



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant: Falconeiri Construction, Inc.
45 Industrial Park Road, Suite 3
Hingham, MA 02043

Owner: Laura and Greg Weibley
107 Main Street
Hingham, MA 02043

Agent: Brendan Sullivan, P.E., P.L.S.
Merrill Engineers and Land Surveyors
427 Columbia Road
Hanover, MA 02339

Property: 18 Elm Street (aka 107 Main Street, Lot 2), Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 57655 Page 174

Plan References: "Fire Truck Turn Analysis #2," prepared by Merrill Engineers and Land Surveyors, 427 Columbia Road, Hanover, MA, dated June 3, 2025 (1 Sheet)

"Landscape Plan," prepared by Sean Papich Landscape Architecture, 222 North Street, Hingham, MA, dated June 5, 2025 (1 Sheet)

"New Single Family Residence For: Falconeiri Construction, Inc.," prepared by Apea Design, Inc., 5 Ringbolt Road, Hingham, MA, dated March 21, 2025 and revised through June 2, 2025 (15 Sheets)

"Site Plan, 18 Elm St.," prepared by Merrill Engineers and Land Surveyors, 427 Columbia Road, Hanover, MA, dated May 5, 2025 and revised through June 5, 2025 (2 Sheets)

RECEIVED

JUN 18 2025

Town Clerk
Hingham, MA

“Stormwater Operation and Maintenance Plan,” prepared by by Merrill Engineers and Land Surveyors, 427 Columbia Road, Hanover, MA, dated May 8, 2025 (8 Sheets)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the “Board”) on the application of Falconeiri Construction Inc. (the “Applicant”) for Site Plan Review under § I-I of the Zoning By-Law (the “By-Law”) to construct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 18 Elm Street (aka 107 Main Street, Lot 2) in Residence District A.

The Board opened a duly noticed public hearing on the application at a meeting held remotely on June 9, 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 Gordon Carr, Chair, Crystal Kelly, Tracy Shriver, and Gary Tondorf-Dick. Brendan Sullivan, P.E., P.L.S., of Merrill Engineers and 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 lot is a result of a June 2025 Approval Not Required (ANR) plan at 107 Main Street. Once formally divided by recording of the ANR plan at the Registry of Deeds, the lot will consist of 73,330± SF and currently contains a gravel driveway off Elm Street which leads to a gravel parking area with lawn areas around it and trees around the perimeter of the property. The proposal calls for construction of a new single-family dwelling with an attached garage, paved driveway, paved parking area, hardscaping, and landscaping. The driveway would access Elm Street in the same location as the existing gravel driveway. Total land disturbance associated with the project consists of 24,000 SF – 6,500 of which is in areas with a slope greater than 10% – and a net fill of 50 CY.

Runoff from most of the driveway will collect in one of two crushed stone trenches and discharge into one of two subsurface infiltration systems, consisting of plastic chambers surrounded by crushed stone. Runoff from the rear portion of the proposed dwelling will also discharge into one of the subsurface infiltration systems. The dwelling will connect to public sewer and water by connections to the infrastructure in Elm Street. Underground electric and communication and gas utilities will also connect to infrastructure in Elm Street. A silt sock is proposed as a perimeter erosion control barrier around the down-gradient limit of work and the existing gravel driveway is proposed to be used as the construction entrance. The Applicant proposes to remove 49 trees that are 6” in caliper or greater – 25 of which are invasive species (Norway Maple and Black Locust). 13 of the trees to be removed are in the Tree Yard but are not Protected Trees since they

are all invasive species. While no mitigation is required, the Applicant proposes 15 new trees along the southerly property line abutting the Lincoln School Apartments, in addition to a 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 crushed stone trench detail, HydroCAD model, post-development stormwater runoff conditions, a gas line, and tree removal/mitigation. 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 existing driveway, a beech tree grove, an existing fence, construction vehicle access, and surfacing for the fire truck turnaround. Board discussion ultimately resulted in a condition of approval related to the fire truck turnaround. There was no public comment.

WAIVERS

The Applicant requires a waiver of submittal requirements under Section I-1.5.I(ii) (site lighting plan) and I(iii) (Transportation Impact Analysis).

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of 24,000 SF – 6,500 of which is in areas with a slope greater than 10% – and a net fill of 50 CY. The proposed work is designed to maintain existing drainage patterns to the greatest extent practicable.

b. Site Design

The proposed work is located to the rear of the property and set back significantly from the streets and abutting dwellings. The existing curb cut off Elm Street and much of the existing driveway will be reused with minor regrading. A landscape plan is also proposed to improve the scenic qualities of the lot and provide additional screening from abutters.

c. Character and Scale of Buildings

The proposed project is slightly larger than some other dwellings in the vicinity but is similar in size or smaller than some other homes in the vicinity including the direct abutters.

d. Preservation of Existing Vegetation and Protected Trees

The Applicant proposes to remove 49 trees that are 6" in caliper or greater – 25 of which are invasive species (Norway Maple and Black Locust). 13 of the trees to be removed are in the Tree Yard but are not Protected Trees since they are all invasive species. While no mitigation is required, the Applicant proposes 15 new trees along the southerly property

line abutting the Lincoln School Apartments, in addition to a number of other shrubs and plantings.

e. Limit of Clearing

The Applicant proposes to remove 49 trees that are 6" in caliper or greater – 25 of which are invasive species (Norway Maple and Black Locust). 13 of the trees to be removed are in the Tree Yard but are not Protected Trees since they are all invasive species. Additionally, a silt sock is proposed as a perimeter erosion control barrier around the down-gradient limit of work.

f. Finished Grade

Minor grade changes are proposed to most closely match the existing topography and provide stability for the structures.

g. Stormwater Management

Runoff from most of the driveway will collect in one of two crushed stone trenches and discharge into one of two subsurface infiltration systems, consisting of plastic chambers surrounded by crushed stone. Runoff from the rear portion of the proposed dwelling will also discharge into one of the subsurface infiltration systems.

h. Utilities

The dwelling will connect to public sewer and water by connections to the infrastructure in Elm Street. Underground electric and communication and gas utilities will also connect to infrastructure in Elm Street.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management. Pedestrian and vehicular access will be via the existing curb cut off of Elm Street and much of the existing driveway will be reused with minor regrading.

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 Gordon Carr and seconded by Gary Tondorf-Dick, the Board voted to GRANT the application of Falconeiri Construction Inc. for Site Plan Approval under § I-I of the Zoning By-Law, with a waiver of submittal requirements under § I-I.5. I(ii), and I(iii) related to a site lighting plan and Transportation Impact Analysis, to construct a single-family dwelling with related hardscaping, landscaping, grading, and drainage at 18 Elm Street (aka 107 Main Street, Lot 2) 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.
8. Fire Truck Turnaround. Prior to issuance of a building permit, the Applicant shall file a revised site plan to the Community Planning Department to show grassed pavers in accordance with the fire truck turnaround as shown on Fire Truck Turn Analysis #2. The Applicant shall also provide a revised stormwater management plan and operation and maintenance plan to account for the grassed pavers.

For the Planning Board,



Gordon Carr
June 18, 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.