



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: 260 Winter Street LLC
350 Bedford Street
Bridgewater, MA 02324

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

Property: 56 Foley Beach Road, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 59872 Page 147

Plan References: "Minor Site Plan, #56 Foley Beach Road, Hingham, Massachusetts," prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated June 30, 2025 and revised through August 4, 2025 (7 Sheets)

"Operation and Maintenance Plan," prepared by Grady Consulting, LLC, 71 Evergreen Street, Suite 1, Kingston, MA, dated June 16, 2025 and revised through July 28, 2025 (6 Sheets)

"Proposed Residence, 56 Foley Beach Road, Hingham, MA," prepared by CE Development, LLC, dated June 25, 2025 (8 Sheets)

RECEIVED

AUG 14 2025

Town Clerk
Hingham, MA

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of 260 Winter Street LLC (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 56 Foley Beach Road in Residence District A.

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. Paul Seaberg, of Grady Consulting, LLC, 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 19,615± SF improved by a single-family dwelling, shed, paved driveway, hardscaping, and landscaping. The proposal calls for demolition of the existing dwelling and construction of a new dwelling with an attached garage, paved driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 10,789 SF – 2,986 SF of which is in areas with a slope greater than 10% – and a net cut of 267 CY.

Stormwater runoff from the roof of the dwelling will direct into a subsurface infiltration system consisting of concrete chambers surrounded by crushed stone. The dwelling will connect to existing sewer, water, and gas services and connect underground to electric and communication utilities. The driveway will utilize the same curb cut, but be shortened and widened interior to the property. A silt fence is proposed as a perimeter erosion control barrier and silt sacks are proposed for inlet protection. A stabilized construction entrance is also proposed at the location of the existing/proposed driveway off Foley Beach Road. Ten trees are proposed for removal, however none are Protected Trees. While no mitigation is required, the Applicant proposes two 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 test pits and inspection ports. 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 height, attic space, neighborhood analysis, view corridors, heights of abutting homes, and development in Crow Point generally. There was public comment related to construction vehicles.

WAIVERS

The Applicant requested a waiver of a submittal requirement under Section I-I.5.h(ii) related to Critical Root Zone (CRZ) protection. An existing gas line is located within the CRZ of a Protected

Tree in the front yard and a small segment of a proposed extended portion of the gas line is located toward the edge of this CRZ. A waiver of this requirement would be consistent with prior practice on previous applications. As a reminder, a standard condition of approval requires replacement of Protected Trees that die within a 24 month period following project completion.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 10,789 SF – 2,986 SF of which is in areas with a slope greater than 10% – and a net cut of 267 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 existing driveway and lawn areas. Additionally, the proposed driveway will be in the same general location but shortened and widened.

c. Character and Scale of Buildings

The proposed project is larger than many of the dwellings in the vicinity but is similar in character and scale to some other homes in the vicinity.

d. Preservation of Existing Vegetation and Protected Trees

Ten trees are proposed for removal, however none are Protected Trees. While no mitigation is required, the Applicant proposes two new trees in addition to a number of other shrubs and plantings.

e. Limit of Clearing

Ten trees are proposed for removal, however none are Protected Trees. Additionally, a silt fence is proposed as a perimeter erosion control barrier and silt sacks are proposed for inlet protection.

f. Finished Grade

Minor grade changes are proposed to provide stability for the structure and improvements and match the existing topography to the greatest extent practicable.

g. Stormwater Management

Stormwater runoff from the roof of the dwelling will direct into a subsurface infiltration system consisting of concrete chambers surrounded by crushed stone.

h. Utilities

The dwelling will connect to existing sewer, water, and gas services and connect underground to electric and communication utilities.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management or pedestrian access. The driveway will utilize the same curb cut, but be shortened and widened interior to the property.

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 Crystal Kelly, the Board voted to GRANT the application of 260 Winter Street LLC for Site Plan Approval under § I-1 of the Zoning By-Law, with a waiver of a submittal requirement under Section I-1.5.h(ii) related to Critical Root Zone protection, to reconstruct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 56 Foley Beach 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. Prior to issuance of a building permit the Applicant shall submit revised attic floor plans to the Community Planning Department to add dimensions for clarity to help support the floor area calculation provided.
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. In the event it is not feasible for construction vehicles to park onsite, the Applicant shall schedule a police detail to safely direct traffic.
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. 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 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.
8. 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.