



## **Request for Determination of Applicability**

**Single-Family Dwelling  
Raze and Re-build  
39 Planters Field Lane  
Hingham, MA 02043**

**August 6, 2025**

**Prepared for:  
Chris McDowell  
60 Lincoln Street  
Hingham, MA 02043**

**Prepared by:  
Homestead Consulting Engineer  
2 Sharp Street Unit A  
Hingham, MA 02043  
781-206-5770**

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**SECTION 1**  
**Project Narrative**

## 1.1 EXECUTIVE SUMMARY

In accordance with the provisions of the Wetlands Protection Act and the Town of Hingham Wetland By-Law, the Applicant, Skybox Development LLC., proposes to raze and rebuild the single-family dwelling at 39 Planters Field Lane.

The site is bound by residential properties to the north and south, an open water pond to the east, and Planters Field Lane to the west.

The property is denoted as Lot 135 on Assessor's Map 26, is approximately 1.27 acres and is located within the Residence A District.

The existing conditions consist of the single-family dwelling, bituminous concrete driveway, and various landscape features. The existing dwelling has an underground sewer line connecting to the existing sewer main within the easement that runs through the property. There is an overhead electric/telephone wire connecting to a utility pole on Planters Field Lane.

The applicant proposes razing the existing dwelling and driveway, and the construction of a new dwelling and driveway area. The new driveway will connect to Planters Field Lane in a similar location as the existing. Utility connections will be upgraded where required by local and state regulations/codes. A subsurface drainage system and two rain gardens will be constructed to reduce stormwater runoff from the proposed upgrades.

## 1.2 On-Site Wetland Resources

The parcel is shown on FEMA Flood Insurance Rate Map 25023C0019J dated 7/17/2012. The property is located within FEMA Zones X and AE (EL. 10). There are wetlands to the northeast that were delineated by Brad Holmes of Environmental Consulting and Restoration, LLC (ECR) on January 10<sup>th</sup>, 2025. New construction will take place in FEMA Zone X, areas of minimal flood hazard. No new construction will take place in the 100' wetland buffer. The site plan depicts the limits of the resource areas as well as the applicable 50 and 100 foot buffers.

## 1.2 Mitigation

There is no mitigation required as there is impervious area being removed from the 100' buffer zone, and no new impervious area being added.

## 1.3 Tree Removal

There are no trees to be removed in the 100' wetland buffer zone.

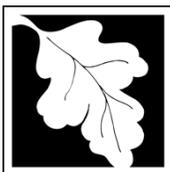
## 1.4 CONCLUSION

In conclusion, it is our opinion that due to the nature of the work; a negative determination can be made per WPA Section 310 CMR 10.02(2)(b)2.f as the only proposed work within the conservation jurisdiction is the razing of the existing dwelling and its replacement with lawn.



## **SECTION 2**

### **WPA Forms Required**



**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:			
Chris	McDowell		
First Name	Last Name		
60 Lincoln Street			
Address			
Hingham	MA	02043	
City/Town	State	Zip Code	
781-733-3429	chris@skyboxdevelopment.com		
Phone Number	Email Address		
2. Property Owner (if different from Applicant):			
Kimberly	McDowell		
First Name	Last Name		
60 Lincoln Street			
Address			
Hingham	MA	02043	
City/Town	State	Zip Code	
Phone Number	Email Address (if known)		
3. Representative (if any)			
Joshua	Green		
First Name	Last Name		
Homestead Consulting Engineers			
Company Name			
2 Sharp Street, Unit A			
Address			
Hingham	MA	02043	
City/Town	State	Zip Code	
781-206-5770	homesteadeng@gmail.com		
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):

39 Planters Field Lane	Hingham
Street Address	City/Town
42.25479	-70.90345
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)
26	135
Assessors' Map Number	Assessors' Lot/Parcel Number

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

Existing dwelling in the northeast of property. Tree/brush area in the southwest surrounding the driveway connecting to Planters Field Lane.

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

Proposed Site Plan - 39 Planters Field Lane	08/05/2025
Title	Date
Title	Date

[How to find Latitude and Longitude](#)

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



**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

**B. Project Description (cont.)**

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

Demolition of the existing dwelling and driveway and construction of a new ones to replace them. Construction of a subsurface drainage system to handle stormwater runoff from the driveway/dwelling. Surrounding grading features to accommodate the new dwelling.

- 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).

310 CMR 10.02(2)(b)2.f

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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 Hingham 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:

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.

*Ch. M.D.*  
Signature of Applicant

8/5/25

Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

## **SECTION 3**

### **Town of Hingham Additional Documents**

# 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

8/5/25

\_\_\_\_\_  
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 \_\_\_\_\_ (date) for the following application:  
\_\_\_\_\_ (address).

*Chris McDowell*

\_\_\_\_\_  
Applicant Signature

Chris McDowell

\_\_\_\_\_  
Print

8/5/25

\_\_\_\_\_  
Date

## **SECTION 4**

### **Wetland Delineation Memo**



Environmental Consulting & Restoration, LLC



## WETLAND DELINEATION MEMO

**TO:** Homestead Engineering  
**FROM:** Brad Holmes  
**DATE:** February 10, 2025  
**RE:** 39 Planters Field Rd, Hingham

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at the property located at 39 Planters Field Road in Hingham (the site) on January 10, 2025. The purpose of the review was to identify wetland resource areas on and near the site. The site is located to the east of Planters Field Road and contains a single-family home with a paved driveway, maintained lawn and forested area. The weather on January 10<sup>th</sup> was sunny, clear, and cold (approximately 38 degrees) with moderate wind and dry conditions.

Wetland resource areas are located on and near the site. ECR placed Inland Bank flags (blue ribbons) (IB) #IB1 to #IB13 at the top of the Inland Bank to a small pond located northeast of the site. There is no vegetated wetland upgradient of the Inland Bank of this pond. The delineation of the Inland Bank follows the criteria of Bank per 310 CMR 10.54.

As a result of ECR's wetland delineation at the site, ECR confirms the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- Inland Bank
- Bordering Land Subject to Flooding (FEMA AE zone)
- 100-foot buffer zone to Inland Bank

Also, a review of the MassGIS wetlands 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 small pond to the northeast of the site is mapped as a Potential Vernal Pool. However, this pond is mapped as a pond on the USGS map and appears to be a permanently flooded waterbody that would not qualify as a vernal pool. Additional review may be necessary.
3. The site does not contain U.S.G.S. mapped streams.
4. The site is not located within an Area of Critical Environmental Concern.

Upon review of this wetland delineation memo, please contact us at (617) 529-3792 or Brad@ecrwetlands.com with any questions or requests for additional information.

## **SECTION 5**

**Site Plan – Under Separate Cover**