



# TOWN OF HINGHAM

## Planning Board

### NOTICE OF DECISION SITE PLAN REVIEW

#### IN THE MATTER OF:

Applicant/Owner: Kimberly McDowell  
60 Lincoln Street  
Hingham, MA 02043

Agent: Josh Green  
Homestead Engineering  
2 Sharp Street, Unit A  
Hingham, MA 02043

Property: 39 Planters Field Lane, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 60008 Page 109

Plan References: "Cut/Fill Exhibit," prepared by Homestead Engineering, 2 Sharp Street, Unit A, Hingham, MA, dated September 11, 2025 (1 Sheet)

"Landscape Plan," prepared by Spring Hill Studio, dated July 21, 2025 and revised through September 1, 2025 (1 Sheet)

"Long-Term Stormwater Operation & Maintenance Plan," prepared by Homestead Engineering, 2 Sharp Street, Unit A, Hingham, MA, dated August 5, 2025 and revised through October 20, 2025 (5 Sheets)

"New Single Family Residence for Skybox Development, LLC.," prepared by Aprea Design Inc., 5 Ringbolt Road, Hingham, MA, dated October 16, 2025 (5 Sheets)

"Proposed Site Plans," prepared by Homestead Engineering, 2 Sharp Street, Unit A, Hingham, MA, dated August 5, 2025 and revised through October 23, 2025 (6 Sheets)

RECEIVED

NOV 04 2025

Town Clerk  
Hingham, MA

## **SUMMARY OF PROCEEDINGS**

This matter came before the Planning Board (the “Board”) on the application of Kimberly McDowell (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 39 Planters Field Lane in Residence District A.

The Board opened a duly noticed public hearing on the application without the receipt of testimony at a meeting held on September 15, 2025. Additional substantive sessions were held on September 29, 2025 and October 27, 2025. All sessions 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 also conducted a public meeting site visit held at the subject property on October 15, 2025. The Board panel consisted of regular members Tracy Shriver, Chair, Gordon Carr, Kevin Ellis, Crystal Kelly, and Gary Tondorf-Dick. Josh Green, of Homestead Engineering, 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 55,534± SF improved by a single-family dwelling with a paved driveway, landscaping, and hardscaping. The proposal calls for demolition of the existing dwelling and construction of a new single-family dwelling with an attached garage, paved driveway, hardscaping, and landscaping. The proposed dwelling will be closer to Planters Field Lane so that it is not located within the buffer zone to the wetlands. Total land disturbance associated with the project consists of 16,478 SF – 3,226 SF of which is in areas with a slope greater than 10% – and a net cut of 32 CY.

Runoff from 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 flow into a trench drain in the driveway. Runoff from the proposed patio will flow into a second rain garden located in the rear yard. A proposed sewer service is shown connecting to the sewer main within the sewer easement on the property. Water and gas services will connect to mains in Planters Field Lane and the electric/communication utilities are proposed to be installed underground from an existing utility pole located in the center island of Planters Field Lane. Additionally, a silt sock is proposed as a perimeter erosion control barrier around the limit of work. 24 trees are proposed for removal throughout the site – none of which are Protected Trees within the Tree Yard. While no mitigation is required, the Applicant proposes 17 new trees, totaling 69 caliper inches, 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 rain garden models, invert elevations, inspection ports, infiltration system filter fabric, infiltration system cleaning, an O&M plan fact sheet, water service connection detail, the stabilized construction entrance, a landscape plan scale, a tree inventory, erosion control detail, and the previously proposed pool. 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 basement, cut and fill, drainage system location, blasting, wetland areas, floodplain, sewer easement, location of the house on the lot, rain garden location, tree removal, and dwelling square footage and calculations. There was public comment related to the rain garden location, dwelling size, utility service, and support for the project.

### **DESIGN AND PERFORMANCE STANDARDS**

**a. Land Disturbance**

Total land disturbance associated with the project consists of 16,478 SF – 3,226 SF of which is in areas with a slope greater than 10% – and a net cut of 32 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable. Some minor ledge removal is required to provide stability for the new structure.

**b. Site Design**

The proposed dwelling will be pulled closer to the front of the lot to stay fully outside of the wetland buffer zones. Additionally, the proposed driveway will be shortened and in the same location as exists today – utilizing the existing curb cut.

**c. Character and Scale of Buildings**

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

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

24 trees are proposed for removal throughout the site – none of which are Protected Trees within the Tree Yard. While no mitigation is required, the Applicant proposes 17 new trees, totaling 69 caliper inches, in addition to a significant number of other shrubs and plantings.

**e. Limit of Clearing**

24 trees are proposed for removal throughout the site – none of which are Protected Trees within the Tree Yard. Additionally, a silt sock is proposed as a perimeter erosion control barrier around the limit of work.

**f. Finished Grade**

Some 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 portion of the lot will remain untouched.

**g. Stormwater Management**

Runoff from 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 flow into a trench drain in the driveway. Runoff from the proposed patio will flow into a second rain garden located in the rear yard.

**h. Utilities**

A proposed sewer service is shown connecting to the sewer main within the sewer easement on the property. Water and gas services will connect to mains in Planters Field Lane and the electric/communication utilities are proposed to be installed underground from an existing utility pole located in the center island of Planters Field Lane.

**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 shortened and in the same location as exists today – utilizing the existing curb cut.

**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 Gordon Carr, the Board voted to GRANT the application of Kimberly McDowell for Site Plan Approval under § I-1 of the Zoning By-Law to reconstruct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 39 Planters Field Lane 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, 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  
November 4, 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.