



Notice of Intent

February 26, 2025

85 Tower Road, Hingham MA 02043

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Massachusetts Department of Environmental Protection

eDEP Transaction Copy

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Username: **TTREMBLAY**

Transaction ID: **1868169**

Document: **WPA Form 3 - NOI**

Size of File: **271.63K**

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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 #:
eDEP Transaction #:1868169
City/Town:HINGHAM

A.General Information

1. Project Location:

a. Street Address	85 TOWER ROAD		
b. City/Town	HINGHAM	c. Zip Code	02043
d. Latitude	42.21100N	e. Longitude	70.89013W
f. Map/Plat #	126	g.Parcel/Lot #	31

2. Applicant:

Individual Organization

a. First Name		b.Last Name	
c. Organization	ALR HOMES		
d. Mailing Address	47 G STREET		
e. City/Town	BOSTON	f. State	MA
g. Zip Code	02127		
h. Phone Number	617-286-2425	i. Fax	
		j. Email	doug@alrhomesma.com

3.Property Owner:

more than one owner

a. First Name		b. Last Name	
c. Organization	ALR HOMES		
d. Mailing Address	47 G STREET		
e. City/Town	BOSTON	f.State	MA
g. Zip Code	02127		
h. Phone Number	617-286-2425	i. Fax	
		j.Email	doug@alrhomesma.com

4.Representative:

a. First Name	BRENDAN	b. Last Name	SULLIVAN
c. Organization	MERRILL ENGINEERS & LAND SURVEYORS		
d. Mailing Address	427 COLUMBIA ROAD		
e. City/Town	HANOVER	f. State	MA
g. Zip Code	02339		
h.Phone Number	781-826-9200	i.Fax	
		j.Email	bsullivan@merrillinc.com

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

a.Total Fee Paid	500.00	b.State Fee Paid	237.50	c.City/Town Fee Paid	262.50
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6.General Project Description:

A PORTION OF THE SINGLE FAMILY HOME IS PROPOSED INSIDE OF THE 100' BUFFER. APPROXIMATELY 2,000 SF OF PROPOSED CONCRETE DRIVEWAY IS PROPOSED WITHIN THE BUFFER WITH TWO RETAINING WALLS AND ASSOCIATED HARD SCAPE WITH GRADING.

7a.Project Type:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input type="checkbox"/> Limited Project Driveway Crossing | 4. <input type="checkbox"/> Commercial/Industrial |
| 5. <input type="checkbox"/> Dock/Pier | 6. <input type="checkbox"/> Utilities |
| 7. <input type="checkbox"/> Coastal Engineering Structure | 8. <input type="checkbox"/> Agriculture (eg., cranberries, forestry) |
| 9. <input type="checkbox"/> Transportation | 10. <input type="checkbox"/> Other |



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7b. Is any portion of the proposed activity eligible to be treated as a 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:
 2. Limited Project

8. Property recorded at the Registry of Deeds for:

a. County:	b. Certificate:	c. Book:	d. Page:
PLYMOUTH	137082		

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

1. Buffer Zone & Resource Area Impacts (temporary & permanent):

This is a Buffer Zone only project - 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)

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
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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	
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 any)
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.



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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)

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 Beaches	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
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, crea.
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

Restoration/Replacement

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 entered the additional amount here.

a. square feet of BVW

b. square feet of Salt Marsh

5.Projects Involves Stream Crossings

Project Involves Streams Crossings



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If the project involves Stream Crossings, please enter the number of new stream crossings/number of replacement stream crossings.

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

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 of Endangered Species program (NHESP)?

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

b. Date of map:FROM MAP VIEWER

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18)....

c. Submit Supplemental Information for Endangered Species Review * (Check boxes as they apply)

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

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

c. MESA filing fee (fee information available at: <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/mass-endangered-species-act-mesa/mesa-fee-schedule.html>)

Make check payable to "Natural Heritage & Endangered Species Fund" 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

d. 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, <http://www.mass.gov/eea/agencies/dfg/dfw/laws-regulations/cmr/321-cmr-1000-massachusetts-endangered-species-act.html#10.14>; 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 Number

b. Date submitted to NHESP



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3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review...

- 2. For coastal projects only, is any portion of the proposed project located below the mean high waterline or in a fish run?
 - a. Not applicable - project is in inland resource area only
 - b. Yes No

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

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

North Shore - Hull to New Hampshire:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 S. Rodney French Blvd
New Bedford, MA 02744

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930

If yes, it 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.

- 3. 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 DEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC Name

- 4. 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

- 5. 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

- 6. 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, Explain why the project is exempt:

1. Single Family Home

2. Emergency Road Repair



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- 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

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 by regular mail delivery.

- 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.
- 3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s).
- 4. List the titles and dates for all plans and other materials submitted with this NOI.

a. Plan Title:	b. Plan Prepared By:	c. Plan Signed/Stamped By:	c. Revised Final Date:	e. Scale:
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SITE PLAN	TRT	BPS	January 24, 2025	1" = 30'
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- 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.



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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.

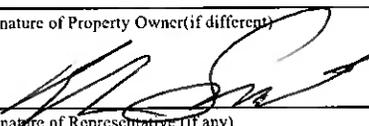
Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

2. Municipal Check Number <u>10952</u> <u>Paid Online</u>	3. Check date <u>2/26/25</u>
4. State Check Number <u>Merrill Engineers & Land Surveyors</u>	5. Check date
6. Payer name on check: First Name	7. Payer name on check: Last Name

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 	2. Date <u>2/25/25</u>
3. Signature of Property Owner (if different)	4. Date
5. Signature of Representative (if any) 	6. Date <u>2-25-25</u>

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 Section C, Items 1-3, 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.



Project Narrative

Project Narrative

85 Tower Road, Hingham MA

Project Description

The owner of the private, residential property located at 85 Tower Road, requests permission from the Hingham Conservation Commission to construct a single-family dwelling, driveway, two retaining walls, a portion of the rear patio, and a portion of the subsurface infiltration system within the 100 foot buffer to onsite wetlands. The locus property is approximately 3.1 acres (134,444± sf). The property abuts residential properties to the north, south, and east. To the west of the property is a parcel of undeveloped land. The Bordering Vegetative Wetlands were identified by ECR, LLC on April 16, 2024. As noted in the Wetland Delineation Report, a small wetland is in the northeastern corner of the property and another wetland is identified at the southernmost portion of the property. The site is located within the FEMA F.I.R.M. Zone X and is not located in an area of critical environmental concern. The property was developed with a single-family dwelling foundation remains, a paved driveway, brick walkways, and retaining walls. Topography on site generally slopes from a high point at Tower Road, sloping gradually down to northeastern wetland.

The applicant proposes to build a portion of the dwelling within the 100 foot buffer. The new dwelling would be approximately 82 feet away from the wetlands. The proposed dwelling will have a new driveway coming off the attached garage which is partially within the 100 foot buffer. The driveway has a trench drain located at the easternly side of the turnaround area that will carry water to the subsurface system. The subsurface system located in the rear of the Single Family dwelling and partially crosses the 100 foot buffer. Also within the 100 foot buffer a portion of impervious patio and retaining walls are proposed. One of the retaining walls is approximately 5 feet in height and the lower wall is approximately 6 feet in height. With the retaining walls grading will be needed and is proposed approximately 2 feet from the 50 foot buffer. All the proposed work adds approximately 2,000± sf of impervious area within the 100 foot buffer. No work is proposed inside of the 50 foot buffer.

Mitigation Measures

As part of this project approximately 17 trees are being cut down and approximately 2,000 sf of impervious is being added within the 100 foot buffer. As per the Hingham Conservation Commission a 1:1 tree mitigation policy and a 1:1 mitigation planting area is required. Trees have been placed back within the 100 foot buffer and a mitigation area within the 50 foot buffer between the proposed dwelling and resource area will provide 2,000sf of needed mitigation. These areas have been shown on the attached Landscape Plan.

A silt sock will be installed and maintained throughout construction between the limit of work and the resource areas. The material and equipment stockpile areas will be located to the east of the dwelling and surrounded with an additional silt sock.

Compliance with Performance Standards for Work in the Buffer Zone, Section 22.0(d), Hingham Wetland Regulations

The proposed work complies with the Hingham Wetland Regulations Performance Standards for work in the Buffer Zone as follows:

(1) The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area, in order to protect the wetland values of Resource Areas.

The location of the single family dwelling was decided based on the location to the street and to limit the amount of clearing needed to gain access to the dwelling. To the southern side of the house there is a lot of ledge out cropping's which constrains the house to where it is located currently. The house is moved as far forward to Tower Road to eliminate additional tree clearing and reduce impervious area located within the 100 ft buffer.

(2) Except as otherwise specified, Resource Area buffers shall be retained and maintained in a naturally vegetated condition. Where buffer disturbance has occurred during construction, revegetation with native vegetation may be required.

The proposed area is partially located over developed portion of the property. A siltation barrier will be maintained along the limit of work to define and control the work area.

(3) The Commission may require that already-altered buffer zone be restored in order to protect or improve Resource Area values. Restoration means planting native vegetation, grading, correcting site drainage, removing debris, or other measures which will improve, restore and protect the wetland values of the Resource Area.

In order to protect the resource values of the Bordering Vegetated Wetlands the Buffer is planned to be planted with 17 trees. In addition an area within the 50 foot buffer of pre existing lawn is proposed to be seeded with New England Semi-Shade grass and Forbes mix. The tree plantings and 2,000 sf mitigation area should help protect the resource area.

(4) Notwithstanding the above provisions, no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate and rare plant species, as identified by procedures established under 310 CMR 10.37 for Coastal Resource Areas or 310 CMR 10.59 for Inland Resource Areas.

The project will not result in an adverse effect on specified habitat of rare vertebrate or invertebrate and rare plant species. No NHESP Estimated & Priority Habitats are identified onsite, per MassMapper and the Wetland Delineation Report.

(5) The Commission may impose such additional requirements as are necessary to protect the wetland values protected under the Bylaw.

This application is presented to the Conservation Commission for their review.

Compliance with Performance Standards for filling, Section 23.6, Hingham Wetland Regulations

The proposed work complies with the Hingham Wetland Regulations Performance Standards for filling as follows:

(a) No fill shall be placed in any Resource Area or any buffer zone so as to alter the flow of surface water in a way that the Conservation Commission feels will adversely affect the wetland values of the Resource Area(s).

No fill is proposed within the Bordering Vegetated Wetlands located on the property. There is fill being added to the 100 foot buffer in grading and with the proposed retaining wall. The addition of this fill however should not change the existing flow path of water since the subsurface system at the bottom of the proposed driveway outlets out of the system to the rear yard of the dwelling and drains to the resource area.

(b) No filling or excavation or other alteration of salt marshes shall be permitted.

There is no salt marsh located on the property.

(c) The Commission at its discretion may allow the filling of up to 2,500 square feet of Vegetated Wetland for a limited project...

No fill is proposed in vegetated wetlands.

(d) Compatible fill shall be used for beach and dune nourishment projects.

No beach or dune nourishment is proposed as part of the project.

(e) Dumping of lawn wastes, brush or leaves or other materials or debris is not permitted in any Resource Area.

No dumping in the resource area is proposed. The owner understands resource areas are protected.

(f) The Commission is authorized to deny any filling of any Resource Area in order to protect the wetland values of the Resource Area.

This application is presented to the Conservation Commission for their review.

Compliance with Performance Standards for Structures, Section 23.7, Hingham Wetland Regulations

- a. The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area.*

The location of the Single Family dwelling was decided based on the location to the street and to limit the amount of clearing needed to gain access to the dwelling. To the southern side of the house there is a lot of ledge out cropping's which constrains the house to where it is located currently. The house is moved as far forward to Tower Road to eliminate additional tree clearing and reduce impervious area located within the 100 ft buffer.

- b. The Commission may at its discretion allow a proposed structure on a wall-type foundation within 100 to 50 feet of the Resource Area, as defined in HWR 2.0 (1-5), if satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area.*

The project is partially within the 100 foot and 50 foot buffer of the onsite Bordering Vegetated Wetlands. The mitigation proposed is the replanting of 17 trees which should help protect the resource area.

- c. No mitigation is sufficient to allow a structure on a wall-type foundation less than 50 feet from a Resource Area, as defined in HWR 2.0 (1-5).*

There are no proposed structures within the 50 foot buffer as part of this project.



Environmental Consulting & Restoration, LLC



WETLAND DELINEATION MEMO

TO: Merrill Engineers & Land Surveyors
FROM: Brad Holmes
DATE: May 3, 2024
RE: 0 & 85 Tower Road, Hingham

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at the properties located at 0 & 85 Tower Road in Hingham (the site) on April 16, 2024. The purpose of the review was to identify wetland resource areas on and near the site. The site is located along the east side of Tower Road and contains the remains of a house foundation, overgrown driveway, forested woodlands, etc. The weather on April 16th was partly cloudy and mild (approximately 55 degrees) with light wind and dry site conditions.

Bordering Vegetated Wetlands

Wetland resource areas are located on and near the site. ECR placed Bordering Vegetated Wetland (BVW) flags (pink/black striped ribbons) along the limit of the following vegetated wetlands:

BVW #A1 to #A32, #A1-1 to #A1-17 – BVW on and near the northeastern portion of the site. This is a palustrine forested broad-leaved deciduous shrub wetland system consisting of native wetland indicator plants such as Red Maple, Tupelo, Highbush Blueberry, Sweet Pepperbush, Cinnamon Fern, etc. This wetland system extends easterly beyond the site limits.

BVW #B1 to #B17 – BVW on and near the southern portion of the site. This is similar to the A series wetland as a palustrine forested broad-leaved deciduous shrub wetland system. This wetland system extends onto the abutting properties at Grist Mill Lane.

The vegetated wetlands were 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.

Inland Bank

ECR also located the Inland Bank to an intermittent stream located to the west of the B series BVW. ECR placed Inland Bank flags #IB1 to #IB5 along the top of the well-defined bank starting at wetland flag #B17. The Inland Bank was delineated following DEP's methodology for Inland Bank found at 310 CMR 10.54. Within this portion of the site, there is no BVW upgradient of this stream system.

Potential Vernal Pool

The MassMapper database identifies a Potential Vernal Pool within the northeast portion of the A series BVW. This portion of the BVW was ponded and physically meets the criteria necessary to be considered a vernal pool. Meaning, it appears to seasonally hold water and does not appear to be a permanent waterbody such as a pond containing fish. ECR did not perform an evaluation to determine if this ponded area contains the biological criteria necessary to meet the standards of a certifiable vernal pool. In order to identify the location of the potential vernal pool, ECR placed PVP flags (blue ribbons) at the mean annual high-water line of this ponded area.

ECR

Environmental Consulting & Restoration, LLC



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 an intermittent stream
- 200-foot Riverfront Area
- Bordering Land Subject to Flooding (FEMA flood zone AE)

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 Certified Vernal Pools according to the MaNHESP. The site does contain a Potential Vernal Pool as noted above.
3. The site does not contain a U.S.G.S. mapped stream. Please note that the Crooked Meadow River is located to the east of the site and appears to be more than 200 feet away.
4. The site does contain areas mapped as Bordering Land Subject to Flooding (FEMA flood zone AE).
5. 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 with any questions or requests for additional information.

Thank you,



Brad Holmes, Professional Wetland Scientist #1464
Manager



Figures

USGS Map



FEMA Flood Map

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

<p>SPECIAL FLOOD HAZARD AREAS</p> <ul style="list-style-type: none"> Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth, Zone AE, AO, AH, VE, AR Regulatory Floodway 	<p>OTHER AREAS OF FLOOD HAZARD</p> <ul style="list-style-type: none"> 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future conditions 1% Annual chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes, Zone X Area with Flood Risk due to Levee Zone D 	<p>OTHER AREAS</p> <ul style="list-style-type: none"> NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMRS Area of Undetermined Flood Hazard Zone D 	<p>GENERAL STRUCTURES</p> <ul style="list-style-type: none"> channel, culvert, or Storm Sewer Levee, Dike, or Floodwall 	<p>OTHER FEATURES</p> <ul style="list-style-type: none"> 20.2 cross sections with 1% Annual chance Water Surface Elevation 17.6 coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary coastal Transect Baseline Profile Baseline Hydrographic Feature 	<p>MAP PANELS</p> <ul style="list-style-type: none"> Digital Data Available No Digital Data Available Unmapped
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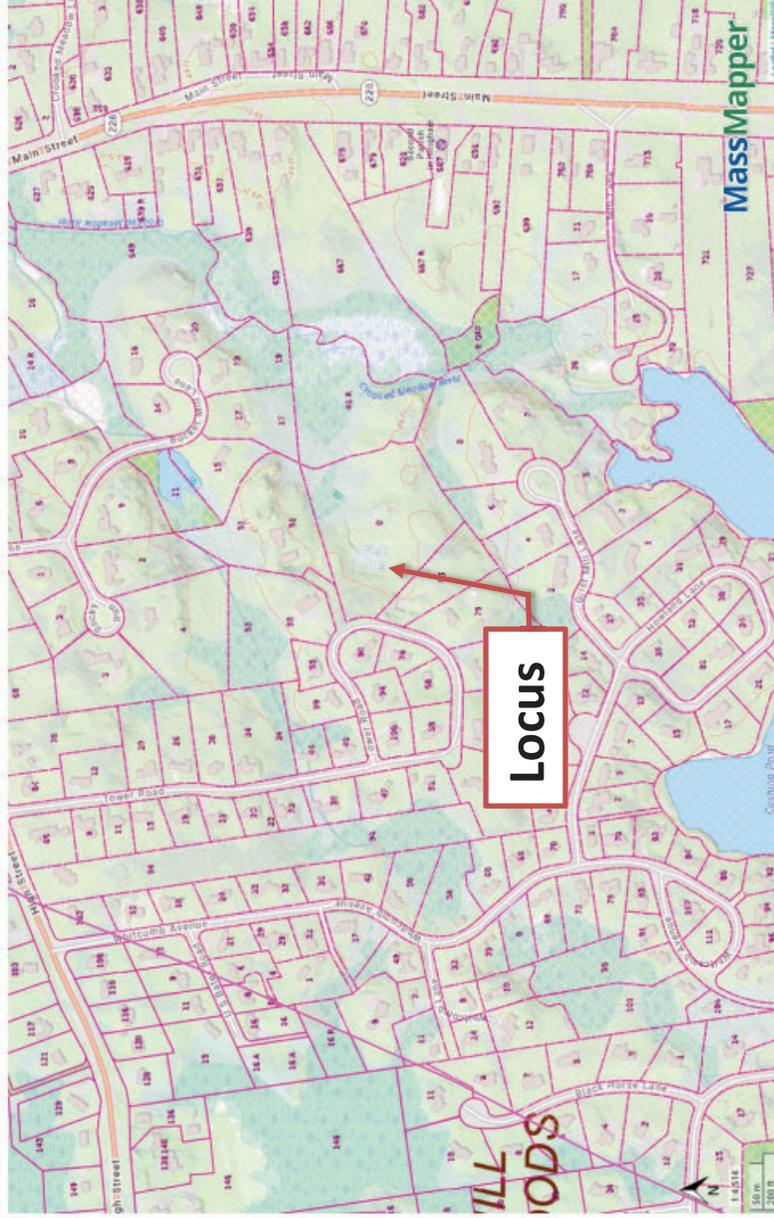
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps; if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/20/2025 at 3:49 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

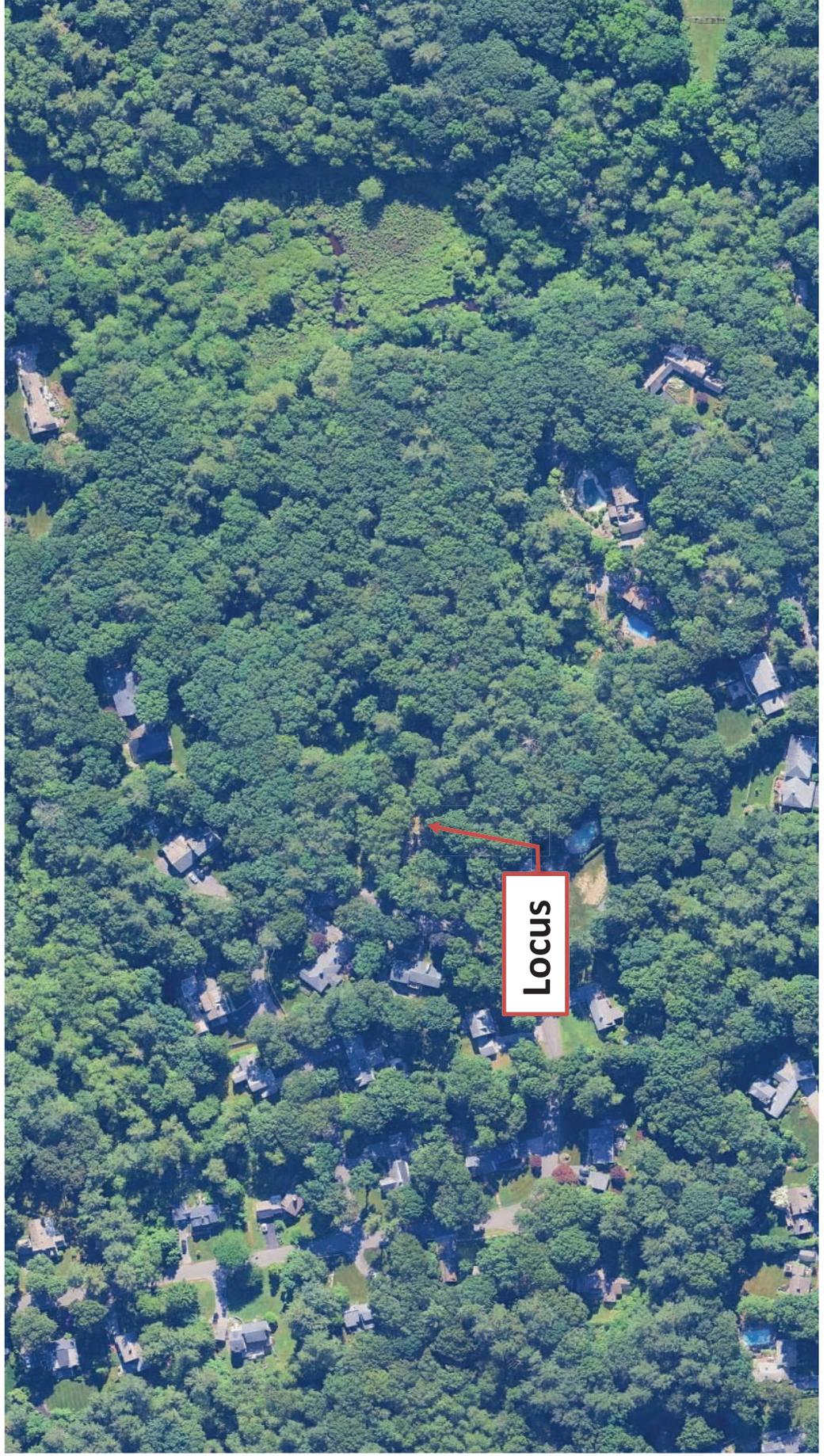
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

NHESP Map



- Areas of Critical Environmental Concern ACECs
- Areas of Critical Environmental Concern ACECs Boundaries
- ROAD/RAIL BASED
- RIVER BASED
- WETLAND BASED
- FLOODPLAIN BASED
- TIDAL BASED
- CONTOUR BASED
- POLITICAL BOUNDARY
- PROPERTY LINE BASED
- OTHER
- NOT DEFINED
- Potential Vernal Pools
- Zone IIs
- NHESP Priority Habitats of Rare Species
- NHESP Natural Communities
- NHESP Estimated Habitats of Rare Wildlife
- NHESP Ecoregions
- NHESP Certified Vernal Pools
- Property Tax Parcels

Aerial Photography





NOI Wetland Filing Fees



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 - Notice of Wetland Fee Transmittal
Form

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

Provided by MassDEP:
 MassDEP File #:
 eDEP Transaction #:1868169
 City/Town:HINGHAM

A. Applicant Information

1. Applicant:

a. First Name		b. Last Name	
c. Organization	ALR HOMES		
d. Mailing Address	47 G STREET		
e. City/Town	BOSTON	f. State	MA
		g. Zip Code	02127
h. Phone Number	6172862425	i. Fax	
		j. Email	doug@alrhomesma.com

2. Property Owner:(if different)

a. First Name		b. Last Name	
c. Organization	ALR HOMES		
d. Mailing Address	47 G STREET		
e. City/Town	BOSTON	f. State	MA
		g. Zip Code	02127
h. Phone Number	6172862425	i. Fax	
		j. Email	doug@alrhomesma.com

3. Project Location:

a. Street Address	85 TOWER ROAD	b. City/Town	HINGHAM
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Are you exempted from Fee?

Note: Fee will be exempted if you are one of the following:

- City/Town/County/District
- Municipal Housing Authority
- Indian Tribe Housing Authority
- MBTA

State agencies are only exempt if the fee is less than \$100

B. Fees

Activity Type	Activity Number	Activity Fee	RF Multiplier	Sub Total
A.) CONSTRUCTION OF SINGLE FAMILY HOUSE;	1	500.00		500.00
		City/Town share of filing fee	State share of filing fee	Total Project Fee
		\$262.50	\$237.50	\$500.00

TOWN OF HINGHAM
WETLANDS PROTECTION BY-LAW FEE SCHEDULE
 Effective February 10, 2017

ADMINISTRATIVE REVIEWS	\$ 30.00	
REQUESTS FOR DETERMINATION OF APPLICABILITY*	\$ 50.00	For ancillary work on an existing single family house and all other requests for the first acre of land.
	\$ 40.00	For each additional acre of land.
NOTICES OF INTENT*	Category 1	\$ 100.00
	Category 2	\$ 250.00
	Category 3	\$ 525.00
		Commercial
		\$ 1,000.00
		Subdivision (+ \$25.00 per house lot)
	Category 4	\$ 725.00
	Category 5	\$3.00/foot
		Not less than \$100.00.
EXTENSIONS	\$ 100.00	Residential
	\$ 300.00	Commercial/Subdivision
CERTIFICATES OF COMPLIANCE	\$ 50.00	Residential
	\$ 100.00	Commercial/Subdivision
BOUNDARY DELINEATIONS	\$ 3.00/foot	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.
REQUESTS FOR AMENDMENTS TO ORDERS OF CONDITIONS	\$ 25.00	Residential
	\$ 200.00	Commercial/Subdivision

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			\$250.00	
3		Commercial	\$525.00	
		Subdivision	\$1,000.00	
4			\$725.00	
5			\$3.00/foot	
Circle activities below.				TOTAL

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)



Abutter Notification

TOWN OF HINGHAM
BOARD OF ASSESSORS



CERTIFICATION SHEET

Property Address: 85 Tower Road

Parcel ID: 126-0-31

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 February 3, 2025

[print this list](#)**Abutters List**

Date: January 31, 2025

Subject Property Address: 0 TOWER ROAD Hingham, MA
Subject Property ID: 126-0-28

Subject Property Address: 85 TOWER ROAD Hingham, MA
Subject Property ID: 126-0-31

Search Distance: 100 Feet

Owner: GRIMM ANTONETTE M
Prop ID: 126-0-24
Prop Location: 74 TOWER ROAD Hingham, MA

Owner: PEEK ARZU & JOE
Prop ID: 126-0-25
Prop Location: 90 TOWER ROAD Hingham, MA

Owner: CLARKE JAMES DAVID TT
Co-Owner: CLARKE FAMILY IRREVOCABLE TRUST
Prop ID: 126-0-26
Prop Location: 79 TOWER ROAD Hingham, MA

Owner: GUDAS CHRISTOPHER N & SWORDS SUSAN
Prop ID: 126-0-35
Prop Location: 46 R HIGH STREET Hingham, MA

Owner: MCCARTHY JULIE
Prop ID: 126-0-62
Prop Location: 8 GRIST MILL LANE Hingham, MA

Owner: HUGHES JENNIFER GWYNN & WIEWORKS ARDITH
Prop ID: 126-0-63
Prop Location: 6 GRIST MILL LANE Hingham, MA

Owner: KATZ MICHAEL H & ANDREA M KATZ
Prop ID: 126-0-64
Prop Location: 4 GRIST MILL LANE Hingham, MA

Owner: PERYER KIRSTEN M & DARLINGTON WESLEY G V
Prop ID: 126-0-65
Prop Location: 2 GRIST MILL LANE Hingham, MA

Owner: JOHNSON ROBERT G & KATHRYN M
Prop ID: 126-0-67
Prop Location: 17 BUCKET MILL LANE Hingham, MA

Owner: PACE DAVID A &
Co-Owner: TRACY FITZPATRICK PACE
Prop ID: 126-0-68
Prop Location: 15 BUCKET MILL LANE Hingham, MA

Owner: GUDAS CHRISTOPHER N & SWORDS SUSAN
Prop ID: 126-0-70
Prop Location: 91 TOWER ROAD Hingham, MA

Owner: TEAGUE MATTHEW F & ROBIN H
Prop ID: 126-0-71
Prop Location: 93 TOWER ROAD Hingham, MA

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:

ALR Homes 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: 85 Tower Road, Hingham
The proposed work includes: The construction of a Single Family dwelling, The removal of 17 Trees
located within the 100 foot buffer, and a proosed driveway with 2 retaining walls.

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

You may also request copies of the application from the applicant or applicant's representative by contacting Merrill Engineers & Land Surveyors at (781) 826 9200 between the hours of 8am and 4pm on the following days: Monday - 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.