



TOWN OF HINGHAM

Planning Board

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Hingham, MA

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Michael and Rebecca Greeley
50 Garrison Road
Hingham, MA 02043

Agent: Austin Chartier, P.E.
McKenzie Engineering Group, Inc.
150 Longwater Drive, Suite 101
Norwell, MA 02061

Property: 50 Garrison Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 51462 Page 286

Plan References: "Minor Site Plan Review Single Family Home Improvement Project 50 Garrison Road in Hingham, Massachusetts," prepared by McKenzie Engineering Group, Inc., 150 Longwater Drive, Suite 101, Norwell, MA, dated March 27, 2024 and revised through April 19, 2024 (7 Sheets; Sheet 3 revised through April 24, 2024)

"Greeley Residence," prepared by Aprea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated January 31, 2024 (12 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Michael and Rebecca Greeley (collectively the "Applicant") for Site Plan Review under § I-I of the Zoning By-Law (the "By-Law") to construct an addition and pool with associated grading, landscaping, and hardscaping at 50 Garrison Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on May 6, 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, Clerk, Rita DaSilva, Tracy Shriver, and Gary Tondorf-Dick. Austin Chartier, P.E., McKenzie Engineering Group, Inc., and Sean Papich, Sean Papich Landscape Architecture, 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 13,786± SF of land improved by a single-family dwelling with an attached garage, paved driveway, hardscaping, and landscaping. The proposal calls for demolition of a portion of the existing dwelling and construction of an addition off the rear southwest corner of the dwelling. Other improvements include an inground pool with an associated permeable patio and landscaping. All proposed work is in previously disturbed areas in the back yard. Total land disturbance consists of 8,500 SF – 725 SF of which is in areas with a slope greater than 10% – and a net cut of 260 CY.

Runoff from the roof of the addition and a small portion of the existing dwelling will pipe into a drywell. A new septic system is proposed to serve the dwelling and all other existing utilities serving the dwelling are proposed to remain unchanged. A silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work. Due to the existing dwelling being only about five feet off the east property line and about nine feet off the west property line, vehicular and machine access to the rear of the property is proposed over the adjacent property at 48 Garrison Road. A stabilized construction entrance is proposed from the adjacent property into the back yard. While no Protected Trees or trees over 6" in caliper are proposed for removal, the Applicant proposes a number of trees and shrubs along the westerly property line where the new development is proposed.

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 calculations, impervious and pervious surfaces, a roof leader pipe, rear yard grading, patio area, construction entrance, and an incorrect sheet reference. 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 abutter notification/input, square footage of the addition, Protected Trees, access to the construction area, grading, the existing retaining wall, and setbacks. The Board received written public

comment from the abutter at 48 Garrison Road granting permission for the Applicant to utilize their driveway for construction access to the rear of 50 Garrison Road.

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.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance consists of 8,500 SF – 725 SF of which is in areas with a slope greater than 10% – and a net cut of 260 CY. Additionally, the proposed work is largely located within previously landscaped areas onsite and is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is all in the rear of the dwelling and will be adequately screened from abutters with landscaped buffers as identified on the Landscape Plan.

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

While no Protected Trees or trees over 6” in caliper are proposed for removal, the Applicant proposes a number of trees and shrubs along the westerly property line where the new development is proposed.

e. Limit of Clearing

The project proposes clearing of a small tree under 6” in caliper and a couple of shrubs. Additionally, a silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work.

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 of the addition and a small portion of the existing dwelling will pipe into a drywell. The proposed drywell and pervious patio adequately mitigate runoff such that post-development rates and volumes of runoff will not exceed existing conditions.

h. Utilities

A new septic system is proposed to serve the dwelling and all other existing utilities serving the dwelling are proposed to remain unchanged.

i. Pedestrian and Vehicular Access; Traffic Management

Due to the existing dwelling being only about five feet off the east property line and about nine feet off the west property line, vehicular and machine access to the rear of the property is proposed over the adjacent property at 48 Garrison Road. A stabilized construction entrance is proposed from the adjacent property into the back yard. 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, with the exception of a Standard under § I-I, 6.h requiring an underground electrical/communication connection. A waiver of this Standard to allow an overhead connection will not adversely impact the interests set forth in subsection a. above.

MOTION

Upon a motion made by Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Michael and Rebecca Greeley for Site Plan Approval under § I-I of the Zoning By-Law to construct an addition and pool with associated grading, landscaping, and hardscaping at 50 Garrison 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,



Gordon Carr
May 7, 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.