



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Greenman Industries  
c/o Lev Zazykov  
377 Willard Street  
Quincy, MA 02169

RECEIVED

AUG 14 2024

Town Clerk  
Hingham MA

Agent: Bob Rego, P.E.  
River Hawk Environmental  
511 W. Grove Street, Suite 301  
Middleboro, MA 02346

Property: 6 Wompatuck Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 58617 Page 77

Plan References: "6 Wompatuck Road, Hingham, MA, Site Plan," prepared by River Hawk Environmental, 511 W. Grove Street, Suite 301, Middleboro, MA, dated May 6, 2024 and revised through August 5, 2024 (2 Sheets)

"Landscape Plan," prepared by Tish Landscape, 15 Boulder Glen Road, Hingham, MA, dated August 6, 2024 (1 Sheet)

"Untitled," prepared by Royal Oaks Design, West Lakeland, MN, dated July 22, 2024 (8 Sheets)

#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Greenman Industries, Inc. (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, grading, hardscaping, and a paved driveway 6 Wompatuck Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on June 10, 2024, with additional substantive hearings held on July 8, 2024 and July 29, 2024. All 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 Gordon Carr, Chair, Kevin Ellis, Tracy Shriver, and Gary Tondorf-Dick. Bob Rego, P.E., River Hawk Environmental, 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 13,950± SF of land improved by a single-family dwelling, paved driveway, lawn areas, and some trees. The proposal calls for demolition of the existing dwelling and construction of a new dwelling with an attached garage, new driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 13,000 SF of land and a net fill of 102 CY.

Runoff from the roof of the dwelling will direct into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone, while runoff from the rear portion of the site will direct into a crushed stone trench with a perforated pipe within. Additionally, the crushed stone trench and subsurface infiltration system will be piped together. Proposed sewer, water and gas services will connect to the existing services and electrical/communication wires will connect underground. Eight trees are proposed for removal throughout the site – four of which are in the Tree Yard, but based upon their poor condition as noted in the Arborist Report, they are not considered Protected Trees and do not require mitigation. While not required, the Applicant proposes five new trees along the easterly property line as approved by the affected direct abutter, in addition to other shrubs and plantings. A compost filter sock is proposed as a perimeter erosion control barrier around the down-gradient limits of work and the existing driveway is to be used as a construction entrance.

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 a retaining wall, runoff calculations, inspection ports, proposed mitigation trees, and erosion control material. 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 character and scale of the proposed dwelling, comparative metrics to other houses in the vicinity, tree removal and mitigation, landscaping, stormwater mitigation, construction vehicles, and groundwater

elevation. There was public comment during the hearing and in writing related to the character and scale of the proposed dwelling, groundwater elevation, stormwater mitigation, trees, and construction vehicles. Board and abutter comments ultimately resulted in the developer's revisions related to the size, footprint, and style of the proposed dwelling as well as proposed tree plantings that brought the project more in line with recent developments in the area and sufficiently addressed the concerns of the abutters and the Board.

## **DESIGN AND PERFORMANCE STANDARDS**

### **a. Land Disturbance**

Total land disturbance associated with the project consists of 13,000 SF of land and a net fill of 102 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 slightly widened driveway in the same location as presently exists. 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, including floor to area ratio and lot coverage ratio, are consistent with similar recent developments in the vicinity.

### **d. Preservation of Existing Vegetation and Protected Trees**

Eight trees are proposed for removal throughout the site – four of which are in the Tree Yard, but based upon their poor condition as noted in the Arborist Report, they are not considered Protected Trees and do not require mitigation. While not required, the Applicant proposes five new trees along the easterly property line as approved by the affected direct abutter, in addition to other shrubs and plantings.

### **e. Limit of Clearing**

Eight trees are proposed for removal throughout the site – four of which are in the Tree Yard, but based upon their poor condition as noted in the Arborist Report, they are not considered Protected Trees and do not require mitigation. A compost filter sock is proposed as a perimeter erosion control barrier around the down-gradient 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 dwelling will direct into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone, while runoff from the rear portion of the site will direct into a crushed stone trench with a perforated pipe within.

Additionally, the crushed stone trench and subsurface infiltration system will be piped together.

**h. Utilities**

Proposed sewer, water and gas services will connect to the existing services and electrical/communication wires will connect underground.

**i. Pedestrian and Vehicular Access; Traffic Management**

The proposed driveway will be slightly widened but in the same location as presently 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 Greenman Industries, Inc. for Site Plan Approval under § I-1 of the Zoning By-Law to reconstruct a single-family dwelling with associated landscaping, grading, hardscaping, and a paved driveway 6 Wompatuck 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. In the event it is not feasible for construction vehicles to park onsite, the Applicant shall schedule a police detail to safely direct traffic.
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 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.
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,



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Gordon Carr  
August 14, 2024

**In Favor:** Gordon Carr, 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.