

NOTICE OF INTENT
Raze & Rebuild of Single Family Dwelling

**Massachusetts Wetlands Protection Act
M.G.L. c. 131, §40 &
Town of Hingham Wetlands Protection Bylaw**

Project Location

**33 Cliff Road
Hingham, MA 02043
Assessor's Map 22, Lot 6**

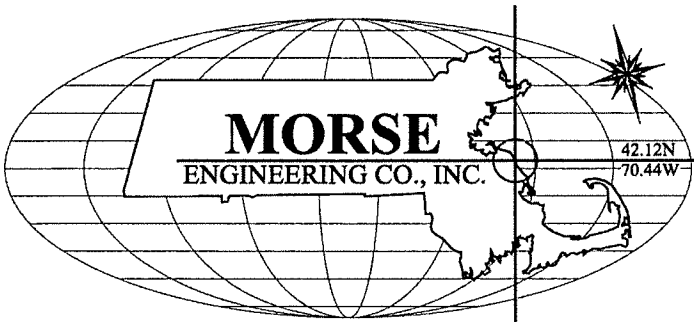
Applicant / Owner

**Bow Street, LLC
9 Rocky Lane
Cohasset, MA 02025**

REVISED: August 28, 2025

Date: June 10, 2025

Prepared by:



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*Registered Professional Engineers, Land Surveyors
Project Managers & Environmental Consultant*

www.morsecoinc.com

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APPENDIX A

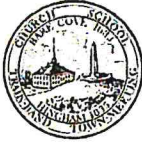
- NOI Wetland Fee Transmittal Form
- Town of Hingham By-Law Fee Schedule
- Copy of Filing Checks

APPENDIX B

- Certified List of Abutters
- Abutter Notification Form
- Assessors Map
- Affidavit of Service Form
- Locus Deed
- Conservation Commission's Policy on Receipt of Information

APPENDIX C

- Wetland Delineation Memo



TOWN OF HINGHAM CONSERVATION COMMISSION

APPLICATION CHECKLIST NOTICE OF INTENT (NOI)

The following instructions and submittal requirements should be used when submitting a Notice of Intent to the Conservation Commission under the MA Wetlands Protection Act and Hingham Wetlands Protection Bylaw. Please also refer to the DEP [Instructions for Completing WPA Form 3](#). Submit two (2) copies of the following, unless otherwise specified, to the Conservation office, and one electronic copy of the complete application to conservation@hingham-ma.gov

- ☒ WPA Form 3- Notice of Intent: [WPA Form 3: Wetlands Notice of Intent | Mass.gov](#) The application must be signed by the property owner. Submit the original and one copy to the Commission by hand delivery or certified mail.
- ☒ WPA Appendix B- *NOI Wetland Fee Transmittal Form* and two (2) separate checks for the following: [Town of Hingham Wetlands Protection Bylaw fee](#) and [State Wetlands Protection Act local filing fee](#)
 - Payable to Town of Hingham
 - 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
- ☒ A copy of the Certified Abutters List and the 'Notification to Abutters Form'
 - To request a Certified Abutters List please submit [Request for Certified Abutters List](#) or contact the Conservation Office
 - Abutters must be notified by hand delivery, certified mail-return receipt requested, OR certificates of mailing at least 7 days prior to the hearing date
 - Certified mail receipts or certificate of mailing receipts shall be submitted to the Conservation Office with the application or presented to the Commission at the beginning of the public hearing
- ☒ 'Affidavit of Service' Form attesting abutters were notified in accordance with 310 CMR 10.05(4) and the Hingham Wetland Regulations, §7.5
 - Abutters within 100 feet of a property line where work is proposed for inland projects
 - Abutters within 300 feet of a property line where work is proposed for coastal projects
- ☒ Narrative describing the property location, existing conditions, methodology used for wetland delineation including DEP data forms or other delineation method, site photos, proposed work, and performance standards analysis, as applicable, for impacts to resource areas under the Wetlands Protection Act Regulations and/or Hingham Wetland Regulations. The narrative should also include: a report on the on-site wetland resource areas (per the [Resource Area Delineation Policy](#)), existing/proposed impervious and pervious surface calculations and proposed mitigation (per the [Buffer Zone Mitigation Policy](#)), tree removal/replacement requests (per the [Tree Removal and Replacement Policy](#)), and stormwater management.
- ☒ Project plan(s): two (2) copies of full size plan set and one (1) copy of reduced 11" x 17" plan(s), signed and stamped by a MA Registered Professional Engineer (PE) or other registered professional including the following information:

- All wetland resource area boundaries including the 50 and 100 foot Buffer Zone (showing sequentially numbered flags as applicable)
- FEMA Floodplain boundaries, as applicable
- A note indicating the date the wetland delineation was completed and who performed the delineation. If the wetland boundaries were previously approved by the Commission a note should be included indicating the date of approval and DEP File Number, if applicable.
- All plans shall be colored coded or highlighted with transparent marker pen as follows: freshwater or coastal wetland boundary in blue; 50 foot buffer zone in green; 100 foot buffer zone in yellow; 200 Foot Riverfront Area in pink; and Bordering Land Subject to Flooding (100 year flood plain where NFIP data available) or Land Subject to Coastal Storm Flowage in orange.
- Location of existing and proposed site amenities above and below the ground
- Topography in 2 foot contour intervals
- Limit of work/erosion and sediment control line
- Stockpile locations and other Stormwater BMPs as applicable
- Edge of lawn/tree line, and impacted trees of 6 inches or greater DBH in the buffer zone, riverfront area, and/or other resource area
- The drainage basin in which the site is located

Guidelines: sheet sizes not more than 24"x 36"; scale not more than 1"=40'; title block located at the lower right hand corner, preferably.

- NA ☐ For projects subject to the DEP Stormwater Regulations, 310 CMR 10.05(6)(k)-(q), one copy of the Stormwater Report, Stormwater Report Checklist and the Registered Professional Engineer's Certification that the project conforms to the Stormwater Management Regulations and meets acceptable engineering standards
- ☒ Proof of mailing the complete NOI 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)

- NA ☐ Proof of mailing the complete NOI to the MA Natural Heritage & Endangered Species Program (NHESP) and the MA Division of Marine Fisheries (Gloucester), if applicable (certified mail receipt from the post office)

- NA ☐ For projects proposing any work on a dock or pier or other work in the harbor, email copy of application and plan to the Town of Hingham Harbor Master at CorsonK@hpd.org (with email copy to conservation@hingham-ma.gov)

- ☒ The Conservation Commission's Policy of Receipt of Information signed by the applicant or applicant's representative

- ☐ Optional - Voluntary 21 Day Waiver

PROJECT NARRATIVE

33 Cliff Road

Hingham, MA

1.0 Project Summary

The project proponent proposes to raze and rebuild a single family dwelling and construct the associated driveway, utilities, stormwater controls, grading and landscaping at 33 Cliff Road, Hingham, MA. The property is shown as Hingham Assessor's Parcel 22-0-6 and is approximately 19,712 s.f. in size. The property has frontage on Cliff Road to the west, is abutted by developed residentially zoned properties to the south and east, and by the Weir River to the north.

33 Cliff Road is currently developed with a single family dwelling constructed circa 1925 and associated concrete patios, ledge outcrops, woodland and lawn areas. The existing house footprint is 1,250 s.f. in size. The property slopes to the north towards an on-site salt marsh associated with the Weir River. The existing dwelling will be demolished and removed from the site prior to any new construction.

The proposed dwelling is 1,645 s.f. in size and will be constructed on a concrete foundation. The project will maintain existing drainage patterns and will provide supplemental stormwater control measures, specifically a crushed stone trench and a shallow grassed depression. The proposed driveway will be paved and will be cross-pitched to direct its runoff towards the crushed stone trench. There is a pervious patio proposed adjacent to the new dwelling and will be constructed with ¼" spacing filled with gator nitro sand and crushed stone beneath it. This patio will include retaining walls along its perimeter, which are proposed to be less than 4' in height. A deck is proposed off the new dwelling which will be constructed on wooden posts connected to the existing ledge below. The proposed deck is pervious and allows water to drain through it.

The construction of the proposed dwelling will require the removal of existing ledge. Material will be removed by blasting to minimize the time required to remove the ledge. All required permits will be obtained for ledge removal. A pre-blast survey of the abutting properties will be performed prior to the work, as is required by the Hingham Fire Department.

Three existing trees are proposed to be removed, being two 36" oaks and one 8" maple. These trees will be replaced with three heritage river birch, three serviceberry, one red maple, and four eastern red cedar trees as well as various shrubs shown on the Landscape Plan (prepared by others).

The subject resource areas at this site are buffer zones associated with a salt marsh and coastal beach, 200' riverfront area to the Weir River, and land subject to coastal storm flowage. There is also coastal bank located on-site, but the project area is not within its buffer zones.

The site does not contain any areas designated as estimated or priority endangered species habitat or certified vernal pools.

2.0 Wetland Resource Areas & Impacts

Salt Marsh (310 CMR 10.32)

Salt marshes are significant to protection of marine fisheries, wildlife habitat, and where there are shellfish, to protection of land containing shellfish, and prevention of pollution and are likely to be significant to storm damage prevention and ground water supply. Vegetation, soils and hydrologic indicators were used to establish the salt marsh boundary. Wetland delineation flags were placed in the field along the upland limits of the salt marsh by Environmental Consulting & Restoration, LLC on November 29, 2024.

The proposed work lies partially within the 100' buffer to the salt marsh, but no work is proposed within the 50' buffer zone, except for a mitigation area and grading associated with a drainage system. There are no stormwater systems on-site currently, so this will be an improvement. These stormwater control devices will help to promote groundwater recharge, total suspended solids removal, and mitigate rates and volumes of stormwater runoff. The site currently contains a fair amount of trash / debris and is generally unkept. This project will clean up the site and help to protect the on-site resource areas. There is a proposed alteration area, consisting of 1,739 s.f., within the 100' buffer zone, which will be mitigated at a 1:1 ratio with a planted area. The proposed work will have no adverse impact on marine fisheries, wildlife habitat, pollution prevention, storm damage prevention or the groundwater supply.

Coastal Beach (310 CMR 10.27)

Coastal beaches are significant to storm damage prevention, flood control and the protection of wildlife habitat. Vegetation, soils and hydrologic indicators were used to establish the coastal beach limits. Wetland delineation flags were placed in the field along the upland limits of the coastal beach by Environmental Consulting & Restoration, LLC on November 29, 2024.

The proposed work lies partially within the 100' buffer to the coastal beach, but no work is proposed within the 50' buffer zone, except for a mitigation area and grading associated with a drainage system. There are no stormwater systems on-site currently, so this will be an improvement. These stormwater control devices will help to promote groundwater recharge, total suspended solids removal, and mitigate rates and volumes of stormwater runoff. The site currently contains a fair amount of trash / debris and is generally unkept. This project will clean up the site and help to protect the on-site resource areas. There is a proposed alteration area, consisting of 1,739 s.f., within the 100' buffer zone, which will be mitigated at a 1:1 ratio with a planted area. The proposed work will have no adverse impact on storm damage prevention, flood control or wildlife habitat.

Coastal Banks (310 CMR 10.30)

Coastal Banks are likely to be significant to storm damage prevention and flood control. Coastal banks provide a buffer to upland areas from storm waves are significant to storm damage prevention and flood control.

The coastal bank only extends across a portion of the subject property and its limits were determined using MassDEP Policy 92-1. There is no proposed alteration to the coastal bank and the proposed project will have no impact on storm damage prevention or flood control.

Land Subject to Coastal Storm Flowage

The property lies within the FEMA Flood Zone “X” and “AE” (El. 10) as shown on FEMA Flood Insurance Rate Map Panel 25023C 0038K dated 07/3/2024.

All proposed work is located outside of the flood zone except for a planted mitigation area and removal of an impervious shed. The work within the flood zone will be an improvement the existing conditions.

Riverfront Area (310 CMR 10.58)

Riverfront areas are defined by section 310 CMR 10.58. Riverfront areas are likely to be significant to protect the private or public water supply; to protect groundwater; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing shellfish; to protect wildlife habitat; and to protect the fisheries.

All proposed work lies within previously disturbed, currently maintained areas that will be stabilized post-construction.

Riverfront Area Performance Standard Analysis:

Standards in Italics, Analysis in bold.

310 CMR 10.58(5)(a) At a minimum, proposed work shall result in an improvement over existing conditions of the capacity of the riverfront area to protect the interests identified in M.G.L. c. 131 § 40. When a lot is previously developed but no portion of the riverfront area is degraded, the requirements of 310 CMR 10.58(4) shall be met.

The project is an improvement over the existing conditions as it results in a net decrease of degraded areas. There is currently no driveway, and vehicles have been parking on the lawn within the FEMA flood zone, 100’ inner riparian zone, and directly adjacent to the coastal beach resource area. The proposed driveway is located as far away from the resources as is feasible for the site. The project is also proposing on-site stormwater management systems where none currently exist.

310 CMR 10.58(5)(b) Stormwater management is provided according to standards established by the Department.

A stormwater management system consisting of a crushed stone trench and shallow grassed depression is proposed and was designed in accordance with the Massachusetts Stormwater Handbook.

310 CMR 10.58(5)(c) Within 200 foot riverfront areas, proposed work shall not be located closer to the river than existing conditions or 100 feet, whichever is less, or not closer than existing conditions within 25 foot riverfront areas, except in accordance with 310 CMR 10.58(5)(f) or (g).

This is a previously developed / disturbed property. The proposed work is not located within the 100’ inner riparian zone, except for 198 s.f. of proposed deck that will be mitigated by removing the same sized existing shed, which is located as close as 55.4’ from mean high water of the Weir River. A portion of the grassed depression is also located in the 100’ inner riparian zone, but this is stormwater management system is an improvement to the site compared to the existing conditions as it mitigated rates and volumes of runoff and promotes groundwater recharge.

310 CMR 10.58(5)(d) Proposed work, including expansion of existing structures, shall be located outside the riverfront area or toward the riverfront area boundary and away from the river, except in accordance with 310 CMR 10.58(5)(f) or (g).

The entire site is located inside the 200' riverfront area and is previously developed. The project has been designed to locate proposed developed areas as far away from the river as is feasible. The project provides a driveway, on a site where one currently doesn't exist. The driveway has been designed to accommodate a turnaround and a level area for parking. It should be noted that the area directly adjacent to the coastal beach and salt marsh has historically been used as a parking / junkyard area. The proposed project will clean this area up, mitigation plantings will be provided, and on-site parking will be provided much further from the Weir River than what currently exists.

310 CMR 10.58(5)(e) The area of proposed work shall not exceed the amount of degraded area, provided that the proposed work may alter up to 10% if the degraded area is less than 10% of the riverfront area, except in accordance with 310 CMR 10.58(5)(f) or (g).

As noted on the Site Plan, the existing degraded areas consist of roof, ledge, concrete stairs/walkways, and the parking/junkyard area, totaling 7,889 s.f. The proposed degraded areas consist of roof, driveway, ledge, and retaining walls, totaling 5,910 s.f. The project is a redevelopment and decreases degraded areas.

310 CMR 10.58(5)(f) When an applicant proposes restoration on-site of degraded riverfront area, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), and (e) at a ratio in square feet of at least 1:1 of restored area to area of alteration not conforming to the criteria. Areas immediately along the river shall be selected for restoration. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Restoration shall include:

- 1. removal of all debris, but retaining any trees or other mature vegetation;*
- 2. grading to a topography which reduces runoff and increases infiltration;*
- 3. coverage by topsoil at a depth consistent with natural conditions at the site; and*
- 4. seeding and planting with an erosion control seed mixture, followed by plantings of herbaceous and woody species appropriate to the site;*

As noted on the Site Plan, the existing degraded areas consist of roof, ledge, concrete stairs/walkways, and the parking/junkyard area, totaling 7,889 s.f. The proposed degraded areas consist of roof, driveway, ledge, and retaining walls, totaling 5,910 s.f. The project is a redevelopment and decreases degraded areas so restoration is not required. The project still proposes 1,739 s.f. of mitigation area.

310 CMR 10.58(5)(g) When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 through 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in

a River Basin Plan approved by the Secretary of the Executive Office of Energy and Environmental Affairs.

As noted on the Site Plan, the existing degraded areas consist of roof, ledge, concrete stairs/walkways, and the parking/junkyard area, totaling 7,889 s.f. The proposed degraded areas consist of roof, driveway, ledge, and retaining walls, totaling 5,910 s.f. The project is a redevelopment and decreases degraded areas so restoration is not required. The project still proposes 1,739 s.f. of mitigation area.

310 CMR 10.58(5)(h) The issuing authority shall include a continuing condition in the Certificate of Compliance for projects under 310 CMR 10.58(5)(f) or (g) prohibiting further alteration within the restoration or mitigation area, except as may be required to maintain the area in its restored or mitigated condition. Prior to requesting the issuance of the Certificate of Compliance, the applicant shall demonstrate the restoration or mitigation has been successfully completed for at least two growing seasons.

It is understood that the mitigation area will need to have successfully completed two growing seasons prior to a Certificate of Compliance being issued.

HWR 21.1.(d)(1) Except as stated below, the Commission hereby incorporates 310 CMR 10.58 in its regulations for all matters related to Bylaw jurisdiction in lands within 200 feet of rivers and streams.

See analysis' above regarding 310 CMR 10.58.

HWR 21.1.(d)(2) Notwithstanding the above, a river is any natural flowing body of water that empties to any ocean, lake, pond, other river, stream or wetland and which flows throughout the year. Perennial rivers, streams and creeks are rivers; intermittent streams are not. Notwithstanding 310 CMR 10.58, the burden of proof shall be on any applicant to show that a river, stream or creek is not perennial (i.e., is intermittent).

The Weir River is perennial and compliance with 310 CMR 10.58 is analyzed above.

HWR 21.1.(d)(3) For any river or stream that is tidally influenced, the Commission shall use the DEP mouth of the river designation line.

Not applicable.

HWR 21.1.(d)(4) Notwithstanding any provisions of 310 CMR 10.58, the Commission shall presume that the mean annual high water line of a non-tidal river is coincident with the outer (landmost) boundary of any Bordering Vegetated Wetland (as defined in these regulations) that may be adjacent to the river. This presumption may be overcome upon a clear showing that the mean annual high water line is closer to the river. Such evidence may include hydrological measurements and calculations prepared by a registered professional engineer and/or hydrologist, and/or stream flow stage data from U.S. Geological Survey stream gauges and survey. For non-tidal rivers lacking any Bordering Vegetated Wetland, the inner boundary of the 200-foot Riverfront Area shall be the top of Inland Bank as determined by the first observable break in slope or the mean annual flood level, whichever is lower. For tidal rivers, the inner boundary of the 200-foot Riverfront Area shall be the mean annual high water line.

The Weir River is a tidal river and the inner boundary of the 200-foot Riverfront Area is delineated as the mean high water line.

HWR 21.1.(d)(5) Notwithstanding any provisions of 310 CMR 10.58, the alternatives analysis shall include only lots adjacent to the lot(s) being proposed for development, or located in the near vicinity.

This is a redevelopment project and an alternatives analysis is attached herewith.

HWR 21.1.(d)(6) 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 10.59.

The proposed project will not have any adverse effect on the habitats listed above. The project will result in an improvement of wildlife habitat with the proposed 1,739 s.f. mitigation area.

HWR 21.1.(d)(7) The Commission may impose such additional requirements as are necessary to protect the wetland values protected under the Bylaw.

No analysis required.

HWR 21.1.(d)(8) Refer to HWR 23.0 et seq. for additional project-specific performance standards.

The proposed building foundation lies between the 50' and 100' buffer zones and mitigation has been provided in accordance with the Hingham Buffer Zone Mitigation Policy.

HWR 22.0.(d)(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 proposed structures are located as far away from the Resource Areas as possible while also providing the required zoning side yard and a safe level parking area and on-site turnaround. See alternatives analysis for further information.

HWR 22.0.(d)(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 disturbance area is set as far away from the resource areas as is practicable for this redevelopment project. Mitigation plantings are proposed for the alteration area proposed within the buffer zones.

HWR 22.0.(d)(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.

A large area within the existing buffer zone is currently used for parking / junkyard. The applicant is proposing to restore this area by relocating the parking area, cleaning the trash up, and providing mitigation plantings.

HWR 22.0.(d)(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.

There is no habitat of rare vertebrate or invertebrate or plant species at this site.

HWR 22.0.(d)(5) The Commission may impose such additional requirements as are necessary to protect the wetland values protected under the Bylaw.

No response required.

4.0 Alternatives Analysis for work within Riverfront Area

Option 1: Rebuild the single family dwelling in its existing location and leave on-site parking in its existing location. This is the least favorable option as it results in the least amount of improvements to the site. The existing parking area is a detriment to the resource areas that it is directly adjacent to. This is an unimproved parking area / junkyard with no stormwater systems in place. This option is not favorable in terms of Hingham Zoning requirements. In the Residence C District, the required side yard setback is 20', but the existing dwelling only provides 2.7' from its side property line.

Option 2: Rebuild the single family dwelling in its existing location and provide a garage on its front face connected to a new paved driveway. Due to the existing on-site topography, this option would prohibit the new driveway from providing a level parking area and an on-site turnaround area. Without a level parking area, it would be dangerous to back out of a garage onto such a steep slope. This option is not favorable in terms of Hingham Zoning requirements. In the Residence C District, the required side yard setback is 20', but the existing dwelling only provides 2.7' from its side property line.

Option 2: This is the option currently proposed by the applicant, which is to raze the existing dwelling and construct a new dwelling compliant with the 20' side yard zoning setback. With this layout, a paved driveway is proposed as far away from the resources as is feasible. The paved driveway provides a level parking area and an on-site turnaround. The existing parking area / junkyard will be cleaned up and a large mitigation area will be planted. This option also proposes on-site stormwater management systems, where none currently exist, to mitigate rates and volumes of runoff and provide groundwater recharge. This option is preferable to all alternatives.

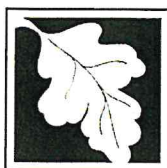
5.0 Construction Phase Mitigating Measures

The following are mitigating measures that will be employed to ensure that impacts to wetland interests protected under the Town of Hingham Wetlands Protection Bylaw and the Wetlands Protection Act are minimized to the extent possible.

Erosion and Sedimentation Control

The potential for temporary impacts to wetlands due to erosion and migration of sediments into adjacent wetlands will be mitigated by adherence to basic erosion control practices. These include:

1. Install staked 12" diameter mulch sock and/or silt fence (as directed by Conservation Agent) at the upland edge of the limit of work as shown on the Site Plan. This erosion control barrier shall be installed prior to earthwork at the site. An additional stockpile of siltation fence, and stakes will be stored on site for use in repairing the erosion control barrier as needed. Inspections of the erosion control barrier shall be made weekly and after all significant rainfall events.
2. Clearly define the limits of work in the field in order to minimize the extent of clearing and soil disturbance.
3. Regrade, loam, and seed exposed soil areas immediately following construction.



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 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):

33 Cliff Road

a. Street Address

Hingham

b. City/Town

02043

c. Zip Code

Latitude and Longitude:

22

f. Assessors Map/Plat Number

42.25832

d. Latitude

-70.85296

e. Longitude

6

g. Parcel /Lot Number

2. Applicant:

Bow Street, LLC

a. First Name

b. Last Name

c. Organization

9 Rocky Lane

d. Street Address

Cohasset

e. City/Town

781-383-8888

h. Phone Number

MA

f. State

02025

g. Zip Code

agallagher01@gmail.com

j. Email Address

i. Fax Number

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

James D.

a. First Name

Garfield, P.E.

b. Last Name

Morse Engineering Company, Inc.

c. Company

P.O. Box 92

d. Street Address

Scituate

e. City/Town

781-545-0895

h. Phone Number

781-545-9895

i. Fax Number

MA

f. State

02066

g. Zip Code

jgarfield@morsecoinc.com

j. Email address

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

\$610 x 1.5 (Riverfront) = \$915

a. Total Fee Paid

\$445

b. State Fee Paid

\$470

c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hingham

City/Town

A. General Information (continued)

6. General Project Description:

The project is described as a raze & rebuild of a single family dwelling and associated site work within the 100' buffer to a salt marsh / coastal beach, 200' riverfront area to the Weir River and land subject to coastal storm flowage.

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 | |

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 CMR 10.24(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

59249

c. Book

b. Certificate # (if registered land)

82

d. Page Number

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

- ☐ 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.
- ☒ 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.



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 Number

Document Transaction Number

Hingham

City/Town

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. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. ☒ Riverfront Area	Weir River (Coastal) 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:

19,712 s.f. (Entire Site)
square feet

4. Proposed alteration of the Riverfront Area:

10,550 s.f. (Includes mitigation)	4,077 s.f. (Includes mitigation/junkyard cleanup)	6,473 s.f. (Previously developed / altered)
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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Hingham

City/Town

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. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☒ Coastal Beaches	0 s.f. (Buffer Zone Only) 1. square feet _____	2. cubic yards beach nourishment _____
e. ☐ Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet _____	
g. ☐ Rocky Intertidal Shores	1. square feet _____	
h. ☒ Salt Marshes	0 s.f. (Buffer Zone Only) 1. square feet _____	2. sq ft restoration, rehab., creation _____
i. ☐ Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. ☐ Land Containing Shellfish	1. square feet _____	
k. ☐ 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. ☒ Land Subject to Coastal Storm Flowage	2,727 s.f. (mitigation/junkyard cleanup) 1. square feet _____	
4. ☐ 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. ☐ Project Involves Stream Crossings	a. number of new stream crossings _____ b. number of replacement stream crossings _____	



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

Hingham

City/Town

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.

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

MassMapper 2025

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 **

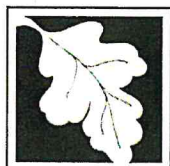
(a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)

(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.



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 Number

Document Transaction Number

Hingham

City/Town

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

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



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

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

MassDEP File Number

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.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

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Hingham

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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.

Site Plan

a. Plan Title

Morse Engineering Company, Inc.

James D. Garfield, P.E.

b. Prepared By

8/19/25

c. Signed and Stamped by

As noted

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

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:

5467

2. Municipal Check Number

5465

4. State Check Number

Morse Engineering Company, Inc.

6. Payor name on check: First Name

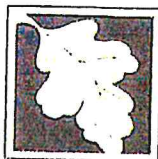
May 22, 2025

3. Check date

May 22, 2025

5. Check date

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

Hingham

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.

[Signature]

1. Signature of Applicant

5-22-25

2. Date

3. Signature of Property Owner (if different)

James R. Haulfield

5. Signature of Representative (if any)

4. Date

5-23-25

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.

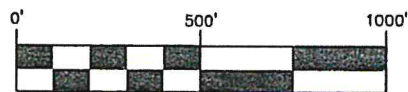
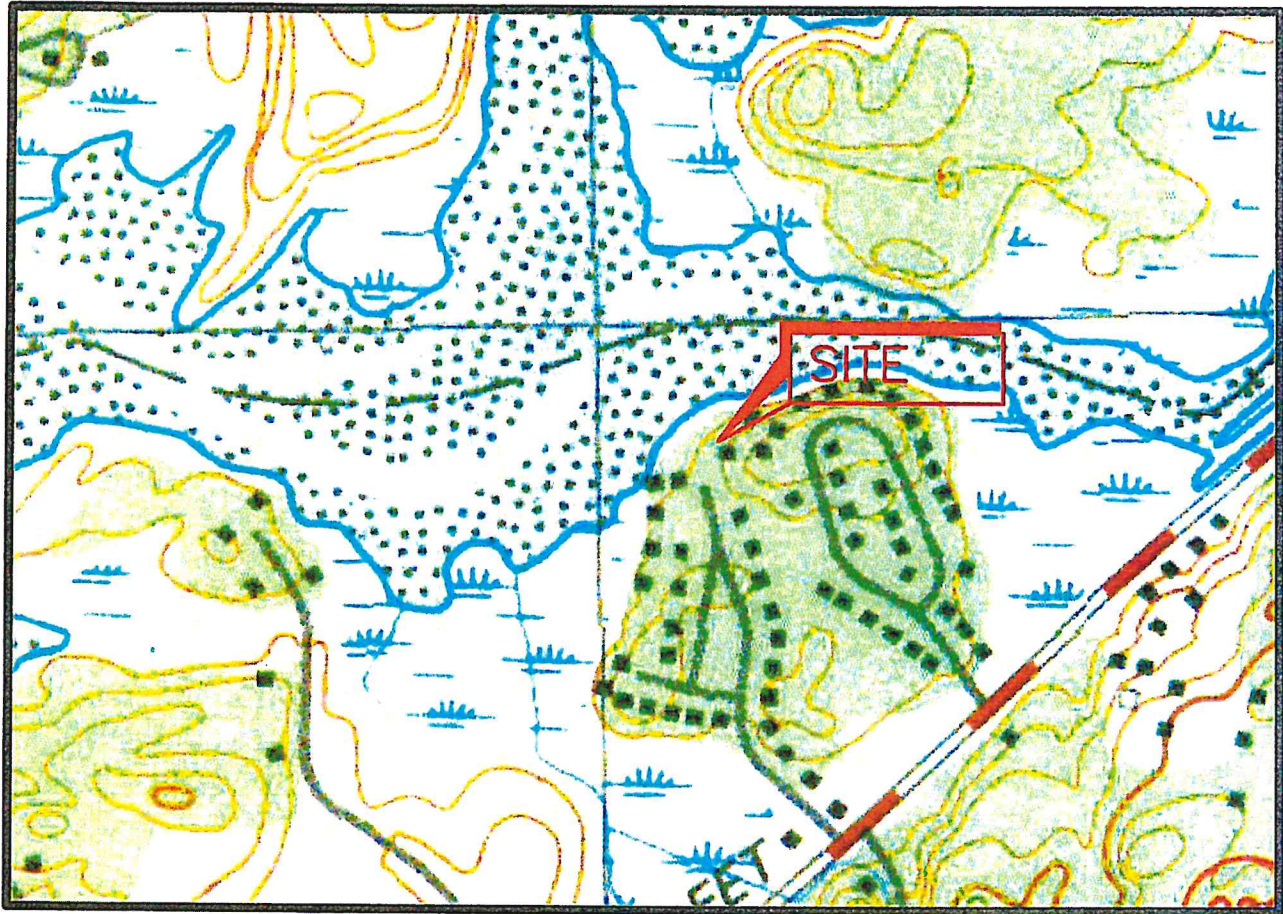
For MassDEP:

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.



SCALE: 1" = 500'

U.S. GEOLOGICAL SURVEY
7.5 X 15 MINUTE SERIES

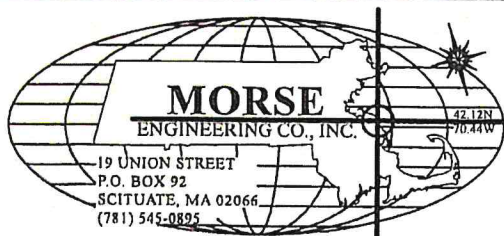
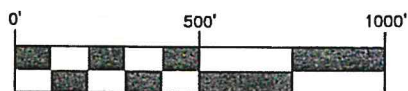
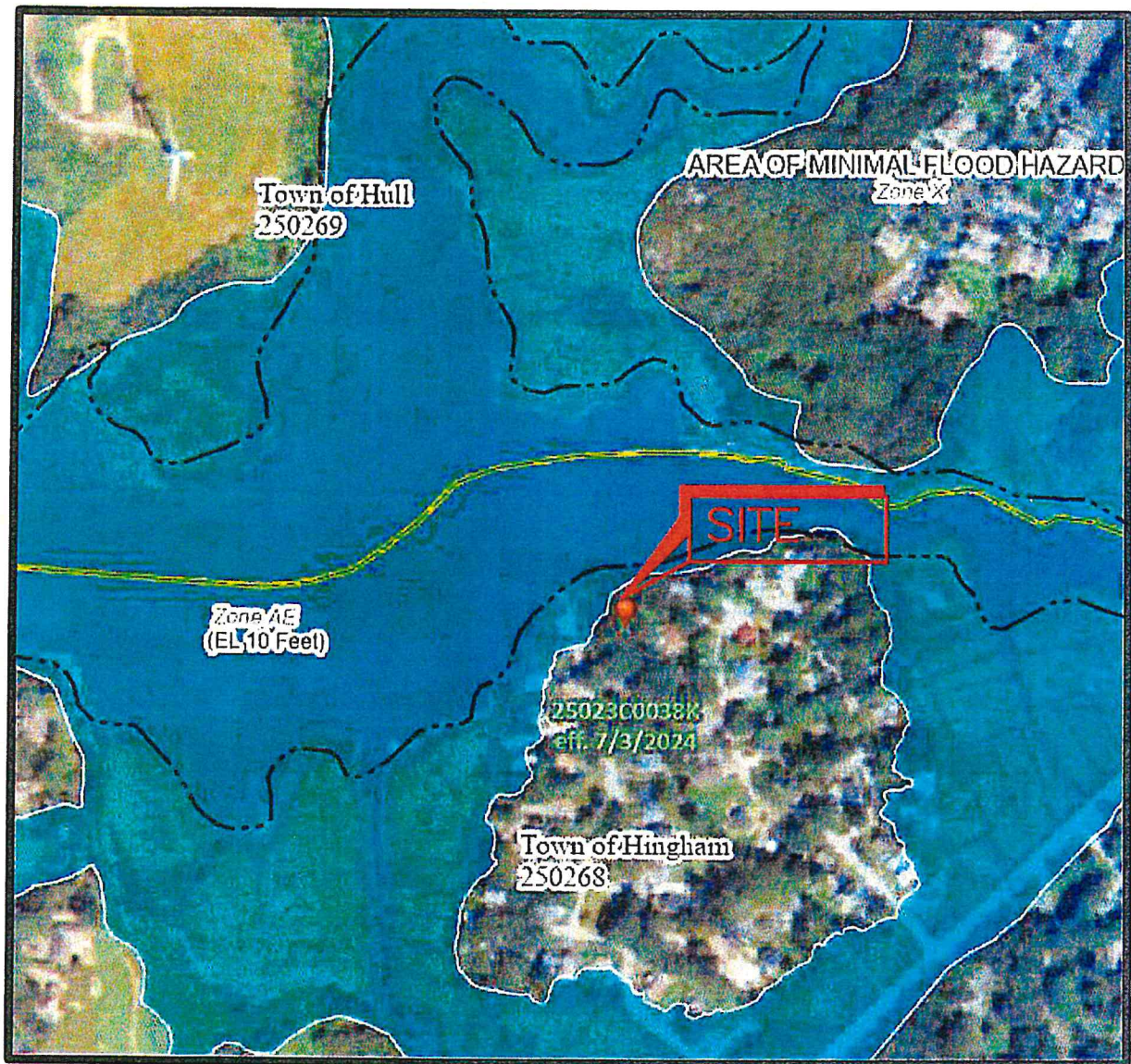


FIGURE - 1

USGS LOCUS MAP
33 CLIFF ROAD
HINGHAM, MASSACHUSETTS



SCALE: 1" = 500'

FLOOD INSURANCE RATE MAP (F.I.R.M.)
 PANEL NO: 25023C 0038K
 EFFECTIVE DATE: JULY 3, 2024

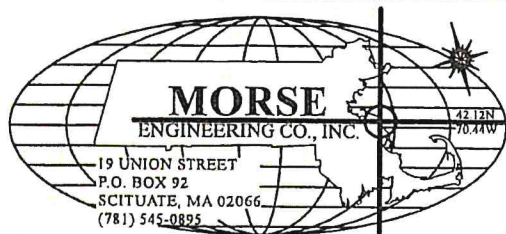
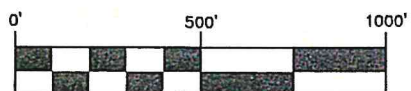
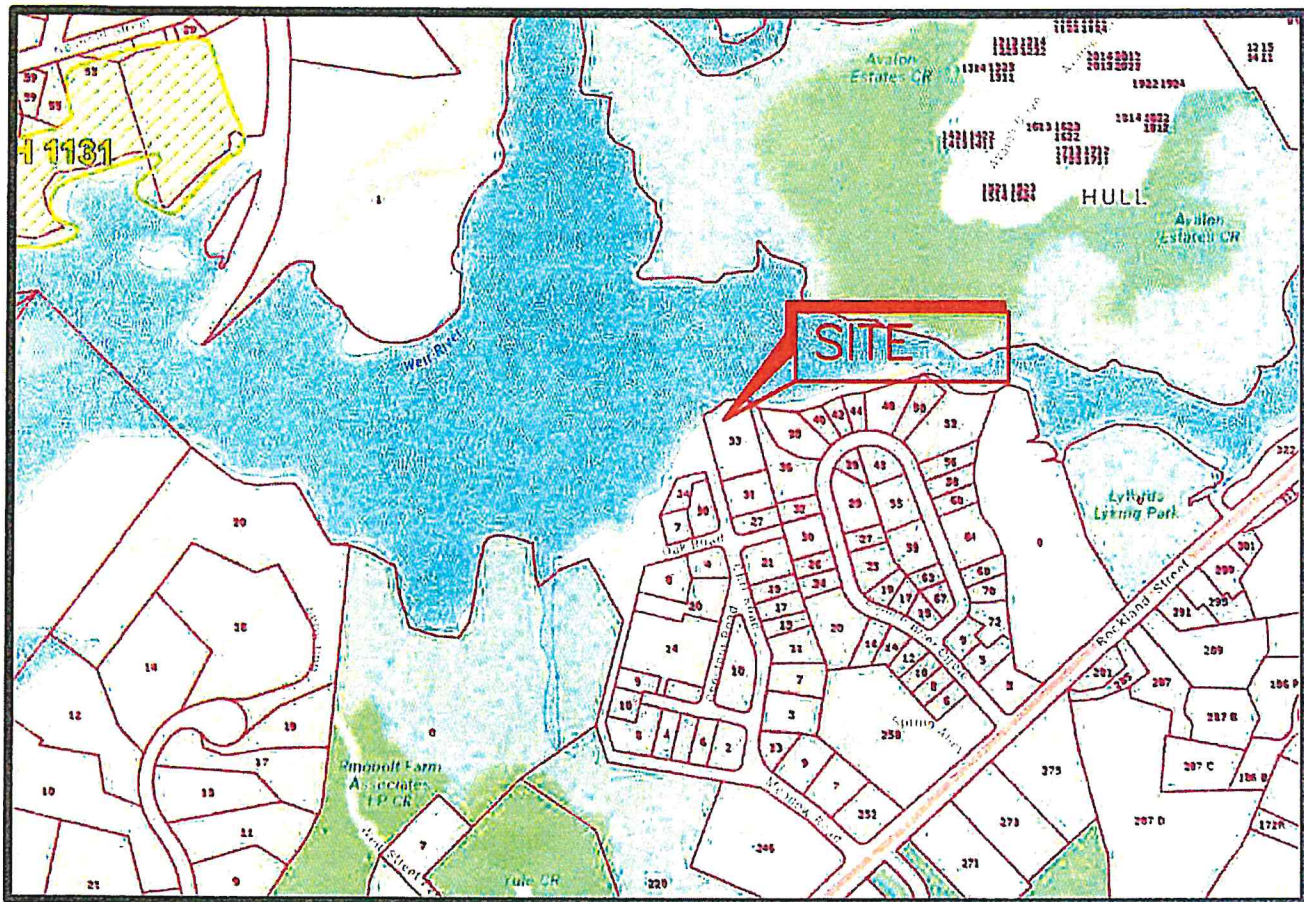


FIGURE — 2
FEMA FLOOD MAP
33 CLIFF ROAD
HINGHAM, MASSACHUSETTS



SCALE: 1" = 500'

NATURAL HERITAGE & ENDANGERED SPECIES ATLAS
MASS GIS

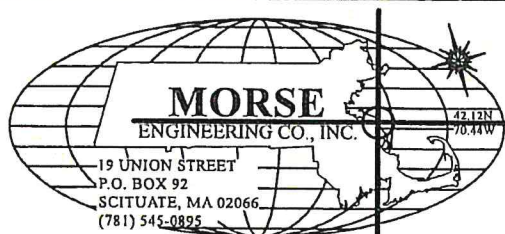


FIGURE — 3

NHESP MAP
33 CLIFF ROAD
HINGHAM, MASSACHUSETTS

APPENDIX A

- NOI Wetland Fee Transmittal Form
- Town of Hingham By-Law Fee
Schedule
- Copy of Filing Checks



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:

33 Cliff Road

Hingham

a. Street Address

b. City/Town

5465

\$445

c. Check number

d. Fee amount

2. Applicant Mailing Address:

Bow Street, LLC

a. First Name

b. Last Name

c. Organization

9 Rocky Lane

d. Mailing Address

Cohasset

MA

02025

e. City/Town

f. State

g. Zip Code

781-383-8888

agallagher01@gmail.com

h. Phone Number

i. Fax Number

j. Email Address

3. Property Owner (if different):

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

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 2: Raze & Rebuild	1	\$500	\$500
Category 1: Demolition	1	\$110	\$110
			= \$610 x 1.5 (Riverfront)
			=\$915
Step 5/Total Project Fee:			\$915
Step 6/Fee Payments:			\$915
Total Project Fee:			a. Total Fee from Step 5 \$445
State share of filing Fee:			b. 1/2 Total Fee less \$12.50 \$470
City/Town share of filling Fee:			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.)

TOWN OF HINGHAM
REVISED WETLANDS PROTECTION BY-LAW FEES
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 (WPA; 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		1	\$100.00	\$100
2		1	\$250.00	\$250
3		Commercial	\$525.00	
		Subdivision	\$1,000.00	
4			\$725.00	
5			\$3.00/foot	
Circle activities below.				TOTAL \$350

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)

FOR SECURITY PURPOSES, THE BORDER OF THIS DOCUMENT CONTAINS MICROPRINTING

MORSE ENGINEERING COMPANY, INC.

P.O. Box 92
Scituate, MA 02066

53-447/113

5467

PAY TO THE ORDER OF Town of Hingham

DATE May 22 2025

\$ 470-

four hundred seventy dollars no/100

DOLLARS

ROCKLAND TRUST
ROCKLAND, MASSACHUSETTS

MEMO: 33 Cliff

Cyner R. Sweeney MP
AUTHORIZED SIGNATURE

DETAILS ON BACK
SECURITY FEATURES INCLUDED

FOR SECURITY PURPOSES, THE BORDER OF THIS DOCUMENT CONTAINS MICROPRINTING

MORSE ENGINEERING COMPANY, INC.

P.O. Box 92
Scituate, MA 02066

53-447/113

5465

PAY TO THE ORDER OF Commonwealth of MA

DATE May 22, 2025

\$ 445-

four hundred forty five dollars

DOLLARS

ROCKLAND TRUST
ROCKLAND, MASSACHUSETTS

MEMO: 33 Cliff, Hingham

Cyner R. Sweeney MP
AUTHORIZED SIGNATURE

DETAILS ON BACK
SECURITY FEATURES INCLUDED

FOR SECURITY PURPOSES, THE BORDER OF THIS DOCUMENT CONTAINS MICROPRINTING

MORSE ENGINEERING COMPANY, INC.

P.O. Box 92
Scituate, MA 02066

53-447/113

5470

PAY TO THE ORDER OF Town of Hingham

DATE May 22 2025

\$ 350-

Three hundred fifty dollars no/100

DOLLARS

ROCKLAND TRUST
ROCKLAND, MASSACHUSETTS

MEMO: 33 Cliff NO1

Cyner R. Sweeney MP
AUTHORIZED SIGNATURE

DETAILS ON BACK
SECURITY FEATURES INCLUDED

APPENDIX B

- Certified List of Abutters
- Abutter Notification Form
- Assessors Map
- Affidavit of Service From
- Locus Deed
- Conservation Commission's Policy on
Receipt of Information

Abutters List

Date: May 20, 2025

[print this list](#)

Subject Property Address: 33 CLIFF ROAD Hingham, MA

Subject Property ID: 22-0-6

Search Distance: 300 Feet

Owner: CLARK RANDALL J & BAILLARGEON HOLLY

Prop ID: 22-0-1

Prop Location: 7 OAK ROAD Hingham, MA

Owner: URBANO DANIEL T & MARISA R

Prop ID: 22-0-10

Prop Location: 30 BONNIE BRIER CIR Hingham, MA

Owner: LANE RAYMOND JAMES

Prop ID: 22-0-11

Prop Location: 32 BONNIE BRIER CIR Hingham, MA

Owner: BIERBAUM THOMAS L & KATHLEEN C SCHWAB

Prop ID: 22-0-12

Prop Location: 36 BONNIE BRIER CIR Hingham, MA

Owner: WALSH-KARO LYNNE

Prop ID: 22-0-13

Prop Location: 38 BONNIE BRIER CIR Hingham, MA

Owner: CORNWELL PRISCILLA L & SANNAJUST SEBASTIEN J

Prop ID: 22-0-14

Prop Location: 40 BONNIE BRIER CIR Hingham, MA

Owner: PLAYER ROBERT J & BARRY LINDA

Prop ID: 22-0-15
Prop Location: 42 BONNIE BRIER CIR Hingham, MA

Owner: THORNE DAVID K & KHELA C
Prop ID: 22-0-16
Prop Location: 44 BONNIE BRIER CIR Hingham, MA

Owner: HOPKINS MICHAEL S & FREEMAN MELANIE S TT
Co-Owner: MICHAEL S HOPKINS LIVING TRUST
Prop ID: 22-0-17
Prop Location: 48 BONNIE BRIER CIR Hingham, MA

Owner: HUTCHINS RONALD & DOROTHY A
Prop ID: 22-0-2
Prop Location: 30 CLIFF ROAD Hingham, MA

Owner: OBRIEN CHERYL L
Prop ID: 22-0-25
Prop Location: 27 BONNIE BRIER CIR Hingham, MA

Owner: LIN YUN CHAI
Prop ID: 22-0-28
Prop Location: 29 BONNIE BRIER CIR Hingham, MA

Owner: DEIGNAN JOSEPH R & DEIGNAN JAN F TT
Co-Owner: 39 BONNIE BRIER CIRCLE REALTY TRUST
Prop ID: 22-0-29
Prop Location: 39 BONNIE BRIER CIR Hingham, MA

Owner: LAUGENI JORDAN & MOORE HANNAH
Prop ID: 22-0-3
Prop Location: 34 CLIFF ROAD Hingham, MA

Owner: CRONAN RACHEL
Prop ID: 22-0-30
Prop Location: 43 BONNIE BRIER CIR Hingham, MA

Owner: WHITCOMB WAYNE &
Co-Owner: WHITCOMB JANET GERMAIN
Prop ID: 22-0-31
Prop Location: 55 BONNIE BRIER CIR Hingham, MA

Owner: MURPHY DONAL P & EILISH BRODERICK MURPHY
Prop ID: 22-0-7
Prop Location: 31 CLIFF ROAD Hingham, MA

Owner: DOUCETTE NANCY
Prop ID: 22-0-8
Prop Location: 27 CLIFF ROAD Hingham, MA

Owner: BOUCHARD-MILLER BARBARA S TT
Co-Owner: 26 BONNIE BRIER CIRCLE REALTY TRUST
Prop ID: 22-0-9
Prop Location: 26 BONNIE BRIER CIR Hingham, MA

Owner: SCHWENZFEIER BRUCE J
Prop ID: 32-0-17
Prop Location: 19 CLIFF ROAD Hingham, MA

Owner: PFALZER THOMAS & CASEY
Prop ID: 32-0-18
Prop Location: 21 CLIFF ROAD Hingham, MA

Owner: ROBINSON BARBARA L & PINNEY J DOUGLAS
Prop ID: 32-0-20
Prop Location: 4 OAK ROAD Hingham, MA

Owner: BAKER DARRELL F & MAUREEN L
Prop ID: 32-0-21
Prop Location: 8 OAK ROAD Hingham, MA

Owner: DAVIS VALERIE F (LE)
Co-Owner: DAVIS LINDA S
Prop ID: 32-0-33
Prop Location: 20 CHESTNUT ROAD Hingham, MA

Owner: CHEN HAI ZHQUO & LIN YANYAO
Prop ID: 32-0-42
Prop Location: 24 BONNIE BRIER CIR 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:

Bow Street, LLC 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: 33 Cliff Road
The proposed work includes: Raze & Rebuild of Single Family Dwelling

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

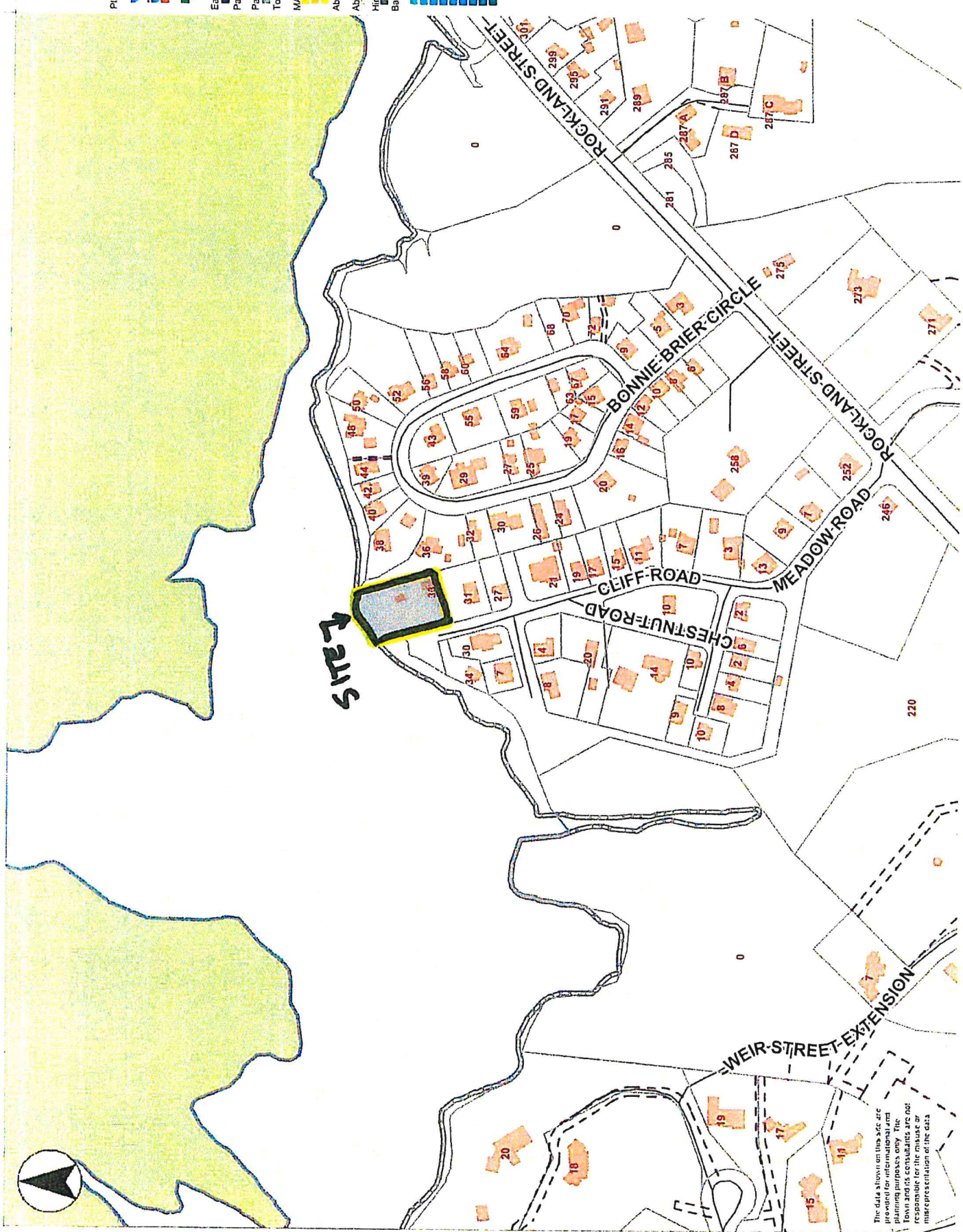
For more information, to request copies of the application, or obtain information about the public hearing please contact the Conservation Office at (781)741-1445 or by emailing Conservation@hingham-ma.gov

You may also request copies of the application from the ☐ applicant or ☒ applicant's representative by contacting Morse Engineering Co, Inc. at (781) 545-0895 between the hours of 8 am and 4 pm 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.



- Places
- Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
 - Golfing
 - Public Works
 - Transportation
 - Easements
 - Parcels for Identity - Public
 - Parcels
 - Town Boundary
 - MA Highways
 - US Highway
 - Numbered Routes
 - Abutting Towns Labels
 - Abutting Towns
 - Hingham Streets
 - Bathway
 - 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.

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, James D. Garfield, P.E. (Morse Engineering), hereby certify under the pains and penalties
Name of person making Affidavit

of perjury that on 6/3/25 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 Certified mail 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:

6/10/25 for property located at 33 Cliff Road
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.

James D. Garfield
Signature

7/16/25
Date

*** Electronic Recording ***

Doc#: 00056727

Bk: 59249 Pg: 82 Page: 1 of 3

Recorded: 09/12/2024 12:00 PM

ATTEST: John R. Buckley, Jr. Register

Plymouth County Registry of Deeds

MASSACHUSETTS EXCISE TAX

Plymouth District ROD #11 001

Date: 09/12/2024 12:00 PM

Ctr# 175161 26259

Fee: \$4,104.00 Cons: \$900,000.00

QUITCLAIM DEED

I, William Keeney, Personal Representative of the Estate of Christopher A. Eaton, late of Hingham, MA, pursuant to the power of sale and every other power conferred in the Will of Christopher A. Eaton - Plymouth County Probate Docket No. PL24P1929EA, of North Grafton, Massachusetts, for consideration paid and in full consideration of **Nine Hundred Thousand (\$900,000.00) Dollars**, hereby grant to **Bow Street, LLC**, a Massachusetts Limited Liability Company with a principal place of business at 9 Rocky Lane, Cohasset, MA 02025 with QUITCLAIM COVENANTS, the land with the buildings thereon situated in Hingham, Plymouth County, Massachusetts, now known and numbered as 33 Cliff Road, being shown as Lots 22, 23 and 24 on a plan entitled "Plan of Weir Cliffs, owned by D. Arthur Brown, Trustee, by Russell H. Whiting C.E., dated April 2, 1927," duly recorded with Plymouth County Registry of Deeds in Plan Book 4, Page 199 and said lots which contain 24,200 square feet of land, more or less, are bounded and described, according to said plan, as follows:

LOT 22:

NORTHERLY	by a portion of Lot 23 as shown on said plan, there measuring one hundred twenty-five and 00/100 (125.00) feet;
EASTERLY	by Bonnie Brier Cliff as shown on said plan, there measuring fifty and 00/100 (50.00) feet;
SOUTHERLY	by Lot 21 as shown on said plan, one hundred twenty-five and 00/100 (125.00) feet; and
WESTERLY	by Cliff Road as shown on said plan, there measuring fifty and 00/100 (50.00) feet.

LOT 23:

NORTHERLY	by Weir River as shown on said plan, there measuring sixty-two and 00/100 (62.00) feet;
EASTERLY	by Bonnie Brier Cliff as shown on said plan, there measuring one hundred thirty-eight and 00/100 (138.00) feet;
SOUTHERLY	by Lot 22 as shown on said plan, there measuring one hundred twenty-five and 00/100 (125.00) feet;
WESTERLY	by Cliff Road as shown on said plan, there measuring twelve and 00/100 (12.00) feet;
NORTHERLY	by Lot 24 as shown on said plan, there measuring sixty-five and 00/100 (65.00) feet; and
WESTERLY	by Lot 24 as shown on said plan, there measuring one hundred forty and 00/100 (140.00) feet.

LOT 24:

NORTHERLY	by Weir River as shown on said plan, there measuring sixty-eight and 00/100 (68.00) feet;
EASTERLY	by Lot 23 as shown on said plan, there measuring one hundred forty and 00/100 (140.00) feet;
SOUTHERLY	by Lot 23 as shown on said plan, there measuring sixty-five and 00/100 (65.00) feet; and
WESTERLY	by Cliff Road as shown on said plan, there measuring one hundred twenty and 00/100 (120.00) feet.

All three parcels herein are subject to and with benefit of rights, rights of way, easements, takings, restrictions, reservations and all matters of record insofar as in force and applicable.

For title reference see deed from Louis O. Caporiccio, Jr. dated July 7, 1992 and recorded with Plymouth County Registry of Deeds at Book 11108, Page 232. See also Estate of Christopher A. Eaton - Plymouth County Probate Docket No. PL24P1929EA.

Grantor, by his signature below, under the pains and penalties of perjury releases any and all rights of Homestead in the premises conveyed hereunder and affirms that there are no other persons entitled to the protection of the Homestead Act.

SIGNATURE ON FOLLOWING PAGE

Witness my hand and seal this 11th day of September, 2024.



William Keeney,
Personal Representative

COMMONWEALTH OF MASSACHUSETTS

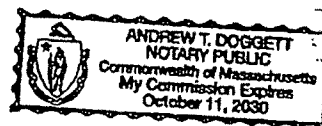
Suffolk, ss.

September 11, 2024

Then personally appeared the above-named William Keeney, Personal Representative as aforesaid, proved to me through satisfactory evidence of identification, which is [a current document issued by a federal or state government agency bearing his/her photographic image and signature] [my personal knowledge of his/her identity], to be the person whose name is signed on the foregoing instrument and who acknowledged the foregoing instrument signed by him voluntarily for its stated purpose, before me,



Notary Public
My Commission Expires



HINGHAM WETLAND REGULATIONS

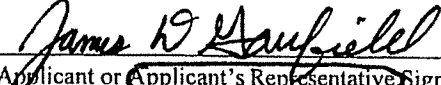
APPENDIX C

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

5-23-25
Date

APPENDIX C

- Wetland Delineation Memo



Environmental Consulting & Restoration, LLC



WETLAND DELINEATION MEMO

TO: Morse Engineering Company
FROM: Brad Holmes
DATE: December 18, 2024
RE: 33 Cliff Road, Hingham

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at the property located at 33 Cliff Road in Hingham (the Site) on November 29, 2024. The purpose of the review was to identify wetland resource areas on and near the site. The site is located along the northeast end of Cliff Road and contains a dilapidated single-family home with shed, yard area, rock outcrops/ledge, etc. The site abuts the Weir River, which is a tidal river. The weather on November 29th was partly sunny, windy, and mild (approximately 50 degrees) with dry site conditions.

Wetland resource areas are on and near the site associated with the Weir River. ECR placed wetland flags at the limit of an upper Salt Marsh as #USM1 to #USM9 along the northern portion of the site. The Salt Marsh was delineated in accordance with the definition established by the Massachusetts Department of Environmental Protection (DEP) regulations found at 310 CMR 10.32 pertaining to Salt Marsh. The delineation was performed by analyzing the extent of the highest high tide line characterized by plants that are well adapted to or prefer living in saline soils. The Salt Marsh is vegetated with *Spartina* grasses towards the Weir River and Hightide Bushes (*Iva frutescens*) and Common Reed (*Phragmites australis*) along delineation line.

ECR also placed flags at the limit of a small section of Coastal Beach to the west of the site, which is within the Cliff Road right of way. The Coastal Beach flags start at USM #9.

The northern portion of the site is located within Land Subject to Coastal Storm Flowage (FEMA flood zone AE) and may contain a Coastal Bank. Both the limit of the flood zone and the top of the Coastal Bank should be determined by topographic survey. The presence or absence of a Coastal Bank should be determined in accordance with DEP's Coastal Bank Policy 92-1 by examining the extent of the flood zone and the slope of the landform.

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:

- Salt Marsh
- Land Subject to Coastal Storm Flowage
- Coastal Bank to be determined as noted above
- 200 foot Riverfront Area to the Weir River
- 100 foot buffer zone to Salt Marsh, Coastal Beach, and Coastal Bank

Also 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.

ECR

Environmental Consulting & Restoration, LLC



3. The site does contain a U.S.G.S. mapped stream/river, which is the Weir River. The Mean High Water elevation of this tidal river should be located via survey in order to identify the start of the 200 foot Riverfront Area that extends onto the site.
4. The northern portion of the site is located within an Area of Critical Environmental Concern (Weir River ACEC).

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