



TOWN OF HINGHAM

Planning Board

NOTICE OF DECISION SITE PLAN REVIEW

IN THE MATTER OF:

Applicant/Owner: 4 Del Prete Drive Realty Trust
Stephen Niosi, Trustee
4 Del Prete Drive
Hingham, MA 02043

RECEIVED

APR 27 2026

Town Clerk
Hingham, MA

Property: 4 Del Prete Drive, Hingham, MA 02043

Deed Reference: Plymouth County Registry of Deeds Book 60045 Page 219

Plan References: Plan set entitled, "Single Family Home Redevelopment", prepared by Civil & Environmental Consultants, Inc. (CEC), dated March 16, 2026 (9 Sheets)

Stormwater Report and Operations & Maintenance Plan, prepared by Civil & Environmental Consultants, Inc. (CEC), dated February 2026

Architectural Plans, prepared by Tim Johnson Architect, LLC, dated April 9, 2026 (6 Drawings)

SUMMARY OF PROCEEDINGS

This matter came before the Planning Board (the "Board") on the application of Stephen Niosi, 4 Del Prete Drive Realty Trust (the "Applicant") for Site Plan Approval under § I-I of the Zoning By-Law (the "By-Law") to reconstruct a single-family dwelling with related driveway, utilities, stormwater improvements, and landscaping improvements at 4 Del Prete Drive in the Residence A District.

The Board opened a duly noticed public hearing on the application without the receipt of testimony at a meeting held remotely on March 9, 2026 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. Subsequent hearings were held on March 23, April 6, and April 13, 2026 remotely via Zoom. Board members acting on the application included its regular members Tracy

Shriver, Chair, Gordon Carr, Kevin Ellis, and Gary Tondorf-Dick. The Applicant's representative, Walter B. Sullivan Jr., Esq., presented the application to the Board, along with Meghan Bruckman, P.E., Civil & Environmental Consultants, Inc. The Board was assisted in its review by Patrick Brennan, P.E., PGB Engineering, LLC. 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 approximately 0.24 acres of land located within the Residential A Zoning District. The Applicant proposed to raze the existing single-family dwelling (ca. 1965) and construct a new 2,420 SF, 2.5 story single-family home, an in-ground pool, a bituminous asphalt driveway, stormwater drainage improvements, landscape improvements, and associated infrastructure. The site will be serviced by new gas, sewer, and water utilities. The electric and communication services will be relocated underground.

The project will result in a disturbance of approximately 10,350 SF of land, about 2,300 SF of which is on natural slopes greater than 10%. One (1) dead 24" Oak tree located in the rear yard of the property will be removed, as well as one (1) 12" Maple tree and one (1) 30" Maple tree located in the front yard within the Protected Tree Yard. To mitigate the tree removals, the project includes thirteen (13) new trees comprised of Juniper, Arborvitae, and Autumn Brilliance Serviceberry as well as over forty (40) new shrubs.

The proposed stormwater management system will maintain the existing overall drainage patterns while also mitigating peak rates of runoff from the increase in post-construction impervious area and promoting groundwater recharge. Runoff from a portion of the roof (about 60%) of the proposed dwelling will be discharged into a subsurface infiltration system, consisting of plastic chambers surrounded by crushed stone. Runoff from the remainder of the roof will be discharged into a French drain.

During the course of the hearing, Board members and abutters expressed concerns about the size and scale of the proposed dwelling. The original proposal would have resulted in a floor area ratio (FAR) of 0.47, which would have been significantly greater than the neighborhood average of 0.16. In response to these concerns, the Applicant submitted revised plans that reduced the net living area from 4,910 SF to 3,978 SF. Since the subject property is approximately 0.14 acres smaller than the average parcel size of the parcels included in the neighborhood analysis, the calculated FAR of 0.38 remains higher than the average; however, the revised size is consistent with other newer homes in the neighborhood. The revised plans also reduced the visual impact of the front façade by recessing the attached garage by 5'.

In addition to staff, the Board's civil peer review engineer Patrick Brennan, PGB Engineering, reviewed the project to evaluate conformance with MassDEP Stormwater Management

Standards and best engineering practices. Mr. Brennan initially offered extensive comments related to the Tree Yard and Tree Protection, geotechnical investigation, stormwater management, groundwater calculations, construction entrance, inspection reports for subsurface infiltration systems, and the sewer line that runs across the back of the lot. In response, the Applicant submitted a revised Site Plan and Response that addressed most issues. Mr. Brennan still recommended two conditions of approval related to foundation waterproofing and sewer line responsibilities that are incorporated into this Decision.

DESIGN AND PERFORMANCE STANDARDS

a. Land Disturbance

Total land disturbance associated with the project consists of approximately 10,350 SF overall and about 2,300 SF on natural slopes greater than 10%.

b. Site Design

Just over half (approx. 62%) of the proposed dwelling will be located within the area occupied by the footprint of the existing dwelling, with an additional 920 SF (+/-) to be built outside of the original footprint. There is a proposed in-ground pool in the backyard. The locations of these structures will not detract from the site's current conditions.

c. Character and Scale of Buildings

The existing dwelling is a raised ranch circa 1965, as are about half of the other homes on Del Prete Drive. As revised through the hearing process, the proposed building design and scale presents a reasonable departure from the existing home on the site, as there are other newer homes in the neighborhood similar in size and character.

d. Preservation of Existing Vegetation and Protected Trees

An existing 18" shade tree along the road and next to the new driveway will be protected. The project proposes the removal of one (1) dead 24" Oak tree located in the rear yard of the property, and the removal of one (1) 12" Maple tree and one (1) 30" Maple tree located in the front yard within the Protected Tree Yard. The project includes thirteen (13) new trees comprised of Juniper, Arborvitae, and Autumn Brilliance Serviceberry, as well as over forty (40) new shrubs.

e. Limit of Clearing

A silt sock is proposed as a perimeter erosion control barrier around the down gradient limit of work.

f. Finished Grade

Some minor grade changes are proposed, but these largely blend into the existing topography.

g. Stormwater Management

Runoff from the roof of the proposed dwelling would be collected by a French drain on the perimeter of the house and lead into a subsurface infiltration system consisting of

plastic chambers surrounded by crushed stone. The backyard planting bed has a surface stone mulch and landscape boulder area to catch runoff from the adjacent lawn areas.

h. Utilities

Water and sewer service will be maintained. Electric and telecommunications will be installed underground from the utility pole in the right of way.

i. Pedestrian and Vehicular Access; Traffic Management

There are no changes proposed with respect to traffic management or pedestrian access to the site.

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-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.

MOTION

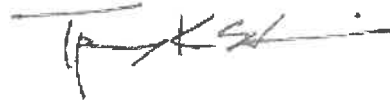
Upon a motion made by Tracy Shriver and seconded by Gary Tondorf-Dick, the Board voted unanimously to GRANT the application of Stephen Niosi, 4 Del Prete Drive Realty Trust, for Site Plan Approval under § I-I of the By-Law to reconstruct a single-family dwelling with related driveway, utilities, stormwater improvements, and landscaping improvements at 4 Del Prete Drive in the Residence A District, 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. Site Plan Revision. Prior to application for a building permit, the Applicant shall complete and submit revised site plan civil drawings to reflect the 5' garage setback.
- 3. Architectural Plan Revision. Prior to application for a building permit, the Applicant shall revise the architectural plans to specify additional water proofing of the foundation walls.

4. **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.
5. **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.
6. **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.
7. **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.
8. **Sewer Line.** If access to the sanitary sewer line at the rear of the property be required, the Applicant shall be responsible for removal of the planting and replanting once access to the sanitary sewer is no longer required. Alternately, the Hingham Sewer Department may require that service to the dwelling be relocated to the front of the property to connect with the main in Del Prete Drive.
9. **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.
10. **Maintenance of Protected Trees.** Each Protected Tree retained, and all 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.

For the Planning Board,



Tracy Shriver
April 27, 2026

In Favor: Gary Tondorf-Dick, Gordon Carr, Kevin Ellis, Tracy Shriver

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.