

**ECR**



**Environmental Consulting & Restoration, LLC**

*Specializing in Wetland and Coastal Resource Area Delineation & Permitting*

**NOTICE OF INTENT**

**300 Whiting Street, Hingham**

SUBMITTED TO

**Hingham Conservation Commission**

**November 2024**

APPLICANT

**David & Brandy Nickerson  
300 Whiting Street  
Hingham, MA 02043**

REPRESENTATIVE

**Environmental Consulting & Restoration, LLC  
P.O. Box 4012  
Plymouth, MA 02361  
(617) 529-3792**



Environmental Consulting & Restoration, LLC



November 1, 2024

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

**RE: Notice of Intent, Proposed Single-Family Home Reconstruction Project, 300 Whiting Street, Hingham**

Dear Members of the Conservation Commission:

Please accept this Notice of Intent application for a proposed single-family home reconstruction project located at 300 Whiting Street (the site). The Town of Hingham Assessors Department references the site Parcel ID# 187-0-19. The proposed project occurs within the 200-foot Riverfront Area and 100-foot buffer zone to a Bordering Vegetated Wetland. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and Town of Hingham Wetland Bylaw.

If you have any questions or require additional information, please contact me at (617) 529-3792.

Sincerely,  
Environmental Consulting & Restoration, LLC



Brad Holmes, PWS, MCA  
Manager

CC: MassDEP – Southeast Regional Office, [sero\\_noi@state.ma.us](mailto:sero_noi@state.ma.us)

Steve Dryer, Fieldstone Surveyor, [sdyer@fieldstonesurvey.com](mailto:sdyer@fieldstonesurvey.com)

Dave Tammaro, [davidpaul3@aol.com](mailto:davidpaul3@aol.com)

David and Brandy Nickerson, 300 Whiting Street, Hingham MA 02043

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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 Number

Document Transaction Number

Hingham

City/Town

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.

A. General Information

1. Project Location (Note: electronic filers will click on button to locate project site):

<u>300 Whiting Street</u>	<u>Hingham</u>	<u>02043</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.185</u>	<u>-70.908</u>	
d. Latitude	e. Longitude	
<u>187-0</u>	<u>19</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>David and Brandy</u>	<u>Nickerson</u>	
a. First Name	b. Last Name	
c. Organization		
<u>300 Whiting Street</u>		
d. Street Address		
<u>Hingham</u>	<u>MA</u>	<u>02043</u>
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

same as applicant

a. First Name	b. Last Name	
c. Organization		
d. Street Address		
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Brad</u>	<u>Holmes</u>	
a. First Name	b. Last Name	
<u>Environmental Consulting &amp; Restoration LLC</u>		
c. Company		
<u>PO Box 4012</u>		
d. Street Address		
<u>Plymouth</u>	<u>MA</u>	<u>02361</u>
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	<u>brad@ecrwetlands.com</u>
		j. Email address

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

<u>\$750.00</u>	<u>\$362.50</u>	<u>\$387.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

The proposed project includes the reconstruction of an existing single-family home within the 200-foot Riverfont Area. Work associated with the project extends into the 100-foot buffer zone to a BVW. For more information, please refer to the Project Narrative attached.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

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

- 1.  Yes  No      If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Plymouth	
a. County	b. Certificate # (if registered land)
37833	0063
c. Book	d. Page Number

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

- 1.  Buffer Zone Only – 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).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> 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 available) - **specify coastal or inland**
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: 37,625 square feet

4. Proposed alteration of the Riverfront Area:

<u>2407</u>	<u>0</u>	<u>2407</u>
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

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	1. square feet	2. cubic yards dune nourishment

	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input type="checkbox"/> Coastal Banks	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet	
h. <input type="checkbox"/> Salt Marshes	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet	

4.  Restoration/Enhancement  
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW	b. square feet of Salt Marsh
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5.  Project Involves Stream Crossings

a. number of new stream crossings	b. number of replacement stream crossings
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### C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

#### 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 and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- 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**

August 2021

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

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

2.  Project plans for entire project site, including wetland resource areas and areas outside of wetlands 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

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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**C. Other Applicable Standards and Requirements (cont'd)**

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to “Commonwealth of Massachusetts - NHESP” 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

- (f) 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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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 # \_\_\_\_\_ 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.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

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

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

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project 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.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

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**C. Other Applicable Standards and Requirements (cont'd)**

4. 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 MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
- b. ACEC
5. 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
6. 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
7. 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. Check why the project is exempt:
1.  Single-family house
  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 housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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.

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.

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 3 – Notice of Intent

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## D. Additional Information (cont'd)

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), 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.

Existing Conditions Plan

a. Plan Title

Fieldstone Survey Services

Stephen P. Dyer

b. Prepared By

c. Signed and Stamped by

October 1, 2024

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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.

## 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:

124

2. Municipal Check Number

10/20/2024

3. Check date

123

4. State Check Number

10/20/2024

5. Check date

David

6. Payor name on check: First Name

Nickerson

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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## 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.

*[Handwritten Signature]*

1. Signature of Applicant

*10/22/24*

2. Date

3. Signature of Property Owner (if different)

*[Handwritten Signature]*

5. Signature of Representative (if any)

4. Date

*11/1/24*

6. Date

### 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 any part of Section C, Item 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.



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



**A. Applicant Information**

1. Location of Project:

<u>300 Whiting Street</u>	<u>Hingham</u>
a. Street Address	b. City/Town
<u>123</u>	<u>\$362.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>David and Brandy</u>	<u>Nickerson</u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u>300 Whiting St</u>		
d. Mailing Address		
<u>Hingham</u>	<u>MA</u>	<u>02043</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u>same as applicant</u>	<u></u>
a. First Name	b. Last Name
<u></u>	<u></u>
c. Organization	
<u></u>	
d. Mailing Address	
<u></u>	<u></u>
e. City/Town	f. State
<u></u>	<u></u>
h. Phone Number	i. Fax Number
<u></u>	<u></u>
j. Email Address	

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat 2	1 (x1.5 RFA)	\$500.00	\$750.00
Hingham Bylaw Fee Cat. 2 = \$250.00			
<b>Step 5/Total Project Fee:</b>			\$750.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$750.00
State share of filing Fee:			\$362.50
City/Town share of filing Fee:			\$387.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

DAVID A NICKERSON  
BRANDY L NICKERSON  
300 WHITING ST  
HINGHAM, MA 02043-3715

123

53-447/113  
938

10/20/2024

Date  
Fecha

CHECK ARMOR

Pay to the Order of  
Pague a la Orden de

Commonwealth of MA

\$ 362.50

Three hundred sixty two dollars and 50/100

Dollars  
Dólares



Photo Safe Deposit  
Detalles en back

ROCKLAND TRUST

For <sup>State</sup> (Town) filing fee

Brandon Min

⑆011304478⑆

0123

DAVID A NICKERSON  
BRANDY L NICKERSON  
300 WHITING ST  
HINGHAM, MA 02043-3715

124

53-447/113  
938

10/20/2024

Date

CHECK ARMOR

Pay to the  
Order of

Town of Hingham

\$ 387.50

Three hundred eighty seven dollars and 50/100

Dollars



Photo Safe Deposit  
Detalles en back

ROCKLAND TRUST

For town filing fee

Brandon Min

⑆011304478⑆

0124

DAVID A NICKERSON  
BRANDY L NICKERSON  
300 WHITING ST  
HINGHAM, MA 02043-3715

126

53-447/113  
938

10/20/2024

Date

CHECK ARMOR

Pay to the  
Order of

Town of Hingham

\$ 250.00

Two hundred fifty dollars and 00/100

Dollars



Photo Safe Deposit  
Detalles en back

ROCKLAND TRUST

For town Bylaw fee

Brandy Min

⑆011304478⑆

0126

PROJECT NARRATIVE

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**1. Introduction**

This Notice of Intent (NOI) has been submitted to the Hingham Conservation Commission (the Commission) to permit the proposed reconstruction of an existing single-family home located at 300 Whiting Street in Hingham (the site). The Town of Hingham Assessors Department references the site as Parcel ID#187-0-19. The proposed home reconstruction is located within the 200-foot Riverfront. The work area associated with the proposed project extends into the 100-foot buffer zone to a Bordering Vegetated Wetland (BVW). Prior to the start of work, erosion controls will be installed 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 is located to the south of Whiting Street and consists of a single-family home with a concrete driveway, deck, patio, garden, retaining walls, maintained lawn, landscaped area, etc. Environmental Consulting & Restoration, LLC (ECR) performed a wetland delineation at the site on February 10, 2024. ECR located a Bordering Vegetated Wetland (BVW) along the southwestern portion of the site to the rear of the existing home and the Inland Bank to a USGS mapped perennial stream. The associated 100-foot buffer zone to the BVW and the 200-foot Riverfront Area associated with the stream extend over portions of the site. For more information regarding the wetland delineation, please see the attached Wetland Delineation Memo. The existing home is located outside the inner riparian zone and just within the very outer limit of the 100-foot buffer zone to the BVW. As a result of the field work and review of available environmental databases, ECR can confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Bordering Vegetated Wetlands
- 100-foot Buffer Zone to BVW
- Inland Bank to a perennial stream
- 200-foot Riverfront Area
- Bordering Land Subject to Flooding (per the FEMA map updated 7/3/24)

Also note, reviewing the Mass Mapper database:

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 not contain or is near a Certified Vernal Pool according to the MaNHESP.
3. 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 reconstruction of an existing single-family home. The existing and proposed home are located within the 200-foot Riverfront Area. A small portion of the existing home is located within the 100-foot buffer zone to a BVW, while the proposed home will be located entirely beyond the 100-foot buffer. The proposed project will involve the following activities:

- Installation of Erosion Controls – Prior to the start of work a siltsock will be installed along the proposed limit of work to protect the downgradient BVW.
- Raze the Existing Home – The existing home is proposed to be removed in its entirety. All debris shall be collected and disposed of offsite at an appropriate facility. This work is located within the 200-foot Riverfront Area and a small portion within the 100-foot buffer zone to the BVW.
- Construction of a New Home – The new home is proposed to be rebuilt within the same general footprint as the existing home and is proposed to include a deck to the rear and a front porch. The

overall footprint of the new home will be reduced from what currently exists. Furthermore, the new home is proposed to be shifted further from the perennial stream and BVW – the new home is located within the 200-foot Riverfront Area, but entirely beyond the 100-foot buffer zone to BVW.

- Landscape Activities - All disturbed areas surrounding the proposed home 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**

As noted above, a USGS mapped perennial stream is located within the southeastern portion of the site – the 200-foot Riverfront Area associated with the stream extends over a portion of the site. The Riverfront Area onsite includes the existing home, a portion of the existing driveway, patio, maintained lawn/landscaped areas and naturally wooded areas. Based on a review of assessor's records and aerial imagery, the house has been in place prior to August 7, 1996. DEP defines previously degraded as:

*A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds.*

The proposed project constitutes a redevelopment project; more specifically, Redevelopment Within Previously Developed Riverfront Area (310 CMR 10.58(5)).

Review of the existing and proposed conditions at the site results in the following Riverfront Area calculations:

- Total Riverfront Area Onsite = 37,625 sq. ft.
- 10% of the Total Riverfront Area = 3,763 sq. ft.
- Existing Degraded Riverfront Area Onsite = 4,974 sq. ft. or 13.2% of the RFA
- Proposed Degraded Riverfront Area Onsite = 4,011 sq. ft. or 10.7%

The proposed project reduces the total degraded Riverfront Area onsite by 963 square feet.

In order for the project to comply with the Riverfront Redevelopment standards, the proposed project has been designed to meet the performance standards established by 310 CMR 10.58(5). The standards are copy below in *italics* followed by a description of project compliance.

- a. *The proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in the Massachusetts Wetlands Protection Act.*

The project proposes to redevelop the site to include improvements to the Riverfront Area such as reducing the overall degraded Riverfront Area by 963 square feet and increasing the linear distance between the proposed home and the stream as compared to existing conditions.

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

Single-family homes are not subject to stormwater management standards.

- 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).*

All proposed work associated with the project is located landward of the 100-foot buffer from the river and as far from the river as practically possible. As compared to the existing conditions, the linear distance between the proposed home and the stream has been increased.

- d. *Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront boundary and away from the river.*

All aspects of the proposed project have been designed to minimize impacts to the RFA and located as far from the river and toward the Riverfront boundary to the maximum extent possible. The proposed home is located in the same general footprint as the existing home, but as compared to the existing conditions, the linear distance between the proposed home and the stream has been increased.

- 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 proposed project results in an overall decrease of degraded Riverfront Area. The amount of degraded Riverfront Area has been reduced by 963 square feet which equates to 10.7% degraded Riverfront Area onsite. Therefore, mitigation and/or restoration is not required by these standards.

- 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*

The proposed project does not require restoration.

- 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. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 through 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Energy and Environmental Affairs.*

The proposed project does not require mitigation.

- h. The issuing authority shall include a continuing condition in the Certificate of Compliance for projects under 310 CMR 10.58(5)(f) or (g) prohibiting further alteration within the restoration or mitigation area, except as may be required to maintain the area in its restored or mitigated condition. Prior to requesting the issuance of the Certificate of Compliance, the applicant shall demonstrate the restoration or mitigation has been successfully completed for at least two growing seasons.*

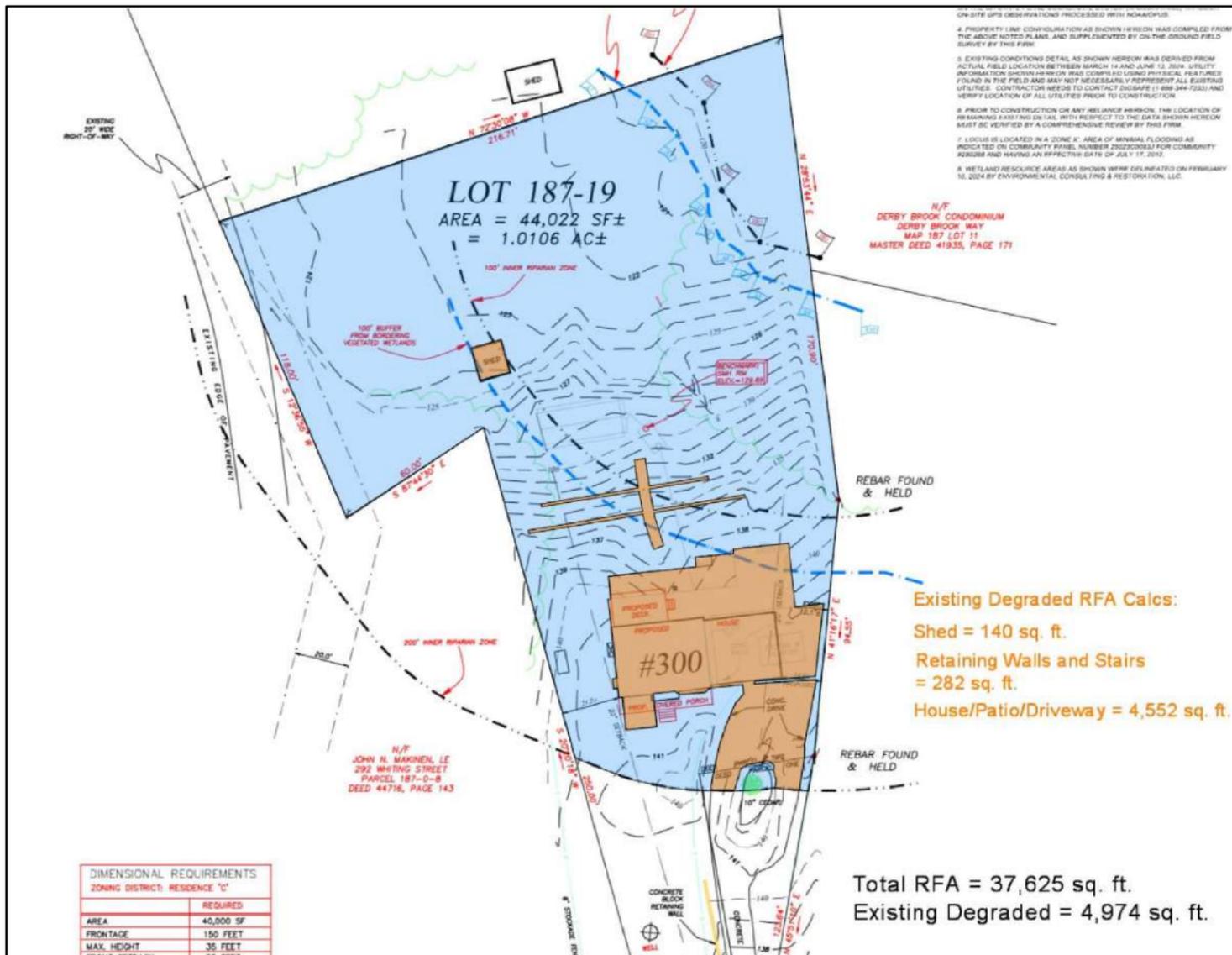
The applicant shall comply with this standard.

**5. Summary**

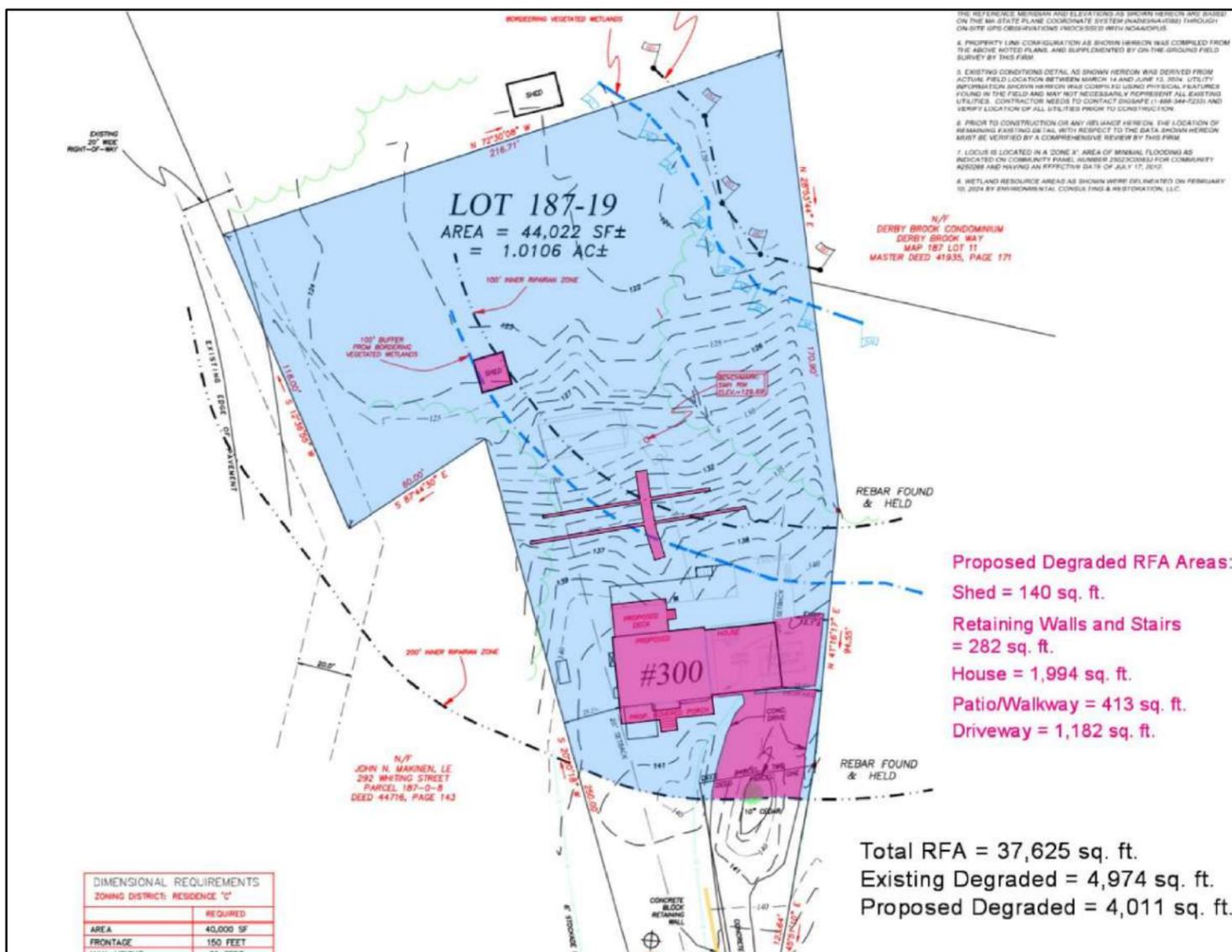
Erosion and sediment control measures will be implemented and maintained throughout the duration of the construction process to prevent the conveyance of sedimentation into environmentally sensitive areas. Disturbed areas will be stabilized upon the completion of work, and if intense rainfall is expected, reinforcing control measures will be installed as needed to protect all wetland resource areas. The stockpiling of soil, if any, shall be located beyond the 50-foot buffer zone and surrounded by 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.

As a result, it is my opinion that the project protects the Interests of the Massachusetts Wetlands Protection Act and the Town of Hingham Wetlands Protection Bylaw for the adjacent Resource Area and the Applicant is entitled to an Order of Conditions approving the project.

Existing vs. Proposed Degraded Riverfront Schematic



Above: Existing degraded Riverfront Area highlighted in orange.



Above: Proposed degraded Riverfront Area highlighted in pink.



Environmental Consulting & Restoration, LLC



## WETLAND DELINEATION MEMO

**TO:** David Nickerson  
**FROM:** Brad Holmes  
**DATE:** March 11, 2024  
**RE:** 300 Whiting Street, Hingham

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at your property located at 300 Whiting Street in Hingham (the site) on February 10, 2024. The purpose of the review was to identify wetland resource areas on and near the site. The site is located along the south side of Whiting Street and contains a single-family home with a concrete driveway, deck, maintained lawn, landscaped area, etc.

Wetland resource areas are located within the southwestern portion of the site to the rear of the existing home and yard area. ECR placed Bordering Vegetated Wetland (BVW) flags (pink/black striped ribbons) #A1 to #A10 along the limit of the vegetated wetland. 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.

ECR also located the Inland Bank to a USGS mapped perennial stream located within the BVW system. Inland Bank flags (blue ribbons) #IB1 to #IB5 were placed along the limit of the stream in order to identify the 200-foot Riverfront Area that extends over the site.

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:

- Bordering Vegetated Wetlands
- 100-foot Buffer Zone to BVW
- Inland Bank to a perennial stream
- 200-foot Riverfront Area

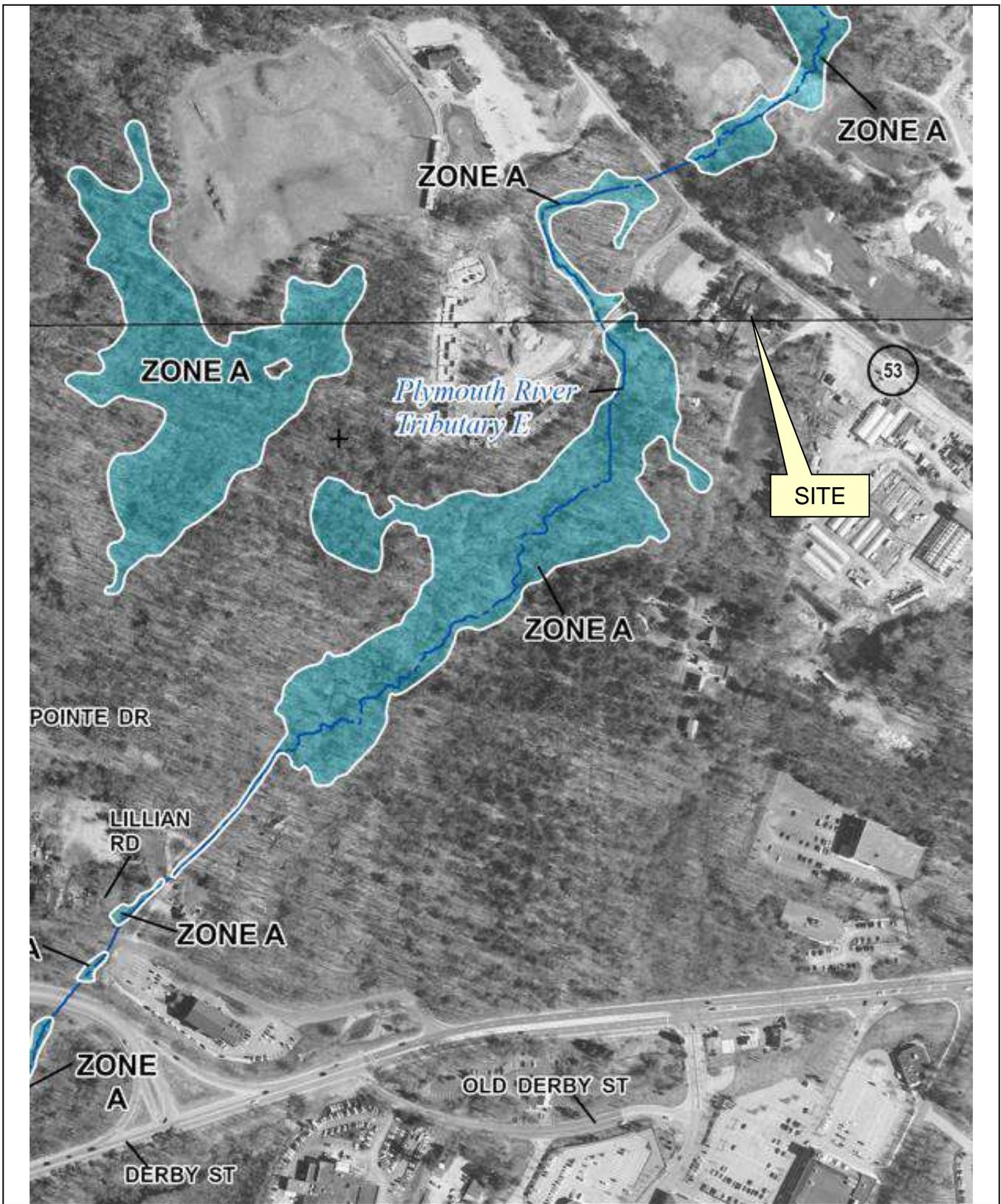
Also, a review of the MassMapper database reveals the following:

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 mapped Certified Vernal Pools according to the MaNHESP.
3. The site is not located within areas mapped as Land Subject to Flooding (FEMA flood zones).
4. 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





**FEMA F.I.R.M**  
**300 Whiting Street**  
**Hingham, Massachusetts**

Source: FEMA Map 25023C0091L; Eff. 7/3/2024





**Priority Habitats of Rare Species, Estimated Habitat of Rare Wildlife  
& Certified Vernal Pools Map  
300 Whiting Street  
Hingham, Massachusetts**

Source: MassMapper – 15th Edition of the Massachusetts Natural Heritage Atlas (August 2021)



TOWN OF HINGHAM  
BOARD OF ASSESSORS



CERTIFICATION SHEET

**Property Address: 300 Whiting Street**

**Parcel ID: 187-0-19**

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

JULY 11, 2024

**Abutters List**

[print this list](#)

Date: July 09, 2024

Subject Property Address: 300 WHITING STREET Hingham, MA  
Subject Property ID: 187-0-19

Search Distance: 100 Feet

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Owner: NEW BOSTON GOLF CLUB  
Prop ID: 187-0-18  
Prop Location: 289 WHITING STREET Hingham, MA  
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Owner: OWENS JASMINE  
Prop ID: 187-0-23  
Prop Location: 302 WHITING STREET Hingham, MA  
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Owner: O'DONNELL BRENDAN & SARAH  
Prop ID: 187-0-24  
Prop Location: 304 WHITING STREET Hingham, MA  
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Owner: MAKINEN JOHN N LE  
Co-Owner: MAKINEN JAMES M  
Prop ID: 187-0-8  
Prop Location: 292 WHITING STREET Hingham, MA  
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Owner: BRISTOL RYAN J & ANDREA E  
Prop ID: 187-0-9  
Prop Location: 300 A WHITING STREET Hingham, MA  
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Owner: SPEREDELOZZI JOHN L & JEAN F TT  
Co-Owner: SPEREDELOZZI INVESTMENT TRUST  
Prop ID: 187-101-11  
Prop Location: 1 DERBY BROOK WAY Hingham, MA  
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Owner: DUNN THOMAS A & EILEEN A

Prop ID: 187-102-11  
Prop Location: 2 DERBY BROOK WAY Hingham, MA

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Owner: PRINSEN WIETZE & DONNA TT  
Co-Owner: PRINSEN FAMILY LIVING TRUST  
Prop ID: 187-103-11  
Prop Location: 3 DERBY BROOK WAY Hingham, MA

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Owner: KENNEDY TANIA JEAN  
Prop ID: 187-104-11  
Prop Location: 4 DERBY BROOK WAY Hingham, MA

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Owner: PAGET PAUL G JR & CLARE W TT  
Co-Owner: PAGET FAMILY LIVING TRUST  
Prop ID: 187-105-11  
Prop Location: 5 DERBY BROOK WAY Hingham, MA

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Owner: ALLEN ROBERT A  
Prop ID: 187-106-11  
Prop Location: 6 DERBY BROOK WAY Hingham, MA

---

Owner: YU CHI FAI  
Prop ID: 187-107-11  
Prop Location: 7 DERBY BROOK WAY Hingham, MA

---

Owner: KENNEY BARBARA M  
Prop ID: 187-108-11  
Prop Location: 8 DERBY BROOK WAY Hingham, MA

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Owner: SERGEL CONRAD R H & SERGEL MARTHA R TT  
Co-Owner: MARTHA ERGEL REVOCABLE TRUST AGREEMENT THE  
Prop ID: 187-109-11  
Prop Location: 9 DERBY BROOK WAY Hingham, MA

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Owner: DERBY BROOK WAY CDM  
Prop ID: 187--11  
Prop Location: WHITING STREET Hingham, MA  
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-----  
Owner: MATERA JAMES H & LOUBNA  
Prop ID: 187-110-11  
Prop Location: 10 DERBY BROOK WAY Hingham, MA  
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Owner: COUTU JUDITH A & RONALD E  
Co-Owner: JUDITH A COUTU TRUST THE  
Prop ID: 187-111-11  
Prop Location: 11 DERBY BROOK WAY Hingham, MA  
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Owner: COLLEARY KERRY  
Prop ID: 187-112-11  
Prop Location: 12 DERBY BROOK WAY Hingham, MA  
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-----  
Owner: SIMMONS ELLEN M TT  
Co-Owner: ELLEN M SIMMONS REVOCABLE TRUST  
Prop ID: 187-113-11  
Prop Location: 13 DERBY BROOK WAY Hingham, MA  
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-----  
Owner: BARDONG JOHN F & JANET C TT  
Co-Owner: BARDONG FAMILY LIVING TRUST  
Prop ID: 187-114-11  
Prop Location: 14 DERBY BROOK WAY Hingham, MA  
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Owner: ASHLEY MICHAEL L & DEBORAH S  
Prop ID: 187-115-11  
Prop Location: 15 DERBY BROOK WAY Hingham, MA  
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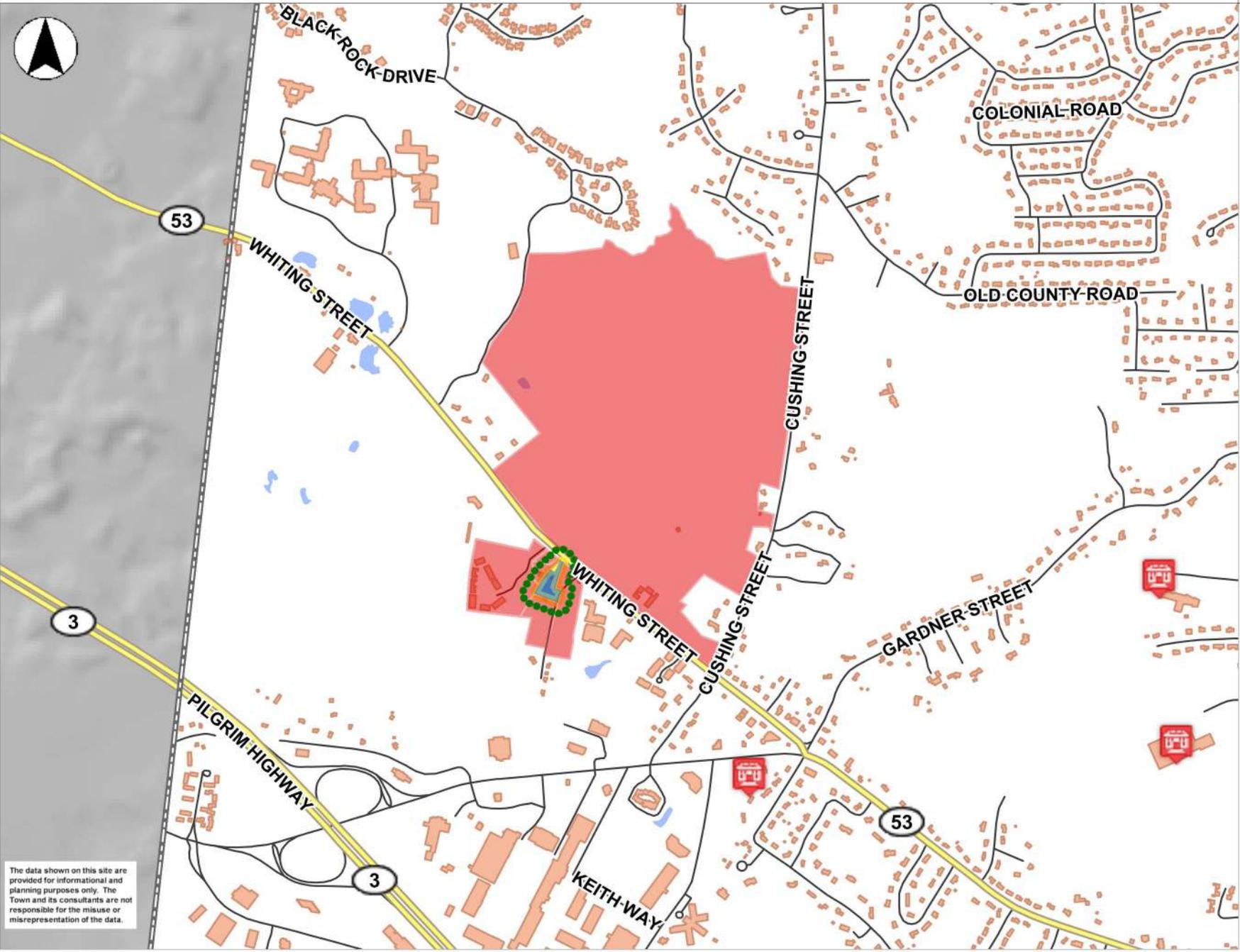
-----  
Owner: OWEN L SANDRA TT  
Co-Owner: OWEN REALTY TRUST  
Prop ID: 187-116-11  
Prop Location: 16 DERBY BROOK WAY Hingham, MA  
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-----  
Owner: TURZHITSKY VLADIMIR MICHAELOVICH  
Prop ID: 187-117-11  
Prop Location: 17 DERBY BROOK WAY Hingham, MA  
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Owner: OCONNOR PHILIP & CHARLOTTE  
Prop ID: 187-118-11  
Prop Location: 18 DERBY BROOK WAY Hingham, MA  
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Owner: NGUYEN WINNIE & TAM  
Prop ID: 187-119-11  
Prop Location: 19 DERBY BROOK WAY Hingham, MA  
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-----  
Owner: FISHER MICHAEL F & EDNA Y TT  
Co-Owner: FISHER FAMILY LIVING TRUST  
Prop ID: 187-120-11  
Prop Location: 20 DERBY BROOK WAY Hingham, MA  
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- Places
  - Fire Station
  - Police Station
  - Town Hall
  - Public Library
  - School
  - Golfing
  - Recycle
  - Public Works
  - Transportation
- Easements
- Parcels for Identify - Public
- Parcels
  - Town Boundary
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Abutting Towns Labels
- Abutting Towns
- Hingham Streets
- Bathymetry
  - 0-5 ft
  - 5-10 ft
  - 10-15 ft
  - 15-20 ft
  - 20-30 ft
  - 30-40 ft
  - 40-50 ft
  - 50-60 ft
  - 60-70 ft
  - 70+ ft

The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.



Printed on 07/09/2024 at 11:34 AM

## NOTIFICATION TO ABUTTERS

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

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: 7:30AM- 4:30PM

Tuesday: 7:30AM - 7:00PM

Fridays: closed

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.

**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, Tricia Turchinetz | ECR, LLC, 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 Certificate of Mailing 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 300 Whiting Street (Parcel 187-0-19).  
*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

\_\_\_\_\_  
Date

# 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

11/1/24

Date

**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 \$250.00

**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)



## 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*
- [‘Affidavit of Service’ Form](#) attesting abutters were notified in accordance with 310 CMR 10.05(4) and the Hingham Wetland Regulations, §7.5
  - *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.

- 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 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](#)

