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TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant: Jeff Reale
133 Beach Avenue
Hull, MA 02045

Owner: RFT Realty, LLC
7 Laurel Street
Hingham, MA 02043

Agent: Paul Louderback, P.E.
Merrill Engineers and Land Surveyors
427 Columbia Road
Hanover, MA 02339

Property: 7 Laurel Street, Hingham, MA 02043

Deed Reference: Certificate of Title No. 136264 issued by the Plymouth County Registry District of the Land Court

Plan References: "7 Laurel Street Hingham – Landscaping Plan," prepared by unknown, undated (1 sheet)

"Proposed Cape, Lot 7 Laurel St., Hingham, MA 02043," prepared by Packert Design, 266 Park Street, North Attleboro, MA, dated October 21, 2022 (7 Sheets)

"Site Plan, 7 Laurel Street, Assessor's Info: Map 43 Lot 72, Hingham, Massachusetts" prepared by Merrill Engineers and Land Surveyors, 427 Columbia Road, Hanover, MA, dated May 3, 2024 and revised through June 3, 2024 (2 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of Jeff Reale (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 and a paved driveway at 7 Laurel Street in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on June 10, 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 Gordon Carr, Chair, Rita DaSilva, Kevin Ellis, Tracy Shriver, and Gary Tondorf-Dick. Paul Louderback, Merrill Engineers and Land Surveyors, 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 17,359± SF of land improved by a single-family dwelling, an outbuilding, gravel driveway, overgrown lawn areas and woods. The proposal calls for demolition of the existing dwelling and construction of a new dwelling with an attached garage and a three-season room that will connect the new dwelling to the existing outbuilding. Other improvements include a paved driveway, hardscaping, and landscaping. While driveway improvements/regrading are shown within the right-of-way, this portion of the project is outside the scope of the Planning Board’s review as it is a private way. Total land disturbance associated with the project consists of 10,000 SF of land – 3,310 SF of which is in areas with a slope greater than 10% – and a net fill of 327 CY.

Runoff from the roof of the new dwelling and the majority of the driveway will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. A new septic system will serve the dwelling and outbuilding, and a new water service will connect to an existing main in Laurel Street. Underground electric/communication utilities are proposed to be connected to a utility pole along Laurel Street. A silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work and stabilized construction entrances are proposed off Laurel and Chestnut Streets. Three trees are proposed for removal with this project – one of which is a 6” tree in the Tree Yard, requiring 3” of mitigation plantings. A kousa dogwood tree is proposed to be planted within the Tree Yard as mitigation. No other landscaping is proposed at this time.

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. In his initial report, Mr. Brennan noted satisfaction that the proposed stormwater system will adequately mitigate stormwater runoff such that post-development runoff will not exceed existing conditions and had no comments requiring revisions.

During the course of the hearing, the Board raised a question related to existing landscaping, septic system location, tree removal, square footage of the existing dwelling, and the proposed use of the existing outbuilding to remain. There was no public comment.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 10,000 SF of land – 3,310 SF of which is in areas with a slope greater than 10% – and a net fill of 327 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 but with an increased footprint and driveway on the opposite end of the property. One kousa dogwood tree is proposed on the property. A landscape plan is also proposed to 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 with this project – one of which is a 6" tree in the Tree Yard, requiring 3" of mitigation plantings. A kousa dogwood tree is proposed to be planted within the Tree Yard as mitigation. No other landscaping is proposed at this time.

e. Limit of Clearing

Three trees are proposed for removal with this project – one of which is a 6" tree in the Tree Yard, requiring 3" of mitigation plantings. A silt sock is proposed as a perimeter erosion control barrier around the downgradient limits of work and stabilized construction entrances are proposed off Laurel and Chestnut Streets.

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 new dwelling and the majority of the driveway will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone.

h. Utilities

A new septic system will serve the dwelling and outbuilding, and a new water service will connect to an existing main in Laurel Street. Underground electric/communication utilities are proposed to be connected to a utility pole along Laurel Street.

i. Pedestrian and Vehicular Access; Traffic Management

The proposed driveway will be on the opposite end of the property as exists today and largely located within the private way in Laurel Street. 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 Gordon Carr and seconded by Rita DaSilva, the Board voted unanimously to GRANT the application of Jeff Reale for Site Plan Approval under § I-I of the Zoning By-Law to reconstruct a single-family dwelling with associated grading and a paved driveway at 7 Laurel Street 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. Plan Revisions. Prior to issuance of a building permit, the Applicant shall revise the Site Plan to show the accurate location of the proposed kousa dogwood tree.

3. 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.
4. 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.
5. Construction Vehicles. All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
6. 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.
7. As-Built Plan Requirement. Upon project completion an as-built plan must be submitted to the Building Commissioner and Community Planning Department 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. The as-built plan must also demonstrate substantial conformance with all other aspects of the approved project plans, including landscaping.
8. 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,



Gordon Carr
June 25, 2024

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