



TOWN OF HINGHAM

Planning Board

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NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: James L. and Paula M. Flanagan
16 Ocean View Drive
Hingham, MA 02043

Agent: Paul Gunn, P.E.
Morse Engineering Company, Inc.
10 New Driftway, P.O. Box 92
Scituate, MA 02066

Property: 16 Ocean View Drive, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 52942 Page 227

Plan References: "Construction Phase Operation & Maintenance Plan," prepared by Morse Engineering Company, Inc., 10 New Driftway, P.O. Box 92, Scituate, MA, dated October 30, 2025 (5 Sheets)

"Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA dated October 15, 2025 and revised through November 12, 2025 (1 Sheet)

"New Single-Family Residence for Mr. & Mrs. Flanagan," prepared by Aprea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated January 8, 2025 (3 Sheets)

"Post-Construction Phase Operation & Maintenance Plan," prepared by Morse Engineering Company, Inc., 10 New Driftway, P.O. Box 92, Scituate, MA, dated October 30, 2025 (5 Sheets)

“Proposed Site Plan,” prepared by Morse Engineering Company, Inc., 10 New Driftway, P.O. Box 92, Scituate, MA, dated October 30, 2025 and revised through December 3, 2025 (2 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of James L. and Paula M. Flanagan (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 16 Ocean View Drive in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held on December 8, 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, Crystal Kelly, and Gary Tondorf-Dick. Paul Gunn, 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 19,686 SF improved by a single-family dwelling with 2 attached garages, an above ground pool, paved driveways, hardscaping, and landscaping. The proposal calls for demolition of the existing dwelling and construction of a new single-family dwelling with an attached garage, paved driveway, pervious walks, retaining walls, and landscaping. The proposed project will result in a slight decrease of impervious area on the site. Total land disturbance associated with the project consists of 12,600 SF – 3,700 SF of which is in areas with a slope greater than 10% – and a net fill of 68 CY.

Runoff from a portion of the roof of the proposed dwelling will discharge into a subsurface infiltration system consisting of plastic chambers surrounded by crushed stone. Existing water and sewer utilities serving the existing dwelling will reconnect to the proposed dwelling and the proposed electric and communication utilities will be underground. A mulch sock is proposed as a perimeter erosion control barrier around the limit of work and the existing paved driveways would be used as construction entrances. Three trees are proposed for removal, however none are Protected Trees. While no mitigation is required, the Applicant proposes 2 new trees.

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 notes satisfaction with the plans as submitted with the application and had no comments for revisions.

During the course of the hearing, the Board raised questions and comments related to the dwelling width and square footage, elevation plans, tree removal, solar energy, and comparison to other homes in the neighborhood. There was no public comment.

WAIVERS

The Applicant requested a waiver of a Design and Performance Standard under Section I-I.6.i(i)(C) to allow the 30'-wide existing curb cut to remain where 24' is the limitation.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 12,600 SF – 3,700 SF of which is in areas with a slope greater than 10% – and a net fill of 68 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable. Much of the proposed disturbance and site improvements are in areas where land was already disturbed for the existing improvements. Impervious area is also reduced as a result of this project.

b. Site Design

The proposed dwelling is largely located in the same area that exists but is slightly reduced in its width. Additionally, the proposed driveway will also be in the same location as exists today and one of the existing driveways will be eliminated.

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

Three trees are proposed for removal, however none are Protected Trees. While no mitigation is required, the Applicant proposes 2 new trees.

e. Limit of Clearing

Three trees are proposed for removal, however none are Protected Trees. Additionally, a mulch 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 largely match the existing topography. Most of the existing grades in the rear portion of the lot will remain untouched.

g. Stormwater Management

Runoff from a portion 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 water and sewer utilities serving the existing dwelling will reconnect to the proposed dwelling and the proposed electric and communication utilities will be 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 in the same location as exists today and one of the existing driveways will be eliminated.

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.i(i)(C) requiring a 24'-wide curb cut. A waiver of this Standard to allow an existing 30'-wide curb cut 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 Crystal Kelly, the Board voted to GRANT the application of James L. and Paula M. Flanagan 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 16 Ocean View Drive 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

December 9, 2025

In Favor: Gordon Carr, 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.