



June 7, 2024

Town of Hingham
Conservation Commission
210 Central Street
Hingham, MA 02043

Re: Notice of Intent – Supplement #1
Additions/Renovations to a Single-Family Residence
199 Otis Street
Map 27, Parcel 166
Hingham, MA 02043
MassDEP File # SE 034-1498

Members of the Hingham Conservation Commission:

On behalf of the project Applicants and Owners, Robert and Timblin Kelleher, and in association with Roger O. Hoit, AIA Architect, Lucas Environmental, LLC (LE) is pleased to submit this supplemental package for the Notice of Intent (NOI) for the proposed addition and renovations to a single-family residence at 199 Otis Street (Map 27, Parcel 166) in Hingham, Massachusetts. This supplement is submitted as requested by the Hingham Conservation Commission Agent to address the comments from the Massachusetts Department of Environmental Protection (MassDEP).

The existing Salt Marsh is located along the eastern side in a very small pocket within a larger area that is mapped by MassDEP as Salt Marsh, which primarily consists of Coastal Beach. The area was not field delineated as it is tidally influenced, and the flags would not remain. The pocket is vegetated with smooth cordgrass (*Spartina alterniflora*) and less than 500 square feet in size. See attached photographs showing the small pocket of Salt Marsh within the Coastal Beach area.

No work is proposed downgradient of the existing seawalls; therefore, no equipment will be used on the Coastal Beach or near the Salt Marsh. All work on the site is proposed within existing developed areas and will improve the existing conditions for the floodplain to allow coastal floodwaters to freely pass through portions of the site. The following documents the project's compliance with the performance standards for Salt Marsh under the Section 310 CMR 10.32 of the Wetlands Protection Act Regulations, with the performance standard in *italics*, and the response in standard format.

WHEN A SALT MARSH IS DETERMINED TO BE SIGNIFICANT TO THE PROTECTION OF MARINE FISHERIES, THE PREVENTION OF POLLUTION, STORM DAMAGE PREVENTION OR GROUND WATER SUPPLY, 310 CMR 10.32(3) THROUGH (6) SHALL APPLY:

- (3) *A proposed project in a salt marsh, on lands within 100 feet of a salt marsh, or in a body of water adjacent to a salt marsh shall not destroy any portion of the salt marsh and shall not have an adverse effect on the productivity of the salt marsh. Alterations in growth, distribution and composition of salt marsh vegetation shall be considered in evaluating adverse effects on productivity. 310 CMR 10.32(3) shall not be construed to prohibit the harvesting of salt hay.*



The proposed work will not destroy any portion of the Salt Marsh and will not have an adverse effect on the productivity of the Salt Marsh. Alterations in growth, distribution, and composition of Salt Marsh vegetation will not be altered with the modifications to the existing structures.

- (4) *Notwithstanding the provisions of 310 CMR 10.32(3), a small project within a salt marsh, such as an elevated walkway or other structure which has no adverse effects other than blocking sunlight from the underlying vegetation for a portion of each day, may be permitted if such a project complies with all other applicable requirements of 310 CMR 10.21 through 10.37.*

The work will not modify the existing house structure in such a manner as to block sunlight from the existing Salt Marsh. The location of the garage is not anticipated to block the sunlight from the existing Salt Marsh based upon the location of the structure and the Salt Marsh pocket, which is downgradient of the existing house. See the Plans included with the original NOI, and attached site photographs.

- (5) *Notwithstanding the provisions of 310 CMR 10.32(3), a project which will restore or rehabilitate a salt marsh, or create a salt marsh, may be permitted in accordance with 310 CMR 10.11 through 10.14, 10.24(8), and/or 10.53(4).*

Not applicable.

- (6) *Notwithstanding the provisions of 310 CMR 10.32(3) through (5), no project may be permitted which will have any adverse effect on specified habitat sites of Rare Species, as identified by procedures established under 310 CMR 10.37.*

There is no specified habitat of Rare Species on or near the site.

Based upon the proposed work and the location of the Salt Marsh pocket, no adverse effects are anticipated to Salt Marsh, and the project fully complies with the performance standards to Salt Marsh.

If you have any questions, please do not hesitate to contact me at 617.405.4140 or cml@lucasenviro.com. Thank you for your consideration in this matter.

Sincerely,
LUCAS ENVIRONMENTAL, LLC

Christopher M. Lucas, PWS, CWS, RPSS
Environmental Consultant/Wetland & Soil Scientist

Enclosures: Photographic Documentation

cc: Robert and Timblin Kelleher– Owners and Applicant (electronic copy)
Roger O. Hoit, AIA Architect (electronic copy)
MassDEP – SERO (electronic copy)

PHOTOGRAPHIC DOCUMENTATION

DATE: March 1, 2024



Photograph 1: Existing Salt Marsh area between Coastal Bank and Tidal Flat, facing east.



Photograph 2: Existing small pocket of Salt Marsh, downgradient of the existing residence, facing north, northeast.