



TOWN OF HINGHAM CONSERVATION COMMISSION

APPLICATION CHECKLIST REQUEST FOR DETERMINATION OF APPLICABILITY (RDA)

The following instructions and submittal requirements should be used when submitting a Request for Determination of Applicability (RDA) to the Conservation Commission under the MA Wetlands Protection Act and Hingham Wetlands Protection By-Law. Please also refer to the DEP [Instructions for Completing WPA Form 1- Request for Determination of Applicability](#). Submit one (1) copy of the following to the Conservation Office by hand delivery or certified mail and one electronic copy of the complete application to conservation@hingham-ma.gov

- WPA Form 1- *Request for Determination*: [WPA Form 1 Department of Environmental Protection](#)
- A check payable to the Town of Hingham for the [Town of Hingham Wetlands Protection Bylaw fee](#)
 - *\$50 base fee for ancillary work on an existing single family house and all other requests for the first acre of land, \$40 for each additional acre of land*
 - *Please redact bank account information from photocopies*
 - *Note, a public legal notice is prepared and submitted by staff and the newspaper will invoice the applicant*
- Narrative describing the area, proposed activity, the on-site wetland resources (per the [Resource Area Delineation Policy](#)), existing/proposed impervious surface calculations and proposed mitigation (per the [Buffer Zone Mitigation Policy](#)), tree removal/replacement request (per the [Tree Removal and Replacement Policy](#)), and stormwater management, as applicable.
- Project plan of adequate size, scale, and detail to describe the site, resource areas, and proposed work including the following information:
 - *All wetland resource area boundaries including the 50 and 100 foot Buffer Zone*
 - *FEMA Floodplain boundaries, as applicable*
 - *Location of existing and proposed structures*
 - *Proposed mitigation areas, as applicable*
 - *Limit of work/erosion and sediment control line*
 - *Stockpile locations and other Stormwater BMPs as applicable*
 - *Trees of 6 inches or greater DBH in the buffer zone*

**Please note the Commission may require supporting plans or materials be prepared by professionals including, but not limited, to a registered professional engineer, landscape architect, land surveyor, etc.*
- Proof of mailing the RDA to the MA Department of Environmental Protection (DEP), Southeast Regional Office at 20 Riverside Drive, Lakeville MA, 02347 (certified mail receipt from the post office) or proof of electronic filing (eDEP Transaction Number)
- The Conservation Commission's [Policy on Receipt of Information](#)
- Optional - [Voluntary Waiver of Deadlines](#)



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality _____

A. General Information

Important:

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



1. Applicant:

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address _____

2. Property Owner (if different from Applicant):

First Name _____ Last Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address (if known) _____

3. Representative (if any)

First Name _____ Last Name _____

Company Name _____

Address _____

City/Town _____ State _____ Zip Code _____

Phone Number _____ Email Address (if known) _____

B. Project Description

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

Street Address _____ City/Town _____

Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) _____ Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX) _____

Assessors' Map Number _____ Assessors' Lot/Parcel Number _____

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

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

Title _____ Date _____

Title _____ Date _____

[How to find Latitude and Longitude](#)

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



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

Municipality

B. Project Description (cont.)

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

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

the buffer zone are subject to review through the filing of a Determination of Applicability.

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

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

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



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

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

C. Determinations

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

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

Town of Hingham

Name of Municipality

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

D. Signatures and Submittal Requirements

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

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

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

Signatures:

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

[Signature] for C.O.
Signature of Applicant

2/20/25
Date

[Signature]
Signature of Representative (if any)

2/20/25
Date

Request for Determination of Applicability
227 Otis Street, Hingham, MA
Garage Replacement

The locus is a developed, residential lot with a single-family home, a garage attached with a breezeway, a paved driveway, accessory structures, hardscape and landscape features. The lot area is bound by Otis Street to the South, Walton Cove/Hingham Harbor to the North, and by private, residential properties to the east and west. The lot area is approximately 18,000 sf to Mean High Water and most of the topography slopes down toward Walton Cove. Merrill Engineers and Land Surveyors has identified the limit of Coastal Bank along the top of a rip rap slope in the rear yard using topography/survey data. The site also includes salt marsh seaward of the Coastal Bank and Land Subject to Coastal Storm Flowage (Zone AE) at elevation 10.

The applicant proposes to raze and rebuild a garage with a slightly different footprint over the existing footprint and lawn. The proposed work is approximately 80' from Coastal Bank and results in an increase in impervious area of approximately 35 sf within the resource area and its buffer zones. Cobblestone will be added to the sides of the existing paved driveway to align the driveway with the new structure.

The buffer to the resource area is already developed. The existing dwelling, decks and other accessory structures lie between the proposed work and the resource area. The minimum distance from impervious area to the resource area is not affected by the proposed work. No trees in the resource areas or their buffer zones are proposed for removal. A silt sock will be maintained throughout construction.

HINGHAM WETLAND REGULATIONS
APPENDIX C

Policy on Receipt of Information

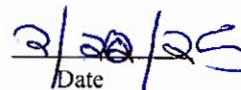
(Revised March 4, 2024)

1. New applications/filings must be submitted to the Conservation office (by certified mail or hand delivery) in accordance with the Commission's Meeting Schedule and Deadlines to facilitate the placement of the legal advertisement and to allow timely review by the Conservation Officer. Conservation staff will review the application for administrative completeness. Upon receipt of a complete application, a hearing or meeting will be scheduled in accordance with the 310 CMR 10.05(5) and the Wetland Regulations, Section 7.6.
2. If deemed necessary, based on the Commission's meeting schedule, Conservation staff may request the applicant *voluntarily* waive the 21 day statutory deadline for holding a public hearing or issuing a Determination of Applicability.
3. Requests for additional information may be made by the Commission members or their agent to clarify the scope of the project or determine compliance with the 310 CMR 10.00 and/or the Hingham Wetland Regulations. Such requests, if not made at the public hearing, will be communicated to the applicant or their representative as promptly as possible.
4. Additional information requested by the Commission or their agent in accordance with No.3, must be submitted to the Conservation office (hard copy and electronic copy) a minimum of 7 days prior to the meeting date, on Monday by 4PM. If the office is closed on Monday due to a holiday, the information is due on the preceding Thursday by 4PM. *Revisions submitted after the established deadline may not receive a timely review, thereby resulting in a continuance to the next available meeting.*
5. The Commission may engage the peer review services of an outside consultant as provided by M.G.L. Ch. 44, § 53G, to be paid for by the applicant, for specific expert review deemed necessary to come to a final decision on a submitted application. Specific consultant services may include but are not limited to, review of a Notice of Intent, Wetland Resource Area Delineation, Stormwater/Drainage Reports, etc. The consultant shall be chosen by the Conservation Commission by vote at the public hearing, and report only to the Commission or its agent. *Requested additional information/revisions by the peer reviewer is required a minimum of two weeks prior to the hearing date.*
5. All supplemental documentation and revised plans must include a revision date and must be date stamped by the Conservation office upon receipt. If this information is not present, the documents may be considered incomplete and may not receive a timely review, thereby resulting in a continuance to the next available meeting.
6. Please note that all supplemental documentation and revised plans submitted to the Commission for a pending application, subject to the MA Wetlands Protection Act, must also be sent to the DEP Southeast Regional Office, 20 Riverside Dr., Lakeville, MA 02347

The Hingham Conservation Commission is committed to a thorough and timely review of each application and an efficient hearing process. Cooperation with this policy is appreciated to facilitate these efforts. Exceptions to this policy may be made by the Conservation staff if deemed warranted. Please sign and include with your filing. Thank you.



Applicant or Applicant's Representative Signature



Date



TOWN OF HINGHAM
CONSERVATION COMMISSION

**VOLUNTARY 21 DAY WAIVER
(Public Hearing or Meeting)**

As set forth under the MA Wetlands Protection Act Regulations, 310 CMR 10.05(5), and the Town of Hingham Wetland Regulations, Section 7.6, the Conservation Commission is required to hold a public hearing or public meeting within 21 days of receipt of the minimum submittal requirements for a Notice of Intent, Abbreviated Notice of Resource Area Delineation, or Request for Determination for Applicability.

Due to the Commission's established meeting schedule and increasing number of filings, the Hingham Conservation Commission hereby requests the applicant waive the aforementioned 21 day requirement. This is a voluntary option that will assist the Conservation Commission in scheduling the hearing or meeting and conducting a thorough review of the application. If you choose to waive this deadline, your application will still be heard and decided upon in a timely manner.

The undersigned hereby waives the 21 day time period for the Commission to hold a public hearing or meeting and agrees to a hearing date no later than 4/12/25 (date) for the following application: 227 Otis Street, Hingham (address).

ASJ for C.O.
Applicant Signature

Greg Sands / Christine Orr
Print

2/20/25
Date