



# Notice of Intent



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**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Form 3 - Notice of Intent**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
MassDEP File #:  
eDEP Transaction #:1679521  
City/Town:HINGHAM

**A.General Information**

**1. Project Location:**

a. Street Address	3 ELAINE ROAD		
b. City/Town	HINGHAM	c. Zip Code	02043
d. Latitude	42.18579N	e. Longitude	70.87272W
f. Map/Plat #	191	g.Parcel/Lot #	22

**2. Applicant:**

Individual  Organization

a. First Name	DARRYL	b.Last Name	WEHMEYER
c. Organization	COPIA REAL ESTATE DESIGN & BUILD		
d. Mailing Address	425 LINCOLN STREET		
e. City/Town	HINGHAM	f. State	MA
g. Zip Code	02043		
h. Phone Number	781-875-1199	i. Fax	
j. Email	darryl@copiarealestate.com		

**3.Property Owner:**

more than one owner

a. First Name	XIAO & TAO	b. Last Name	FAN & GUO
c. Organization			
d. Mailing Address	3 ELAINE ROAD		
e. City/Town	HINGHAM	f.State	MA
g. Zip Code	02043		
h. Phone Number	617-640-2975	i. Fax	
j.Email	guotaotao@gmail.com		

**4.Representative:**

a. First Name	BRENDAN	b. Last Name	SULLIVAN
c. Organization	MERRILL ENGINEERS AND LAND SURVEYORS		
d. Mailing Address	427 COLUMBIA ROAD		
e. City/Town	HANOVER	f. State	MA
g. Zip Code	02339		
h.Phone Number	781-826-9200	i.Fax	
j.Email	bsullivan@merrillinc.com		

**5.Total WPA Fee Paid (Automatically inserted from NOI Wetland Fee Transmittal Form):**

a.Total Fee Paid	500.00	b.State Fee Paid	237.50	c.City/Town Fee Paid	262.50
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**6.General Project Description:**

NEW SINGLE FAMILY HOME, DRIVEWAY, DECKS

**7a.Project Type:**

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home     | 2. <input type="checkbox"/> Residential Subdivision                  |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial                    |
| 5. <input type="checkbox"/> Dock/Pier                         | 6. <input type="checkbox"/> Utilities                                |
| 7. <input type="checkbox"/> Coastal Engineering Structure     | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation                    | 10. <input type="checkbox"/> Other                                   |

**7b.Is any portion of the proposed activity eligible to be treated as a limited project subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?**



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- 1. Yes No If yes, describe which limited project applies to this project:
2. Limited Project

8.Property recorded at the Registry of Deeds for:

a.County: PLYMOUTH
b.Certificate:
c.Book: 34939
d.Page: 221

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1.Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.

2.Inland Resource Areas: (See 310 CMR 10.54 - 10.58, if not applicable, go to Section B.3. Coastal Resource Areas)

Resource Area Size of Proposed Alteration Proposed Replacement (if any)

a. Bank 1. linear feet 2. linear feet

b. Bordering Vegetated Wetland 1. square feet 2. square feet

c. Land under Waterbodies and Waterways 1. Square feet 2. square feet

3. cubic yards dredged

d. Bordering Land Subject to Flooding 1. square feet 2. square feet

3. cubic feet of flood storage lost 4. cubic feet replaced

e. Isolated Land Subject to Flooding 1. square feet

2. cubic feet of flood storage lost 3. cubic feet replaced

f. Riverfront Area
1. Name of Waterway (if any)
2. Width of Riverfront Area (check one)
25 ft. - Designated Densely Developed Areas only
100 ft. - New agricultural projects only
200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project square feet

4. Proposed Alteration of the Riverfront Area:

a. total square feet b. square feet within 100 ft. c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No





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a. number of new stream crossings

b. number of replacement stream crossings

**C. Other Applicable Standards and Requirements**

**Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review**

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage of Endangered Species program (NHESP)?

a.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to:  
Natural Heritage and Endangered Species  
Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)...

c. Submit Supplemental Information for Endangered Species Review \* (Check boxes as they apply)

1.  Percentage/acreage of property to be altered:

(a) within Wetland Resource Area percentage/acreage

(b) outside Resource Area percentage/acreage

2.  Assessor's Map or right-of-way plan of site

3.  Project plans for entire project site, including wetland resource areas and areas outside of wetland jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*

a.  Project description (including description of impacts outside of wetland resource area & buffer zone)

b.  Photographs representative of the site

c.  MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

d.  Vegetation cover type map of site

e.  Project plans showing Priority & Estimated Habitat boundaries

d. OR Check One of the following

1.  Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing.

a. NHESP Tracking Number

b. Date submitted to NHESP

3.  Separate MESA review completed.

Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.



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\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

- 2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?
  - a.  Not applicable - project is in inland resource area only
  - b.  Yes  No

If yes, include proof of mailing or hand delivery of NOI to either:

South Shore - Cohasset to Rhode Island, and the Cape & Islands:

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 S. Rodney French Blvd  
New Bedford, MA 02744

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930

If yes, it may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional office.

- 3. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

- a.  Yes  No

If yes, provide name of ACEC (see instructions to WPA Form 3 or DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

- 4. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

- a.  Yes  No

- 5. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L.c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L.c. 130, § 105)?

- a.  Yes  No

- 6. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

- a.  Yes, Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

- 1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol.2, Chapter 3)
- 2.  A portion of the site constitutes redevelopment
- 3.  Proprietary BMPs are included in the Stormwater Management System

- b.  No, Explain why the project is exempt:

- 1.  Single Family Home
- 2.  Emergency Road Repair
- 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family



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housing project) with no discharge to Critical Areas.

**D. Additional Information**

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department by regular mail delivery.

- 1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s)).
- 4. Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title:	b. Plan Prepared By:	c. Plan Signed/Stamped By:	c. Revised Final Date:	e. Scale:
3 ELAINE ROAD SITE PLAN	MERRILL ENGINEERS AND LAND SURVEYORS	BRENDAN SULLIVAN	5/6/24	20 SCALE

- 5. If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 8. Attach NOI Wetland Fee Transmittal Form.
- 9. Attach Stormwater Report, if needed.



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**E. Fees**

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number <u>2108</u>	3. Check date <u>4/30/24</u>
4. State Check Number <u>ONLINE PAYMENT</u>	5. Check date <u>XERO AND 640</u>
6. Payer name on check: First Name <u>EM AND TAO</u>	7. Payer name on check: Last Name

**F. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant <u>[Signature]</u>	2. Date <u>4/30/24</u>
3. Signature of Property Owner (if different) <u>[Signature]</u>	4. Date <u>4/30/2024</u>
5. Signature of Representative (if any) <u>[Signature]</u>	6. Date <u>4/30/24</u>

**For Conservation Commission:**

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

**For MassDEP:**

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a copy of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

**Other:**

If the applicant has checked the "yes" box in Section C, Items 1-3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



# Project Narrative

# Project Narrative

## Project Description

### Resource Areas

The resource area delineation was performed by \_\_\_\_\_ in \_\_\_\_\_. The site contains the following wetland resource areas:

- Bordering Vegetated Wetlands (BVW)

The site is located within a Zone \_\_\_\_\_, as shown on the current FEMA Flood Map Panel Number (\_\_\_\_\_). Refer to Figure- FEMA Flood Map.

According to the most recent mapping, produced by the Natural Heritage and Endangered Species Program (NHESP), there are priority habitats in the project area.

## **Mitigation Measures**

Erosion control is proposed along the limit of the 50' buffer to prevent any construction related runoff from entering the resource area. All trees being removed within the 100 foot buffer will be mitigated 1:1 per conservation requirements. Two subsurface infiltration systems are proposed on site to capture runoff from the entire dwelling and a majority of the proposed driveway. Material and equipment stockpiling will occur in front yard outside of the BVW buffer zones.

## **Compliance with Performance Standards for Work in the Buffer Zone, Section 22.0(d), Hingham Wetland Regulations**

The proposed work complies with the Hingham Wetland Regulations Performance Standards for work in the Buffer Zone as follows:

*1. The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area, in order to protect the wetland values of Resource Areas.*

The proposed dwelling will be right up against the zoning setbacks, and therefore will be as far from the resource area as possible. The entire dwelling is located outside the 100 foot buffer, and no impervious is proposed within the 100 foot buffer as well. Trees proposed for removal are necessary for the safety of the dwelling and recreation.

*2. Except as otherwise specified, Resource Area buffers shall be retained and maintained in a naturally vegetated condition. where buffer disturbance has occurred during construction, re-vegetation with native vegetation may be required.*

The work area consists of existing lawn and overgrown woods. The area is proposed to be loamed and seeded, and any tree removed will be replaced with an approved equal per conservation requirements. A siltsock will be placed along the limit of the 50 foot buffer to establish the limit of work.

*3. The Commission may require that already-altered buffer zone be restored in order to protect or improve Resource Area values. Restoration means planting native vegetation, grading, correcting site drainage, removing debris, or other measures which will improve, restore and protect the wetland values of the Resource Area.*

The 100 foot buffer zone is already altered with lawn area.

*4. Notwithstanding the above provisions, no project may be permitted which will have any adverse effect on specified habitat of rare vertebrae or invertebrate and rare plant species, as identified by procedures under 310 CMR 10.37 for Coastal Resource Areas or 310 CMR 10.59 for Inland Resource Areas.*

This site has not been identified to contain any rare species of vertebrae, invertebrae, or plant species.

*5. The Commission may impose such additional requirements as are necessary to protect the wetland values protected under the Bylaw.*

This application is presented to the Conservation Commission for their review.



Environmental Consulting & Restoration, LLC



## WETLAND DELINEATION MEMO

**TO:** Darryl Wehmeyer  
**FROM:** Brad Holmes  
**DATE:** December 11, 2023  
**RE:** 3 Elaine Road, Hingham

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at the property located at 3 Elaine Road in Hingham (the site) on November 28, 2023. The purpose of the review was to identify wetland resource areas on and near the site. The site is located to the east of Elaine Road and consists of a single-family home with a paved driveway, maintained lawn, landscaped area, etc. The weather on November 28<sup>th</sup> was sunny, clear and cold (approximately 35 degrees) with light wind and dry site conditions.

Wetland resource areas are located within the eastern-most portion of the site to the rear of the existing home. ECR placed Isolated Vegetated Wetland (IVW) flags (pink/black striped ribbons) #A1 to #A8 along the nearest limit of the wetland to the rear of the home. The vegetated wetland was delineated following the methodology established by the Massachusetts Department of Environmental Protection (DEP) regulations found at 310 CMR 10.55 pertaining to the delineation of Bordering Vegetated Wetlands. The delineation was performed by analyzing vegetation, hydrology within 12 inches of the surface, and soil conditions within 20 inches of the surface. The wetland contains hydric soils, saturated soils, and dominant wetland indicator plants. Please note, the wetland is in fact isolated, it is a small depression that is separated from the larger Bordering Vegetated Wetland system located offsite to the east.

As a result of ECR's wetland delineation at the site, ECR is able to confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Isolated Vegetated Wetlands
- 100-foot Buffer Zone to IVW

Also, a review of the MassMapper database reveals the following:

1. The site is not located within Estimated/Priority Habitat for Rare Species according to the Massachusetts Natural Heritage & Endangered Species Program (MaNHESP).
2. The site does not contain Certified Vernal Pools according to the MaNHESP.
3. The site does not contain a U.S.G.S. mapped stream.
4. The site does not contain areas mapped as Land Subject to Flooding (FEMA flood zone).
5. The site is not located within an Area of Critical Environmental Concern.

Upon review of this wetland delineation memo, please contact me at (617) 529 – 3792 or [brad@ecrwetlands.com](mailto:brad@ecrwetlands.com) with any questions or requests for additional information.

Thank you,  
Brad Holmes, Professional Wetland Scientist #1464  
Manager



# Town of Hingham Forms



## TOWN OF HINGHAM CONSERVATION COMMISSION

### APPLICATION CHECKLIST NOTICE OF INTENT (NOI)

The following instructions and submittal requirements should be used when submitting a Notice of Intent to the Conservation Commission under the MA Wetlands Protection Act and Hingham Wetlands Protection By-Law. Please also refer to the DEP [Instructions for Completing WPA Form 3](#). Submit two (2) copies of the following, unless otherwise specified, to the Conservation Office, and one electronic copy of the complete application to [conservation@hingham-ma.gov](mailto:conservation@hingham-ma.gov)

- WPA Form 3- Notice of Intent: [WPA Form 3: Wetlands Notice of Intent | Mass.gov](#) The application must be signed by the property owner. Submit the original and one copy to the Commission by hand delivery or certified mail.
- WPA Appendix B- *NOI Wetland Fee Transmittal Form* and two (2) separate checks for the following: [Town of Hingham Wetlands Protection Bylaw fee](#) and [State Wetlands Protection Act local filing fee](#)
  - *Payable to Town of Hingham*
  - *Please redact bank account information from photocopies*
  - *Note, a public legal notice is prepared and submitted by staff and the newspaper will invoice the applicant*
- A copy of the Certified Abutter List and the [‘Notification to Abutters Form’](#)
  - *Contact Conservation Office for abutters list which will be certified by the Assessor’s Office*
  - *Abutters must be notified by hand delivery, certified mail-return receipt, OR certificate of mailing at least 7 days prior to the hearing date*
  - *Certified mail receipts or certificate of mailing receipts shall be submitted to the Conservation Office with the application or presented to the Commission at the beginning of the public hearing*
- TBD  [‘Affidavit of Service’ Form](#) attesting abutters were notified in accordance with 310 CMR 10.05(4) and the Hingham Wetland Regulations, §7.5 **Abutters to be notified once hearing date is confirmed**
  - *Abutters within 100 feet of a property line where work is proposed for inland projects*
  - *Abutters within 300 feet of a property line where work is proposed for coastal projects*
- Narrative describing the property location, existing conditions, methodology used for wetland delineation including DEP data forms or other delineation method, site photos, proposed work, and performance standards analysis, as applicable, for impacts to resource areas under the Wetlands Protection Act Regulations and/or Hingham Wetland Regulations. The narrative should also include: a report on the on-site wetland resource areas (per the [Resource Area Delineation Policy](#)), existing/proposed impervious and pervious surface calculations and proposed mitigation (per the [Buffer Zone Mitigation Policy](#)), tree removal/replacement requests (per the [Tree Removal and Replacement Policy](#)), and stormwater management.
- Project plan(s): two (2) copies of full size plan set and one (1) copy of reduced 11” x 17” plan(s), signed and stamped by a MA Registered Professional Engineer (PE) or other registered professional including the following information:
  - *All wetland resource area boundaries including the 50 and 100 foot Buffer Zone (showing sequentially numbered flags as applicable)*

- *FEMA Floodplain boundaries, as applicable*
- *A note indicating the date the wetland delineation was completed and who performed the delineation. If the wetland boundaries were previously approved by the Commission a note should be included indicating the date of approval and DEP File Number, if applicable.*
- *All plans shall be colored coded or highlighted with transparent marker pen as follows: freshwater or coastal wetland boundary in blue; 50 foot buffer zone in green; 100 foot buffer zone in yellow; 200 Foot Riverfront Area in pink; and Bordering Land Subject to Flooding (100 year flood plain where NFIP data available) or Land Subject to Coastal Storm Flowage in orange.*
- *Location of existing and proposed site amenities above and below the ground*
- *Topography in 2 foot contour intervals*
- *Limit of work/erosion and sediment control line*
- *Stockpile locations and other Stormwater BMPs as applicable*
- *Edge of lawn/tree line, and trees of 6 inches or greater DBH in the buffer zone*
- *The drainage basin in which the site is located*

Guidelines: sheet sizes not more than 24"x 36"; scale not more than 1"=40'; title block located at the lower right hand corner, preferably.

NA  For projects subject to the DEP Stormwater Regulations, 310 CMR 10.05(6)(k)-(q), one copy of the Stormwater Report, Stormwater Report Checklist and the Registered Professional Engineer's Certification that the project conforms to the Stormwater Management Regulations and meets acceptable engineering standards

Proof of mailing the complete NOI to the MA Department of Environmental Protection (DEP), Southeast Regional Office at 20 Riverside Drive, Lakeville MA, 02347 (certified mail receipt from the post office) or proof of electronic filing (eDEP Transaction Number) **Proof of eDEP submittal emailed.**

NA  Proof of mailing the complete NOI to the MA Natural Heritage & Endangered Species Program (NHESP) and the MA Division of Marine Fisheries (Gloucester), if applicable (certified mail receipt from the post office)

The Conservation Commission's [Policy on Receipt of Information](#)

Optional - [Voluntary 21 Day Waiver](#)

# HINGHAM WETLAND REGULATIONS

## APPENDIX C

### Policy on Receipt of Information

(Revised March 4, 2024)

1. New applications/filings must be submitted to the Conservation office (by certified mail or hand delivery) two weeks prior to the meeting date, on Monday by noon, to facilitate the placement of the legal ad and to allow timely review by the Conservation Officer (if the office is closed on Monday due to a holiday, then the information is due on the preceding Friday by noon). Conservation staff will review the application for administrative completeness. Upon receipt of a complete application, a hearing or meeting will be scheduled in accordance with the 310 CMR 10.05(5) and the Wetland Regulations, Section 7.6.
2. If deemed necessary, based on the Commission's meeting schedule, Conservation staff may request the applicant *voluntarily* waive the 21 day statutory deadline for holding a public hearing or issuing a Determination of Applicability.
3. Requests for additional information may be made by the Commission members or their agent to clarify the scope of the project or determine compliance with the 310 CMR 10.00 and/or the Hingham Wetland Regulations. Such requests, if not made at the public hearing, will be communicated to the applicant or their representative as promptly as possible.
4. Additional information requested by the Commission or their agent in accordance with No.3, must be submitted to the Conservation office a minimum of 7 days prior to the meeting date, on Monday by noon. If the office is closed on Monday due to a holiday, the information is due on the preceding Friday by noon. *Revisions submitted after the established deadline may not receive a review, thereby resulting in a continuance to the next available meeting.*
5. The Commission may engage the peer review services of an outside consultant as provided by M.G.L. Ch. 44, § 53G, to be paid for by the applicant, for specific expert review deemed necessary to come to a final decision on a submitted application. Specific consultant services may include but are not limited to, review of a Notice of Intent, Wetland Resource Area Delineation, Stormwater/Drainage Reports, etc. The consultant shall be chosen by the Conservation Commission by vote at the public hearing, and report only to the Commission or its agent. *Requested additional information/revisions by the peer reviewer is required a minimum of two weeks prior to the hearing date.*
5. All supplemental documentation and revised plans must include a revision date and must be date stamped by the Conservation office upon receipt. If this information is not present, the documents may be considered incomplete and may not receive a timely review, thereby resulting in a continuance to the next available meeting.
6. Please note that all supplemental documentation and revised plans submitted to the Commission for a pending application, subject to the MA Wetlands Protection Act, must also be sent to the DEP Southeast Regional Office, 20 Riverside Dr., Lakeville, MA 02347

The Hingham Conservation Commission is committed to a thorough and timely review of each application and an efficient hearing process. Cooperation with this policy is appreciated to facilitate these efforts. Exceptions to this policy may be made by the Conservation staff if deemed warranted. Please sign and include with your filing. Thank you.

  
\_\_\_\_\_  
Applicant or Applicant's Representative Signature

4/30/24  
Date

# Site Photos

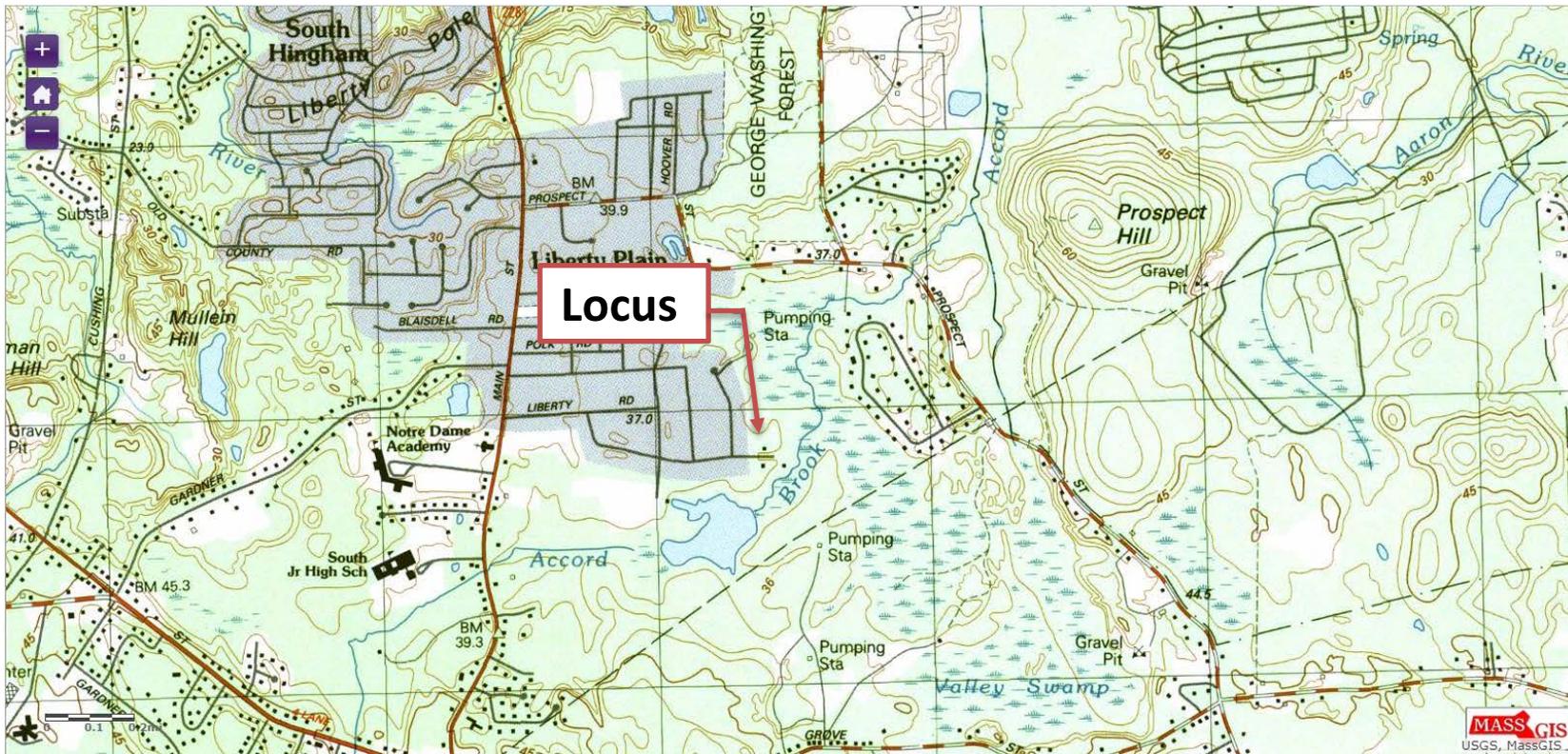






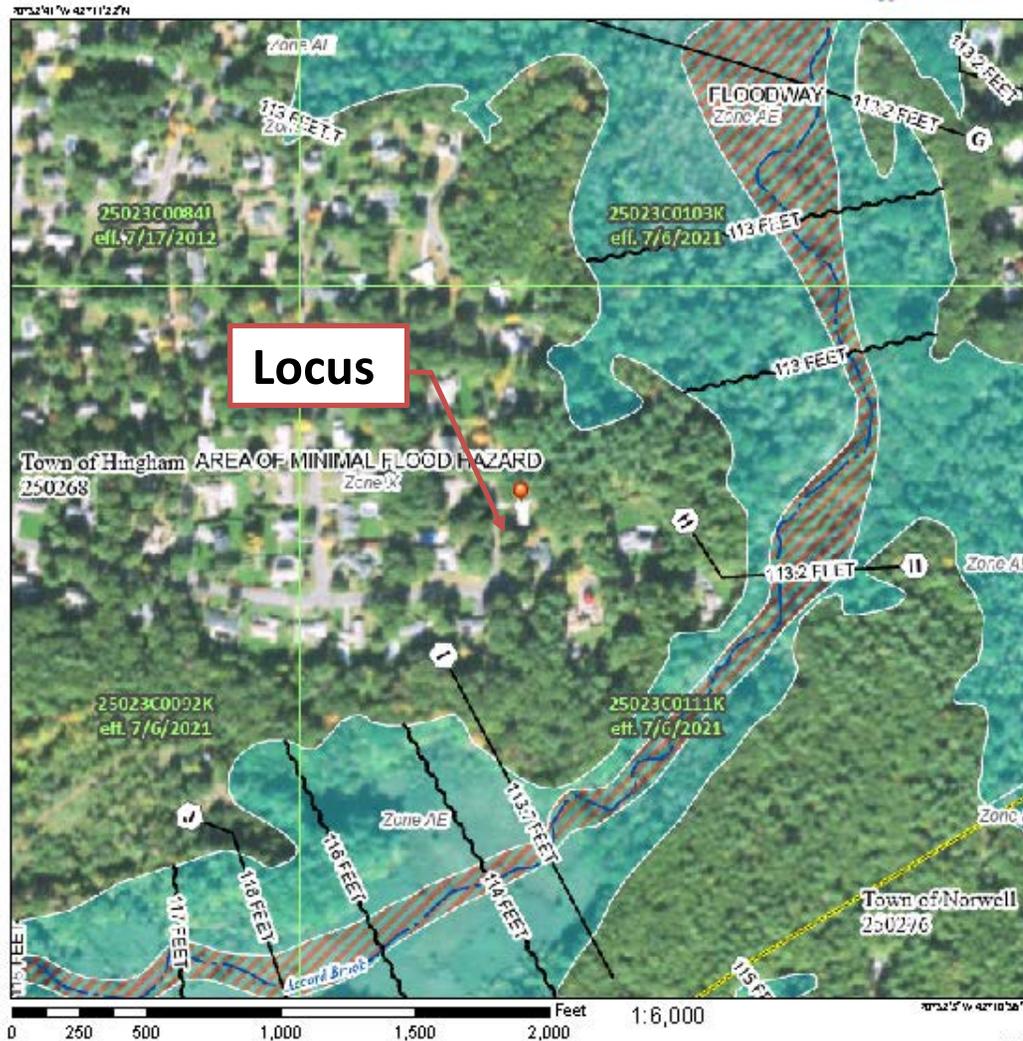
# Figures

# USGS Map



# FEMA Flood Map

## National Flood Hazard Layer FIRMette



### Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE) Zone A, V, X2
- With BFE Elevation Zone AE, A, O, AH, VC, AP
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Areas of 1% Annual Chance Flood with average depth less than one foot, or with drainage areas of less than one square mile. Zone F
- Future Conditions 1% Annual Chance Flood Hazard. Zone F
- Area with Reduced Flood Risk due to Levee. See Notes. Zone F
- Area with Flood Risk due to Levee. Zone D

**OTHER AREAS**

- Area of Minimal Flood Hazard. Zone F
- Effective IOMs
- Area of Unincorporated Flood Hazard. Zone D

**GENERAL STRUCTURES**

- Channel, Outfall, or Storm Sewer
- Levee, Dam, or Roadwall

**OTHER FEATURES**

- Cross Sections with 1% Annual Chance
- Water Surface Elevation
- Optional Traversal
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Optional Traversal Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

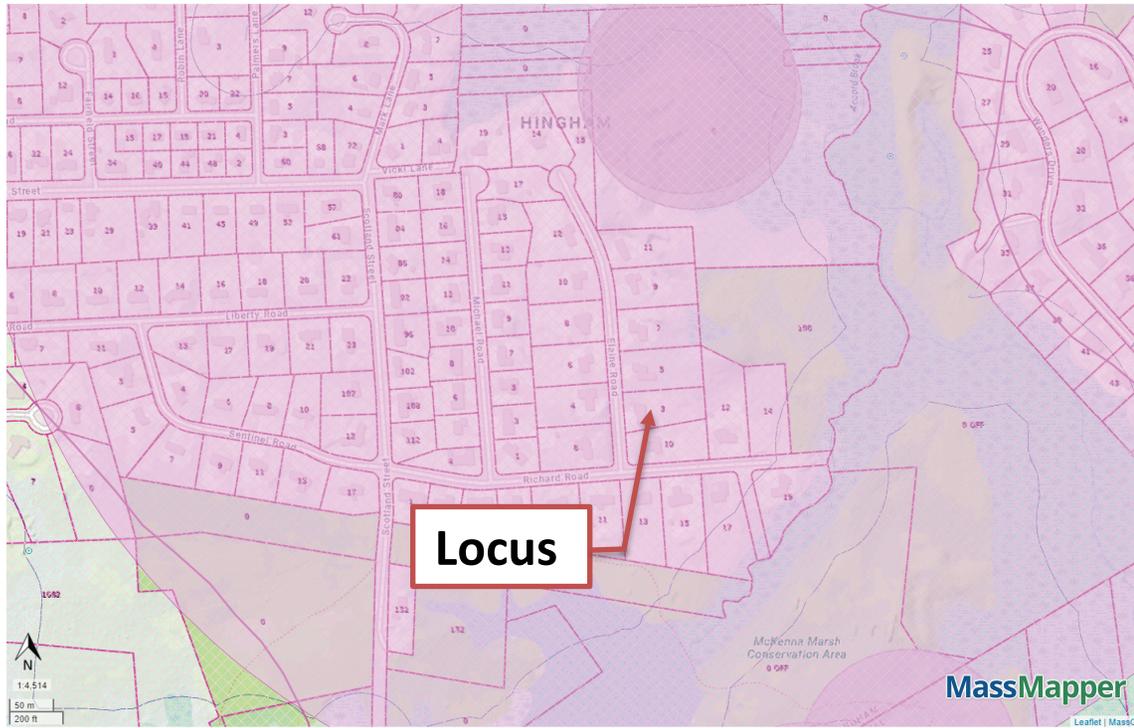
This map complies with FEMA's statements for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy statements.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was captured on 02/19/2024 at 12:11 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unincorporated areas cannot be used for regulatory purposes.

# NHESP Map

## 3 Elaine Road

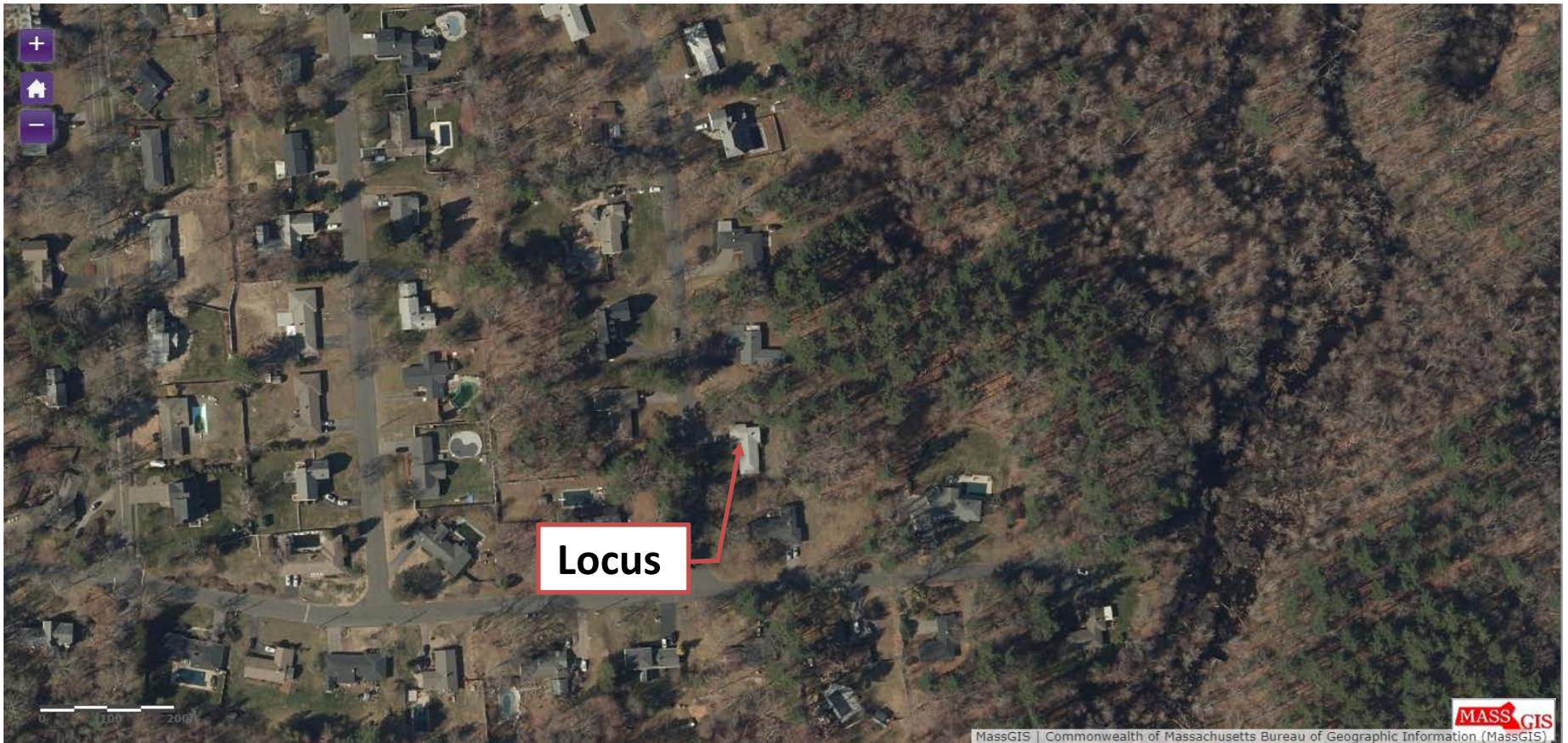


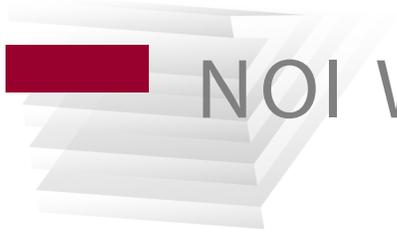
- IWPAs
- Zone IIs
- Zone Is
- Zone A
- Potential Vernal Pools
- NHESP Priority Habitats of Rare Species
- NHESP Natural Communities
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Certified Vernal Pools
- NHESP Ecoregions
- Areas of Critical Environmental Concern ACECs Boundaries
- Areas of Critical Environmental Concern ACECs Transparent Green
- Areas of Critical Environmental Concern ACECs
- Property Tax Parcels

# NRCS Soil Map



# Aerial Photography





# NOI Wetland Filing Fees

**TOWN OF HINGHAM**  
**WETLANDS PROTECTION BY-LAW FEE SCHEDULE**  
Effective February 10, 2017

<b>ADMINISTRATIVE REVIEWS</b>	<b>\$ 30.00</b>	
<b>REQUESTS FOR DETERMINATION OF APPLICABILITY*</b>	<b>\$ 50.00</b>	<b>For ancillary work on an existing single family house and all other requests for the first acre of land.</b>
	<b>\$ 40.00</b>	<b>For each additional acre of land.</b>
<b>NOTICES OF INTENT*</b>		
<b>Category 1</b>	<b>\$ 100.00</b>	
<b>Category 2</b>	<b>\$ 250.00</b>	
<b>Category 3</b>	<b>\$ 525.00</b>	<b>Commercial</b>
	<b>\$ 1,000.00</b>	<b>Subdivision (+ \$25.00 per house lot)</b>
<b>Category 4</b>	<b>\$ 725.00</b>	
<b>Category 5</b>	<b>\$3.00/foot</b>	<b>Not less than \$100.00.</b>
<b>EXTENSIONS</b>	<b>\$ 100.00</b>	<b>Residential</b>
	<b>\$ 300.00</b>	<b>Commercial/Subdivision</b>
<b>CERTIFICATES OF COMPLIANCE</b>	<b>\$ 50.00</b>	<b>Residential</b>
	<b>\$ 100.00</b>	<b>Commercial/Subdivision</b>
<b>BOUNDARY DELINEATIONS</b>	<b>\$ 3.00/foot</b>	<b>Not less than \$100.00 and not more than \$200.00 for activities associated with a single family house or \$2,000.00 for all other activities.</b>
<b>REQUESTS FOR AMENDMENTS TO ORDERS OF CONDITIONS</b>	<b>\$ 25.00</b>	<b>Residential</b>
	<b>\$ 200.00</b>	<b>Commercial/Subdivision</b>

**NOTE:** These Bylaw fees are in addition to the fees pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40). The Bylaw fee and the Town's share of the WPA fee should be submitted on separate checks, payable to the **Town of Hingham**.

**\*Fees for filings received after a project has commenced are double the fee listed.**

**TOWN OF HINGHAM  
CALCULATED FEE STATEMENT  
NOTICE OF INTENT FILINGS**

Activity definition: anywhere the footprint is changing or site work occurs constitutes a new activity.

Category	Activity Letter(s)	Quantity	Fee/Activity	Fee
1			\$100.00	
2	a	1	\$250.00	\$250.00
3		Commercial	\$525.00	
		Subdivision	\$1,000.00	
4			\$725.00	
5			\$3.00/foot	
Circle activities below.				TOTAL

**WETLAND FEE CATEGORY SUMMARY**

**CATEGORY 1: \$100.00**

- a) Work on Single Family Lot: addition, pool, etc.
- b) Site work without house
- c) Control vegetation (SFH): removal, herbicide, etc.
- d) Resource improvement.
- e) Work on septic system separate from house.
- f) Monitoring well activities minus roadway.

**CATEGORY 2: \$250.00**

- a) Construction of Single Family House (SFH).
- b) Parking lot.
- c) Beach nourishment.
- d) Electric Generating Facility activities.
- e) Inland Limited Projects minus road crossings.
- f) New agricultural or aquacultural projects.
- g) Each crossing for driveway to SFH.
- h) Any point source discharge.

**CATEGORY 3: \$525.00/\$1,000.00**

- a) Site preparation (for development beyond NOI scope).
- b) Each building (for development) including site.
- c) Road construction not crossing or driveway.
- d) Hazardous clean up.

**CATEGORY 4: \$725.00**

- a) Each crossing for development or commercial road.
- b) Dam, sluiceway, tidegate work.
- c) Landfill.
- d) Sand and gravel operation.
- e) Railroad line construction.
- f) Control vegetation in development (SFH).
- g) Bridge (SFH).
- h) Water level variation.
- i) Hazardous waste alterations to resource area.
- j) Dredging.
- k) Package treatment plant & discharge

**CATEGORY 5: \$3.00 per linear foot (\$100.00 minimum)**

- a) Docks, piers, revetments dikes, etc. (coastal or inland)



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**WPA Form 3 - Notice of Wetland Fee Transmittal Form**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:  
 MassDEP File #:  
 eDEP Transaction #:1679521  
 City/Town:HINGHAM

**A. Applicant Information**

1. Applicant:

a. First Name	DARRYL	b. Last Name	WEHMEYER
c. Organization	COPIA REAL ESTATE DESIGN & BUILD		
d. Mailing Address	425 LINCOLN STREET		
e. City/Town	HINGHAM	f. State	MA
g. Zip Code	02043		
h. Phone Number	7818751199	i. Fax	
j. Email	darryl@copiarealestate.com		

2. Property Owner:(if different)

a. First Name	XIAO & TAO	b. Last Name	FAN & GUO
c. Organization			
d. Mailing Address	3 ELAINE ROAD		
e. City/Town	HINGHAM	f. State	MA
g. Zip Code	02043		
h. Phone Number	6176402975	i. Fax	
j. Email	guotaotao@gmail.com		

3. Project Location:

a. Street Address	3 ELAINE ROAD	b. City/Town	HINGHAM
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Are you exempted from Fee?

**Note:** Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

**B. Fees**

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) CONSTRUCTION OF SINGLE FAMILY HOUSE;	1	500.00		500.00
		City/Town share of filing fee	State share of filing fee	Total Project Fee
		\$262.50	\$237.50	\$500.00

Checks.com www.checks.com

5-7017/2110 2108

FAN XIAO  
TAO GUO  
3 ELAINE ROAD  
HINGHAM, MA 02043

Date 4/30/2024

PAY to the ORDER of The Town of Hingham \$ 262.50  
Two hundred sixty two dollars <sup>50</sup>/<sub>100</sub> cents

PENGUIN PARADE

CITIZENS BANK  
MASSACHUSETTS

For WPA fee

Security Features Included. Details on Back.

Checks.com www.checks.com

5-7017/2110 2107

FAN XIAO  
TAO GUO  
3 ELAINE ROAD  
HINGHAM, MA 02043

Date 4/30/2024

PAY to the ORDER of The Town of Hingham \$ 250.00  
Two hundred fifty Dollars

PENGUIN PARADE

CITIZENS BANK  
MASSACHUSETTS

For Wetland Bylaw Fee

Security Features Included. Details on Back.



# A butter Notification

TOWN OF HINGHAM  
BOARD OF ASSESSORS



CERTIFICATION SHEET

**Property Address: 3 Elaine Road**

**Parcel ID: 191-22**

Requestor: Merrill Engineers & Land Surveyors

Pursuant to the provisions of Chapter 131 Section 40 of the MA General Laws and Article 22 of the Town of Hingham General Bylaws (Wetlands Protection By-law), we hereby certify that the list attached hereto is a true list of names and addresses of abutters concerning a matter to be heard by the Hingham Conservation Commission involving the above-referenced property.

As used herein the term "abutter" means:

Owners of adjoining land within 100 feet of the property line where the activity proposed;

Owners of adjoining land within 300 feet of the property line where the activity proposed for coastal projects; or

Owners of land directly opposite on any public or private street or way; or across a body of water.

All as they appear on the most recent applicable tax list.

BOARD OF ASSESSORS

CERTIFICATION DATE 04-30-2024

**Abutters List**[print this list](#)

Date: April 29, 2024

Subject Property Address: 3 ELAINE ROAD Hingham, MA  
Subject Property ID: 191-0-22.R

Search Distance: 100 Feet

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Owner: OBRIEN DESTINY IRENE  
Prop ID: 191-0-22.G  
Prop Location: 8 RICHARD ROAD Hingham, MA

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Owner: FOULSHAM MARGUERITE & MURPHY JOHN B  
Prop ID: 191-0-22.H  
Prop Location: 4 ELAINE ROAD Hingham, MA

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Owner: ESPOSITO IVAN  
Prop ID: 191-0-22.J  
Prop Location: 6 ELAINE ROAD Hingham, MA

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Owner: SHERIDAN LAUREN & MARKHAM COURTNEY  
Prop ID: 191-0-22.Q  
Prop Location: 5 ELAINE ROAD Hingham, MA

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Owner: MCLAUGHLIN WILLIAM B TRUSTEE  
Co-Owner: MCLAUGHLIN FAMILY IRREVOCABLE TRUST  
Prop ID: 191-0-22.S  
Prop Location: 10 RICHARD ROAD Hingham, MA

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Owner: LAROSSA WILLIAM R & GINA  
Prop ID: 191-0-22.T  
Prop Location: 12 RICHARD ROAD Hingham, MA

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**AFFADAVIT OF SERVICE**  
Under the MA Wetlands Protection Act and  
Hingham Wetlands Protection By-Law

(To be submitted to the Hingham Conservation Commission and the MA Department of Environmental Protection when filing an application requiring abutter notification)

I, \_\_\_\_\_, hereby certify under the pains and penalties of perjury  
*Name of person making Affidavit*  
that on \_\_\_\_\_ I gave notification to abutters in compliance with the second paragraph of  
*Date*  
the Massachusetts General Laws Chapter 131, Section 40, and the Hingham Wetlands Protection By-Law and  
Wetland Regulations, by \_\_\_\_\_ in connection with the following matter:  
*Type of Service*

A Notice of Intent was filed under the MA Wetlands Protection Act and Hingham Wetlands Protection By-Law with the Hingham Conservation Commission on:

\_\_\_\_\_ for property located at \_\_\_\_\_.  
*Date* *Property Address*

The form of the notification and a list of abutters to whom notice was given and their addresses are attached to this Affidavit of Service.

\_\_\_\_\_  
Signature

TBD ONCE MEETING DATE  
CONFIRMED

\_\_\_\_\_  
Date

# NOTIFICATION TO ABUTTERS

Under the MA Wetlands Protection Act and  
Hingham Wetlands Protection By-Law

TBD ONCE  
MEETING DATE  
CONFIRMED

In accordance with the second paragraph of the Massachusetts General Laws Chapter 131 §40, and Section 7.5 of the Hingham Wetland Regulations, you are hereby notified of the following:

\_\_\_\_\_ has filed a \_\_\_\_\_  
*Applicant Name* *Application Type*

with the Town of Hingham Conservation Commission seeking permission to remove, fill, dredge, or alter an Area Subject to Protection under the Wetlands Protection Act, M.G.L. 131 §40, and/or the Town of Hingham Wetlands Protection By-Law [Article 22].

The address of the property where work is proposed: \_\_\_\_\_

The proposed work includes: \_\_\_\_\_

Copies of the application may be examined at the Conservation Office located at Hingham Town Hall, 210 Central Street, Hingham, MA during the following business hours:

Monday, Wednesday, Thursday 8:30AM- 4:30PM  
Tuesday 8:30AM - 7:00PM  
Friday 8:30AM - 1:00PM

For more information, to request copies of the application, or obtain information about the public hearing please contact the Conservation Office at (781)741-1445 or by emailing [Conservation@hingham-ma.gov](mailto:Conservation@hingham-ma.gov)

You may also request copies of the application from the  applicant or  applicant's representative by contacting \_\_\_\_\_ at (\_\_\_\_\_) \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ on the following days: \_\_\_\_\_.

*An Administrative fee may be applied for providing copies of the application or plans.*

Notice of the public hearing, including the date, time, and place will be published at least five (5) business days in advance of the hearing in the Patriot Ledger. Notice will also be posted on the town website at least forty-eight (48) hours in advance of the public hearing. To view the agenda, go to [Agenda Center • Hingham, MA • CivicEngage \(hingham-ma.gov\)](#)

The Department of Environmental Protection (DEP) Southeast Regional Office can also provide information about this application or the MA Wetlands Protection Act. DEP is located at 20 Riverside Drive, Lakeville, MA 02347 and can be reached by telephone at (508) 946-2700.