



Massachusetts Department of Environmental Protection
 Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability Hingham
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 Municipality

A. General Information

Important:
 When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



1. Applicant:

Richard	Dzavik	
First Name	Last Name	
75 Popes Lane		
Address		
Hingham	MA	02043
City/Town	State	Zip Code
617-849-0459	radzavik@gmail.com	
Phone Number	Email Address	

2. Property Owner (if different from Applicant):

Richard and Heather	Dzavik and Clark	
First Name	Last Name	
75 Popes Lane		
Address		
Hingam	MA	02043
City/Town	State	Zip Code
617-849-0459	hlclark_london@yahoo.com	
Phone Number	Email Address (if known)	

3. Representative (if any)

Colin	McSweeney	
First Name	Last Name	
McSweeney Associates		
Company Name		
745 Winter Street		
Address		
Hanson	MA	02341
City/Town	State	Zip Code
781-570-9381	colin@mcsweeneyinc.com	
Phone Number	Email Address (if known)	

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

75 Popes Lane	Hingham
Street Address	City/Town
42.22922	-70.86550
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX)	Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)
90	1
Assessors' Map Number	Assessors' Lot/Parcel Number

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)

b. Area Description (use additional paper, if necessary):

Work will be conducted in pre-existing grass yard

c. Plan and/or Map Reference(s): (use additional paper if necessary)

Proposed Septic System 75 Popes Lane Hingham, Massachusetts	06/24/2024
Title	Date
_____	_____
Title	Date



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Municipality

B. Project Description (cont.)

2. a. Activity/Work Description (use additional paper and/or provide plan(s) of Activity, if necessary):

An upgraded septic system is being proposed to replace a failed system in the backyard of the property. All work is going within grass with no trees being taken down. The system is a singular Model TNT 750 Individual Home Aerobic Wastewater Treatment Plant tank that leads into a distribution box that feeds by gravity to a 240 L.F. Geomat Leaching System.

- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Outside the 50' Buffer as well as exempt of riverfront

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture or aquaculture project
- Public project where funds were appropriated prior to 8/7/96
- Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- Residential subdivision; institutional, industrial, or commercial project
- Municipal project
- District, county, state, or federal government project
- Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

- b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



C. Determinations

1. I request the Hingham Conservation Commission make the following determination(s). Check any that apply:

- a. whether the **area** depicted on plan(s) and/or map(s) referenced above is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced above are accurately delineated.
- c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance** or **bylaw** of:

Hingham

Name of Municipality

- e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Richard Dzavik and Heather Clark

Signature of Applicant

07/24/2024

Date

Colin McSweeney

Signature of Representative (if any)

07/24/2024

Date

75 Popes Lane Hingham MA

Narrative:

The Site is located at 75 Popes Lane in Hingham MA 02043. The property currently has a 5 Bedroom existing dwelling located on site. The work being proposed is an upgraded septic system to replace a pre-existing system.

Wetland Details:

Bordering Vegetated Wetland:

Hingham GIS has a wetland called out to be a Wooded Swamp Deciduous. In June of 2024 Colin McSweeney delineated the line with flags labeled A1-A7. Wetland was defined by following the toe of the slope and observing water and/or presence of water within 12". Along with that the predominant presence of Skunk Cabbage *Symplocarpus foetidus* (OBL), Jewelweed *Impatiens capensis* (FacW) inside the wetland boundaries and Japanese Knotweed *Reynotria Japonica* (FacU) on the outside.

Hydrography:

Hingham GIS shows a Perennial Stream running along the southern side of the property. The delineated mean annual high water line was delineated coincident to the BVW so

the flags IB1-IB5 are on the same flags of A3-A7. Under 310 CMR 10.58(6)(c) septic systems upgrades are exempt if they were in existence prior to August 7 1996.

FEMA Flood Zone:

A flood zone A is located to the south and the east of the property. Location of this flood zone was taken off the Hingham GIS flood layer effective 07/03/2024.

Work Description:

An upgraded septic system is being proposed to replace a failed system in the backyard of the property. All work is going within grass with no trees being taken down. The system is a singular Model TNT 750 Individual Home Aerobic Wastewater Treatment Plant tank that leads into a distribution box that feeds by gravity to a 240 L.F. Geomat Leaching System.

Location Narrative:

The location of the new system was chosen for a few reasons. Along with all the conservation considerations on this property the abutters and subject property have drinking water wells. The location was chosen in order to get as far away from the drinking water wells without going within the 50' Buffer Zone to the wetlands. Proposed system is fully outside the 250' Buffer of the well at 35 Popes Lane. Popes 45 and 75 (projection location) are within the 250' Buffer but outside the 100' buffer. In order to get fully outside the 100' Wetland buffer we would be getting closer to all 3 of these wells, especially to the onsite well.

Another note is that the tank being proposed is a treatment tank that provides tertiary treatment (nutrients) as well as the fact that under the remedial use permit the Geomat system is considered an alternative SAS with treatment.

Between the treatment and the location chosen we find this system to be an upgrade to the lot.