

**NOTICE OF DECISION  
SITE PLAN REVIEW UNDER SECTION IV-B.6.b**

Certified #7018 1830 0000 1813 2616

**IN THE MATTER OF:**

Applicant: Canterbury Street LLC  
15 Lewis Court  
Hingham, MA 02043

Premises: 2A Jordan Way  
Hingham, MA 02043

Date: March 12, 2019

**Plan Reference:** “Cover Sheet Plan of Land Lot 2A at Jordan Way Hingham, MA”, prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MASS, 02339, prepared for Canterbury Street LLC., 15 Lewis Court, Hingham, MA 02043, dated January 20, 2019, revised to 3/3/19, 4 sheets.

**Summary of Proceedings:**

This matter came before the Planning Board on the application Canterbury Street LLC for Site Plan Review under Section IV-B.6.b relative to the disturbance of more than 2,500 square feet in an area with slopes greater than 10% for the construction of a single family home, property zoned Residence C.

The Planning Board heard the application at the regular meetings of February 11, 2019 and March 11, 2019 in the Hingham Town Hall at 210 Central Street. Members of the Planning Board present were: Jennifer Gay Smith, Gary Tondorf-Dick, and Gordon Carr. John Chessia, of Chessia Consulting, served as the peer review engineer for the Board. The applicant team consisted of John Woodin and Gary James who presented the proposal to the Board.

Mr. James stated that this project triggers site plan review due to the proposed earthwork necessary for the construction of the single family home on this lot which has a sloping topography and a great deal of ledge. He provided a brief overview of the intended development for the parcel. John Chessia noted that this lot is within the Patterson Pond Definitive Subdivision and the drainage design had been reviewed extensively as part of that process. The lot has a tree preservation area which was identified during the

subdivision process and the Board reminded the applicant that the tree preservation areas are required to be delineated with boulders spaced 25' on center. The Board reviewed the overall proposal with a focus on grading, drainage and site alteration and asked questions of the applicant. The Board discussed the fact that many trees in the tree preservation area were either removed as required by the town or lost during the winter storms and as a result the anticipated screening was greatly diminished. The Board asked the applicant if they would be able to plant additional trees within the tree preservation area to help offset the loss of mature vegetation. The applicant indicated they were willing to plant trees if there was sufficient soil to establish the growth. Ultimately it was agreed upon that the applicant would enlarge a terraced effect by shifting the masonry wall to the north and thus provide an opportunity for planting trees. Board members then reviewed the project in accordance with the Site Plan Review Criteria contained in Section I-I (6) as follows:

- a. *protection of abutting properties against detrimental uses by provision for surface water drainage, fire hydrant locations, sound and site buffers, and preservation of views, light and air, and protection of abutting properties from negative impacts from artificial outdoor site lighting;*

The Board found that to ensure the limits of clearing correspond to the approved plans, erosion controls and orange construction fence to delineate the limits of clearing should be installed prior to the start of blasting or other work on this lot. The Board also found that given the lack of screening due to the loss of trees in the tree preservation areas the outdoor lighting will be highly visible.

- b. *convenience and safety of vehicular and pedestrian movement within the site and on adjacent streets; the location of driveway openings in relation to traffic or to adjacent streets, taking account of grades, sight distances and distances between such driveway entrances, exits and the nearest existing street or highway intersections; sufficiency of access for service, utility and emergency vehicles;*

The Board found that this was not applicable.

- c. *adequacy of the arrangement of parking, loading spaces and traffic patterns in relation to the proposed uses of the premises; compliance with the off-street parking requirements of this By-Law;*

The Board found that this was not applicable.

- d. *adequacy of open space and setbacks, including adequacy of landscaping of such areas;*

The Board found that several trees in the tree preservation area were lost in the storm this season or removed at the direction of the DPW. The Board also found that the site is required to have boulders installed to delineate the tree preservation area in accordance with the definitive subdivision approval.

- e. *adequacy of the methods of disposal of refuse and other wastes resulting from the uses permitted on the site;*

The Board found that this was not applicable.

- f. *prevention or mitigation of adverse impacts on the Town's resources, including, without limitation, water supply, wastewater facilities, energy and public works and public safety resources;*

The Board found that this was not applicable.

- g. *assurance of positive stormwater drainage and snow-melt run-off from buildings, driveways and from all parking and loading areas on the site, and prevention of erosion, sedimentation and stormwater pollution and management problems through site design and erosion controls in accordance with the most current versions of the Massachusetts Department of Environmental Protection's Stormwater Management Policy and Standards, and Massachusetts Erosion and Sediment Control Guidelines.*

The Board found that there is a slight increase in runoff due to the slightly greater amount of impervious surfaces but it is within the parameters of the subdivision approval. The maintenance requirements for this system including access manholes should be in the O&M plan for the subdivision. The Illicit Discharge Certification Statement has not been provided yet. The storm water system outlet is shown extending into the tree preservation area which is not a desirable condition. The foundation drain is not shown on the plan.

- h. *protection of natural and historic features including minimizing: the volume of cut and fill, the number of removed trees of 6 inches caliper or larger, the removal of stone walls, and the obstruction of scenic views from publicly accessible locations;*

The Board found that this is not applicable.

- i. *minimizing unreasonable departure from the character and scale of buildings in the vicinity or as previously existing on or approved for the site.*

The Board found that this is not applicable.

**DECISION AND VOTE:**

It was Moved, Seconded and SO VOTED to APPROVE the Site Plan Review application for Lot 2A Jordan Way as presented at the hearings and as shown on the plans titled "Cover Sheet Plan of Land Lot 2A at Jordan Way Hingham, MA", prepared by James Engineering, Inc., 125 Great Rock Road, Hanover, MASS, 02339, prepared for Canterbury Street LLC., 15 Lewis Court, Hingham, MA 02043, dated January 20, 2019, revised to 3/3/19, 4 sheets, based on the findings and subject to the following conditions:

1. Orange construction fence shall be installed to delineate the limits of clearing prior to the start of work or blasting, and, erosion controls must be in place.

2. The Applicant shall submit a final plan set revised to incorporate all conditions and edits prior to start of site work.
3. The Applicant shall submit an exterior lighting plan that demonstrates “0” foot candles at the lot line and full cutoff and shielded exterior fixtures.
4. The Applicant shall move the proposed masonry wall away from the house to the north to provide a larger planting area for revegetation and shall plant not less than 8 trees which will be 15’ on center and a mix of pin oaks, hemlocks and Norway spruce. The trees can be offset slightly.
5. The Applicant shall plant not less than 6 trees to the west of the roof drainage area. The trees shall be a mix of pin oaks, Norway spruce and hemlock.
6. The outlet from the roof system chambers shall be moved back from the tree preservation area and there must be sufficient room for the stone outlet protection as indicated on the approved subdivision plans to be installed. The outlet protection shall also be indicated on the plans.
7. The foundation drain shall be shown on the plan and shall not extend into the tree preservation area.
8. The maintenance requirements for this system including access manholes shall be added to the O&M plan for the subdivision.
9. A signed Illicit Discharge Certification Statement must be provided.

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Gordon M. Carr  
Chairman, Hingham Planning Board

Cc: Town Clerk; Building Department; Assessor; DPW; BOH; John Chessia, Gary James;