



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: Thomas Greeley
6 Oakwood Circle
Hingham, MA 02043

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



Property: 6 Oakwood Circle, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds, Book 56799, Page 40

Plan References: "Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA, dated September 27, 2022 and revised through October 19, 2022 (1 Sheet)

"New Single Family Residence Prepared for: Mr. & Mrs. Greeley and Family at 6 Oakwood Circle, Hingham, MA," prepared by Prea Design Inc., 5 Ringbolt Road, Hingham, MA, dated August 19, 2022 (18 Sheets)

"Septic & Site Plan," prepared by Morse Engineering Company, Inc., 10 New Driftway, Scituate, MA, dated September 27, 2022 and revised through November 1, 2022 (2 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Thomas Greeley (the "Applicant") for Site Plan Review with Waiver Requests under § I-I of the Zoning By-Law (the "By-Law") and such other relief as necessary to reconstruct a single-family dwelling and make related improvements, including a new driveway, hardscaped patio and walkway, subsurface utilities, stormwater management systems, grading, and landscaping at 6 Oakwood Circle in the Residence C District.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on November 7, 2022 via Zoom as an alternate means of public access pursuant to Chapter 107 of the Acts of 2022 temporarily suspending certain provisions of the Open Meeting Law. The Board panel consisted of regular members Judith Sneath, Chair, Gordon Carr, Rita DaSilva, and Gary Tondorf-Dick. Jeffrey Hassett, P.E., Morse Engineering Company, Inc., presented the application to the Board. The Board was assisted in its review by Patrick Brennan, P.E., Amory Engineers, P.C. At the conclusion of the review, the Board voted unanimously 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 42,946 ± SF of land improved by a single-family dwelling, paved driveway, hardscaping, pool, and associated landscaping. The proposal calls for demolition of the existing dwelling and pool, and construction of a new single-family dwelling, minor reconfiguration of the driveway within the site, landscaping and hardscaping. The project proposes 19,212 SF of total land disturbance with no disturbance in areas with slopes greater than 10%; as such, the project qualifies as a Minor Site Plan. Further, a net fill of 21 CY is proposed.

Stormwater mitigation will be provided by collecting runoff from the roof of the dwelling and piping it into one of two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone. A new septic system is proposed to serve the dwelling. With respect to utilities, the existing water service will connect to the new dwelling and electric/communication utilities will connect underground from an existing utility pole off the southwest corner of the property. In terms of tree removal, six trees are proposed to be removed but none are Protected Trees as they are outside of the Tree Yard. While no new trees are proposed nor required, the Applicant proposes numerous plantings throughout the site. Finally, proposed erosion controls consist of a mulch sock along the down-gradient limit of work and silt sacks in existing catch basins in Oakwood Circle.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, Amory Engineers, reviewed this project to evaluate conformance with MassDEP Stormwater Management Standards (SMS) and best engineering practices. Comments in Mr. Brennan's initial report included requests for adding a stabilized construction entrance to the site plan, drywell system note clarification, subsurface system elevation adjustments, HydroCAD model revisions, and consistency among various plans. The Applicant provided revisions that address all items raised by Mr. Brennan.

During the course of the hearing, the Board raised comments related to the septic system and landscape wall. No member of the public provided comments related to this project.

WAIVERS

The Applicant requested a waiver of certain submittal requirements under § I-I,5.I. However, this application is a Minor Site Plan and § I-I,5.I only applies to Major Site Plan applications. Therefore, a waiver of this submittal requirement is not needed.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

The project proposes 19,212 SF of total land disturbance with no disturbance in areas with slopes greater than 10%. Further, a net fill of 21 CY and minimal grade changes are proposed. The majority of the project area is within previously maintained areas (i.e. house, driveway, walkways, lawn, landscaping) and the project has been designed to maintain the existing drainage patterns with very little change in topography.

b. Site Design

The proposed dwelling is to be constructed in the same general location on the lot as the existing dwelling, but has been moved to increase the side and front yard setbacks. In addition to a variety of new shrubs and plantings to help the site blend with the natural landscape, the proposed dwelling location will allow Protected Trees to remain.

c. Character and Scale of Buildings

The proposed dwelling is in line with the character and scale of other existing and newly constructed structures in the neighborhood.

d. Preservation of Existing Vegetation and Protected Trees

While six trees are proposed to be removed throughout the site, no Protected Trees are proposed for removal from the Tree Yard. A number of new shrubs and plantings are proposed throughout the site.

e. Limit of Clearing

The limit of clearing is marked on the plans along with the erosion control barriers to be installed along the limit of work and throughout the development area to prevent runoff. Six trees outside of the Tree Yard are proposed for clearing.

f. Finished Grade

No finished grades are proposed with a slope greater than 3:1, and the final grading will be stabilized with loam and seed following construction.

g. Stormwater Management

Stormwater mitigation will be provided by collecting runoff from the roof of the dwelling and piping it into one of two subsurface infiltration systems consisting of plastic chambers surrounded by crushed stone.

h. Utilities

The proposed dwelling will be serviced by municipal subsurface electricity and water, oil, and a new septic system

i. Pedestrian and Vehicular Access; Traffic Management

The driveway curb cut will remain the same with reconfiguration of the paved surface within the property. No changes to pedestrian access or traffic management are proposed.

j. Lighting

Typical residential lighting is proposed and will be shielded to prevent spillover to adjacent properties or into the sky.

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-I, 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.

DECISION

Upon a motion made by Gordon Carr and seconded by Rita DaSilva, the Board voted unanimously to GRANT the application of Thomas Greeley for Site Plan Approval under § I-I of the Zoning By-Law and such other relief as necessary to reconstruct a single-family dwelling and make related improvements, including a new driveway, hardscaped patio and walkway, subsurface utilities, stormwater management systems, grading, and landscaping at 6 Oakwood Circle in the Residence C District, subject to the following conditions:

- 1. Recording of Decision. 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. **Parking During Construction.** All construction vehicles shall be parked onsite. No construction vehicles shall enter the premises before 7 AM on any given construction day.
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 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.
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,



Judith Sneath
December 12, 2022

In Favor: Judith Sneath, Gordon Carr, Rita DaSilva, 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.

