

July 27, 2026

Hingham Planning Board
210 Central Street
Hingham, MA 02043

Re: Applicant's Response to Public Comment Regarding 709 Main Street

Dear Members of the Planning Board:

We submit this response to the letter dated July 27, 2026, from the owners of 703 Main Street concerning the proposed improvements at 709 Main Street.

We appreciate the abutters' interest in the project and recognize that construction activity on an adjoining property naturally raises questions. We also appreciate their acknowledgment that they are not attempting to prevent the improvement of the property. Nevertheless, several statements and assumptions contained in the letter require clarification so that the Planning Board's review is based upon the actual proposal, the current plans, and the complete municipal record.

The applicant has submitted extensive architectural, civil engineering, drainage, zoning, historic-preservation, landscaping, tree-protection, and construction-management materials. The project has also been revised repeatedly in response to comments from Town departments, consulting engineers, the Historic Districts Commission, and other reviewing authorities.

The applicant respectfully requests that the Board consider the following point-by-point response.

1. Size of the Proposed Project and Floor Area Ratio

The abutters' letter states that the applicant's Floor Area Ratio study identifies the property as containing approximately 7,952 square feet but fails to disclose the finished size of the project. That characterization is not accurate.

The approximately 7,952-square-foot figure represents the prior or existing assessed gross floor area associated with the property. The proposed project reduces the overall gross floor area to approximately **6,854 square feet**, based upon the architectural calculations submitted with the application.

Accordingly, the proposal does not add approximately 1,650 square feet to an unchanged 7,952-square-foot structure. Instead, the project includes the demolition and removal of existing portions of the property and the construction of replacement improvements as part of an integrated redevelopment plan. The finished project must be evaluated as a whole, with credit given for the substantial existing floor area and structures that are being removed.

The project therefore represents an overall reduction of approximately **1,098 square feet** compared with the previously existing assessed gross floor area.

The Floor Area Ratio calculation for the proposed condition is approximately:

- Proposed gross floor area: 6,854 square feet
- Lot area: approximately 33,541 square feet
- Proposed Floor Area Ratio: approximately 0.204, or 20.4%

The applicant has no objection to the final proposed gross floor area and corresponding Floor Area Ratio being confirmed on the final architectural plans. However, it is important that the comparison not be framed as though all proposed construction is being added on top of an unchanged 7,952-square-foot development. That is not what is proposed.

The neighborhood study was prepared to provide the Town with a meaningful comparison of developed properties in the surrounding area. Properties were evaluated using an objective methodology, including proximity, lot area, available Assessor information, and the relationship between building area and land area. The study was not intended to catalog every residence in the neighborhood regardless of whether its lot size or development characteristics provided a useful comparison.

Several properties across Main Street, for example, have substantially larger parcels containing wetlands, conservation restrictions, or other undevelopable land. Comparing those properties solely by dividing their building area by their entire acreage would produce an artificially low Floor Area Ratio and would not provide a fair comparison to the subject property.

The omission of a particular property from a selected comparable group does not mean it was concealed or ignored. The methodology and selection criteria should be evaluated as a whole.

2. Character and Scale of the Neighborhood

The suggestion that the project transforms a single residence into an unprecedented collection of residences does not reflect the legal and historical status of 709 Main Street.

The Town's own assessing records document that the property has been continuously classified as a three-family property since Fiscal Year 2004. Town officials have also acknowledged that the property is treated as a lawful pre-existing nonconforming three-family use.

The applicant is not seeking to introduce a new three-family use into a single-family property. The proposal reorganizes and improves the existing lawful three-family property.

Under the proposed plan:

1. The principal historic residence will contain two dwelling units; and
2. The accessory dwelling unit will be located within the pool-house structure.

The completed property will therefore contain three dwelling units (two dwelling units and one ADU), consistent with the property's longstanding legal use and municipal classification.

The proposal also removes older additions that extended significantly closer to the street and replaces them with a more coherent design that is pulled farther back from Main Street. The new work was developed through a lengthy Historic District review process and was revised in response to Historic District Commission comments.

The pool-house structure has been intentionally designed to complement the architecture of the historic property. The fact that an accessory structure is architecturally attractive or residential in appearance does not transform it into a separate principal single-family home. Its legal use, location, dimensions, relationship to the principal building, and approved plans govern its status. The proposal should therefore be evaluated as the rehabilitation and reorganization of an existing three-family property—not as the introduction of an entirely new development pattern.

3. Classification as a Minor or Major Project

The currently submitted land-disturbance calculation identifies approximately 19,311 square feet of disturbance.

That calculation was prepared by the project's civil engineer using the limits of work shown on the engineering plans. The fact that a disturbance area falls below a regulatory threshold does not, by itself, suggest that the figure was manipulated or understated. The appropriate question is whether the calculation accurately reflects the latest plans. (These were reviewed by the Towns Peer Review Engineer)

The applicant has no objection to the project engineer confirming, in writing and on the final plan set, that:

- The stated disturbance area reflects the current design;
- Utility trenches, drainage improvements, grading, excavation, stockpile areas, and other temporary construction impacts have been appropriately accounted for;
- The project remains within the applicable classification; and
- Any changes made during the review process have been incorporated into the current calculation.

Underground utility work and drainage trenches are not necessarily added to the disturbance calculation as entirely separate areas when they fall within an area already included in the established limit of work. Counting the same ground disturbance more than once would artificially inflate the calculation.

The project should be classified under the applicable bylaw and regulations based upon the actual limits of disturbance shown on the final engineered plans, rather than speculation arising from the date of an earlier plan revision.

4. Stormwater Management and the Direction of Water

The proposed drainage system was designed by a licensed professional engineer and has been submitted for review by the Town and its engineering consultant. The project does not simply direct uncontrolled runoff into the ground. The proposed system is intended to collect, treat, temporarily store, and infiltrate stormwater generated by the proposed improvements in accordance with the applicable standards and the site's tested soil conditions.

The civil engineering submission includes or will include the relevant calculations concerning:

- Existing and proposed impervious areas;
- Design-storm rainfall events;
- Storage volume;
- Infiltration capacity;
- Soil conditions;
- Groundwater separation;
- Pretreatment;
- System drawdown;
- Emergency performance; and
- Inspection and maintenance.

The applicant recognizes the abutters' request for a plain-language explanation. The project engineer can provide a concise summary identifying:

1. Which portions of the property drain to the proposed system;
2. How runoff is collected and treated;
3. How much water the system is designed to retain;
4. How the system performs during larger storm events;
5. Whether an overflow or emergency discharge mechanism is provided or required; and
6. How the system is inspected and maintained.

The abutters state that their property is uphill from the subject property. Under normal surface-drainage principles, stormwater from the lower subject property would not flow uphill onto the higher abutting property. Nevertheless, the applicant understands that subsurface conditions must be evaluated professionally rather than assumed.

For that reason, the drainage design should be judged on the stamped engineering plans, soil testing, groundwater information, grading, and drainage calculations—not on generalized concerns about placing water underground.

The proposed system is specifically intended to prevent an increase in unmanaged runoff leaving the property. Infiltration systems are commonly employed to replicate natural hydrology and reduce off-site discharge, subject to appropriate design, groundwater separation, and maintenance.

If the Town's consulting engineer identifies any technical deficiency, the applicant will address it. At present, however, no evidence has been presented demonstrating that the proposed system will cause groundwater impacts to 703 Main Street or any other neighboring property.

5. Long-Term Drainage Maintenance

The applicant agrees that the final operation and maintenance plan must correspond exactly to the drainage system that is ultimately approved and installed.

Earlier references to components such as a “water quality unit,” multiple underground systems, or concrete galleries may reflect language carried forward from a prior design iteration. Any outdated terminology should be removed from the final document.

The final operation and maintenance plan should identify only the equipment and drainage components actually approved for construction and should clearly state:

- The property owner’s inspection obligations;
- The frequency of inspections;
- Cleaning and maintenance requirements;
- Maintenance of catch basins, trench drains, pretreatment devices, infiltration components, and associated piping;
- Recordkeeping requirements;
- Procedures following significant storm events;
- Corrective measures if the system does not drain as designed; and
- Any reporting obligations required by the Town.

The applicant is prepared to submit a corrected final maintenance plan as a condition of approval. A drafting inconsistency in a prior version of a maintenance document does not establish that the drainage design is defective. It means that the final document should be conformed to the final approved system.

6. Protection of Abutting Properties During Construction

The applicant recognizes the importance of protecting abutting properties throughout construction, particularly where work occurs near a shared property line.

The project materials include or will include construction controls addressing:

- Limits of disturbance;
- Construction fencing;
- Erosion-control barriers;
- Dust suppression;
- Soil and material stockpiling;
- Temporary stabilization;
- Tree-protection fencing;
- Construction access;
- Construction hours;
- Site cleanliness;
- Drainage protection;
- Equipment staging; and
- Final site stabilization.

The applicant has no objection to reasonable conditions requiring that:

1. Construction activity remains within the approved limits of work;
2. Erosion controls be installed before land disturbance begins;
3. Controls be inspected and maintained during construction;
4. Soil stockpiles be protected and located within approved areas;
5. Dust be controlled through appropriate construction practices;
6. Protected trees and vegetation be clearly fenced;
7. No construction materials or equipment be placed on neighboring property without express permission;
8. Damage caused by the applicant's construction activity be repaired; and
9. The site be stabilized promptly following completion of each phase of work.

These are customary and reasonable construction requirements.

At the same time, conditions should be proportionate to the work and based upon identified impacts. The existence of excavation or construction near a property line does not itself establish that the neighboring property is in danger.

7. Consistency with Historic District Approval

The project received a Certificate of Appropriateness from the Hingham Historic Districts Commission following review of the proposed exterior design.

The applicant understands that the plans before the Planning Board must remain consistent with the Historic Districts Commission's approval in all respects within that Commission's jurisdiction. If subsequent engineering or technical revisions affect an exterior architectural element subject to Historic District review, the applicant will obtain any supplemental review or confirmation required by the Town.

The Planning Board may reasonably require a final plan set that clearly identifies the applicable Historic District approval and confirms that the exterior architectural plans remain consistent with that approval.

However, ordinary engineering refinements involving drainage, utilities, grading, or other civil details do not necessarily alter the exterior architectural design approved by the Historic Districts Commission.

The reference in the abutters' letter to infrastructure for possible solar panels should also be placed in context. Showing conduit, electrical infrastructure, or accommodation for possible future energy equipment does not necessarily mean that unapproved solar panels are presently proposed for installation. Any exterior equipment requiring additional municipal or Historic District review would remain subject to those requirements.

8. Dwelling-Unit Count and Use of the Accessory Structure

The abutters request confirmation of the total number of dwelling units. As stated above, the final property is proposed to contain three dwelling units:

- Two units within the principal building; and
- One accessory dwelling unit associated with the pool-house structure.

This does not increase the longstanding number of dwelling units associated with the property.

The characterization of the pool-house building as a separate single-family residence appears to be based largely upon its architectural appearance. The building's appearance does not determine its legal classification. The approved plans, floor area, location, accessory relationship, building-code classification, zoning treatment, and permitted use determine what the structure is.

The structure should therefore be reviewed according to what is actually proposed and permitted, rather than according to the subjective observation that it resembles an attractive home.

9. Existing Shed and Site Structures

The abutters' description of the project as including two separate two-story residences "and an existing shed" may create the impression that every existing structure remains unchanged while substantial new structures are added.

The proposed site plan should be used to determine precisely which structures are to remain, which are to be removed, and which are to be reconstructed. The project includes demolition and replacement work, not merely the accumulation of new buildings on top of all existing development.

The applicant will ensure that the final site plan contains an unambiguous demolition legend and clearly distinguishes:

- Existing structures to remain;
- Existing structures to be removed;
- Proposed structures;
- Proposed patios, walkways, driveways, and other surfaces; and
- Proposed utilities and drainage improvements.

10. Overall Neighborhood Compatibility

Neighborhood compatibility should be evaluated based upon the full context of the site, including:

- The substantial size of the lot;
- The historic three-family status of the property;
- The reduction in total gross floor area;
- Removal of older additions;
- Increased setback of replacement construction from Main Street;
- The architectural review completed by the Historic Districts Commission;
- Preservation and rehabilitation of the principal historic building;
- Landscaping and tree-protection measures;
- The location and screening of accessory improvements;
- Compliance with applicable dimensional requirements or approved zoning relief; and
- The professional engineering design for grading and drainage.

The proposal represents a significant investment in the rehabilitation of a longstanding property that had deteriorated and remained on the market for an extended period. A project of this scale is necessary to restore the principal structure, remove unsympathetic or deteriorated improvements, modernize the property, address utilities and drainage, and preserve the site for continued productive use.

The size of the overall investment or the extent of the rehabilitation should not be mistaken for evidence that the project is incompatible with the neighborhood.

11. Requested Administrative Confirmations

To address the legitimate portions of the abutters' questions without unnecessarily reopening matters that are already documented, the applicant is prepared to provide or confirm the following as part of the final approval process:

1. The proposed gross floor area and final Floor Area Ratio;
2. The total number of dwelling units;
3. A current land-disturbance calculation certified by the civil engineer;
4. A plain-language stormwater system narrative;
5. A final operation and maintenance plan matching the approved drainage system;
6. A final construction-management and erosion-control plan;
7. A demolition plan clearly distinguishing removed, retained, and proposed structures; and
8. Confirmation that the exterior architectural plans remain consistent with the Historic Districts Commission approval.

These confirmations can be incorporated into the final plan set or made conditions of approval without mischaracterizing the project or requiring duplicative review.

Conclusion

The applicant respects the right of neighboring property owners to participate in the public-review process. Their questions should be considered, but they should also be evaluated against the actual plans and the established record.

Most importantly:

- The property is not being converted from a single-family use to a new multi-unit development; it has been continuously recognized as a three-family property for more than two decades.
- The proposal does not add all new construction to an unchanged 7,952-square-foot building area; the proposed gross floor area is approximately 6,854 square feet, representing an overall reduction.
- The proposed project contains three dwelling units, consistent with the property's longstanding use.
- The Historic Districts Commission has reviewed and approved the exterior architectural design.
- The stormwater system has been designed by a licensed professional engineer and is subject to review by the Town and its engineering consultant.
- The applicant is prepared to correct any outdated terminology in the final maintenance plan and to provide reasonable construction protections for the abutting properties.
- No technical evidence has been submitted demonstrating that the project will cause drainage, groundwater, structural, or other harm to 703 Main Street.

The applicant respectfully requests that the Planning Board complete its review based upon the final professional plans, the applicable legal standards, and the objective municipal record.

The applicant remains committed to responding to legitimate technical comments, complying with reasonable approval conditions, and completing a project that rehabilitates and preserves this important Main Street property.

Respectfully submitted,



Michael Ahern

Applicant/Owner

709 Main Street

Hingham, Massachusetts