

RECEIVED

JUL 08 2024

Town Clerk
Hingham, MA



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant: Danielle and James McClure
1137 Washington Street
Dorchester, MA 02127

Owner: 9 Porters Cove Road LLC
9 Porters Cove Road
Hingham, MA 02043

Agent: Paul Seaberg
Grady Consulting, LLC
71 Evergreen Street, Suite 1
Kingston, MA 02364

Property: 9 Porters Cove Road, Hingham, MA 02043

Deed Reference: Certificate of Title No. 135178 issued by the Plymouth County Registry District of the Land Court

Plan References: "Major Site Plan, Assessors Map 30 Lot 25, 9 Porters Cove Road, Hingham, MA," prepared by Grady Consulting, LLC, 71 Evergreen Street, Kingston, MA, dated May 6, 2024 and revised through June 17, 2024 (7 Sheets)

"McClure Residence," prepared by HC Design, 83 CJC Highway, Scituate, MA, dated May 5, 2024 (5 Sheets)

"McClure Residence," prepared by Yardzen, dated April 13, 2024 (6 Sheets)

SUMMARY OF PROCEEDINGS

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

to reconstruct a single-family dwelling with associated grading, landscaping, and hardscaping at 9 Porters Cove Road in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on June 24, 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, and Gary Tondorf-Dick. Paul Seaberg, 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 98,417± SF of land improved by a single-family dwelling with an attached garage, sheds, a paved driveway, hardscaping, landscaping, and several trees. The proposal calls for demolition of the existing structures and construction of a new dwelling with an attached garage, paved driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 26,500 SF and a net cut of 1,083 CY.

Stormwater from the majority of the roof of the dwelling will direct into a subsurface infiltration system/trench consisting of perforated pipe surrounded by crushed stone. Drainage from other areas of the site are also proposed to collect in rip rap areas, a crushed stone trench, a crushed stone sediment forebay, and a bio-retention basin. A new septic system is proposed to serve the dwelling in addition to existing water and gas services. Electric and communication utilities will connect underground from an existing utility pole near the northwest corner of the property. A silt sock is proposed as a perimeter erosion control barrier, silt sacks are proposed to be installed in existing catch basins in Porters Cove Road, and a stabilized construction entrance is proposed. Five trees are proposed for removal throughout the site – two of which are in the Tree Yard. The mitigation required totals 31 caliper inches – therefore, the Applicant proposes thirteen trees, all at least 3 inches in caliper, in addition to a significant number of shrubs and other plantings along abutting property lines.

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 report included comments related to the HydroCAD model, roof runoff infiltration, area drains, and a stabilized construction entrance. The Applicant provided revisions that address all of Mr. Brennan's comments.

During the course of the hearing, the Board raised questions related to the waiver requests, wetland resource areas, ledge removal, and tree removal. There was no public comment.

WAIVERS

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

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 26,500 SF and a net cut of 1,083 CY. Additionally, the majority of the proposed work is largely located within the footprint of the existing dwelling and 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 expanded driveway in the same location as exists. A landscape plan is also proposed to improve the scenic qualities of the lot and provide screening for abutters.

c. Character and Scale of Buildings

Although larger than the existing dwelling on the site, the character and scale of the proposed work is consistent with similar recent developments in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

Five trees are proposed for removal throughout the site – two of which are in the Tree Yard. The mitigation required totals 31 caliper inches – therefore, the Applicant proposes thirteen trees, all at least 3 inches in caliper, in addition to a significant number of shrubs and other plantings along abutting property lines.

e. Limit of Clearing

Five trees are proposed for removal throughout the site – two of which are in the Tree Yard. Additionally, a silt sock is proposed as a perimeter erosion control barrier and silt sacks are proposed to be installed in existing catch basins in Porters Cove 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

Stormwater from the majority of the roof of the dwelling will direct into a subsurface infiltration system/trench consisting of perforated pipe surrounded by crushed stone. Drainage from other areas of the site are also proposed to collect in rip rap areas, a crushed stone trench, a crushed stone sediment forebay, and a bio-retention basin.

h. Utilities

A new septic system is proposed to serve the dwelling in addition to existing water and gas services. Electric and communication utilities will connect underground from an existing utility pole near the northwest corner of the property.

i. Pedestrian and Vehicular Access; Traffic Management

A slightly expanded driveway is proposed in the same location as exists. 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-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.

MOTION

Upon a motion made by Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Danielle and James McClure for Site Plan Approval under § I-1 of the Zoning By-Law, with a waiver of submittal requirements under § I-1,5.1 related to a Site Lighting Plan and Transportation Impact Analysis, to reconstruct a single-family dwelling with associated grading, landscaping, and hardscaping at 9 Porters Cove Road 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 submit a revised Sheet 6 of the Site Plans to the Community Planning Department to note the removal of Tree #7.
- 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, including the roof drain piping prior to backfilling. 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 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.
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
July 8, 2024

In Favor: Gordon Carr, Rita DaSilva, 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.