



TOWN OF HINGHAM

Planning Board

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Town Clerk
Hingham, MA

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: John Thomas Murphy and Laura Murphy
8 Emerald Street
Hingham, MA 02043

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

Property: 8 Emerald Street, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 52976 Page 146

Plan References: "Construction Period Sequencing and Stormwater Operation and Maintenance Plans," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated August 19, 2025 and revised through September 10, 2025 (4 Sheets)

"Landscape Permitting," prepared by Skyline Landscapes, Inc., 235 Washington Street, Pembroke, MA, dated June 25, 2025 and revised through September 11, 2025 (6 Sheets)

"Long-Term Pollution Prevention Plan," prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated August 19, 2025 and revised through September 10, 2025 (3 Sheets)

"Renovation/Addition, Building Permit Submission," prepared by Hoadley Martinez Architects and Planners, Inc., 100 Ripley Road, Unit 424, Cohasset, MA, dated July 18, 2025 (13 Sheets)

“Site Plan,” prepared by Merrill Engineers & Land Surveyors, 427 Columbia Road, Hanover, MA, dated August 19, 2025 and revised through September 15, 2025 (1 Sheet)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of John Thomas Murphy and Laura Murphy (collectively the “Applicant”) for Site Plan Review under § I-I of the Zoning By-Law (the “By-Law”) to construct two additions with related hardscaping, landscaping, grading, and drainage at 8 Emerald Street in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on September 29, 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, 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 20,195± SF improved by a single-family dwelling, shed, gravel driveway, landscaping, and hardscaping. The proposal calls for two additions to the dwelling – one off the rear of the dwelling and a garage addition off the east side. Other site improvements include a pervious paver driveway, hardscaping, and landscaping. Total land disturbance associated with the project consists of 14,000 SF – 4,500 SF of which is in areas with a slope greater than 10% – and a net cut of 300 CY.

Runoff from about 1,915 SF of the roof area will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. There are also crushed stone trenches with perforated pipes proposed along portions of the dwelling to collect and infiltrate runoff. No changes are proposed to utility connections. A silt fence is proposed as a perimeter erosion control barrier around the limit of work and an erosion control blanket is shown where the slope exceeds 3:1. Additionally, the existing gravel driveway is proposed to be used as the construction entrance. Eight trees are proposed for removal throughout the site – all of which are in the Tree Yard. However, they are all invasive Norway maple trees and do not require mitigation. While no mitigation is required, the Applicant proposes one additional tree as well as 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 the electrical connection, invert elevations, and the disturbance area. 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 driveway location, front porch, driveway turnaround, neighborhood analysis, and ledge removal. There was written public comment in support of the project.

WAIVERS

The Applicant requested a waiver of a submittal requirement under § I-I.5.h(ii) related to Critical Root Zone (CRZ) protection. There is portion of the CRZ of a Protected Tree in the front left corner of the property where work is proposed. It should also be noted that the existing dwelling and patio are already within this CRZ and the foundation of these structures will not be disturbed. The proposed drip strip and splash pad along the west corner of the house extend into its critical root zone. These improvements are approximately 1.5' and 10" deep respectively and consist of crushed stone intended to capture and recharge stormwater. It is expected that this water will benefit the tree root system below.

The Applicant also requested a waiver of a Design and Performance Standard under § I-I.6.h to allow the overhead electrical connection to remain, rather than placing it underground.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 14,000 SF – 4,500 SF of which is in areas with a slope greater than 10% – and a net cut of 300 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable, while ensuring proper stability for the new structures. Some minor ledge removal is required to provide stability for the new structures and driveway.

b. Site Design

The proposed additions will be further from the street than the existing structure and one will be to the rear of the dwelling. Additionally, the proposed driveway will utilize the existing curb cut and newly connect to the dwelling.

c. Character and Scale of Buildings

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

d. Preservation of Existing Vegetation and Protected Trees

Eight trees are proposed for removal throughout the site – all of which are in the Tree Yard. However, they are all invasive Norway maple trees and do not require mitigation. While no mitigation is required, the Applicant proposes one additional tree as well as a significant number of other shrubs and plantings.

e. Limit of Clearing

Eight trees are proposed for removal throughout the site – all of which are in the Tree Yard. However, they are all invasive Norway maple trees and do not require mitigation. Additionally, a silt fence is proposed as a perimeter erosion control barrier around the limit of work.

f. Finished Grade

Some grade changes and minor ledge removal are proposed to provide stability for the new structures and driveway and match the existing topography to the greatest extent practicable. Grading in the rear portion of the lot will remain largely untouched. An erosion control blanket is also shown where the slope exceeds 3:1.

g. Stormwater Management

Runoff from about 1,915 SF of the roof area will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. There are also crushed stone trenches with perforated pipes proposed along portions of the dwelling to collect and infiltrate runoff.

h. Utilities

No changes are proposed to utility connections.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management or pedestrian access. The proposed driveway will utilize the existing curb cut and newly connect 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, with the exception of a Standard under § I-1.6.h requiring an underground electrical/communication connection. A waiver of this Standard to allow an overhead connection to remain will not adversely impact the interests set forth in subsection a. above.

MOTION

Upon a motion made by Tracy Shriver and seconded by Kevin Ellis, the Board voted to GRANT the application of John Thomas Murphy and Laura Murphy for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of a submittal requirement under § I-I.5.h(ii) related to Critical Root Zone protection, to construct two additions with related hardscaping, landscaping, grading, and drainage at 8 Emerald 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,



Tracy Shriver
October 1, 2025

In Favor: Gordon Carr, Kevin Ellis, 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.