



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Falconeiri Construction, Inc.
c/o Matthew Falconeiri
45 Industrial Park Road, Suite 3
Hingham, MA 02043

Agent: Caroline Rees, P.E.
Merrill Engineers & Land Surveyors
427 Columbia Road
Hanover, MA 02339

RECEIVED

MAY 08 2025

**Town Clerk
Hingham, MA**

Property: 131 Free Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 59755 Page 25

Plan References: "Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA, dated April 8, 2025 (1 Sheet)

"Schematic Design Plans," prepared by Aperia Design, Inc., 5 Ringbolt Road, Hingham, MA, dated March 10, 2025 (7 Sheets)

"Site Plan," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated March 25, 2025 and revised through April 10, 2025 (1 Sheet)

"Stormwater Operation and Maintenance Plan," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated April 8, 2025 (8 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of Falconeiri Construction, 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 related hardscaping, landscaping, grading, and drainage at 131 Free Street in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on May 5, 2025 via Zoom as an alternate means of public access pursuant to Chapter 2 of the Acts of 2025 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Gordon Carr, Chair, Crystal Kelly, Tracy Shriver, and Gary Tondorf-Dick. Caroline Rees, P.E., of Merrill Engineers and Land Surveyors, presented the application to the Board. At the conclusion of the review, the Board voted 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 40,143± SF improved by a single-family dwelling, paved driveway, landscaping, and hardscaping. The proposal calls for razing the existing dwelling and construction of a new single-family dwelling with an attached garage, paved driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 19,000 SF – none of which is in areas with a slope greater than 10% – and a net cut of 125 CY.

Runoff from most of the proposed dwelling will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. The remainder of the roof will pipe into a leaching catch basin within a depression in the side yard. The existing septic system will continue to serve the new dwelling and the existing water service will reconnect to the proposed dwelling. Additionally, electric and communication utilities will connect underground from an existing utility pole off the northeast corner of the property along Free Street. A silt sock is proposed as a perimeter erosion control barrier around the limit of work and the existing driveway is proposed to be used as the construction entrance. The existing driveway and curb cut will also be reused. One tree is proposed for removal, however it is not within the Tree Yard. While no tree mitigation is required, the Applicant proposes 3 new trees in addition to a number of other 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 report included comments related to roof drainpipe connections and inverts, leaching catch basin calculations, the gravel trench, stormwater standard 6, the zoning table, and septic system design. The Applicant provided revisions that address all of Mr. Brennan’s comments.

During the course of the hearing, the Board raised questions and comments related to the yard drain, Protected Trees, proposed trees, and relation to the abutting property. There was public comment related to the driveway and garage locations.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 19,000 SF – none of which is in areas with a slope greater than 10% – and a net cut of 125 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is located in the same general location as the previous dwelling and the existing curb cut and driveway will be reused. A landscape plan is also proposed to improve the scenic qualities of the lot and provide additional screening from abutters.

c. Character and Scale of Buildings

The proposed project is larger than the existing dwelling but is consistent with most of the homes in the vicinity. There are only a few single-family homes within 300' from the subject property, as the Meadows town homes are across the street.

d. Preservation of Existing Vegetation and Protected Trees

One tree is proposed for removal, however it is not within the Tree Yard. While no tree mitigation is required, the Applicant proposes 3 new trees in addition to a number of other shrubs and plantings.

e. Limit of Clearing

One tree is proposed for removal, however it is not within the Tree Yard. A silt sock is proposed as a perimeter erosion control barrier around the limit of work.

f. Finished Grade

The property is flat and minor grade changes are proposed to most closely match the existing topography and provide stability for the new house.

g. Stormwater Management

Runoff from most of the proposed dwelling will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. The remainder of the roof will pipe into a leaching catch basin within a depression in the side yard.

h. Utilities

The existing septic system will continue to serve the new dwelling and the existing water service will reconnect to the proposed dwelling. Additionally, electric and communication utilities will connect underground from an existing utility pole off the northeast corner of the property along Free Street.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management or pedestrian access. The existing driveway and curb cut will also be reused.

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 Gary Tondorf-Dick, the Board voted to GRANT the application of Falconeri Construction, Inc. for Site Plan Approval under § I-I of the Zoning By-Law to reconstruct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 131 Free 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. 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 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 8, 2025

In Favor: Gordon Carr, Crystal Kelly, 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.