



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

Hingham
Municipality

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

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:

Jason	Smith
First Name	Last Name
2 Winthrop Road	
Address	
Hingham	MA 02043
City/Town	State Zip Code
339-788-1095	smithjd1022@gmail.com
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):

2 Winthrop Road	Hingham
Street Address	City/Town
42.19392	-70.88831
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)
168	82
Assessors' Map Number	Assessors' Lot/Parcel Number

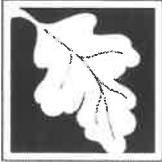
[How to find Latitude and Longitude](#)

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

b. Area Description (use additional paper, if necessary):
A private, developed residential lot that abuts the Eel River along the east (rear) property line

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

2 Winthrop Road_Proposed addition	6/3/25
Title	Date
_____	_____
Title	Date



B. Project Description (cont.)

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

Raze and rebuild an attached garage to a single-family home with a slightly different footprint of the existing garage and breezeway footprint, deck, and lawn. The proposed work is approximately 80' from the Eel River and results in an increase in impervious area of approximately 345 sf. (488.04sq feet, less 142.08 of existing decking netting to 345.96). The buffer to the resource area is already developed. The existing dwelling, sunroom, decks and other accessory structures lie between the proposed work and the resource area, and therefore, the minimum distance of impervious area to the resource area is not affected.

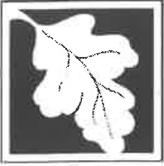
- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

CMR Section 10.02(2)b.2, minor activities within the buffer zone, and Section 10.02(2)b.3, other activities within

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.)



C. Determinations

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

- 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.

Jason D Smith

Signature of Applicant

7/27/25

Date

Signature of Representative (if any)

Date



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<input type="checkbox"/> 1910177		<u>Submittal Platform for WPA Form 1 - RDA</u>	<u>Add Note</u>	SUBMITTED	07/07/2025	<u>Download</u>		

Request for Determination of Applicability

2 Winthrop Road, 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 Winthrop Rd to the west and residential properties to the north, south and the Eel river and residential property to the east. The lot area is approximately 14,000 sf to and most of the topography slopes down toward the Eel River. Hoyt Land Surveying, inc has identified the limit of Wetlands in the rear yard using topography/survey data. The site also includes FEMA Flood Zona A at elevation 98.9'.

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 the Eel River and wetlands and results in an increase in impervious area of approximately 346 sf within the resource area and its buffer zones.

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 the 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.



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, the Conservation Commission is unable meet the statutory deadline for holding a meeting or hearing and hereby requests the applicant waive the aforementioned 21 day requirement. This is a voluntary option and 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 _____ (date) for the following application:

2 Winthrop Road, Hingham MA (address).

Jason D Smith

Applicant Signature

Jason D Smith

Print

7/29/05

Date

HINGHAM WETLAND REGULATIONS

APPENDIX C

Policy on Receipt of Information

(Revised March 4, 2024)

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

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



Applicant or Applicant's Representative Signature

7/29/25
Date