



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Chris McKenna  
4 Otis Avenue  
Cohasset, MA 02025

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

Property: 53 Bel Air Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 59743 Page 97

Plan References: "53 Bel Air Road, Hingham, MA," prepared by River Hawk Environmental, 511 West Grove Street, Suite 301, Middleboro, MA, dated March 31, 2025 and revised through July 17, 2025 (3 Sheets)

"Construction Periot Erosion and Sedimentation Control Summary," prepared by River Hawk Environmental, 511 West Grove Street, Suite 301, Middleboro, MA, dated July 9, 2025 (3 Sheets)

"Custom Residence, 53 Bel Air Road, Hingham, MA," prepared by 209 Design, 209 Broadway, Hanover, MA, dated July 21, 2021 (6 Sheets)

"Long Term Operation and Maintenance Plan," prepared by River Hawk Environmental, 511 West Grove Street, Suite 301, Middleboro, MA, dated July 9, 2025 (4 Sheets)

**RECEIVED**

**JUL 30 2025**

**Town Clerk  
Hingham, MA**

#### SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of Chris Mckenna (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 53 Bel Air Road in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on July 7, 2025 with a subsequent substantive hearing on July 28, 2025. Both hearings were held 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 Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, Crystal Kelly, and Gary Tondorf-Dick. Bob Rego, P.E., LSP, of River Hawk Environmental, 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 23,373± SF and is improved by a single-family dwelling, paved driveway, lawn areas, and three trees along the frontage. The rear of the property is largely bordering vegetated wetlands. The proposal calls for demolition of the existing dwelling and construction of a new single-family dwelling with an attached garage, permeable paver driveway, and landscaping. Total land disturbance associated with the project consists of 10,912 SF and a net fill of 130 CY.

Runoff from the front of the roof of the proposed dwelling will discharge into a subsurface infiltration system, consisting of plastic chambers surrounded by crushed stone, while runoff from the driveway will infiltrate through the permeable pavers and underlying gravel layers. Runoff from the rear roof will continue to flow toward the wetlands as occurs in the existing conditions. The existing sewer service will be reused to serve the dwelling and a new water service will connect to the existing water main in Bel Air Road. Additionally, the electric and communication utilities will connect underground to the existing utility pole in front of the property. A compost fiber roll is proposed as a perimeter erosion control barrier around the down-gradient limit of work and a stabilized construction entrance is proposed in the location of the proposed driveway. The three existing trees at the front of the property in the Tree Yard are proposed for removal, however given their dead/poor condition as noted through the arborist report (found in the Application Narrative and Report), these trees are not considered Protected Trees. While no mitigation is required, the Applicant proposes four new trees in addition to a number of other shrubs and plantings. Per Conservation Commission requirements, there is also a buffer zone enhancement area shown on the plan with the proposed enhancements described in the Vegetation Management Proposal, dated May 23, 2025, prepared by Environmental Consulting & Restoration, LLC.

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 groundwater separation for the stormwater infiltration system, the roof drainage system, the infiltration chambers, the HydroCAD model, permeable paver infiltration rate and detail, the anti-tracking pad, and the catch basin protection. 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 dwelling square footage, size, and other architectural dimensional factors, invasive species on the property, neighborhood analysis, construction vehicle parking, and roof deck access. There was no public comment.

### **DESIGN AND PERFORMANCE STANDARDS**

**a. Land Disturbance**

Total land disturbance associated with the project consists of 10,912 SF and a net fill of 130 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

**b. Site Design**

The proposed dwelling is largely located in the same area as the existing dwelling with an expanded footprint over an existing driveway area to the southeast. Additionally, the proposed driveway will be in the same general location but shortened and widened and will be a permeable surface. The proposed deck is in the same area as that which currently exists.

**c. Character and Scale of Buildings**

The proposed addition project is larger than many of the dwellings in the vicinity but is similar in character and scale of some other homes in the vicinity. The subject property is also the largest lot of all abutters within 300'.

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

The three existing trees at the front of the property in the Tree Yard are proposed for removal, however given their dead/poor condition as noted through the arborist report (found in the Application Narrative and Report), these trees are not considered Protected Trees. While no mitigation is required, the Applicant proposes four new trees in addition to a number of other shrubs and plantings. Per Conservation Commission requirements, there is also a buffer zone enhancement area shown on the plan with the proposed enhancements described in the Vegetation Management Proposal, dated May 23, 2025, prepared by Environmental Consulting & Restoration, LLC.

**e. Limit of Clearing**

The three existing trees at the front of the property in the Tree Yard are proposed for removal, however given their dead/poor condition as noted through the arborist report

(found in the Application Narrative and Report), these trees are not considered Protected Trees. Additionally, a compost fiber roll is proposed as a perimeter erosion control barrier around the down-gradient limit of work.

**f. Finished Grade**

Grade changes are proposed on the sides and rear of the dwelling to provide stability for the structure and improvements and match the existing topography to the greatest extent practicable.

**g. Stormwater Management**

Runoff from the front of the roof of the proposed dwelling will discharge into a subsurface infiltration system, consisting of plastic chambers surrounded by crushed stone, while runoff from the driveway will infiltrate through the permeable pavers and underlying gravel layers. Runoff from the rear roof will continue to flow toward the wetlands as occurs in the existing conditions.

**h. Utilities**

The existing sewer service will be reused to serve the dwelling and a new water service will connect to the existing water main in Bel Air Road. Additionally, the electric and communication utilities will connect underground to the existing utility pole in front of the property.

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

There are no changes proposed with respect to traffic management or pedestrian access. The existing driveway will remain the same general location but shortened and widened and will be a permeable surface.

**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 Tracy Shriver and seconded by Gary Tondorf-Dick, the Board voted to GRANT the application of Chris McKenna 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 53 Bel Air 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.
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 Tree(s), 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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Tracy Shriver  
July 30, 2025

**In Favor:** Gordon Carr, Kevin Ellis, 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.