



## 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](mailto:conservation@hingham-ma.gov). A legal notice will not be published for an upcoming agenda until a complete application is received by the Conservation office.

- 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, wetland resources, proposed work, and any other details necessary for the Commission to properly evaluate the proposal. The narrative should also include a performance standards analysis, as applicable, for impacts to resource areas under the Wetlands Protection Act Regulations and/or Hingham Wetland Regulations (including Buffer Zone); a description of existing/proposed impervious area and proposed mitigation (per the [Buffer Zone Mitigation Policy](#)), proposed trees to be removed and replaced (per the [Tree Removal and Replacement Policy](#)); and stormwater management features.
- DEP BVW Field Data/Determination Forms, ORAD, or other methodology used for wetland delineation (per the Commission's [Resource Area Delineation Policy](#))

- 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.

- 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)
- 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)
- 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](mailto:CorsonK@hpd.org) (with email copy to [conservation@hingham-ma.gov](mailto: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](#) and [Permission for Site Access](#)



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):

<u>443 Cushing Street</u>	<u>Hingham</u>	<u>02043</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.184488</u>	<u>70.902964</u>	
d. Latitude	e. Longitude	
<u>187</u>	<u>21</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Tri</u>	<u>Nguyen</u>	
a. First Name	b. Last Name	
c. Organization		
<u>443 Cushing Street</u>		
d. Street Address		
<u>Hingham</u>	<u>MA</u>	<u>02043</u>
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email Address

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

Same

a. First Name	b. Last Name
c. Organization	
d. Street Address	
_____	_____
e. City/Town	f. State
_____	_____
_____	_____
h. Phone Number	i. Fax Number
_____	_____
_____	j. Email address

4. Representative (if any):

<u>Kenneth</u>	<u>Thomson</u>	
a. First Name	b. Last Name	
<u>5 Wetlands</u>		
c. Company		
<u>134 Spring Street</u>		
d. Street Address		
<u>Rockland</u>	<u>MA</u>	<u>02370</u>
e. City/Town	f. State	g. Zip Code
<u>781 929 1203</u>	<u>5wetlands@gmail.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$165.00</u>	<u>\$70.00</u>	<u>\$95.00</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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

## A. General Information (continued)

6. General Project Description:

Construction of and addition.

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 CMR10.24(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

59628

c. Book

b. Certificate # (if registered land)

44

d. Page Number

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

- 1.  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.
- 2.  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. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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: 72511 square feet

4. Proposed alteration of the Riverfront Area:

<u>569</u>	<u>496</u>	<u>73</u>
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

**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)**

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. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	_____	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	
4. <input type="checkbox"/> 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. <input type="checkbox"/> 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

# 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

- 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

- 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](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**

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\*

- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage

- Assessor's Map or right-of-way plan of site

- 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

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

**C. Other Applicable Standards and Requirements (cont'd)**

- 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

# 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	

## 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.

NOI

a. Plan Title

Hardy-Man Design Group, PC

Chi Man

b. Prepared By

c. Signed and Stamped by

9-18-2025

1"=20'

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:

2. Municipal Check Number

3. Check date

eFile

4. State Check Number

5. Check date

Hardy Man Design Group

6. Payor name on check: First Name

7. Payor name on check: Last Name



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

## F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

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.



**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:

443 Cushing Street  
 a. Street Address  
 eFile  
 c. Check number  
 Hingham  
 b. City/Town  
 63.75  
 d. Fee amount

2. Applicant Mailing Address:

Tri  
 a. First Name  
 Nguyen  
 b. Last Name  
 c. Organization  
 443 Cushing Street  
 d. Mailing Address  
 Hingham  
 e. City/Town  
 MA  
 f. State  
 02043  
 g. Zip Code  
 h. Phone Number  
 i. Fax Number  
 j. Email Address

3. Property Owner (if different):

Same  
 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

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).

**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.



**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 1 (a)	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$165.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$165.00
State share of filing Fee:			\$70.00
City/Town share of filing Fee:			\$95.00
			a. Total Fee from Step 5
			b. 1/2 Total Fee <b>less</b> \$12.50
			c. 1/2 Total Fee <b>plus</b> \$12.50

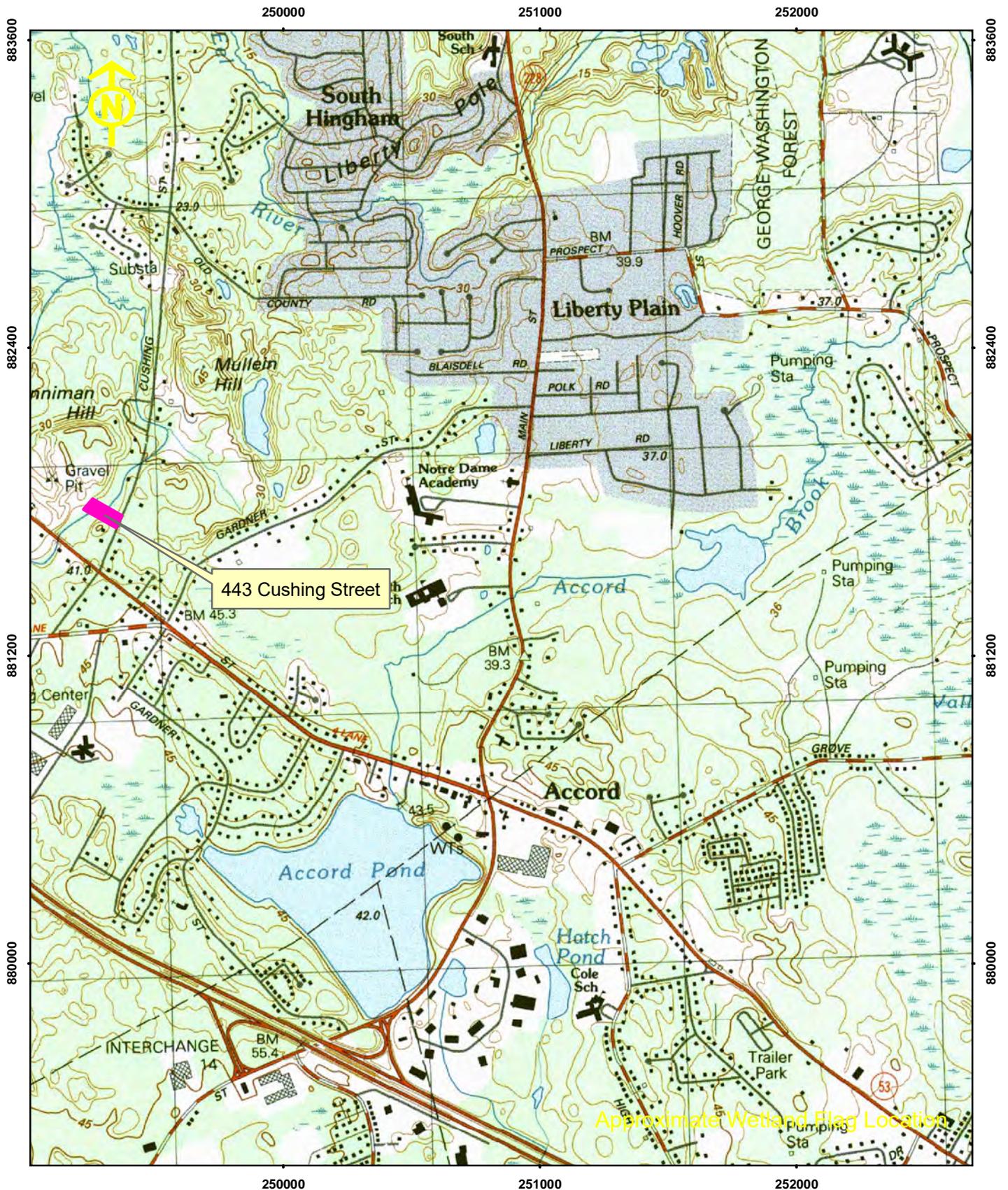
**C. Submittal Requirements**

- 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.

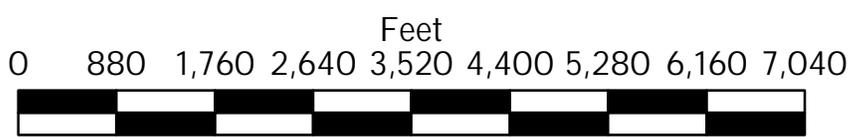
Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- 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.)



USGS Topographic Map  
443 Cushing Street, Hingham, MA



5 Wetlands  
5wetlands@gmail.com

## Existing Conditions

The property is a 1.74-acre parcel with a single-family home which sits on a knoll overlooking a tributary to the Plymouth River. Located at the base of the slope wetlands include a forested swamp. Dominate vegetation includes red maple, black elder, swamp dogwood, winterberry and cinnamon fern.

## Proposed Project

The project proposes to construct a two-story addition. Much of the parcel is in the Riverfront area. Total riverfront area is 72,511 square feet. The proposed addition will be constructed over an existing entranceway, patio and a section of the driveway. Existing impervious area of the proposed addition footprint accounts for 493 square feet. The total area of the addition is 796 square feet. Resulting with an additional impact of 302 square feet. A second area of impact is the front walkway. The existing walkway accounts for 161 square feet of impervious area. The proposed front porch will be expanded, the walkway will be expanded, and a section of the driveway will be expanded. This impacts an additional 267 square feet of Riverfront. The total Riverfront impact is 569 square feet or 0.008% impact to the Riverfront Resource. Storm water from the roof runoff will be recharged to groundwater by an infiltration chamber within driveway. To protect the wetland resources, the project will provide 12-inch compost filter sock.

### Additional area of impacted wetlands

It was observed during the delineation that an area of wetlands was impacted, cleared and a fire pit installed on the northwestern side of the stream. Access to the area is by way of a small bridge, see attached photos. To correct this impact the project proposes to replant the area. The project will also provide additional plantings along the southern bank of the stream, which has a large area of pachysandra. The project will restore both areas, see attached proposed mitigation plan.

### Buffer zone policy mitigation

The addition accounts for 302 square feet and the porch, walkway and driveway accounts for an additional 194 square feet within the 50-to-100-foot buffer zone. Total buffer zone impact is 496 square feet. To mitigate the impact the project proposes to re-populate the rear slope with shadbush. A total of 9 saplings will be planted, see attached mitigation plan.

**443 Cushing Street, Hingham**

Riverfront		38605
		33906
Total Riverfront		72511

Total area of the addition		796
Existing Impervious	Subtract	494
Addition Impact	Total	302

Proposed Walkway and driveway impact	267
--------------------------------------	-----

Total Riverfront Impact	569
-------------------------	-----

Shrubs required (8 sq ft on center for 496 sq ft buffer impact)	9
(Mitigation of the Buffer Zone impact)	

CALCULATION FOR THE PORCH/WALKWAY/ DRIVEWAY		
Outside area of porch/walkway/driveway		559
Inside grassed area	Subtract	131
Increase Impervious		428
Existing Walkway	Subtract	161
Total impact		267



*View to the west.*

*View to the east.*



TOWN OF HINGHAM  
BOARD OF ASSESSORS



CERTIFICATION SHEET

**Property Address: 443 Cushing Street**

**Parcel ID: 187-0-21**

Pursuant to the provisions of Chapter 131 Section 40 of the MA General Laws and Article 22 of the Town of Hingham General Bylaws (Wetlands Protection By-law), we hereby certify that the list attached hereto is a true list of names and addresses of abutters concerning a matter to be heard by the Hingham Conservation Commission involving the above-referenced property.

As used herein the term “abutter” means:

Owners of adjoining land within 100 feet of the property line where the activity proposed;

Owners of adjoining land within 300 feet of the property line where the activity proposed for coastal projects; or

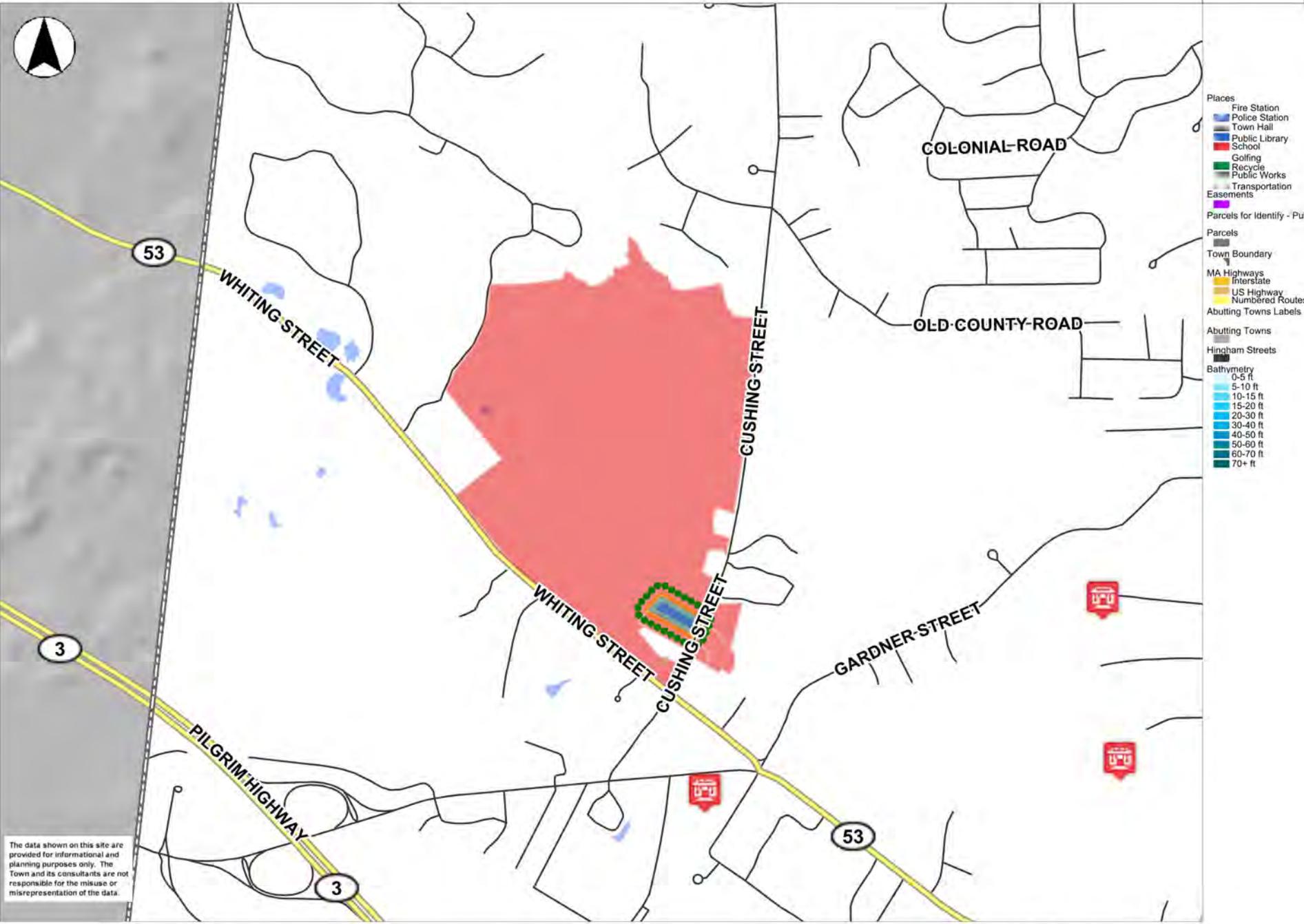
Owners of land directly opposite on any public or private street or way; or across a body of water.

All as they appear on the most recent applicable tax list.

BOARD OF ASSESSORS

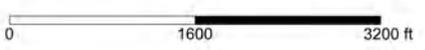
*Kevin W. Went*  
*John M. R.*  
*Sam Abbott*

CERTIFICATION DATE August 27, 2025



- Places
  - Fire Station
  - Police Station
  - Town Hall
  - Public Library
  - School
  - Golfing
  - Recycle
  - Public Works
  - Transportation
- Easements
  - Parcels for Identify - Public
- Parcels
  - Town Boundary
- MA Highways
  - Interstate
  - US Highway
  - Numbered Routes
- Abutting Towns Labels
- Abutting Towns
  - Hingham Streets
- Bathymetry
  - 0-5 ft
  - 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.



Printed on 08/25/2025 at 01:20 PM

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

Date: August 25, 2025

Subject Property Address: 443 CUSHING STREET Hingham, MA  
Subject Property ID: 187-0-21

Search Distance: 100 Feet

---

Owner: LIPSETT KATHLEEN J TT  
Co-Owner: KJL-RWL REALTY TRUST  
Prop ID: 187-0-15  
Prop Location: 450 CUSHING STREET Hingham, MA

---

---

Owner: NEW BOSTON GOLF CLUB  
Prop ID: 187-0-18  
Prop Location: 289 WHITING STREET Hingham, MA

---

---

Owner: FRIEDMAN DENNIS C & CAROL A FRIEDMAN  
Prop ID: 187-0-20  
Prop Location: 445 CUSHING STREET Hingham, MA

---

---

Owner: LIPSETT ROBERT W  
Prop ID: 188-0-37  
Prop Location: 448 CUSHING STREET Hingham, MA

---

---

Owner: HOSMER KELLY & TIMOTHY  
Prop ID: 188-0-38  
Prop Location: 444 CUSHING STREET Hingham, MA

---



Certificate of Mailing — Firm

Name and Address of Sender

5 Wetlands

134 Spring Street  
Rockland, MA 02370

TOTAL NO.  
of Pieces Listed by Sender

TOTAL NO.  
of Pieces Received at Post Office™

Affix Stamp Here

Postmark with Date of Receipt.

Postmaster, per (name of receiving employee)

USPS® Tracking Number  
Firm-specific Identifier

Address  
(Name, Street, City, State, and ZIP Code™)

Special Handling

Fee

Postage

Parcel Airlift

1

LIPSETT KATHLEEN J TT  
KJL-RWL REALTY TRUST  
450 CUSHING STREET  
HINGHAM, MA 02043

NEW BOSTON GOLF CLUB  
289 WHITING STREET  
HINGHAM, MA 02043

FRIEDMAN DENNIS C & CAROL A FRIEDMAN  
445 CUSHING STREET  
HINGHAM, MA 02043

LIPSETT ROBERT W  
448 CUSHING STREET  
HINGHAM, MA 02043

HOSMER KELLY & TIMOTHY  
444 CUSHING STREET  
HINGHAM, MA 02043

U.S. POSTAGE PAID  
ABINGTON, MA  
02351  
OCT 23 25  
AMOUNT  
\$2.40  
S2323A501018-14

U.S. POSTAGE PAID  
ABINGTON, MA  
02351  
OCT 23 25  
AMOUNT  
\$2.40  
S2323A501018-14



0000



0000



0000

U.S. POSTAGE PAID  
ABINGTON, MA  
02351  
OCT 23 25  
AMOUNT  
\$2.40  
S2323A501018-14



0000

U.S. POSTAGE PAID  
ABINGTON, MA  
02351  
OCT 23 25  
AMOUNT  
\$2.40



0000

U.S. POSTAGE PAID  
ABINGTON, MA  
02351  
OCT 23 25  
AMOUNT  
\$2.40  
S2323A501018-14

## 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:

\_\_\_\_\_ has filed a \_\_\_\_\_  
*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: \_\_\_\_\_

The proposed work includes: \_\_\_\_\_

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](mailto:Conservation@hingham-ma.gov)

You may also request copies of the application from the  applicant or  applicant's representative by contacting \_\_\_\_\_ at (\_\_\_\_\_) \_\_\_\_\_ between the hours of \_\_\_\_\_ and \_\_\_\_\_ on the following days: \_\_\_\_\_.

*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.

**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, Kenneth Thomson, hereby certify under the pains and penalties  
*Name of person making Affidavit*

of perjury that on 10/23/2025 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 Certificate of Mailing 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:

10/23/2025 for property located at 443 Cushing Street  
*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.

  
Signature

10/23/25  
Date



Certificate of Mailing — Firm

Name and Address of Sender

5 Wetlands

134 Spring Street  
Rockland, MA 02370

TOTAL NO.  
of Pieces Listed by Sender

TOTAL NO.  
of Pieces Received at Post Office™

Affix Stamp Here

Postmark with Date of Receipt.

Postmaster, per (name of receiving employee)

USPS® Tracking Number  
Firm-specific Identifier

Address  
(Name, Street, City, State, and ZIP Code™)

Parcel Airlift

Fee

Postage

Special Handling

1.

LIPSETT KATHLEEN J TT  
KJL-RWL REALTY TRUST  
450 CUSHING STREET  
HINGHAM, MA 02043

2.

NEW BOSTON GOLF CLUB  
289 WHITING STREET  
HINGHAM, MA 02043

3.

FRIEDMAN DENNIS C & CAROL A FRIEDMAN  
445 CUSHING STREET  
HINGHAM, MA 02043

4.

LIPSETT ROBERT W  
448 CUSHING STREET  
HINGHAM, MA 02043

5.

HOSMER KELLY & TIMOTHY  
444 CUSHING STREET  
HINGHAM, MA 02043

6.

Peter Hoyt  
Hoyt Land Surveying, Inc.  
1287 Washington Street  
Weymouth, MA 02189



## **INTRODUCTION**

Kenneth Thomson, *Botanist* conducted wetland delineation at 443 Cushing Street on April 4, 2025. The property is 1.74 acres with a single-family home which sits on a hill above a valley bottom wetland. Located within the valley is an unnamed tributary to the Plymouth River which flows to the north. It is a blue line perennial stream and subject to the Riverfront Regulation. The stream ranges in width between 4 and 6 feet wide and a foot deep. Wetland vegetation found adjacent to the stream include red maple, bitternut hickory, sweet pepperbush, highbush blueberry, black elder and cinnamon fern. The soils are mapped as Massasoit mucky fine sand. Massasoit series consists of poorly drained soils formed in sandy and gravelly glaciofluvial deposits. They are shallow to cemented subsoil and very deep to bedrock. Massasoit soils are on outwash plains or terraces and deltas, along drainageways and adjacent to swamps and bogs. Observed an area of lawn has been developed within the wetlands on the west bank of the stream.

A review of MassGIS data layers show the property lies within a ZoneII of a groundwater supply.

## **WETLAND DELINEATION**

Kenneth Thomson (Botanist/Wetland Scientist) identified and delineated wetlands subject to regulatory jurisdiction under Section 404 of the Clean Water Act (33 U.S.C. 1344) or the Massachusetts Wetlands Protection Act, M.G.L., Chapter 131, Section 40. Fieldwork was conducted on April 4, 2025. The predominance of hydrophytic vegetation, evidence of hydric soils, and wetland hydrology were used to define the boundary of vegetated wetlands following the Interim Regional Supplement to the 1987 Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region, January 2012, and the 2022 MA DEP Delineation Manual Guidelines. The wetlands were flagged 1 to 17. MassDEP datasheets were developed for wetland flag #16. Bankfull indicators of the Riverfront resource are flagged BF1 to BF24.

## **MassGIS REVIEW**

MassGIS data maps were reviewed for wetlands, floodplain, outstanding resource waters (ORWs), surface water protection, groundwater protection and Area of Environmental Concern (ACEC) and MA Natural Heritage data. The following data layers are associated with the site under review.

Present	Absent	Natural Heritage
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Certified Vernal Pools
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Potential Vernal Pools
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Estimated Habitat
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Priority Habitat
		<b>Ground Water Protection</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Interim Well Head Protection
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Zone II
		<b>Surface Water Protection</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone A
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone B
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Zone C
		<b>Wetlands</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DEP Wetland Layer
<input type="checkbox"/>	<input checked="" type="checkbox"/>	2005 Human Alter Layer
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Perennial Stream – <i>Unnamed tributary of the Plymouth River</i>
		<b>Floodplain</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	FEMA Flood Hazard Data
		<b>Out Standing Resource Waters (ORW)</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ORW
		<b>Area of Environmental Concern (ACEC)</b>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ACEC

## WETLAND REGULATORY REVIEW

### Massachusetts Wetland Resource Areas Performance Standards

Wetland resource areas on the site regulated under the Massachusetts Wetlands Protection Act (MGL Chapter 131, Section 40) and its Regulations (310 CMR 10.00) include:

- *Bank*
- *Land Under Water Bodies and Waterways*
- *Bordering Vegetate Wetland*
- *Riverfront*

A 100-foot buffer zone extends landward from the limit of the *Bordering Vegetated Wetlands* and *or Bank. Riverfront* extends 200 feet from the bankfull indicator flags located along the river.

Sincerely,

**5 Wetlands**

Kenneth Thomson  
Botanist

**BORDERING VEGETATED WETLAND DETERMINATION FORM**

Project/Site: 443 Cushing Street City/Town: Hingham Sampling Date: 4/4/2025

Applicant/Owner: Hoyt Land Survey Sampling Point or Zone: WF#16 Wetland

Investigator(s): Kenneth Thomson Latitude / Longitude: 42.18439 / 70.90379

Soil Map Unit Name: Massasoit muck fine sand NWI or DEP Classification: WS1

Are climatic/hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks)

Are Vegetation , Soil , or Hydrology  significantly disturbed? (If yes, explain in Remarks)

Are Vegetation , Soil , or Hydrology  naturally problematic? (If yes, explain in Remarks)

**SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.**

Wetland vegetation criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	<b>Is the Sampled Area within a Wetland?</b> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Hydic Soils criterion met?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.:			

**HYDROLOGY**

<b>Field Observations:</b>		
Surface Water Present?	Yes <input type="checkbox"/>	No <input type="checkbox"/> Depth (inches) _____
Water Table Present?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Depth (inches) <u>3.00</u>
Saturation Present (including capillary fringe)?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> Depth (inches) <u>0.00</u>
<b>Wetland Hydrology Indicators</b>		
Reliable Indicators of Wetlands Hydrology <input checked="" type="checkbox"/> Water-stained leaves <input checked="" type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	Indicators that can be Reliable with Proper Interpretation <input type="checkbox"/> Hydrological records <input checked="" type="checkbox"/> Free water in a soil test hole <input checked="" type="checkbox"/> Saturated soil <input checked="" type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input checked="" type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	Indicators of the Influence of Water <input checked="" type="checkbox"/> Direct observation of inundation <input checked="" type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input checked="" type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

**VEGETATION** – Use both common and scientific names of plants.

<u>Tree Stratum</u>		Plot size <u>30 feet</u>					
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)		
Common name		Scientific name					
1.	Red Maple	Acer rubrum	FAC	20.5	Yes	Yes	
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
				<u>20.5</u>	= Total Cover		
<u>Shrub/Sapling Stratum</u>		Plot size <u>15 feet</u>					
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)		
Common name		Scientific name					
1.	American Hornbeam	Carpinus caroliniana	FAC	20.5			
2.	Sweet Pepperbush	Clethra alnifolia	FAC	10.5			
3.	Common Elder	Sambucus nigra	FACW	3.0			
4.	Bitternut Hickory	Carya cordiformis	FAC	3.0			
5.							
6.							
7.							
8.							
9.							
				<u>37.0</u>	= Total Cover		
<u>Herb Stratum</u>		Plot size <u>5 feet</u>					
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)		
Common name		Scientific name					
1.	Cinnamon Fern	Osmundastrum cinnamomeum	FACW	10.5	Yes	Yes	
2.	Sphagnum Moss	Spagnum spp.	OBL	10.5	Yes	Yes	
3.	Sweet Pepperbush	Clethra alnifolia	FAC	10.5	Yes	Yes	
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
				<u>31.5</u>	= Total Cover		

**VEGETATION – continued.**

<u>Woody Vine Stratum</u>		Plot size <u>30 feet</u>		Indicator	Absolute	Dominant?	Wetland
Common name		Scientific name		Status	% Cover	(yes/no)	Indicator?
							(yes/no)
1.	N/A						
2.							
3.							
4.							
				0.0 = Total Cover			

<b>Rapid Test:</b> Do all dominant species have an indicator status of OBL or FACW?			Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species? Yes <input type="checkbox"/> No <input type="checkbox"/>	
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:	Result
	OBL species		X 1	= 0.00
	FACW species		X 2	= 0.00
	FAC species		X 3	= 0.00
	FACU species		X 4	= 0.00
	UPL species		X 5	= 0.00
	Column Totals	(A) 0		(B) 0
Prevalence Index		B/A = <b>0.00</b>		Is the Prevalence Index ≤ 3.0? Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Wetland vegetation criterion met?</b>			Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

**Definitions of Vegetation Strata**

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %



**BORDERING VEGETATED WETLAND DETERMINATION FORM**

Project/Site: 443 Cushing Street City/Town: Hingham Sampling Date: 4/4/2025

Applicant/Owner: Hoyt Land Survey Sampling Point or Zone: Hingham

Investigator(s): Kenneth Thomson Latitude / Longitude: 42.18465 /70.90344

Soil Map Unit Name: Quonset Sandy Loam NWI or DEP Classification: Upland

Are climatic/hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks)

Are Vegetation , Soil , or Hydrology  significantly disturbed? (If yes, explain in Remarks)

Are Vegetation , Soil , or Hydrology  naturally problematic? (If yes, explain in Remarks)

**SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.**

Wetland vegetation criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Is the Sampled Area within a Wetland?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydic Soils criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.:			

**HYDROLOGY**

<b>Field Observations:</b>		
Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
<b>Wetland Hydrology Indicators</b>		
<b>Reliable Indicators of Wetlands Hydrology</b> <input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	<b>Indicators that can be Reliable with Proper Interpretation</b> <input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	<b>Indicators of the Influence of Water</b> <input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

**VEGETATION** – Use both common and scientific names of plants.

<u>Tree Stratum</u>		Plot size <u>30 feet</u>				
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	
Common name		Scientific name				
1.	White Pine	Pinus strobus	FACU	38.0	Yes	No
2.	Red Oak	Quercus rubra	FACU	38.0	Yes	No
3.	Red Maple	Acer rubrum	FAC	10.5	No	
4.						
5.						
6.						
7.						
8.						
9.						
			86.5 = Total Cover			
<u>Shrub/Sapling Stratum</u>		Plot size <u>15 feet</u>				
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	
Common name		Scientific name				
1.	Witch Hazel	Hamamelis virginiana	FACU	63.0	Yes	No
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
			63.0 = Total Cover			
<u>Herb Stratum</u>		Plot size <u>5 feet</u>				
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)	
Common name		Scientific name				
1.	N/A					
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						
11.						
12.						
			0.0 = Total Cover			

**VEGETATION** – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30 feet</u>			
Common name	Scientific name	Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
1. Horsebrier	Smilax rotundifolia	FAC	10.5	Yes	Yes
2.					
3.					
4.					
			10.5 = Total Cover		

<b>Rapid Test:</b> Do all dominant species have an indicator status of OBL or FACW?			Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species? Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:
	OBL species		X 1 = 0.00
	FACW species		X 2 = 0.00
	FAC species		X 3 = 0.00
	FACU species		X 4 = 0.00
	UPL species		X 5 = 0.00
	Column Totals	(A) 0	(B) 0
Prevalence Index		B/A = <b>0.00</b>	
			Is the Prevalence Index ≤ 3.0? Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Wetland vegetation criterion met?</b>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**Definitions of Vegetation Strata**

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %





TOWN OF HINGHAM  
CONSERVATION COMMISSION

PERMISSION FOR SITE ACCESS

Project location: 443 Cushing Street

I hereby grant permission to the individual members of the Hingham Conservation Commission and its staff to enter upon the property at reasonable times for the purpose of gathering information, measurements, photographs, observations, and other information necessary to evaluate the application and compliance with any subsequently issued Determination of Applicability or Order of Conditions.

A handwritten signature in black ink, appearing to read "Tri Nguyen", written over a horizontal line.

Owner Signature

Tri Nguyen

Print

10-14-2025

Date

# HINGHAM WETLAND REGULATIONS

## APPENDIX C

### Policy on Receipt of Information

(Revised March 4, 2024)

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

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

  
Applicant or Applicant's Representative Signature

10-16-2025  
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, the Conservation Commission is unable meet the statutory deadline for holding a meeting or hearing and hereby requests the applicant waive the aforementioned 21 day requirement. This is a voluntary option and if you choose to waive this deadline, your application will still be heard and decided upon in a timely manner.

The undersigned hereby waives the 21 day time period for the Commission to hold a public hearing or meeting and agrees to a hearing date no later than October 16, 2025 (date) for the following application:  
443 Cushing Street (address).

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

Tri Nguyen  
\_\_\_\_\_  
Print

10-14-2025  
\_\_\_\_\_  
Date