

# Notice of Intent Application

208 DOWNER AVENUE  
HINGHAM, MA  
Map 11.0 - Block 0 - Lot 12

January 23, 2024



**Main Office:**

49 Herring Pond Road  
Buzzards Bay, MA 02532  
508-833-0070 Ext 303  
508-833-2282 (fax)

**Nantucket Office:**

19 Old South Road  
Nantucket, MA 02554  
508-325-0044

**Mansfield Office:**

905 S. Main Street  
Mansfield, MA 02048  
508-618-3029

## ***List of Materials and Plans submitted with NOI Application***

1. Project Narrative
2. Notice of Intent – WPA Form 3
3. Maps showing Project Site (Hingham GIS Maps)
  - a. USGS Topographic Map
  - b. Aerial Orthophoto
  - c. FEMA Flood Insurance Rate Map
  - d. Aerial - NHESP Map
  - e. PARCEL Map
4. Abutter Documents
  - a. Affidavit of Service
  - b. Certified Abutters List – 12/17/2024
  - c. Notification to Abutters
5. Vista Prune Assessment, Feasibility and Recommendations Report prepared by David Hawkins, Consulting Arborist for Urban Forestry Solutions, Inc., dated 11/5/2024
6. Plan: “*Exhibit D Site Plan – 5 Merrill Street in Hingham, MA*”, prepared by Bracken Engineering, Inc., dated November 14, 2023, revised February 7, 2024

## PROJECT NARRATIVE

208 Downer Avenue

Map 11, Block 0, Lot 12

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The subject property is located on Hingham Bay and is operated as a commercial use boat yard/storage area. The site falls within land subject to Coastal Storm Flowage (LSCSF) and contains vegetated Coastal Banks.

The proposed project consists of vista pruning for the benefit of #5 Merrill Street which abuts the locus. 5 Merrill Street has the benefit of a pruning easement on the locus. This easement overlays the Coastal Bank as shown on previously submitted plans to the Commission.

Included in the Notice of Intent application is a Vista Prune Assessment that provides details on the proposed pruning.



**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  
 and Town of Hingham Wetland Protection Bylaw Article 22 & it's Regulations

Provided by MassDEP:

SE034-  
 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):

208 DOWNER AVENUE  
 a. Street Address

HINGHAM  
 b. City/Town

02043  
 c. Zip Code

Latitude and Longitude:

42.262223  
 d. Latitude

-70.893957  
 e. Longitude

11  
 f. Assessors Map/Plat Number

0-12  
 g. Parcel /Lot Number

2. Applicant:

JAMES F.  
 a. First Name

RADER  
 b. Last Name

c. Organization

5 MERRILL STREET  
 d. Street Address

HINGHAM  
 e. City/Town

MA  
 f. State

02043  
 g. Zip Code

781-982-5575  
 h. Phone Number

i. Fax Number

jrader@raderproperties.net  
 j. Email Address

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

Jake  
 a. First Name

Braley, Manager  
 b. Last Name

HINGHAM YACHT CLUB, INC.  
 c. Organization

PO BOX 165  
 d. Street Address

HINGHAM  
 e. City/Town

MA  
 f. State

02043  
 g. Zip Code

781-749-3806  
 h. Phone Number

i. Fax Number

jbraley@hinghamyachtclub.com  
 j. Email address

4. Representative (if any):

Donald F.  
 a. First Name

Bracken, Jr., PE, PLS  
 b. Last Name

BRACKEN ENGINEERING, INC.  
 c. Company

49 HERRING POND ROAD  
 d. Street Address

BUZZARDS BAY  
 e. City/Town

MA  
 f. State

02532  
 g. Zip Code

508-833-0070  
 h. Phone Number

508-833-2282  
 i. Fax Number

don@brackeneng.com  
 j. Email address

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

\$110.00  
 a. Total Fee Paid

\$42.50  
 b. State Fee Paid

\$67.50  
 c. City/Town Fee Paid

\$100.00  
**HINGHAM BYLAW Fee**



# WPA Form 3 – Notice of Intent

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## A. General Information (continued)

6. General Project Description:

Proposed vista pruning on a Coastal Bank and within Land Subject to Coastal Storm Flowage (LSCSF). See attached report prepared by David Hawkins. Vista pruning to be confined within a "Pruning Area" as shown on the attached Exhibit D plan prepared by Bracken Engineering, Inc.

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 – VISTA Pruning

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

5011

c. Book

b. Certificate # (if registered land)

481

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.



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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: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

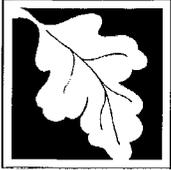
a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

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

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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
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
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input checked="" type="checkbox"/> Coastal Banks	<b>60</b>	
	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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	<b>300</b>	
	1. square feet	
4. <input type="checkbox"/> 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
5. <input type="checkbox"/> 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 1, 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).



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Document Transaction Number  
HINGHAM  
City/Town

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

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

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.



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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.

Exhibit D in Hingham, MA prepared for 5 Merrill Realty Trust

a. Plan Title

BRACKEN ENGINEERING, INC.

Alan M. Grady, PLS

b. Prepared By

c. Signed and Stamped by

02/07/2024

1" = 30'

d. Final Revision Date

e. Scale

Vista Prune Assessment, Feasibility and Recommendations Report

11/5/2024

prepared by David Hawkins

g. Date

f. Additional Plan or Document Title

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:

19253

01/15/2025

2. Municipal Check Number

3. Check date

eDEP Portal Trans# 1864483

1/23/2025

4. State Check Number

5. Check date

BRACKEN ENGINEERING, INC.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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City/Town

**F. Signatures and Submittal Requirements**

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

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

1. Signature of Applicant

*Paul Brady*

3. Signature of Property Owner (if different)

*Donald P. ...*

5. Signature of Representative (if any)

2. Date

*1/9/25*

4. Date

*1/14/25*

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.



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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.

	12/19/24
1. Signature of Applicant	2. Date
3. Signature of Property Owner (if different)	4. Date
	1/14/25
5. Signature of Representative (if any)	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:

208 DOWNER AVENUE  
 a. Street Address HINGHAM  
 b. City/Town  
 eDEP Portal Trans# 1864483 \$42.50  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

James Rader  
 a. First Name b. Last Name  
 c. Organization  
 5 Merrill Street  
 d. Mailing Address  
 Hingham MA 02043  
 e. City/Town f. State g. Zip Code  
 781-982-5575 jrader@raderproperties.net  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

Jake Braley, Manager  
 a. First Name b. Last Name  
 HINGHAM YACHT CLUB, INC.  
 c. Organization  
 PO BOX 165  
 d. Mailing Address  
 HINGHAM MA 02043  
 e. City/Town f. State g. Zip Code  
 781-749-3806 jbraley@hinghamyachtclub.com  
 h. Phone Number i. Fax Number 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.

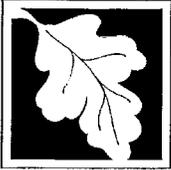
**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**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
CATEGORY 1 (A)	1	\$110.00	\$110.00

**Step 5/Total Project Fee:** \$110.00

**Step 6/Fee Payments:**

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filing Fee:	\$67.50
	a. Total Fee from Step 5
	b. 1/2 Total Fee less \$12.50
	c. 1/2 Total Fee plus \$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

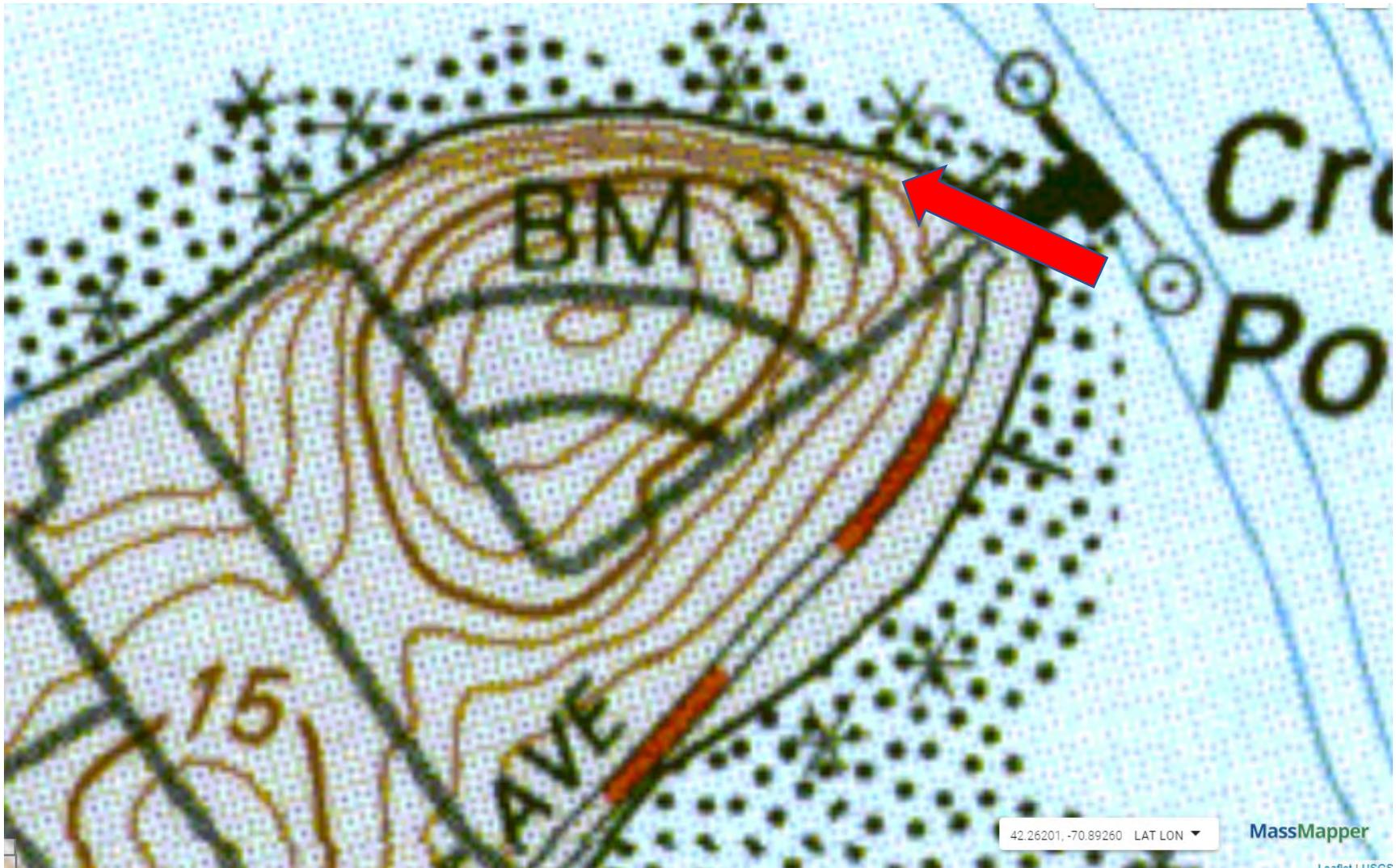
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a copy of this form; and the city/town fee payment.

**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.)

208 Downer Avenue, Hingham

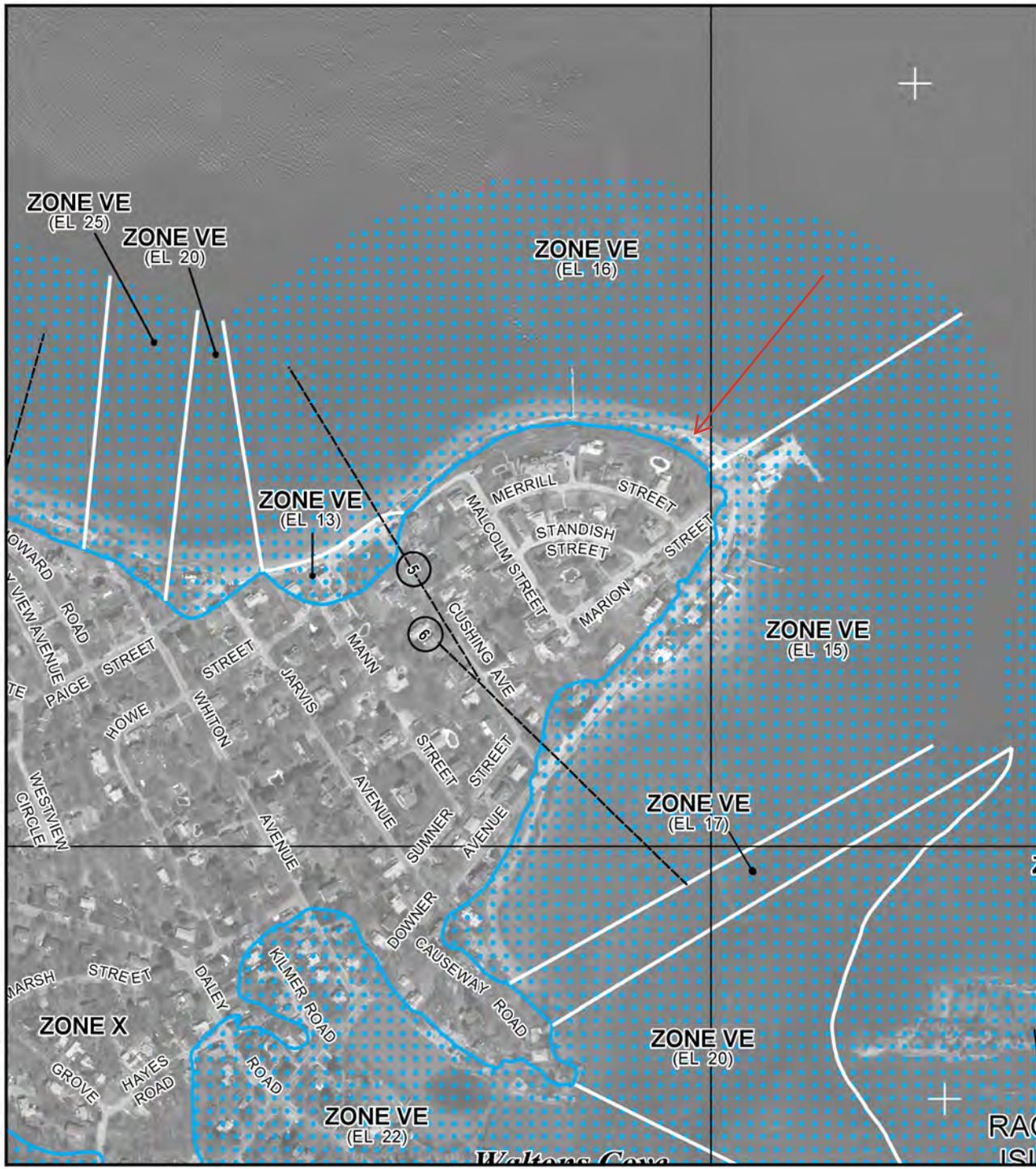
Map 11 – Block 0 – Lot 12

Mass Mapper – USGS TOPO Map

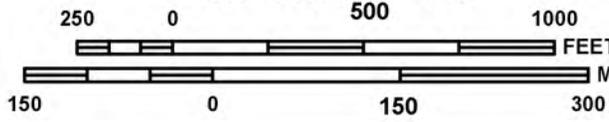


208 Downer Avenue, Hingham  
Map 11 – Block 0 – Lot 12  
Hingham GIS – Aerial Orthophoto





MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0019J

**FIRM**  
**FLOOD INSURANCE RATE MAP**  
**PLYMOUTH COUNTY,**  
**MASSACHUSETTS**  
**(AND INCORPORATED AREAS)**

PANEL 19 OF 650  
 (SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
HINGHAM, TOWN OF	250268	0019	J
HULL, TOWN OF	250269	0019	J

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
**25023C0019J**  
**EFFECTIVE DATE**  
**JULY 17, 2012**

Federal Emergency Management Agency

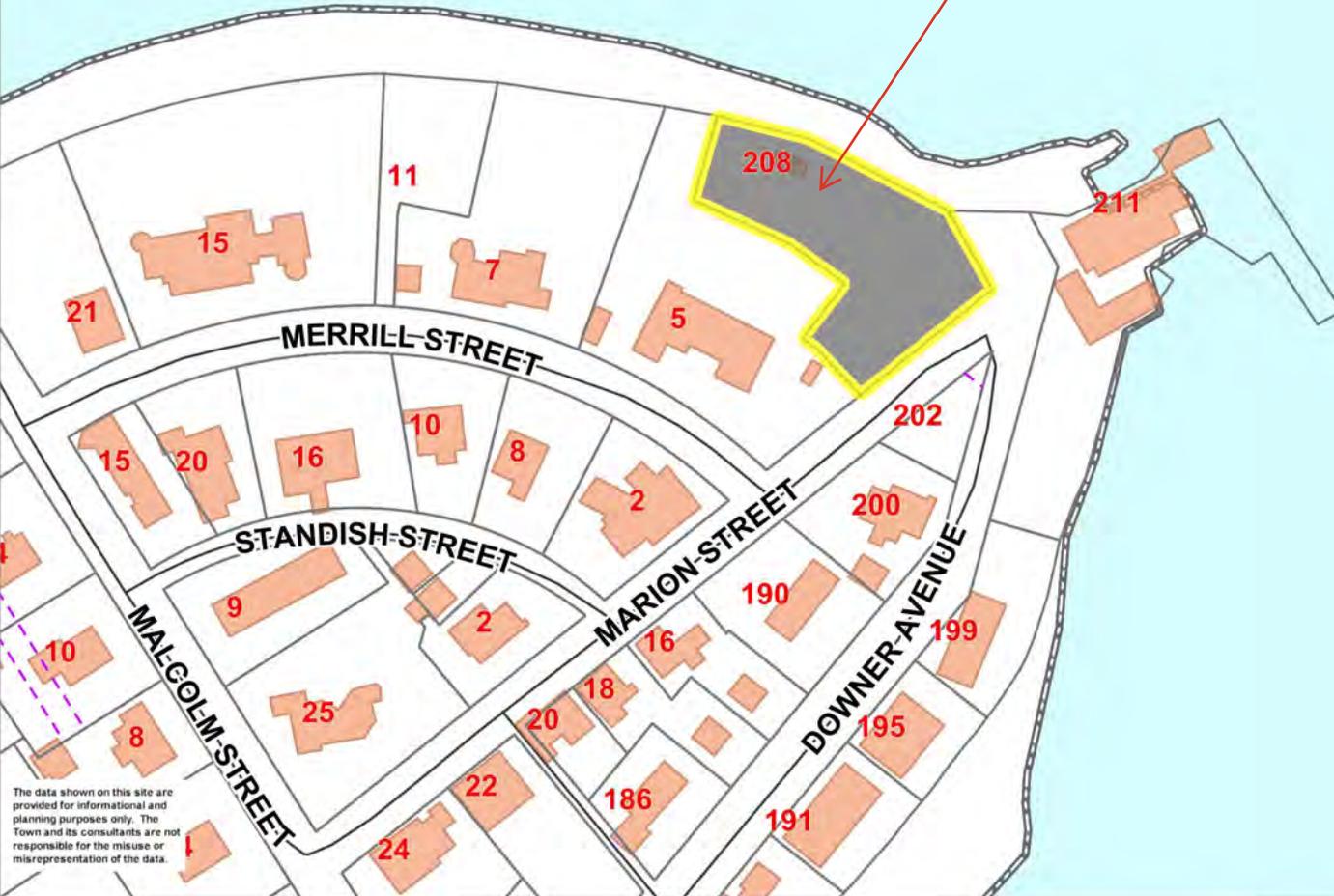
This is an official FIRMette showing a portion of the above-referenced flood map created from the MSC FIRMette Web tool. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For additional information about how to make sure the map is current, please see the Flood Hazard Mapping Updates Overview Fact Sheet available on the FEMA Flood Map Service Center home page at <https://msc.fema.gov>.

208 Downer Avenue, Hingham  
Map 11 – Block 0 – Lot 12  
Hingham GIS – Aerial NHESP Map

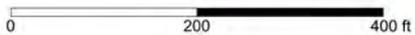




- Places
  - Fire Station
  - Police Station
  - Town Hall
  - Public Library
  - School
  - Golfing
  - Recycle
  - Public Works
  - Transportation
- Easements
  - Parcels for Identify - Public
- Parcels
  - Town Boundary
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Abutting Towns Labels
- Abutting Towns
- Hingham Streets
  - 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 01/15/2025 at 02:39 PM

**AFFADAVIT OF SERVICE**

Under the MA Wetlands Protection Act and  
Hingham Wetlands Protection Bylaw

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

I, Penni L. Pomeroy, hereby certify under the pains and penalties  
*Name of person making Affidavit*

of perjury that on 01/23/2025 I gave notification to abutters in compliance with the  
*Date*

second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the Hingham

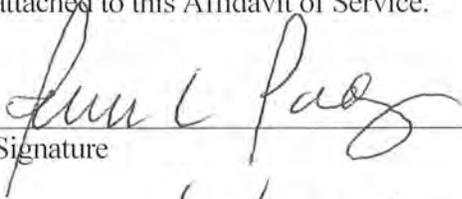
Wetlands Protection Bylaw and Wetland Regulations, by Certificate of Mailing in  
*Type of Service*

connection with the following matter:

A Notice of Intent  or Abbreviated Notice of Resource Area Delineation  was filed under the  
MA Wetlands Protection Act and/or Hingham Wetlands Protection Bylaw with the Hingham  
Conservation Commission on:

01/23/2025 for property located at 208 Downer Avenue.  
*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

1/23/2025  
Date

TOWN OF HINGHAM  
BOARD OF ASSESSORS



CERTIFICATION SHEET

**Property Address: 208 Downer Avenue**

**Parcel ID: 11-0-12**

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

*[Signature]*  
CERTIFICATION DATE 12-17-24  
*[Signature]*



TOWN OF HINGHAM  
CONSERVATION COMMISSION  
210 CENTRAL STREET  
HINGHAM, MA 02043  
(781) 741-1445

Per MA DEP Regulations, Abutters must be notified via Hand  
Delivery, Certified Mail-Return Receipt Requested or  
Certificates of Mailing.

**REQUEST FOR A CERTIFIED LIST OF ABUTTERS**

REQUIRED BY DEPARTMENT: CONSERVATION

REQUESTED BY: Penni Pomeroy of Bracken Engineering, Inc.

EMAIL: penni@brackeneng.com

TELEPHONE: 508-833-0070 Ext 308

PROPERTY LOCATION: MAP(S): 11 BLOCK(S): 0 LOT(S): 12

PROPERTY ADDRESS: 208 Downer Avenue

OWNER OF RECORD: Hingham Yacht Club Inc.

PURPOSE OF LIST: Notice of Intent  
(Example: Notice of Intent, ANRAD, etc.)

REQUIREMENT: 100-FT. RADIUS \_\_\_\_\_ 300-FT. RADIUS (COASTAL PROJECTS)

Submit with this request, a list of abutters created from the GIS map program: [Hingham GIS mapsonline](#)

- Select the blue tab on the left labeled "FIND";
- Enter the street name and enter the street #. (clicking on the autopopulated choice as it appears)
- The parcel is then selected & highlighted
- At the far bottom, on the left, click on the gray tab 'Find Abutters'
- The parcel will be automatically entered in 'Find abutters to a single parcel section'; select the distance required.
- Press 'Go'.
- Select the 'envelope' icon for printing mailing labels. Print or save the list generated and submit, with this Request form, to the Conservation office or [conservation@hingham-ma.gov](mailto:conservation@hingham-ma.gov)

For contiguous parcel selection, or other questions, contact the Conservation office for assistance.

Parcel ID: 11-0-12  
HINGHAM YACHT CLUB INC  
PO BOX 165  
HINGHAM, MA 02043

Parcel ID: 11-0-11  
RADER HOLLY N TT  
5 MERRILL REALTY TRUST  
80 WASHINGTON STREET BLDG J-40  
NORWELL, MA 02061

Parcel ID: 11-0-13  
HINGHAM YACHT CLUB  
PO BOX 165  
HINGHAM, MA 02043

Parcel ID: 11-0-5  
HINGHAM BAY AT MERRILL  
15 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 11-0-6  
GILLIS EDWIN J TRUSTEE  
CROW POINT REALTY TRUST  
7 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 11-0-9  
GILLIS EDWIN J & ANDREA  
7 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-123  
CATALDO MELANIE A  
16 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-124  
ATKINSON NORMA P & SARA  
MERRILL ST NOMINEE TR  
10 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-125  
LANDON ERIN C & OBRIEN  
8 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-126  
MIRSHEKARI ALI JOHN &  
2 MERRILL STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-127  
PIERCE MATTHEW BRIAN &  
2 STANDISH STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-133  
KRANZLEY MICHAEL C TT  
MICHAEL C KRANZLEY 2013  
18 MARION STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-134  
PARISEAULT ELEANOR LYNCH  
16 MARION STREET  
HINGHAM, MA 02043

Parcel ID: 17-0-135  
JOHNSON JEFFREY A &  
JEFFREY A & SUSAN P  
190 DOWNER AVENUE  
HINGHAM, MA 02043

Parcel ID: 17-0-136  
CLARKE DIANE D (LE)  
DIANE D CLARKE 2018  
200 DOWNER AVENUE  
HINGHAM, MA 02043

Parcel ID: 17-0-137  
HINGHAM YACHT CLUB  
PO BOX 165  
HINGHAM, MA 02043

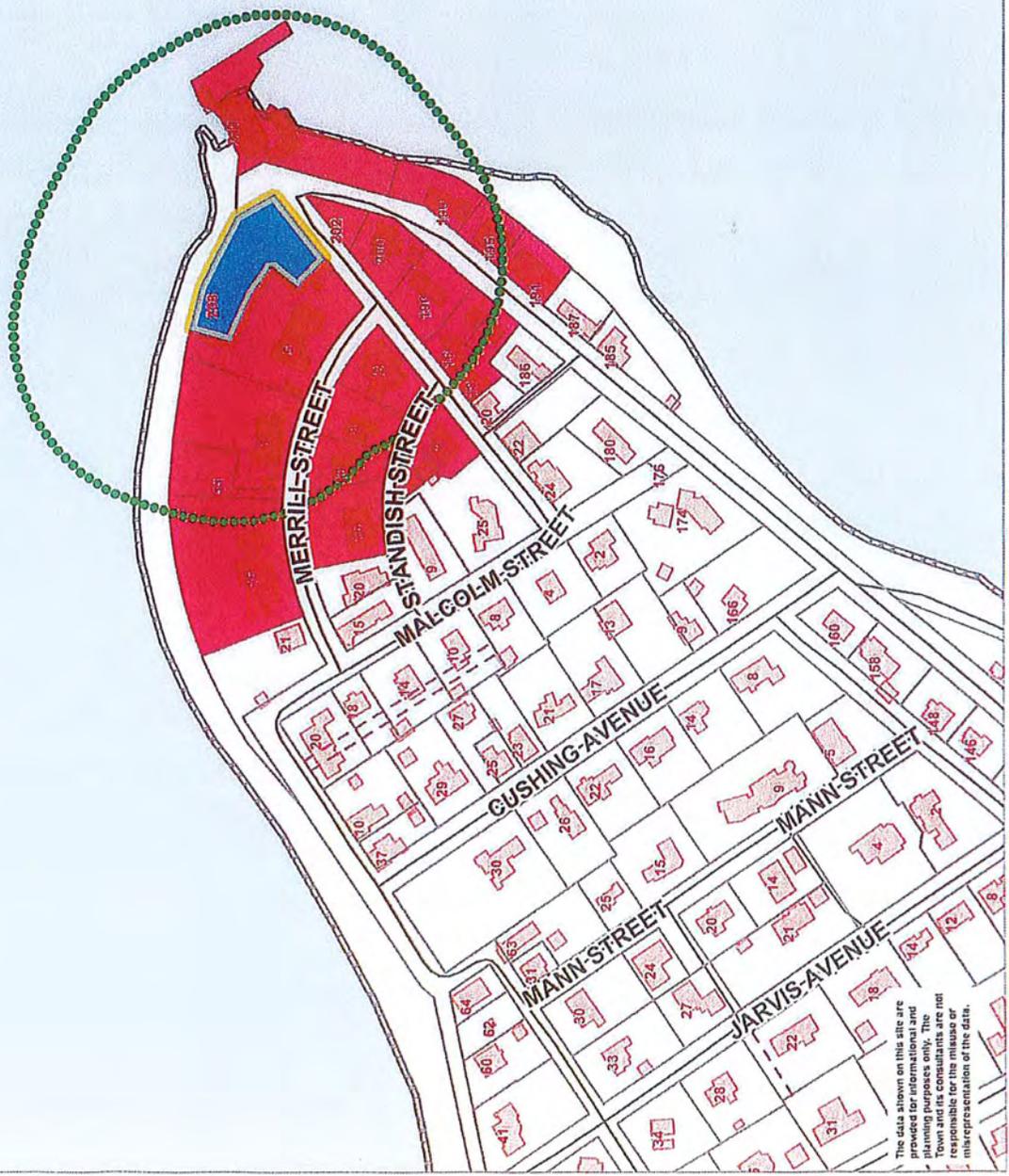
Parcel ID: 17-0-141  
TECHET ALEXANDRA H  
199 DOWNER AVENUE  
HINGHAM, MA 02043

Parcel ID: 17-0-142  
ALGIRD JOHN ROBERT &  
195 DOWNER AVENUE  
HINGHAM, MA 02043

Parcel ID: 17-0-143  
CHRISTOPHER MICHAEL S &  
191 DOWNER AVENUE  
HINGHAM, MA 02043



- Places
  - Fire Station
  - Police Station
  - Town Hall
  - Public Library
  - School
  - Golfing
  - Recycle
  - Public Works
  - Esplanade
  - Transportation
- Parcels for Identify - Public
- Parcels
- Town Boundary
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Abutting Towns
- Abutting Streets
- Bathymetry
  - 0-5 ft
  - 5-10 ft
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  - 20-30 ft
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  - 40-50 ft
  - 50-60 ft
  - 60-70 ft
  - 70+ ft



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## 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:

James Rader has filed a Notice of Intent  
*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: 208 Downer Avenue  
The proposed work includes: \_\_\_\_\_  
Proposed vista pruning in a designated area.

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 Bracken Engineering, Inc. at ( 508 ) 833 0070 between the hours of 8:00 am and 5:00 pm on the following days: Monday through Friday.

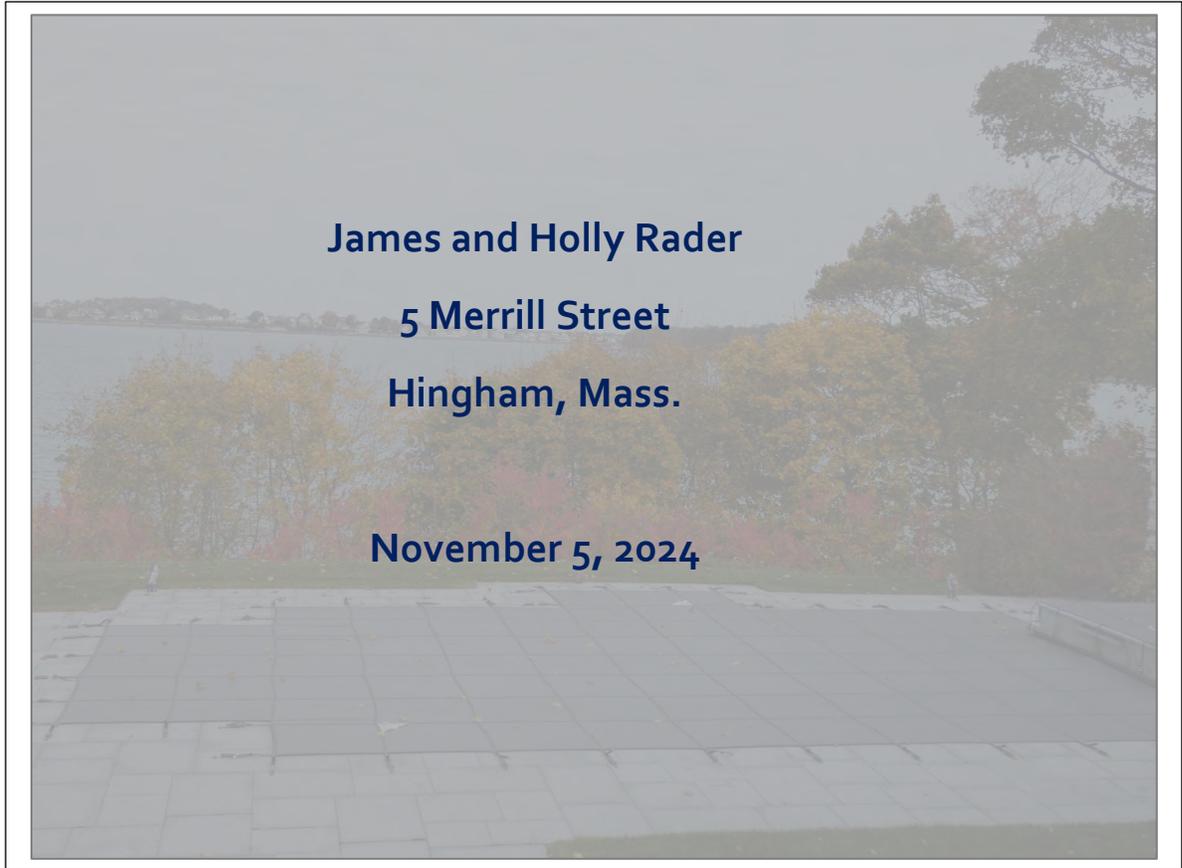
*An Administrative fee may be applied for providing copies of the application or plans.*

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.

*Vista Prune Assessment, Feasibility and  
Recommendations Report*

Prepared for



***PREPARED BY:***

***DAVID C. HAWKINS, CONSULTING ARBORIST***

***URBAN FORESTRY SOLUTIONS, INC.***

*154 Buffam Road, Pelham, Massachusetts 01002*

*(413) 253- 4266*

*dhawkufs@comcast.net*

*[www.ufstrees.com](http://www.ufstrees.com)*



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Assignment .....	3
Methods .....	4
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## Introduction

James and Holly Rader of 5 Merrill Street, Hingham have expressed a desire to expand the view from that property to the north towards Higham Bay. This view is obstructed by trees on a slope past their property line in approximately 2800 square feet of woodland. This land area is owned by Hingham Yacht Club and is also in a coastal bank/wetland area which will require a permit to proceed from the Hingham Conservation Commission. I was retained to assess the site, and count, identify, assess the trees obstructing the view and provide an opinion on the feasibility and/or methods needed to provide the view of the bay. I met with Mr. Rader and Don Bracken from Bracken Engineering at 5 Merrill Street on October 24, 2024, at which we identified the subject area, located property boundaries, and discussed the scope of the viewshed clearing.

## Limitations

All observations, opinions, and recommendations in this report are based on the information provided to me including survey plans for the property and subject area provided by Bracken Engineering, photographs provided by Mr. Rader and discussions with both. Pruning recommendations are intended to comply with industry standards and best management practices but are general in nature. Actual pruning scope will be decided by the arborists performing the work.

## Assignment

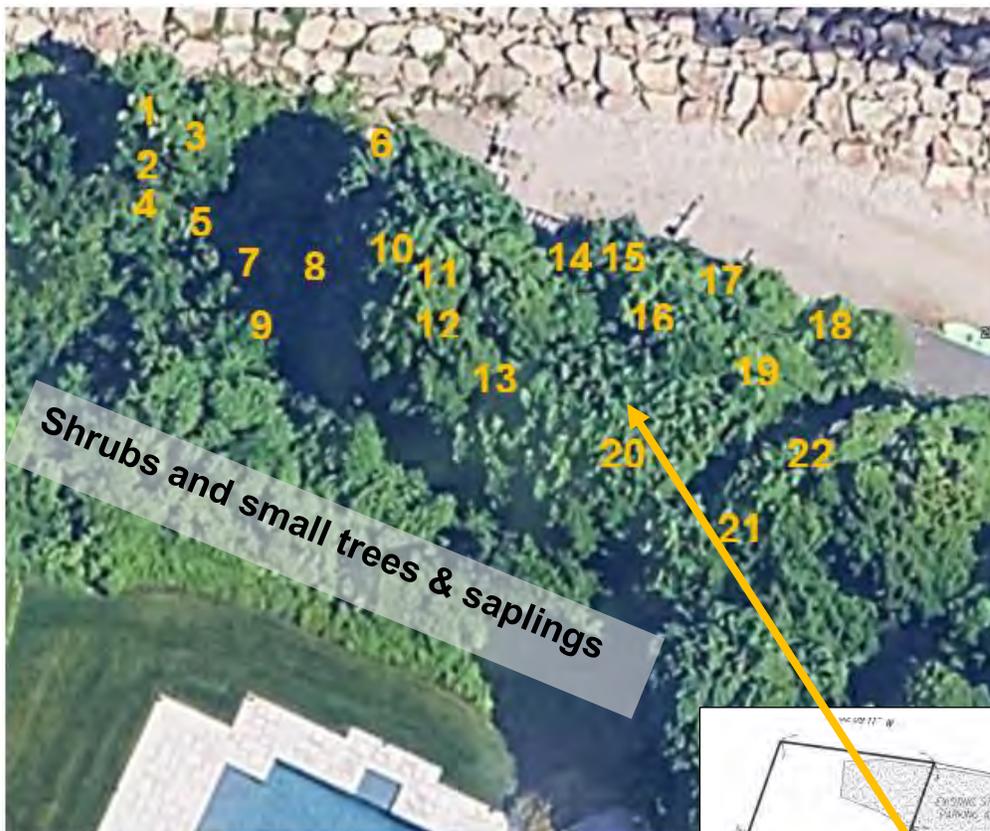
After discussion with Mr. Rader, it was determined that this assignment will involve the following:

- Review site plans and surveys of the property and subject area.
- Meet with Mr. Rader, Don Bracken, and inspect approximately 2800 square feet of trees and vegetation hindering the view to Hingham Bay.
- Identify and record trees and vegetation, distinguish invasive versus native species, and pruning scope and feasibility.
- Provide pruning recommendations for the trees and vegetation obstructing the view. These recommendations will follow industry standards and best management practices for tree and vegetation maintenance.
- Submit a written report with assessment results, with pruning and removal recommendations.

## Methods

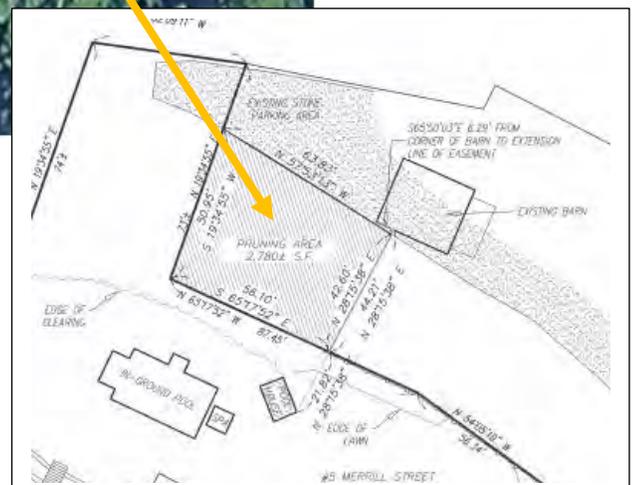
All trees within the 2800 square foot area on the bank north of the Rader property were assessed, tallied and entered on a spreadsheet (see Inventory Data on page 6 & 7). The inventory started in the northwest corner of the subject area and proceeded in a south easterly direction along the bank. Each tree was tagged with a numbered orange tag which corresponds with the inventory data, identified by species, measured at 4.5 feet high on the trunk, estimated for height, assessed for health, structure, identified as invasive or native, and defined according to its general location. The shrubs and small trees on the top of the slope just north of the pool area are identified and noted in the Assessment Summary and Recommendations portion of this report (page 9).

## Site Illustration – Approximate Tree Locations



Shrubs and small trees & saplings

**Inset Right:** survey plan showing the subject area



## Tree Inventory Data Header and Key.

No.	Species	DBH	Est. Ht.	Cond.	Invas.	Site Loc	Notes
1	Norway Maple ( <i>Acer platanoides</i> )	8	40	Fair to Good	Yes	NW corner of site. Bottom of slope	3 leaders at 8 feet. Prune 2 west leads

**No.** Order of when the tree was assessed

**Species.** Common name with scientific name displayed once per species

**DBH** Diameter measured 4.5 feet high or where it best represents the tree's trunk diameter. Multiple leaders joined near the base were measured separately

**Estimated Hgt.** Height was estimated in five-foot increments.

**Invas.** Invasive species and listed on the Prohibited Plant List by the Mass. Dept. of Agriculture Resources (MDAR)

**Health.** Assessed for health, vigor, structure and form. Rated Good, Fair, Poor or a combination of each.

**Site Location:** General description of the trees' location in relation to the work area, slope and nearby trees (see Site Illustration on previous page for visual)

**Notes:** Further description of the tree with recommendations.

## Tree Inventory and Assessment Data

No.	Species	DBH	Est. Ht.	Cond.	Invas.	Site Loc	Notes
1	Norway Maple ( <i>Acer platanoides</i> )	8	40	Fair to Good	Yes	NW corner of site. Bottom of slope	3 leaders at 8 feet. Prune 2 west leads
2	Norway Maple	8	45	Good	Yes	NW corner of site. Bottom of slope	2 leads at 8 feet. Prune both
3	Norway Maple	8	40	Good	Yes	NW corner of site. Bottom of slope	2 leads at 8 feet. Prune both
4	Norway Maple	16	45	Fair	Yes	10' SE of #3	3 leaders at 8 feet. Significant decay on lower trunk. Failure likely. Remove or prune
5	Norway Maple	7	30	Fair to Good	Yes	2' SE of #4	Suppressed by #4. Minor pruning needed
6	Swamp White Oak ( <i>Quercus bicolor</i> )	9	40	Good	No	Mid site. Bottom of slope next to dock. 8' E of #7	Lean and weight over docks. Minor pruning needed.
7	Norway Maple	4	25	Fair to Good	Yes	15' SE of #5	Suppressed by #4. Minor pruning
8	Norway Maple	5	30	Good	Yes	6' E of #7	Some lower trunk decay. Lean to east. Prune
9	Norway Maple	6	25	Fair to Good	Yes	Mid site; Mid slope. 6' W of #8	Multi-leads joined near the base. Prune largest leaders
10	Norway Maple	6	35	Good	Yes	Mid site. 8' E of #7	Single stem. Prune
11	Norway Maple	4	30	Fair to Poor	Yes	Next to base of #10	Dead or dying. Significant decay at base. Remove or minor prune
12	Norway Maple	6,8	50	Good	Yes	Mid slope; Mid site. 8' S of #11	Two leads joined at base. Possible weak branch union (WBU). Heavy pruning needed or thin crown for view
13	Norway Maple	8,6	45	8" Good; 6" Poor	Yes	Mid slope; Mid site. 4' S of #12	Two leaders joined at 24". WBU. North lead dead or dying with trunk decay. Remove one lead; prune remaining.
14	Norway Maple	8	40	Good	Yes	SE section of site. Bottom of slope	In a group of 4 trees. Lean and weight over dock. Prune
15	Norway Maple	6	45	Good	Yes	SE section of site. Bottom of slope	In a group of 4 trees. Single stem. Prune
16	Norway Maple	7	35	Good	Yes	SE section of site. Bottom of slope	In a group of 4 trees. Lean and weight over dock. Prune

No.	Species	DBH	Est. Ht.	Cond.	Invas.	Site Loc	Notes
17	Norway Maple	6	25	Fair to Good	Yes	SE section of site. Bottom of slope	In a group of 4 trees. Heavy lean and weight over dock. Minor pruning needed
18	Black Cherry (Prunus serrotina)	9	30	Fair	No	SE section of site. 3' E of 20	30 to 40 degrees lean over dock and building. No pruning needed. Consider removal.
19	Norway Maple	6,6	40	Good	Yes	SE section of site. 3' W of #19	Two leaders at 15". Prune both
20	Norway Maple	7	35	Good	Yes	SE edge of site. Mid slope	Wide crown. Heavy prune and thin for view.
21	Norway Maple	6	40	Good	Yes	SE edge of site. Mid slope	Wide crown. Heavy prune and thin for view.
22	Norway Maple	12	50	Good	Yes	SE edge of site. Mid slope	Wide crown. Heavy prune and thin for view.

## Assessment Summary and Recommendations

### Woodland Trees on the Bank

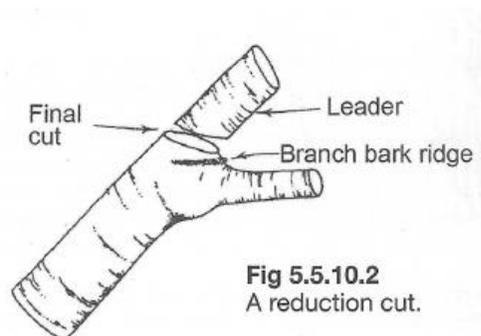
Twenty-two trees were tallied on the wooded bank that are obstructing the view to the north and Hingham Bay. Twenty are Norway maple trees, one is a swamp white oak, and one is a black cherry. Both the oak and cherry are located at the base of the slope and next to and over the dock area and existing barn. The oak needs minimal pruning to enhance the view. The cherry does not need pruning but should be removed as it is at risk of falling onto the barn due to an excessive lean.

The twenty Norway maples range in trunk diameter from 4 to 16 inches and are about 25 to 50 feet in height. Eight of the maples have multiple leaders indicating they have been previously pruned back to the area (and height) where the leaders originate. There is also evidence of prior pruning/topping cuts in the upper crown in some of the larger trees. It is also important to note that Norway maples are listed as an invasive species in Massachusetts and on the Prohibited Plant list which prohibits the import, sale or trade in Massachusetts.<sup>1</sup> This status stems from the fact that they are fast growers and prolific reproducers that can displace a native forest because they tolerate a wide range of conditions, leaf out first in the spring and are the last to drop in the fall which shades

<sup>1</sup> Mass. Dept. of Agricultural Resources (MDAR)

most natural understory growth throughout the growing season. In the case of the ‘bank’ trees, moving to, and displacing native woodlands is not an issue because these are isolated to the subject area. However, the second trait of repressing undergrowth is apparent with very little understory growth visible. Over time as the trees grow in size and mature, the slope could become unstable due to its steepness, exposed soil and minimal undergrowth which can predispose the trees to uprooting – especially those with crown weight and lead to the north and/or during severe weather events.

Because Norway maples are fast, aggressive growers, they can be pruned more aggressively than some other trees – especially our native oaks and maples. If pruning is to be done to expose the view, I would recommend reducing the crowns by up to 40 percent and done in such a way as to encourage more lateral growth as opposed to vertical growth. This is termed ‘Reduction Pruning’ and done by cutting back the upright branches to lateral branches large enough to sustain the remaining branch (usually about 1/3 the thickness of the cut branch). Pruning cuts should be limited to 4 inches in diameter or less, which shouldn’t be an issue since these are relatively small, young trees with few upper branches larger than that. The diagram below illustrates the reduction pruning method.<sup>2</sup>



Reducing the Norway maples by ~40 percent with this pruning method should achieve the desired results while exposing the slope to more sunlight which will stimulate undergrowth. However, this will not be a one-time pruning event. There will be new branch sprouts growing vertically from the reduction cuts that will, over time, start to obscure the view. These can be pruned back to the original cut location on an estimated 3-to-5-year pruning cycle. The photographs on page 9 show the existing conditions with the recommended pruning height outlined. Note, actual pruning locations and scope should be determined by the arborist performing the work.<sup>3</sup>

<sup>2</sup> ANSI A300 2023 Tree Care Standards – Pruning. Section 5.5.10.

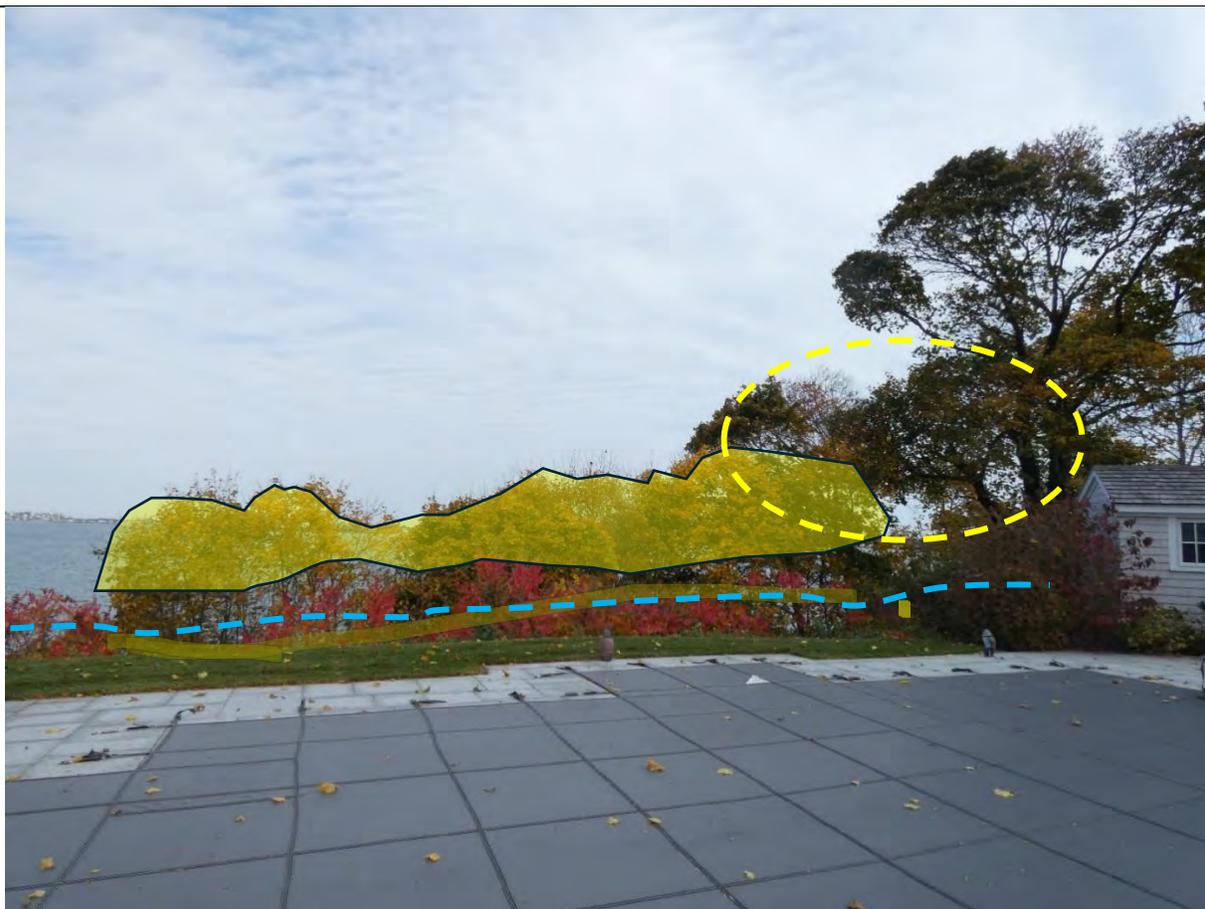
Best Management Practices – Tree Pruning. International Society of Arboriculture. Page 23.

<sup>3</sup> There should be at least one Mass. Certified or International Society of Arboriculture Certified Arborist either performing or overseeing the pruning operation.

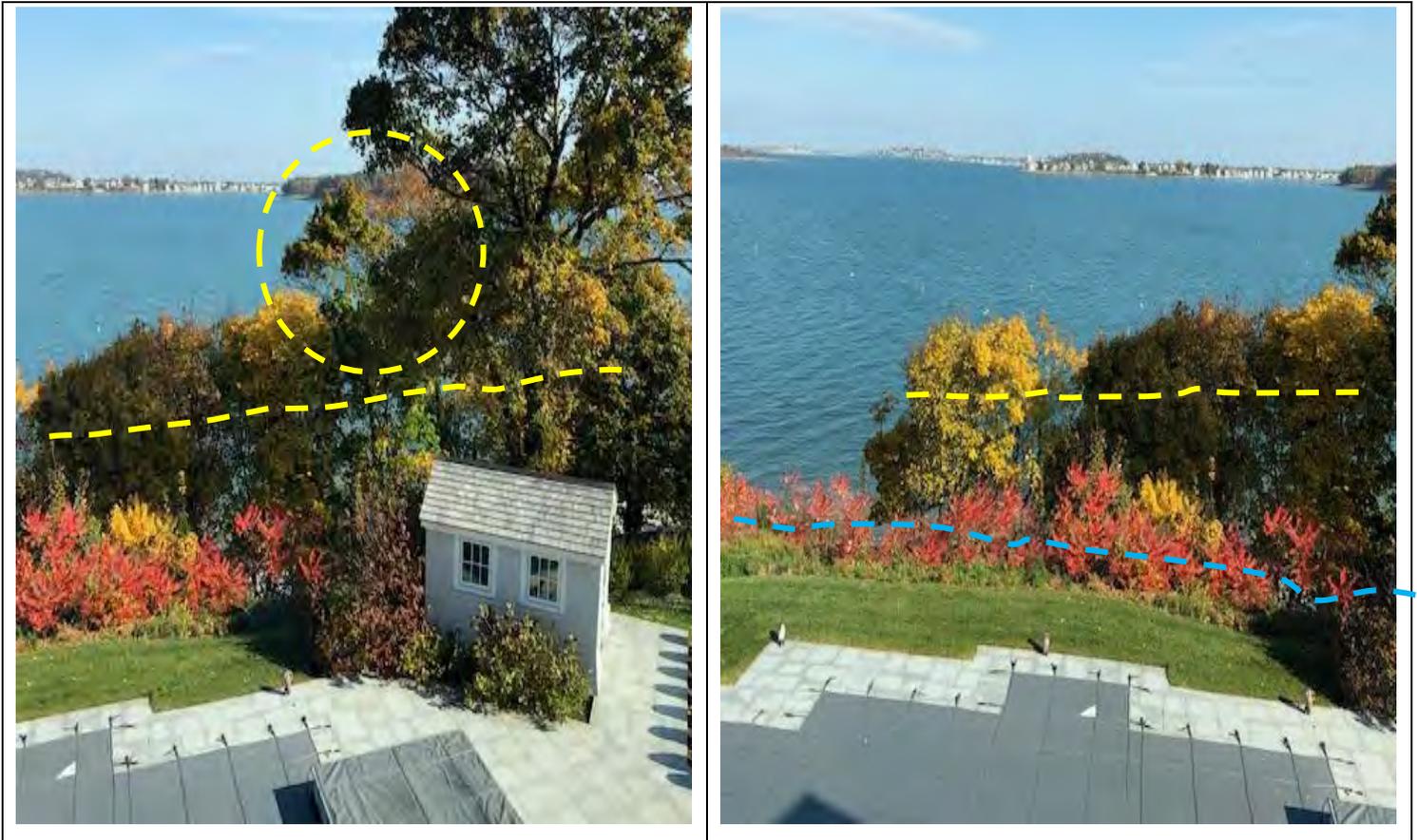
## Shrubs and Small Trees at the Top of the Slope

These consist of primarily staghorn sumac (*Rhus typhina*) and honeysuckle (*Lonicera spp.*) on the top of the slope and Norway maple saplings further down the slope in the west portion of the subject area (see photograph below) The sumac and honeysuckle can be cut down to a height of 12 to 24 inches and maintained at that height. The Norway maple saplings can be reduced to below the viewshed height but should be cut back to appropriate lateral branches. These can also be be maintained at that height.

## Viewshed Photographs

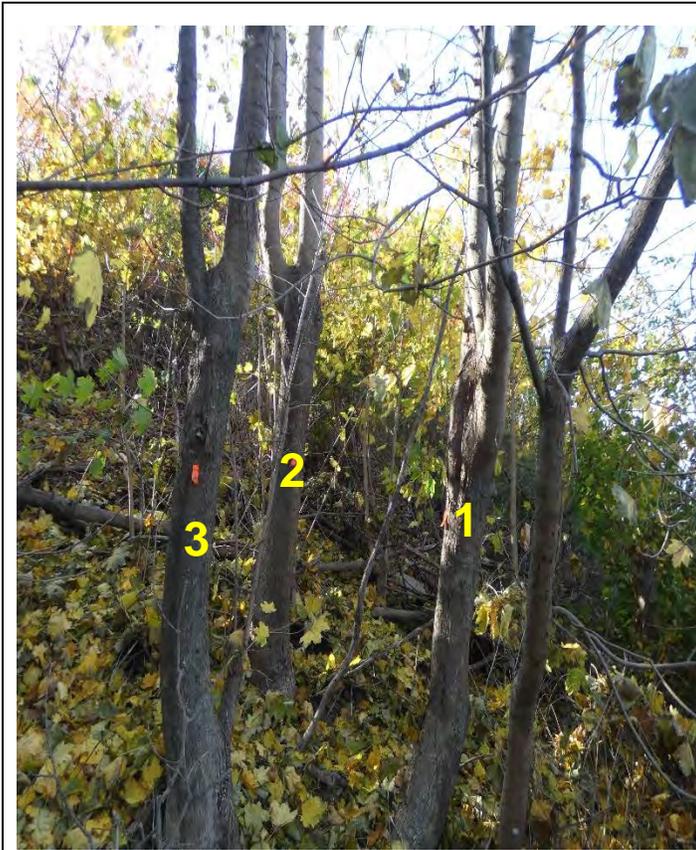


**North view from the pool area with the estimated recommended reduction pruning scope (shaded yellow for the trees and a blue line for the shrubs on top of the slope). The circled area can be thinned for a view through the trees.**



**North view towards Hingham Bay from the second story window with the estimated pruning heights highlighted. The circled area can be thinned to expand the view east.**

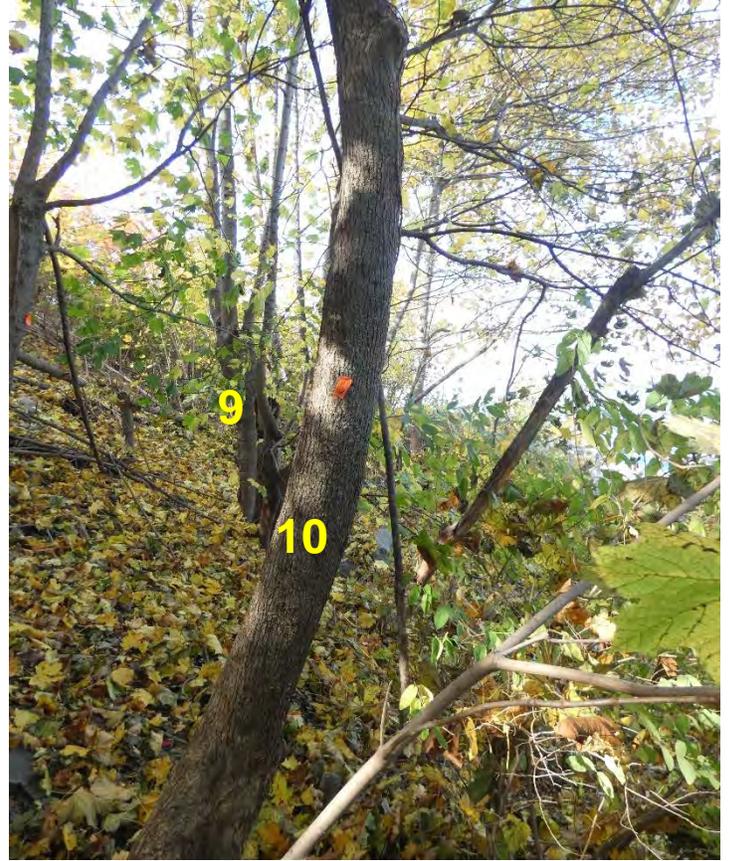
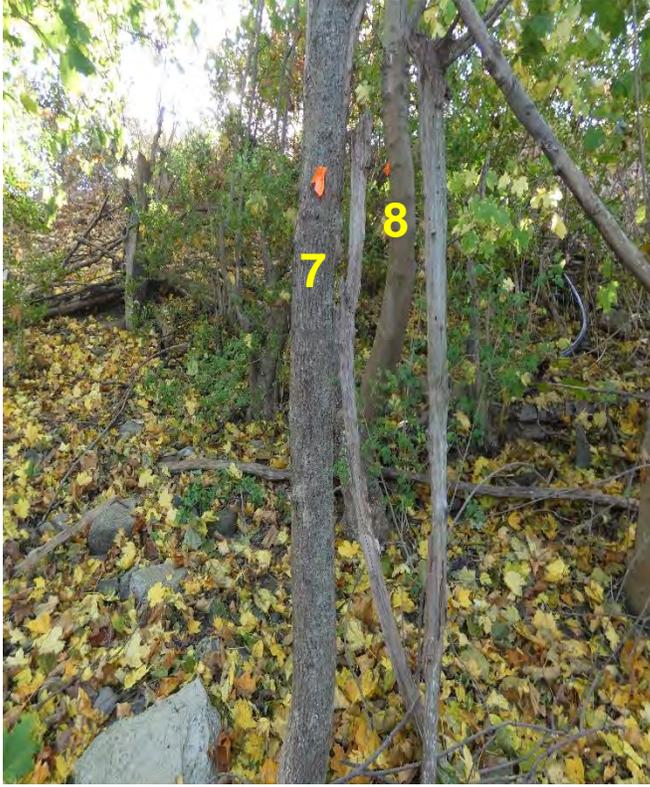
## Photographs – Inventoried Trees

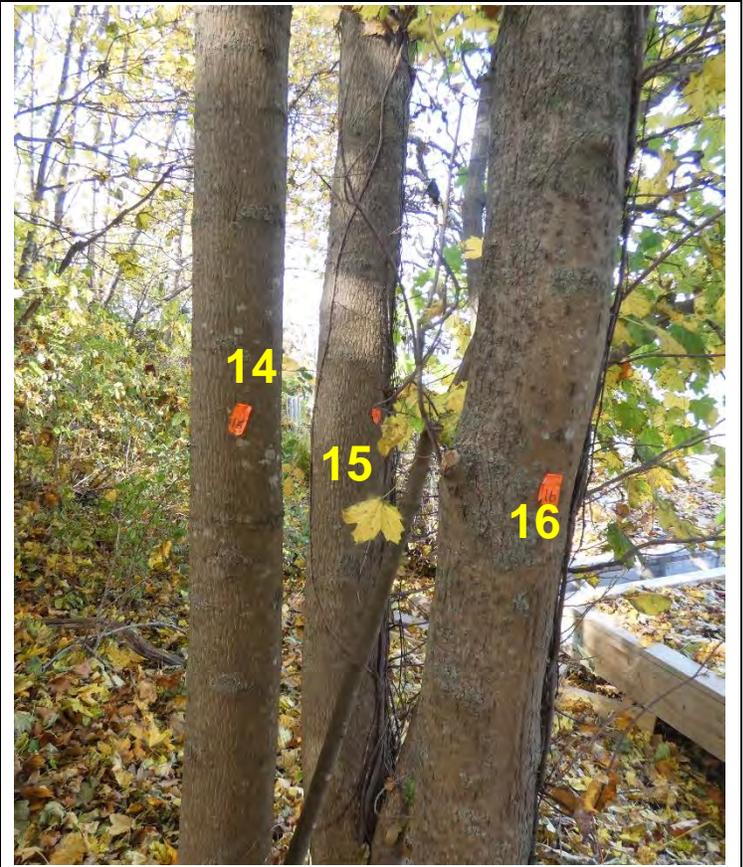


**Significant decay. Recommend removal**



**Swamp white oak**





**Black Cherry**



## Disclaimer

By the nature or their size, weight, miscellaneous structure issues, constant exposure to the weather and the elements, and susceptibility to insect's pest and decay organisms, trees always pose an inherent degree of risk of breakage or structural failure.

Recommendations made by Urban Forestry Solutions, Inc. are intended to minimize, reduce, or eliminate hazardous conditions associated with trees. However, there is not, and can never be, any guarantee or certainty that these recommendations will totally correct unsafe conditions or prevent future failure of a tree.

The recommendations carried out as stated should reduce the risk, but they cannot completely eliminate the risk (except when the tree is removed), especially in the event of future growth, further deterioration, subsequent insect attacks, extreme weather conditions, or other eternal factors such as lightning strikes vehicular damage, or other acts of God or man.

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## Certification

I certify the statements in this report are, to the best of my knowledge, true, accurate and represent my professional opinion.



Date: November 5, 2024

David C. Hawkins, Consulting Arborist

*ISA Board Certified Master Arborist*

*#NE-0541B*

*ISA Tree Risk Assessor Qualification*

*TRAQ 3/2014, Renewed 10/2018, 2/2024*

*Massachusetts Certified Arborist*

*MCA #1425*

*Rhode Island Licensed Arborist*

*License #969*

*Member: The Tree Care Industry*

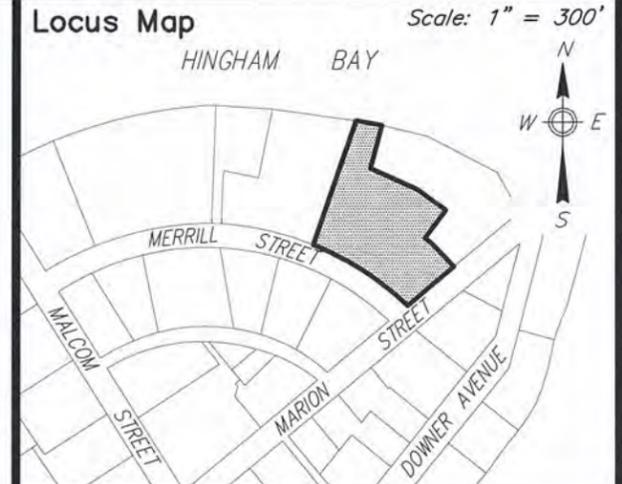
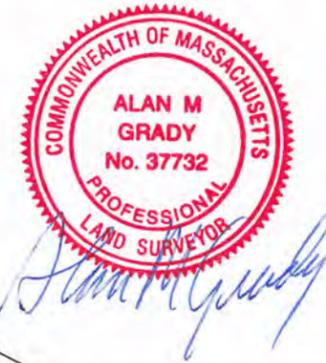
*Member: American Society of Consulting Arborists*

*Registered Consulting Arborist*

*RCA #743*

*Member: Mass. Tree Wardens' and Foresters' Assoc.*

*Executive Board Member*



- Notes:**
- LOCUS: #5 MERRILL STREET  
MAP 11 PARCEL 11
  - OWNER: 5 MERRILL REALTY TRUST  
c/o HOLLY N. RADER, Trustee  
80 WASHINGTON STREET,  
BLDG. J-40  
NORWELL, MA.
  - DEED REF: Bk: 50463 Pg: 62
  - PLAN REF: Bk: 47 Pg: 102
  - INFORMATION SHOWN IS BASED ON A  
FIELD SURVEY CONDUCTED THROUGH  
DECEMBER 15, 2023.

Prepared By:

**BRACKEN**  
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**EXHIBIT D**  
IN HINGHAM, MA

Prepared for:

**5 MERRILL REALTY TRUST**  
#5 MERRILL STREET  
MAP 11 PARCEL 11

Date: NOVEMBER 14, 2023	Drawn: RMM/ERC/BEI	Checked: DFB/AMG
REV. FEBRUARY 7, 2024		

