

302 – 304 Whiting Street, Hingham, MA

List of Waivers (Revised 7/20/20)

Pursuant to M.G.L. Ch. 40B and regulations adopted pursuant thereto, the Board reviewed the waiver requests from use, dimensional, and other local requirements or regulation, as made by the Applicant.

I. Hingham Zoning Bylaw

Criteria	Requirement	Proposed
Section IV-A Dimensional Requirements		
Lot Area	Residence C: 40,000 SF	Lot 1/304 Whiting St: 15,731 SF Lot 2/302 Whiting St: 25,556.1 SF
Frontage	Residence C: 150'	Lot 1/304 Whiting St: 121.48' Lot 2/302 Whiting St: 30.52'
F.Y. Setback	Residence C: 50'	Lot 1/304 Whiting St: 29.7'
S.Y. Setback	Residence C: 20'	Lot 2/302 Whiting St: 18.5'
Section IV-C General Intensity Provisions		
IV-C 2. Lot Shape	Locate a square with all sides equal to 120' within each lot and touching the frontage	Lot 1/304 Whiting St Lot 2/302 Whiting St

II. Hingham Wetland Regulations and Hingham Wetlands Protection Bylaw

The project's design will be reviewed by the Conservation Commission in accordance with the Mass. Wetlands Protection Act (MGL Ch. 131 s.40) and its Regulations (310 CMR 10.00).

Criteria	Requirement	Proposed
7.4 Notice of Intent	(b) (8) all trees with greater than 6" diameter be identified on the plans	All proposed development to occur outside of existing tree line where there are no trees greater than 6" in diameter. None of the current area forested is within the proposed development area
21.1 Riverfront Area	21.1(d)(4) indicates that the presumed mean annual high water line of a non-tidal river is coincident with the outer (landmost) boundary of any Bordering Vegetated Wetland (as defined in these regulations) that may be adjacent to the river. This presumption	Top of bank flagged by mean high watermark by Nova Armstrong. Line is depicted based on the flags. The plan depicts the riverfront areas – inner and outer riparian zones - as defined under state regulations, but only shows the

	<p>may be overcome upon a clear showing that the mean annual high water line is closer to the river. Such evidence may include hydrological measurements and calculations prepared by a registered professional engineer and/or hydrologist, and/or stream flow stage data from U.S. Geological Survey stream gauges and survey. For non-tidal rivers lacking any Bordering Vegetated Wetland, the inner boundary of the 200-foot Riverfront Area shall be the top of Inland Bank as determined by the first observable break in slope or the mean annual flood level, whichever is lower</p>	<p>inner riparian zone based on local regulations. Town regulations refer by reference to state regulations, specifically 310 CMR 10.58, which allows redevelopment within previously developed riverfront areas. The proposed work improves the existing conditions in a previously developed area within the riverfront area by removing the existing residential dwelling structure and septic system and restoring the degraded riverfront area within the 100' inner riparian zone and the 100' buffer from the bordering vegetated wetlands located within the project site</p>
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III. Hingham Board of Health Supplementary Rules and Regulations for the Disposal of Sanitary Sewage

The project's design will be reviewed by the Board of Health in accordance with the Mass. DEP Environmental Code Title 5 (310 CMR 15.00).

Criteria	Requirement	Proposed
<p>VI. Design Requirements for Sewage Disposal Systems and Plants</p>	<p>6. No Sewage Disposal System shall be located within 250' of a private potable well</p> <p>8. No Sewage Disposal System shall be designed to discharge more than 110 gallons of design flow per day per 12,500 SF in Lot area</p> <p>12.a) Construction of Leaching Fields in clean granular fill only allowed if at least 6 feet of the underlying naturally occurring pervious strata is above the Maximum Groundwater Elevation if the percolation rate of the pervious material is between 2 and 5 minutes per inch</p>	<p>6. Sewage Disposal Systems located within 250' of potable well at 300 Whiting Street, but in excess of 100' requirement under Title 5 at approx. 125' – 141'</p> <p>8. To allow 330 gallons of design flow on 15,731 SF Lot 1/304 Whiting St and 330 gallons of design flow on 25,556 Lot 2/302 Whiting St consistent with Title 5</p> <p>12.a Construction proposed in fill with less than 6' of naturally occurring soils above groundwater</p>