



TOWN OF HINGHAM

Planning Board

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Hingham, MA

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicants/
Owners: Anthony Messina and Christine Falvey
27 Otis Hill Road
Hingham, MA 02043

Agent: Dana Altobello
Merrill Engineers and Land Surveyors
427 Columbia Road
Hanover, MA 02339

Property: 27 Otis Hill Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 58062 Page 304

Plan References: "27 Otis Hill Landscape Plan," undated (6 Sheets)

"27 Otis Hill Road Proposed Private Residence," prepared by Pierce Home Designs LLC, 222 North Street, Hingham, MA, dated February 22, 2024 (11 Sheets)

"Site Plan," prepared by Merrill Engineers and Land Surveyors, 427 Columbia Road, Hanover, MA, dated February 16, 2024 and revised through April 17, 2024 (2 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Anthony Messina and Christine Falvey (collectively 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 grading, landscaping, and hardscaping at 27 Otis Hill Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on April 8, 2024, with a second substantive hearing held on April 22, 2024. Both hearings were held 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, Rita DaSilva, and Tracy Shriver. Dana Altobello, P.E., Merrill Engineers and Land Surveyors, and Brad Pierce, Pierce Home Designs, 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 12,500± SF of land improved by a single-family dwelling, paved driveway, hardscaping, and landscaping. The proposal calls for demolition of the existing dwelling and construction of a new dwelling with an attached garage, paved driveway, hardscaping, and landscaping. Total land disturbance consists of 12,170 SF – all of which is in areas with a slope greater than 10% – and a net cut of 63 CY.

Runoff from the roof will pipe into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone, while runoff from the driveway will direct to a bioretention area with an overflow that discharges into the subsurface infiltration system. Additionally, there is an area drain proposed in the rear yard to capture overland flow from the south side of the dwelling and discharge into the subsurface infiltration system. The yard drain will also act as the overflow for the subsurface infiltration system. With respect to utilities, the reconstructed dwelling will connect to sewer, water, gas, and underground electric/communication utilities. A silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work and catch basin in Otis Hill Road and a stabilized construction entrance is proposed within the location of the new driveway. Two trees are proposed for removal, but are not located within the Tree Yard. One tree is also a Norway maple, an invasive species, and both are in failing health. While no mitigation plantings are required, the Applicant proposes sixteen new trees in addition to a number of 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 subcatchment plans, infiltration system inspection ports and specifications, incorrect landscape plan reference, and additional silt socks. 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 a landscape plan, trees, house location, and driveway. There was public comment related to support for the project and tree removal.

WAIVERS

The Applicant requested waivers of submittal requirements under § I-1,5.1 (ii) and (iii), Site Lighting Plan and Transportation Impact Assessment, given the residential nature of the project.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance consists of 12,170 SF – all of which is in areas with a slope greater than 10% – and a net cut of 63 CY. Additionally, the proposed work is largely located within previously disturbed areas onsite and is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is within the same area as the existing dwelling and slightly moved further from the street than the existing dwelling.

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

Two trees are proposed for removal, but are not located within the Tree Yard. One tree is also a Norway maple, an invasive species, and both are in failing health. While no mitigation plantings are required, the Applicant proposes sixteen new trees in addition to a number of shrubs and plantings.

e. Limit of Clearing

Two trees are proposed for removal, but are not located within the Tree Yard. One tree is also a Norway maple, an invasive species, and both are in failing health. Additionally, a silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work and catch basin in Otis Hill Road.

f. Finished Grade

This project proposes minor 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 roof will pipe into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone, while runoff from the driveway will direct to a bioretention area with an overflow that discharges into the subsurface infiltration system.

Additionally, there is an area drain proposed in the rear yard to capture overland flow from the south side of the dwelling and discharge into the subsurface infiltration system. The yard drain will also act as the overflow for the subsurface infiltration system.

h. Utilities

With respect to utilities, the reconstructed dwelling will connect to sewer, water, gas, and underground electric/communication utilities.

i. Pedestrian and Vehicular Access; Traffic Management

The proposed driveway will be directly next to the existing driveway to be removed and partially utilize the existing curb cut off of Otis Hill Road. There are no changes proposed with respect to traffic management or pedestrian access.

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.
- b. The proposed development meets all applicable Design and Performance Standards.

MOTION

Upon a motion made by Kevin Ellis and seconded by Tracy Shriver, the Board voted unanimously to GRANT the application of Anthony Messina and Christine Falvey for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of submittal requirements under § I-I,5.I related to a Site Lighting Plan and Transportation Impact Analysis, to reconstruct a single-family dwelling with associated grading, landscaping, and hardscaping at 27 Otis Hill 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. 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.
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.

For the Planning Board,



Kevin Ellis

April 25, 2024

In Favor: Kevin Ellis, Rita DaSilva, and Tracy Shriver

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.

