

PROJECT DESCRIPTION

1. Introduction

This Notice of Intent application is being filed for the proposed construction of an addition to an existing single-family home located at 883 Main Street in Hingham (the site). Associated with the proposed addition is a patio and re-landscaping activities. The Town of Hingham Assessors Department references the site as Parcel #158-46. Portions of the proposed project occur within the 100-foot buffer zone to a Bordering Vegetated Wetland and the 200-foot Riverfront Area. Prior to the start of work, erosion controls will be installed in order to protect wetland resource areas. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Hingham Wetlands Protection Bylaw.

2. Site Description

The site consists of a single-family home with a paved driveway, pool, cabana, patio, maintained lawn, landscaped areas, etc. The site is located to the west of Main Street and bordered by a single-family residence to the south and forested woodlands to the west and north. As noted on the site plan, the limit of the Bordering Vegetated Wetland located on and near the site was delineated by John Zimmer, PWS of South River Environmental. Based on a review of the site plans and online databases, ECR is able to confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Bordering Vegetated Wetland (BVW)
- 100-foot buffer zone to BVW
- Bordering Land Subject to Flooding
- 200-foot Riverfront Area
- Certified Vernal Pool & 100-foot buffer zone

Notes:

1. The site is not located within an area mapped as Priority Habitat & Estimated Habitat for Rare Species according to the Massachusetts Natural Heritage & Endangered Species Program (MaNHESP).
2. The site does contain a Certified Vernal Pool according to the MaNHESP in the western portion of the site. Please note that this Certified Vernal Pool is located more than 100 feet from the proposed project included in this application.
3. The site does contain areas mapped as Bordering Land Subject to Flooding according to the FEMA Maps. Please note that project area at the site is not located within the FEMA A Zone based on previous LOMA determinations from FEMA.
4. The site does not contain U.S.G.S. mapped streams. However, a U.S.G.S. mapped perennial stream is located to the north of the site on the property of others.
5. The site is not located within an Area of Critical Environmental Concern (ACEC).

3. Proposed Activities

The purpose of this application is to authorize the construction of an addition to an existing single-family home with associated patio and re-landscape activities. Portions of the proposed project occur within the 100-foot buffer zone to BVW and the 200-foot Riverfront Area. The proposed project will involve the following activities:

- Installation of Erosion Controls – Prior to the start of work an erosion control line shall be installed along the limit of work associated with the proposed addition project. The erosion control line will demarcate the limit of work associated with the project as well as protect the nearby wetland resource areas.
- Proposed Addition – The proposed addition is located along the northern portion of the existing home. The proposed addition is located within an area that currently exists as maintained lawn and landscaped areas. The proposed addition is approximately 70 feet away from the BVW and is within the 200-foot Riverfront Area. Upon completion of the proposed addition, all disturbed areas surrounding the addition will be stabilized as lawn and/or landscape beds.

- Proposed Patio – A patio is proposed at the rear or western side of the proposed addition. The proposed patio is located within an area that currently exists as maintained lawn and landscaped areas. The proposed addition is approximately 64 feet away from the BVW and is within the 200-foot Riverfront Area. Upon completion of the proposed patio, all disturbed areas surrounding the patio will be stabilized as lawn and/or landscape beds.
- Landscape Activities - All disturbed areas associated with the project will be restored and stabilized as lawn and/or landscape beds. All landscape plant materials proposed within the 100-foot buffer zone at the site will consist of native plant species. The proposed lawn will consist of environmentally friendly grass seed mix that requires little maintenance needs such as irrigation and fertilization. ECR recommends using a grass seed mix with a high content of tall fescues, which requires less irrigation and fertilization needs.

4. Riverfront Area Analysis

4.1 Riverfront Area Calculations

The proposed addition and associated patio project at the site is classified as a Riverfront Redevelopment project. Please note the following Riverfront Area Analyses:

- Existing Riverfront Area on the site = approximately 28055 square feet (sq. ft.)
- Proposed Project in the Riverfront Area = 610 sq. ft.
 - Addition = approx. 520 sq. ft.
 - Patio = approx. 90 sq. ft.
- Existing Developed/Degraded Riverfront Area consisting of structures, driveway, cabana, etc. = approximately 2,925. ft. or 10.4% of the Riverfront Area.
- Proposed Developed/Degraded Riverfront Area consisting of new addition = 520 sq. ft. or an additional 1.9% of the Riverfront Area.

Please note that patios are exempt from the Riverfront Area standards and is not included in this calculation. More specifically, Exempt Minor Activities proposed within the existing lawn area are not included in the Riverfront Area Analysis consisting of the proposed patio. These activities are exempt from the Riverfront Area Regulations per 310 CMR 10.02(2)(b)(2)(e), which states:

The conversion of lawn to uses accessory to residential structures such as decks, sheds, patios, pools, replacement of a basement bulkhead and the installation of a ramp for compliance with accessibility requirements, provided the activity, including material staging and stockpiling is located more than 50 feet from the mean annual high-water line within the Riverfront Area, Bank or from Bordering Vegetated Wetland, whichever is farther, and erosion and sedimentation controls are implemented during construction. The conversion of such uses accessory to existing single family houses to lawn is also allowed. (Mowing of lawns is not subject to jurisdiction under 310 CMR 10.00)

4.2 Riverfront Redevelopment

The property is previously developed, and degraded areas exist within the Riverfront Area. This development predates the Riverfront Area Regulations. This proposed project constitutes a redevelopment project; more specifically, Redevelopment Within Previously Developed Riverfront Area (310 CMR 10.58(5)). A previously developed Riverfront Area is defined as an area degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Portions of the site such as the house, driveway, cabana, etc. meet this criteria for Riverfront Area Redevelopment.

In order for a project to qualify as a Riverfront Area redevelopment project, the following components are required:

- a. At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40.

The project proposes to work within an existing lawn and landscaped areas and avoids impacts to natural vegetation. Mitigation is proposed to include native plantings, which will improve the capacity of the Riverfront Area.

- b. Stormwater management is provided according to standards established by the Department.

Single family homes are exempt from the Stormwater Management Guidelines.

- c. Within 200 foot Riverfront areas, proposed work shall not be closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).

The proposed project is not located closer to the perennial stream than existing degraded areas and is not within 100 feet of the perennial stream.

- d. Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).

The proposed project is located along the side of the house with an existing maintained lawn and landscaped area. Mitigation is proposed in accordance with 310 CMR 10.58(5)(g).

- e. The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).

The existing degraded Riverfront Area at the site is approximately 10.4%. Therefore, in order to permit the additional 1.9% or 520 sq. ft. of degraded Riverfront Area associated with the proposed project, mitigation is necessary in accordance with 310 CMR 10.58(5)(f), see Section g below.

- f. When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:
1. removal of all debris, but retaining any trees or other mature vegetation;
 2. grading to a topography which reduces runoff and increases infiltration;
 3. coverage by topsoil at a depth consistent with natural conditions at the site; and
 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site

Not applicable, restoration of Riverfront Area is not proposed.

- g. When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure...

In order to mitigate the proposed increase in degraded Riverfront Area at the site, mitigation is proposed at a 2 to 1 ratio. This results in 1,040 square feet of conversion of lawn to native saplings and shrubs to increase a vegetated Riverfront Area at the site. Using saplings spaced at 15 feet of center requires 5 saplings for the mitigation area. Using shrubs spaced at 8 feet on center requires 19 shrubs for the mitigation area. For more information, please refer to the Mitigation Schematic attached.

5. Summary

Erosion and sediment control measures will be implemented and maintained throughout the duration of the construction process to prevent the conveyance of sedimentation into environmentally sensitive areas. Disturbed areas will be stabilized upon the completion of work, and in the event that intense rainfall is expected, reinforcing control measures will be installed as needed to protect all wetland resource areas. Stockpiling of soils and materials, if any, shall be located beyond the 50-foot buffer zone and surrounded by the erosion controls as necessary. Erosion control measures shall remain in place and be maintained until such time that a Certificate of Compliance has been issued by the Hingham Conservation Commission, stating that the project has been constructed in accordance with the conditions set forth in the Order of Conditions.

