



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: 10 Martins Cove Road Realty Trust
c/o Jonathan D. Steele and Kateri M. Steele
10 Martins Cove Road
Hingham, MA 02043

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

Property: 10 Martins Cove Road, Hingham, MA 02043

Deed Reference: Certificate of Title No. 129915 issued by the Plymouth County Registry of Deeds District of the Land Court

Plan References: "Construction Period Sequencing and Stormwater Operation and Maintenance Plans," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated June 18, 2025 (4 Sheets)

"Long-Term Pollution Prevention Plan," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated June 18, 2025 (3 Sheets)

"Private Residence, 10 Martins Cove Road," prepared by Matthew Cunningham Landscape Design LLC, 411 Main Street, Stoneham, MA, dated August 5, 2025 (5 Sheets)

"Site Plan," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated June 18, 2025 and revised through August 4, 2025 (1 Sheet)

RECEIVED
AUG 14 2025
Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of 10 Martins Cove Road Realty Trust (the “Applicant”) for Site Plan Review under § I-I of the Zoning By-Law (the “By-Law”) to reconstruct an existing pool with related hardscaping, landscaping, grading, and drainage at 10 Martins Cove Road in Residence District C.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on August 11, 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 Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, Crystal Kelly, and Gary Tondorf-Dick. Caroline Rees, P.E., of Merrill Engineers & 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 58,700± SF improved by a single-family dwelling with an attached garage, paved driveway, inground pool, sports court, sheds, landscaping, and hardscaping. The proposal calls for reconfiguring the driveway, adding a parking court, and additional hardscaping, landscaping, and grading. As an aside, while not under the Board’s review, in the past two years, the Applicant constructed a 300 SF addition and replaced the inground pool and surrounding patio. This work did not trigger Site Plan Review and has since received final inspections from the Building Department. The Applicant has since decided to pursue this hardscaping/landscaping remodel project. The total land disturbance associated with the proposed work will be approximately 23,000 SF – 7,000 SF of which is in areas with a slope greater than 10% – and a net fill of 50 CY.

To mitigate the runoff generated from the additional impervious area, two proposed subsurface infiltration systems, consisting of plastic chambers surrounded by crushed stone, are proposed. Runoff from the proposed parking court and a portion of the driveway will flow into a crushed stone trench adjacent to the driveway and then discharge into one of the subsurface infiltration systems. Runoff from the patio area around the pool will be captured in trench drains and discharged into the other subsurface infiltration system. A silt fence is proposed as a perimeter erosion control barrier around the down-gradient limit of work and the existing paved driveway is proposed to be used as the construction entrance. One invasive Norway maple tree is proposed for removal outside of the tree yard. While no mitigation is required, the Applicant proposes 40 new trees in addition to a significant 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 infiltration system groundwater separation, infiltration system #2 details, infiltration system notes, inspection ports, PVC pipe locations, runoff rate, silt fence detail, and a landscape plan. 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 grading, ledge removal, hardscape terraces, landscape lighting, landscape walls, Critical Root Zones, trees in the Tree Yard, additional impervious area, and stormwater mitigation. There was no public comment.

WAIVERS

The Applicant requires waivers of a submittal requirement under Section I-1.5.f (utility plan) and I(iii) (Transportation Impact Assessment). No utilities are proposed for this hardscaping and landscaping project other than potential electrical connections to the landscape lighting.

Some of the proposed minor driveway grading in the front of the property is within the Critical Root Zone of a Protected Trees. The Applicant anticipates the impact to the tree roots to be very minimal given the presence of the current asphalt driveway and the replacement of the driveway with the same type of material. The driveway footprint will remain very close to the original with only minimal adjustments for dimensional consistency. The proposed grading intervention is of minimal fill rather than cut and is designed as such to comply with the stormwater standards. The Board has granted a waiver of this requirement under Section I-1.5.h(ii) in other instances before to allow some work within the Critical Root Zones of Protected Trees in an effort to save the Protected Trees. As a reminder, one of the Board's standard conditions of approval requires mitigation plantings should any Protected Trees die or be removed within 24 months from the project completion.

DESIGN AND PERFORMANCE STANDARDS

The following Design and Performance Standards under Section I-1.6 are applicable to the hardscaping and landscaping project:

a. Land Disturbance

The total land disturbance associated with the proposed work will be approximately 23,000 SF – 7,000 SF of which is in areas with a slope greater than 10% – and a net fill of 50 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The completed addition and reconstructed pool and proposed landscaping/hardscaping remodel is located in the same area as the existing improvements on the site but reconfigured and re-landscaped.

d. Preservation of Existing Vegetation and Protected Trees

One invasive Norway maple tree is proposed for removal outside of the tree yard. While no mitigation is required, the Applicant proposes 40 new trees in addition to a significant number of other shrubs and plantings.

e. Limit of Clearing

One invasive Norway maple tree is proposed for removal outside of the tree yard. Additionally, a silt fence is proposed as a perimeter erosion control barrier around the down-gradient limit of work.

f. Finished Grade

Minor grade changes are proposed and will match the existing topography to the greatest extent practicable.

g. Stormwater Management

To mitigate the runoff generated from the additional impervious area, two proposed subsurface infiltration systems, consisting of plastic chambers surrounded by crushed stone, are proposed. Runoff from the proposed parking court and a portion of the driveway will flow into a crushed stone trench adjacent to the driveway and then discharge into one of the subsurface infiltration systems. Runoff from the patio area around the pool will be captured in trench drains and discharged into the other subsurface infiltration system.

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 be slightly widened and reconfigured closer to the dwelling.

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

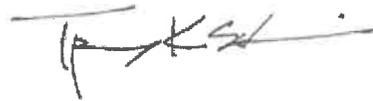
Upon a motion made by Tracy Shriver and seconded by Gary Tondorf-Dick, the Board voted to GRANT the application of 10 Martins Cove Road Realty Trust for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of a submittal requirement under § I-I.5.f, h(ii), and I(iii) related to a utility plan, Critical Root Zone protection, and a Transportation Impact Assessment, to make hardscaping, landscaping, grading, and drainage improvements at 10 Martins 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. **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,



Tracy Shriver
August 14, 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.