestrian 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-I,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.

The proposed development meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Kevin Ellis and seconded by Gary Tondorf-Dick, the Board voted to GRANT the application of Goose Holdings LLC for Site Plan Approval under § I-I of the Zoning By-Law to reconstruct a single-family dwelling with associated landscaping, hardscaping, grading, and drainage at 33 Independence Lane in Residence District B, 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, and all new trees planted to mitigate the removal of Protected Trees, 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 or new 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.

