



August 22, 2024

Town of Hingham
Conservation Commission
Attn: Shannon Palmer
210 Central Street
Hingham, MA 02043

RE: 90 &90A Industrial Park Road, Hingham, MA
Order of Conditions, MA DEP File #034-1424

Crocker Design Group, LLC (CDG), on behalf of our client, 90 Industrial Park JV, LLC., is requesting a three (3)-year extension of the Order of Resource Delineation (ORAD), DEP File #034-1424, for the above-referenced property located at 90 &90A Industrial Park Road in Hingham, Massachusetts. The original ORAD was issued on October 4, 2021, with an expiration date of October 4, 2024. A three (3)-year extension, if approved, would make a new expiration date of October 4, 2027.

Included with this letter are the following documents:

- Enclosure 1: ORAD, MA DEP File #034-1424, issued 10/4/2021
- Enclosure 2: Plans associated with ORAD, dated 8/30/2021
- Enclosure 3: Administrative Review Decision 2/16/2022

Since the approval of the ORAD the client had received an Administrative Review Decision from the Conservation Commission in February of 2022 for the demolition of the existing building on site. The building has since been demo-ed and the site has since been stabilized. The client is in the process of determining the best use of the land moving forward and the 3-year extension allow the Applicant sufficient time to develop a thoughtful, proposal for the property.

A check in the amount of \$300 is enclosed per the Town of Hingham Wetlands Protection By-Law Fee regulations for commercial. We look forward to discussing this request with the Commission at their next available meeting date.



Should you have any questions or would like to conduct a field review of the property prior to the public hearing, please do not hesitate to contact Joshua Green at jgreen@crockerdesigngroup.com or 781-919-0808.

Sincerely,
Crocker Design Group, LLC

A handwritten signature in blue ink, appearing to read "Joshua Green", is written over the typed name.

Joshua Green
Sr. Project Engineer



Enclosure 1:

ORAD MA DEP File #034-1424, issued 10/4/2021



TOWN OF HINGHAM CONSERVATION COMMISSION

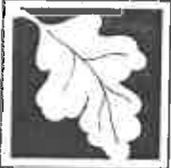
Order of Resource Area Delineation DEP # 034-1424

TO: Susan O'Day, 90 Industrial Park JV, LLC
FROM: Emily Sullivan, Conservation Officer *(SUS)*
DATE: October 4, 2021
TITLE: Order of Resource Area Delineation for 90 & 90A Industrial Park Road, Hingham, MA 02043

The Hingham Conservation Commission has reviewed and corroborated the wetland delineation submitted by 90 Industrial Park JV, LLC for the above noted location. Please find attached the Order of Resource Area Delineation. Note: the Order **should not** be recorded at the Registry of Deeds. The Order is valid for three years from the date of issuance and will expire on October 4, 2024.

If you have any questions about the Order of Resource Area Delineation or any of the required actions, please call the Conservation Office.

For Registry of Deeds Use Only



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4B – Order of Resource Area Delineation

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

Provided by MassDEP:

034-1424

MassDEP File Number

eDEP Transaction Number

HINGHAM

City/Town

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.



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

From: HINGHAM
1. Conservation Commission

2. This Issuance is for (check one):

- a. Order of Resource Area Delineation
b. Amended Order of Resource Area Delineation

3. Applicant:

Susan O'Day
a. First Name b. Last Name
90 Industrial Park JV, LLC
c. Organization
c/o A.W. Perry, Inc, 20 Winthrop Sq
d. Mailing Address
Boston MA 02211
e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):

a. First Name b. Last Name
c. Organization
d. Mailing Address
e. City/Town f. State g. Zip Code

5. Project Location:

90 and 90A Industrial Park Road Hingham 02043
a. Street Address b. City/Town c. Zip Code
201 3 and 12
d. Assessors Map/Plat Number e. Parcel/Lot Number

Latitude and Longitude (in degrees, minutes, seconds):
d m s d m s
f. Latitude g. Longitude

6. Dates: 9/13/21 9/27/21 10/4/21
a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
**WPA Form 4B – Order of Resource Area
Delineation**

Provided by MassDEP:
034-1424
MassDEP File Number
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HINGHAM
City/Town

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

A. General Information (cont.)

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Wetland Location Plan (1 of 1)

a. Title

Crocker Design Group

Signed and Stamped by Shane M. Brenner

8/30/21

b. Date

Scale 1" = 40'

B. Order of Delineation

1. The Conservation Commission has determined the following (check whichever is applicable):

a. **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically:
 - a. Inland Bank to an Intermittent Stream
 - b. Isolated Land Subject to Flooding
 - c. Isolated Vegetated Wetland
 - d. Vernal Pool

SEE ATTACHED FINDINGS on Page 2A

b. **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically:

a.

c. **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

- 1. Bordering Vegetated Wetlands
- 2. Other resource area(s), specifically:

FINDINGS:

On 9/27/2021 the Conservation Commission made the following findings relative to this project:

Findings:

- a. The filing meets the submittal requirements for issuance of an Order of Resource Area Delineation under the Wetlands Protection Act (M.G.L. c. 131, § 40) and the Town of Hingham Wetland Regulations.
- b. For the purpose of this filing, the Commission confirms the delineation of Inland Bank flags WF-A1 to WF-A27, and Isolated Vegetated Wetland flags WF-1 to WF-40 and WF-B1 to WF-B8. The Commission also confirms that the larger Isolated Vegetated Wetland is a Vernal Pool under the Town of Hingham Wetlands Protection By-law, and is also functioning as Isolated Land Subject to Flooding. The Commission makes no finding as to the exact boundaries of other wetland resource areas.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 4B – Order of Resource Area Delineation

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

Provided by MassDEP:

034-1424

MassDEP File Number

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HINGHAM

City/Town

B. Order of Delineation (cont.)

3. The boundaries were determined to be inaccurate because:

C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

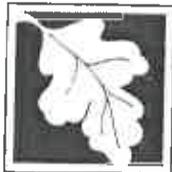
This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 4B – Order of Resource Area Delineation

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MassDEP File Number
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HINGHAM
City/Town

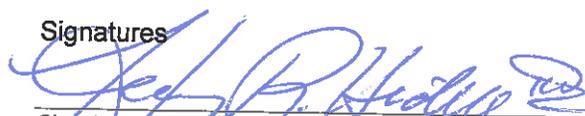
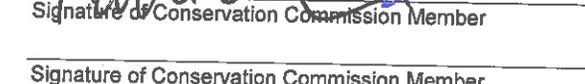
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

E. Signatures

10-4-21
Date of Issuance
5
1. Number of Signers

Please indicate the number of members who will sign this form.

Signatures

	HENRY B. HIDEN
Signature of Conservation Commission Member	Printed Name
	Robert P Mosher
Signature of Conservation Commission Member	Printed Name
	Thomas S. Roby
Signature of Conservation Commission Member	Printed Name
	Crystal Kelly
Signature of Conservation Commission Member	Printed Name
	Laurie Freeman
Signature of Conservation Commission Member	Printed Name
Signature of Conservation Commission Member	Printed Name
Signature of Conservation Commission Member	Printed Name

This Order is valid for three years from the date of issuance.

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on _____ unless extended in writing by the issuing authority.

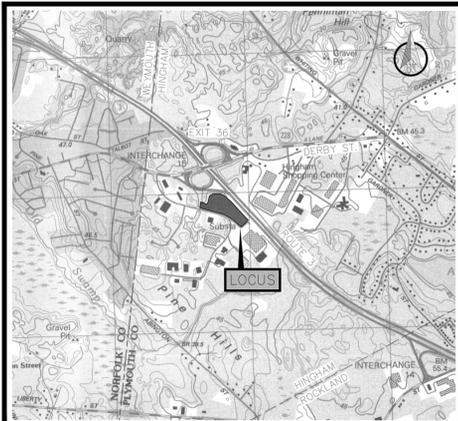
This Order is issued to the applicant and the property owner (if different) as follows:

- 2. By hand delivery on _____
 - 3. By certified mail, return receipt requested on _____
- a. Date



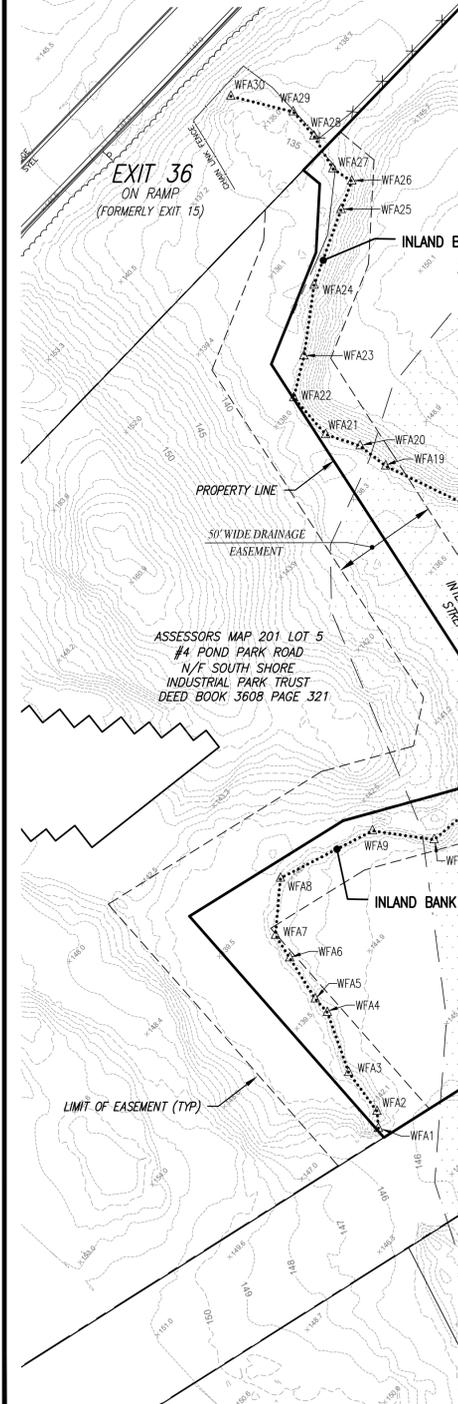
Enclosure 2:

Plans Associated with ORAD, dated 8/30/2021



LOCUS MAP

SCALE 1"=2000'



PILGRIMS HIGHWAY - ROUTE 3
 ~ PUBLIC - 300' WIDE ~
 SOUTHBOUND LANE

ASSESSORS MAP 201 LOT 3 &
 ASSESSORS MAP 201 LOT 12
 330,437 S.F. OR 7.586 ACRES UPLAND
 42,793 S.F. OR 0.982 ACRES WETLAND
 373,230 S.F. OR 8.568 ACRES TOTAL

ISOLATED VEGETATED
 WETLAND - ISOLATED LAND
 SUBJECT TO FLOODING
 (UNCERTIFIED VERNAL POOL)

PARK ROAD

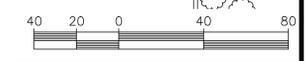
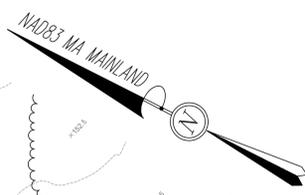
INDUSTRIAL

ASSESSORS MAP 201 LOT 9
 #75 INDUSTRIAL PARK ROAD
 N/F CASA DEVELOPMENT INC.
 DEED BOOK 48101 PAGE 312

ASSESSORS MAP 201 LOT 8
 #65 INDUSTRIAL PARK ROAD
 N/F PCM, LLC
 DEED BOOK 49415 PAGE 204

ASSESSORS MAP 201 LOT 7
 #55 INDUSTRIAL PARK ROAD
 N/F RYAL REALTY TRUST
 DEED BOOK 418 PAGE 131

ASSESSORS MAP 201 LOT 5
 #4 POND PARK ROAD
 N/F SOUTH SHORE
 INDUSTRIAL PARK TRUST
 DEED BOOK 3608 PAGE 321



Date	Description	No.
Revisions		

8/30/21
 SHANE M. BRENNER
 PROFESSIONAL LAND SURVEYOR, MA REGISTRATION #45917

Crocker Design Group
 2 SHARP STREET, UNIT B
 HINGHAM, MA 02043
 P: 781-919-0808

Project
 90 & 90A INDUSTRIAL PARK RD.
 ASSESSORS MAP 201 LOTS 3 & 12
 HINGHAM, MA 02043

Prepared for
 90 INDUSTRIAL PARK JV, LLC
 C/O A.W. PERRY, INC.
 #20 WINTHROP SQUARE
 BOSTON, MA 02110

Drawing Title
WETLAND LOCATION PLAN

Project No.	100-076	Drawing No.	1 OF 1
Date	08 / 30 / 2021		
Scale	1" = 40'		
Drawn By	JPM		
Approved By	SMB		

NOTES:

1. WETLAND RESOURCE AREAS SHOWN HEREON DELINEATED BY SOUTH RIVER ENVIRONMENTAL ON MAY 7, 2021.
2. PROPERTY LINE, STREET LINE AND OWNER INFORMATION WAS COMPILED FROM RECORDS ON FILE AT THE PLYMOUTH COUNTY REGISTRY OF DEEDS AND THE TOWN OF HINGHAM ASSESSORS DEPARTMENT.
3. SUBJECT PROPERTY FALLS WITHIN ZONE A (SPECIAL FLOOD HAZARD WITH NO BASE ELEVATION) AND ZONE X OF THE FLOOD INSURANCE RATE MAP No. 25023C0091K, WITH AN EFFECTIVE DATE OF JULY 6, 2021.
4. ADDITIONAL ENCUMBRANCES MAY EXIST THAT WERE NOT SHOWN FOR THE PURPOSE OF THIS PLAN.
5. EXISTING BUILDING AND SITE FEATURES TAKEN FROM AN ELECTRONIC DRAWING PROVIDED TO CROCKER DESIGN GROUP FROM RECORD OWNER.
6. TOPOGRAPHY SHOWN WAS GENERATED FROM NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA) LIDAR INFORMATION. CONTOURS SHOWN ARE 1-FOOT CONTOUR INTERVALS. NAVD 88 DATUM.

LEGEND

- FEMA FLOOD ZONE A
- WF1 WETLAND LINE & WETLAND FLAG

PLAN REFERENCES:

1. ROUTE 3 - HIGHWAY LAYOUT No. 4582 & 4924
2. PLAN No. 835 of 1979. PLAN BOOK 21 PAGES 234-237
3. PLAN No. 879 of 1979. PLAN BOOK 21 PAGE 280
4. LAND COURT CASE No. 28722
5. LAND COURT CASE No. 33719



Enclosure 3:

Administrative Review Decision 2/16/2022



TOWN OF HINGHAM

CONSERVATION COMMISSION

ADMINISTRATIVE DECISION – Town of Hingham Bylaw # 2022 - 4

TO: Joe DiPasquale and 90 Industrial Park JV LLC and A.W. Perry
FROM: Emily Sullivan, Conservation Officer
DATE: 2/17/2022
TITLE: Administrative Decision for 90 & 90A Industrial Park Road, Hingham, MA 02043

The Hingham Conservation Commission has issued an Administrative Decision pursuant to the Massachusetts Wetlands Protection Act and the Town of Hingham Wetlands Bylaw for the above-referenced project.

You have been approved to abandon the western septic system in compliance with MA Title V regulations and remove two sheds at 90 & 90A Industrial Park Road. You are responsible for the following actions at this time:

Findings:

1. The approved work is part of a larger project to demolish the existing commercial building and associated foundations/utilities, demolish all steps and walkways, demolish all components of the existing playground, remove two sheds, and abandon three existing septic systems. All existing bituminous concrete driveways and parking lots are to remain. The only work that is jurisdictional is the abandonment of the western septic system and removal of the two sheds.
2. Resource areas onsite include an Isolated Vegetated Wetland that is also an uncertified Vernal Pool and Isolated Land Subject to Flooding, an Intermittent Stream, another Isolated Vegetated Wetland, and Floodplain (Zone A). Work proposed within jurisdictional areas is proposed within the 100ft buffer of the Vernal Pool and the Floodplain.
3. Topography of the site slopes towards the Vernal Pool to the south of the western septic system and west of the two sheds. The western septic system is predominantly within a paved parking area, and the portion of it that is within landscaped area is separated from the Vernal Pool by a paved parking area.

Conditions:

1. Prior to the start of construction, erosion controls shall be installed along the limits of work to ensure no sediment transport to the Resource Areas, as shown on the submitted plan. Straw wattles and/or hay bales shall not be used as a form of erosion control. Mulch wattles shall be used instead, or an approved alternative.
2. Erosion controls shall be installed behind the shed closest to the Vernal Pool and shall remain in place for the duration of the shed removal.
3. Erosion controls will remain in place until construction is complete and disturbed areas are stabilized.
4. All demolition debris and excavated material shall be properly disposed of at an off-site location.
5. Any debris, which falls into any Resource Area, shall be removed immediately by hand and properly disposed of at an off-site location.

Appeals of Administrative Decisions shall be made to the Conservation Commission by filing an application for a Request for Determination of Applicability. Administrative Decisions are valid for one year from the date of issuance.

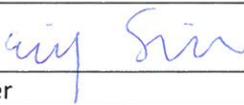
If you have questions about the Administrative Decision or any of the required actions, please call the Conservation Office.



Administrative Review Decision

Town of Hingham Conservation Commission

210 Central Street, Hingham, MA 02043-2758
Telephone (781) 741-1445 Fax (781) 740-0239

An inspection of the area was conducted on: 2/16/2022		Town of Hingham File Number: 2022-4	
Site Address: 90 & 90A Industrial Park Road			
Map: 201		Lot: 12 & 3	
Plymouth County Recordation Information – Both lots recorded, together, under both Systems			
Book: Recorded 46037	Page: Recorded 222	Registered Land Certificate #: 122415	
Plan Information: Demolition Site Plan by Crocker Design Group, signed and stamped by Gabriel R. Crocker, P.E., Scale 1"=40'			Date: 2/9/2022 Rev.:
Description of work: abandonment of the western septic system and removal of two sheds			
<i>Decisions are granted pursuant to the Town of Hingham Wetlands By-Law and/or the Wetlands Protection Act. Applicants are responsible for securing any and all additional required permits from the Zoning Board of Appeals, Planning Board, Board of Health, Building Commissioner or others prior to the start of work.</i>			
<input type="checkbox"/> All requirements and conditions of HWR 7.13 have been met and the project is approved with no conditions.			
<input checked="" type="checkbox"/> Based on the following findings, this project is approved subject to the conditions listed below. Findings: <ol style="list-style-type: none">1. The approved work is part of a larger project to demolish the existing commercial building and associated foundations/utilities, demolish all steps and walkways, demolish all components of the existing playground, remove two sheds, and abandon three existing septic systems. All existing bituminous concrete driveways and parking lots are to remain. The only work that is jurisdictional is the abandonment of the western septic system and removal of the two sheds.2. Resource areas onsite include an Isolated Vegetated Wetland that is also an uncertified Vernal Pool and Isolated Land Subject to Flooding, an Intermittent Stream, another Isolated Vegetated Wetland, and Floodplain (Zone A). Work proposed within jurisdictional areas is proposed within the 100ft buffer of the Vernal Pool and the Floodplain.3. Topography of the site slopes towards the Vernal Pool to the south of the western septic system and west of the two sheds. The western septic system is predominantly within a paved parking area, and the portion of it that is within landscaped area is separated from the Vernal Pool by a paved parking area. Conditions: <ol style="list-style-type: none">1. Prior to the start of construction, erosion controls shall be installed along the limits of work to ensure no sediment transport to the Resource Areas, as shown on the submitted plan. Straw wattles and/or hay bales shall <u>not</u> be used as a form of erosion control. Mulch wattles shall be used instead, or an approved alternative.2. Erosion controls shall be installed behind the shed closest to the Vernal Pool and shall remain in place for the duration of the shed removal.3. Erosion controls will remain in place until construction is complete and disturbed areas are stabilized.4. All demolition debris and excavated material shall be properly disposed of at an off-site location.5. Any debris, which falls into any Resource Area, shall be removed immediately by hand and properly disposed of at an off-site location.			
<input type="checkbox"/> The proposed work does not meet the following requirements and conditions of HWR 7.13 and therefore is not eligible for Administrative Review:			
<i>I hereby certify that the foregoing statements and information contained on the application and in required documents are accurate to the best of my knowledge.</i>			
Signature of Conservation Officer 			Date: 2/17/2022
Emily Sullivan, Conservation Officer			
Approval Date: 2/17/2022		Expiration Date: 2/17/2023	