



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

**Applicant/Owner:** 166 Otis Hingham, LLC  
c/o Brian Roberts  
6 Howe Street  
Hingham, MA 02043

**Agent:** Jeffrey Hassett, P.E.  
Morse Engineering Company, Inc.  
10 New Driftway  
Scituate, MA 02066

**Property:** 166 Otis Street, Hingham, MA 02043

**Deed Reference:** Plymouth County Registry of Deeds Book 59791 Page 54

**Plan References:** "Additions and Renovations for: Roberts Construction LLC," prepared by Apea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated May 9, 2025 and revised through June 9, 2025 (3 Sheets)

"Construction Phase Operation and Maintenance Plan Best Management Practices," prepared by Morse Engineering Company, Inc., 10 New Driftway, Scituate, MA, dated July 15, 2025 (4 Sheets)

"Landscape Plan," prepared by Sean Papich Landscape Architecture, dated July 3, 2025 and revised through August 14, 2025 (1 Sheet)

"Post-Construction Phase Operation and Maintenance Plan Best Management Practices," prepared by Morse Engineering Company, Inc., 10 New Driftway, Scituate, MA, dated July 15, 2025 (4 Sheets)

RECEIVED

AUG 26 2025

TOWN CLERK  
Hingham, MA

“Site Plan,” prepared by Morse Engineering Company, Inc., 10 New Driftway, Scituate, MA, dated July 15, 2025 and revised through August 12, 2025 (1 Sheet)

## **SUMMARY OF PROCEEDINGS**

This matter came before the Planning Board (the “Board”) on the application of 166 Otis Hingham, 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 166 Otis Street in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on August 25, 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, and Crystal Kelly. Jeffery Hassett, P.E., of Morse Engineering Company, Inc., 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 12,500± SF improved by a single-family dwelling, decks, a paved driveway, lawn areas, and several trees. The proposal calls for demolition of the existing dwelling and construction of a new single-family dwelling with an attached garage, paved driveway, pervious patio, retaining walls, and landscaping. Total land disturbance associated with the project consists of 9,000 SF – 7,050 SF of which is in areas with a slope greater than 10% – and a net cut of 843 CY.

Runoff from most of the roof of the proposed dwelling will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Existing utilities will reconnect to the proposed dwelling and the electrical/communication line will connect underground. A mulch sock is proposed as a perimeter erosion control barrier around the down-gradient limit of work and the existing paved driveway would be used as the construction entrance. Four trees are proposed for removal – one of which is located in the Tree Yard, however, it is a diseased Copper Beech tree as noted by a certified arborist. While no mitigation is required, the Applicant proposes 9 new trees throughout the site in addition to several shrubs.

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 the HydroCAD model, inspection ports, and filter fabric. 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, neighborhood analysis, and gross floor area. There was public comment related to support for the project and the dwelling height calculations.

### **WAIVERS**

The Applicant requested a waiver of submittal requirements under Section I-15.I(ii) and (iii) related to a site lighting plan and Transportation Impact Assessment, given the residential nature of the project.

### **DESIGN AND PERFORMANCE STANDARDS**

**a. Land Disturbance**

Total land disturbance associated with the project consists of 9,000 SF – 7,050 SF of which is in areas with a slope greater than 10% – and a net cut of 843 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable and leaves the same grading/tree line as exists today.

**b. Site Design**

The proposed dwelling is largely located in the same area as the existing dwelling with an expanded footprint. Additionally, the proposed driveway will be repaved and located directly to the north (right) of the existing driveway.

**c. Character and Scale of Buildings**

The proposed project is similar in character and scale to other homes in the vicinity.

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

Four trees are proposed for removal – one of which is located in the Tree Yard, however, it is a diseased Copper Beech tree as noted by a certified arborist. While no mitigation is required, the Applicant proposes 9 new trees throughout the site in addition to several shrubs.

**e. Limit of Clearing**

Four trees are proposed for removal – one of which is located in the Tree Yard, however, it is a diseased Copper Beech tree as noted by a certified arborist. Additionally, a mulch sock is proposed as a perimeter erosion control barrier around the down-gradient limit of work.

**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. Grading in the rear yard will remain largely untouched.

**g. Stormwater Management**

Runoff from most of the roof of the proposed dwelling will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone.

**h. Utilities**

Existing utilities will reconnect to the proposed dwelling and the electrical/communication line will connect underground.

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

There are no changes proposed with respect to traffic management or pedestrian access. The proposed driveway will be repaved and located directly to the north (right) of the existing driveway.

**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 166 Otis Hingham, LLC for Site Plan Approval under § I-1 of the Zoning By-Law, with a waiver of submittal requirements under § I-1.5.I(ii) and (iii) related to a site lighting plan and Transportation Impact Assessment, to reconstruct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 166 Otis Street 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 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,



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Tracy Shriver  
August 26, 2025

**In Favor:** Gordon Carr, Crystal Kelly, and Tracy Shriver

**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.