



February 3, 2026

Hingham Conservation Commission
c/o Shannon Palmer, Conservation Officer
Town of Hingham
210 Central Street
Hingham, MA 02043

Re: Peer Review of Request for Determination of Applicability
Hingham Center for Active Learning, 0 Fort Hill Street, Hingham, MA

Dear Ms. Palmer and members of the Hingham Conservation Commission:

The Horsley Witten Group, Inc. (HW) is pleased to provide this review of the Request for Determination of Applicability (RDA) and supporting materials submitted by SLR International Corporation (SLR) on behalf of the Applicant, EDM Studio, Inc., for the above referenced Site off Bare Cove Park Drive in Hingham, MA. The Hingham Conservation Commission (the "Commission") is seeking to have HW confirm whether the wetland resource areas at this Site are accurately delineated in accordance with the *Massachusetts Wetlands Protection Act* (M.G.L. Ch. 131 § 40) and its implementing Regulations (310 CMR 10.00) (the "WPA") as well as under the Town of Hingham Wetlands Protection Bylaw, *General Bylaws of the Town of Hingham, Article 22*, and associated Hingham Wetland Regulations (the "local regulations").

HW reviewed the Applicant's RDA submission for confirmation of vegetated wetlands within an approximately 13.8-acre portion of the 462.6-acre parcel (Assessor's Map 69, Parcel 44) (the "Site"). A Potential Vernal Pool (PVP #10722) exists within one of the two areas delineated as vegetated wetland at the Site; its boundary was not originally delineated by SLR. An unnamed perennial stream is present within the other area of vegetated wetland at the Site, identified as "Perennial Watercourse (MassDEP)" on the existing conditions plan. The stream was not included in HW's on-site review as we understand that its Mean Annual High Water lines (MAHW)/Banks were previously confirmed under a separate an Order of Resource Area Determination (ORAD) issued by the Commission (DEP File No. 034-1509).

The scope of this review is limited to the portions of wetland boundaries within the Site, located north of Bare Cove Park Drive, west of undeveloped forested area on the adjacent parcels, and east of additional undeveloped forested area within the referenced parcel. Two buildings and one associated access drive is located within the Site.

Materials Reviewed

HW has received the following materials for this review:

- Request for Determination of Applicability signed and dated November 19, 2025 (3 pages);

- Wetland Delineation Report, Proposed Hingham Center for Active Living Facility, prepared by SLR International Corporation, dated November 19, 2025, including DEP Bordering Vegetated Wetland Delineation Field Data Forms (37 pages); and
- Hingham Center for Active Learning¹, Proposed Development Area Boundary, Bare Cove Park Road², Hingham, MA, prepared by SLR International Corporation, dated November 18, 2025, revised January 26, 2026 (1 sheet).
- Hingham Center for Active Learning¹, Wetland Delineation Comparison, Bare Cove Park Road², Hingham, MA, prepared by SLR International Corporation, dated January 26, 2026, (1 sheet).

The following report provides a summary of our review and recommendations for the Commission's consideration. HW's recommendations are numbered sequentially. Note that this report includes comprehensive comments made following our initial review and subsequent comments and responses following a discussion with the Conservation Officer and the Applicant's representatives, and a second site visit with the Applicant's representatives.

Site Visit Observations

HW conducted a site visit on December 23, 2025, to observe conditions and review the resource area boundaries as shown on the existing conditions plan. During this site visit, HW observed conditions along the delineated wetland boundaries, and where warranted, identified areas where the resource area boundaries would benefit from further review, as described in the following subsection. HW and SLR conducted a joint site visit on January 23, 2026 to address any resource area boundary conflicts. HW has indicated where our initial comments have been resolved in **bold font** with the date of the subsequent site visit below each associated comment where applicable.

The Site consists of an undeveloped forested area surrounding two structures located in the south-center area of the Site, with an associated access road connecting both buildings to Bare Cove Park Drive to the south. The building closest to the road is identified by Google Maps as the Bare Cove Fire Museum. Bare Cove Park Drive forms the Site's southern boundary and separates it from additional town-owned property containing Bare Cove Park across the street to the southeast. The South Shore Model Railway Club and Museum is located across the street to the southwest and is within the same parcel as the Site. The Hingham Municipal Lighting Plant, Department of Public Works, and Sewer Department currently operate within additional buildings located farther east of the Site, within a separate parcel.

SLR delineated the extent of Vegetated Wetlands SLR along the eastern and northern boundaries of the Site; the PVP is located within the northern Isolated Vegetated Wetland (IVW) and the unnamed perennial stream is located within the eastern Bordering Vegetated Wetland

¹ RDA Application refers to the anticipated proposed development as "Hingham Center for Active **Living** Facility

² Site is located off Bare Cove Park **Drive**, and address is 0 Fort Hill Street, Hingham, MA

(BVW). A USGS topographic map depicting the parcel boundaries and an aerial view of the Site and surrounding lands is provided in [Figures 1 and 2](#).

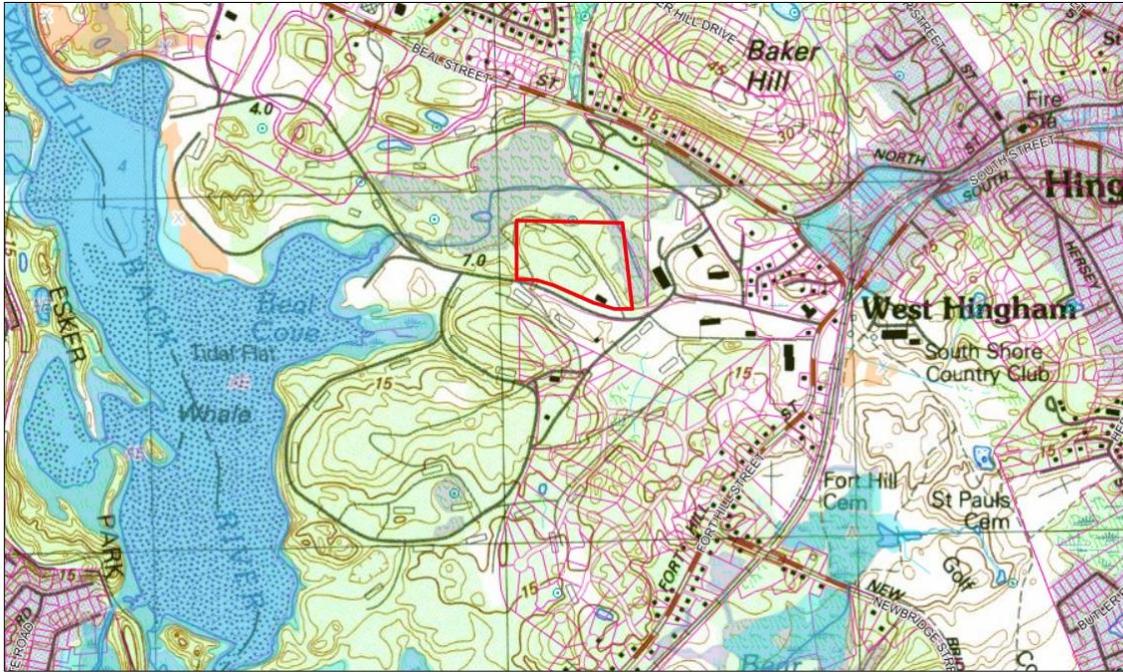


Figure 1. USGS topographic map with parcel boundaries; Site outlined in red.



Figure 2. Aerial view of the Project area; approximate Site boundary identified in red; MassDEP Wetlands MassGIS layer shown with green markings; topography shown with orange lines.

During the on-site investigation to determine whether resource areas were accurately identified, HW followed the procedures consistent with the 2022 Massachusetts Department of Environmental Protection (MassDEP) manual entitled “*Massachusetts Handbook for Delineation of Bordering Vegetated Wetlands*” as well as the WPA Regulations for wetland resource area identification, and the local regulations for wetland resource area identification, delineation, and field data collection.

Vegetated Wetland

SLR delineated two areas of vegetated wetland, including “Wetland A” along the eastern Site boundary and “Wetland B” along the northern Site boundary.

Wetland A

SLR identified Wetland A as a BVW and demarcated its boundary with pink flags labeled as WA-100 through WA-118. Only flags WA-107 through WA-116 are visible in the Existing Conditions Plan. HW began reviewing the Wetland A boundary and found that hydric soils were present on the upland side of SLR’s BVW boundary (see [Figures 3 and 4](#)). For comparison, a photo of the soils found upgradient of HW’s flagging stations is provided in [Figure 5](#).



Figure 3. View of hydric soils found upgradient of the delineated BVW boundary at the southern area of the Site, near Bare Cove Park Drive.



Figure 4. View of soil auger containing soils shown in Figure 3; HW flag suggestion at right; SLR flag at left. *Looking southeast.*

HW observed hydric soils to be present at up to approximately the 12’ contour and were accompanied by hydrologic indicators including saturated soils within 12 inches of the surface (acknowledging that our site visit was not conducted during the growing season). Vegetation was mixed with both upland and wetland species; however, the extent of hydrophytic vegetation appeared to meet the 50% or greater criteria for wetland species composition.

HW placed a few suggested flagging stations labeled as either “A-”, indicating a flag should be added at this location, or “R-”, indicating that a flag should be revised to the recommended location, followed by the flag number associated with the SLR flagging station. An aerial view of HW’s suggested added/revise flagging stations within Wetland A is provided in [Figure 6](#). Similar wetland characteristics were observed north of these flagging stations as well; however, we felt that having the Applicant revisit this stretch of the wetland boundary would be more efficient.

1. HW recommends that the Applicant/SLR revisit the Site to review wetland indicators including hydric soils, hydrology, and wetland species composition upgradient of SLR’s delineated boundary for Wetland A, and that the boundary be revised to capture the full extent of these characteristics.



Figure 5. View of non-hydric soils located upgradient of HW’s suggested flag revision shown in Photo 4.



Figure 6. Aerial view of HW’s added/revise flagging locations (green dots) overlain on the existing conditions plan; sequential flag nomenclature depicted.

January 23, 2026: During the site visit, HW and SLR revisited the revised flagging stations as depicted in [Figure 6](#); these recommended revisions to the wetland boundary were accepted by SLR and are depicted on the revised Site plans (revised through January 26, 2026), as referenced above. HW and SLR also reviewed the remainder of Wetland A and made several additional flagging

revisions. Based upon our subsequent review of the revised plans, HW believes that the boundary accurately depicts our site observations and the agreed upon wetland boundary. SLR provided a Wetland Delineation Comparison Site plan, as referenced above, to demonstrate where the boundaries of Wetland A were expanded. HW recommends that the Commission accept the revised boundary of Wetland A for the purposes of this RDA.

During HW's review, it appeared that SLR's flagging stations did not match the numeric labeling of the flagging locations shown on the existing conditions plan. This could be due to the faded markings being hard to distinguish clearly. However, HW recommends that these be reviewed and remarked for clarification.

2. HW recommends that the Applicant/SLR reviews the flag labels along the boundary of Wetland A to confirm that they are labeled appropriately in the field and depicted correctly in the existing conditions plan.

January 23, 2026: SLR revised flag labels for Wetland A during the on-Site review with HW. No further action necessary.

Wetland B

SLR identified Wetland B as an IVW and notes that it is demarcated it with pink flags labeled as WB-1 through WB-12 in the delineation report. Only flags WB-7 through WB-12 are visible in the existing conditions plan, which indicates that additional flagging stations beyond WB-12 must have been surveyed to depict the full extent of Wetland B, as it continues off-site to the northeast beyond flag WB-12 (Figure 7). HW did not observe any significant discrepancies between the presence of wetland characteristics and SLR's delineated boundary of Wetland B.

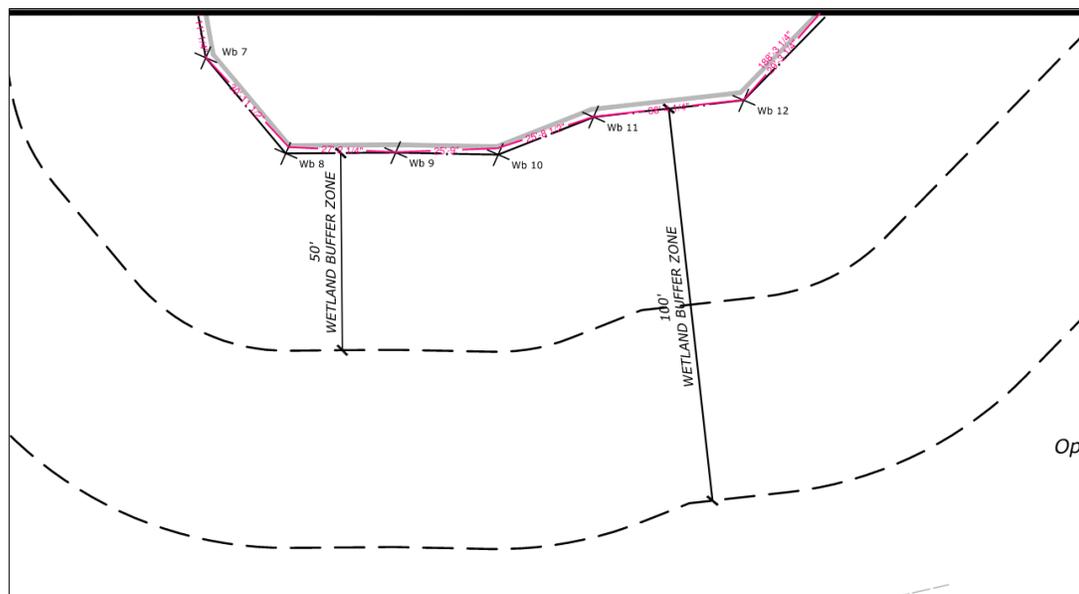


Figure 7. Screenshot of existing conditions plan zoomed in to show the flagging stations which mark the boundary of Wetland B.

3. HW recommends that the Applicant/SLR reviews the flag labels along the boundary of Wetland B to confirm that they are labeled appropriately in the field and depicted correctly in the existing conditions plan.

January 23, 2026: SLR revised flag labels for Wetland B during the on-Site review with HW. No further action necessary.

Vernal Pool Habitat

One PVP (#10722), as designated by the Massachusetts Natural Heritage Endangered Species Program (NHESP), is mapped within the Site. Under the WPA, the full extent of protected vernal pool habitat is confined to the extent of the WPA protected resource area it exists within, in accordance with 310 CMR 10.57(2)(a)6., which states:

“Vernal pool habitat shall include the area within 100 feet of the boundary of the vernal pool itself, insofar as such area is contained within the boundaries of this resource area.”

Wetland B is identified as an IVW; its status as Isolated Land Subject to Flooding (ILSF) is not confirmed under this review³. As such, it is not determined whether certification as a certified vernal pool would warrant its protection under the WPA. However, vernal pools are protected under the local regulations regardless of whether they are contained within another resource area (Section 19.1.(c)).

The local regulations also protect vernal pools regardless of whether they are certified and apply a 100-foot Vernal Pool Protection Zone, within which no activity or alteration shall be permitted without prior authorization from the Commission.

4. HW recommends that SLR revisit the Site at an appropriate time of year to delineate the boundaries of the PVP so the local Vernal Pool Protection Zone can be added to the existing conditions Site plan, in accordance with the local regulations under Section 19.1(b & c). Alternatively, HW recommends that SLR revisit the Site at the appropriate time of year to confirm whether or not the PVP functions as a viable vernal pool.

January 23, 2026: SLR flagged the PVP boundary as HW recommended. Upon reviewing the updated Site Plan, HW concurs that the depicted vernal pool boundary reflects the extent of confined seasonally flooded conditions observed in the field, which were located inside (downgradient) of the delineated wetland boundary around Wetland B.

5. At the Commission’s discretion, and following the seasonal PVP assessment recommended above, and if requisite vernal pool species are observed, HW recommends that SLR and/or the Town coordinate to certify the PVP as a CVP.

³ Isolated Land Subject to Flooding is defined at 310 CMR 10.57(2)(b) as “an isolated depression or closed basin without an inlet or an outlet. It is an area which at least once a year confines standing water to a volume of at least ¼ acre-feet and to an average depth of at least six inches.”

HW confirmed that no other areas that may meet the criteria to be vernal pools were present during the on-site reviews. HW also reviewed MassGIS data for Potential Vernal Pools (PVPs) and/or Certified Vernal Pools (CVPs) and found that no others are mapped within the Site.

Desktop Review of Protected Resource Areas

As part of our review, HW completed a desktop assessment of the Site via MassMapper, and other data sources as noted below, and determined that the Site or portions of the Site fall within the following protected resource areas, as noted in the Delineation Memo:

Article 97 Conservation Restriction

The parcel is protected under Article 97 of the Amendments to the Massachusetts Constitution. As such, it is subject to the associated development restrictions defined at M.G.L. c. 3, § 5A.

6. The Commission may wish to include this information as a **Finding** in any Determination it make issue for this Site.

Outstanding Resource Waters

Outstanding Resource Waters (ORWs) include Areas of Critical Environmental Concern (ACEC), Wildlife Refuges, Scenic/Protected Rivers, and Public Water Supply Watersheds, as well as other protected coastal areas (that would not apply to this inland site). The MassGIS DEP-mapped wetland boundary datalayer, labeled in MassGIS as the *DEP Wetlands Detailed* datalayer, coincides with the ORW boundary associated with the Weymouth Back River ACEC. The designation of an area as an ACEC warrants additional consideration under the WPA, as specified under 310 CMR 10.55(4)(e), which states:

“(e) Any proposed work shall not destroy or otherwise impair any portion of a Bordering Vegetated Wetland that is within an Area of Critical Environmental Concern designated by the Secretary of Energy and Environmental Affairs under M.G.L. c. 21A, § 2(7) and 301 CMR 12.00: Areas of Critical Environmental Concern. 310 CMR 10.55(4)(e):

- 1. supersedes the provisions of 310 CMR 10.55(4)(b) and (c);*
- 2. shall not apply if the presumption set forth at 310 CMR 10.55(3) is overcome;*
- 3. shall not apply to work proposed under 310 CMR 10.53(3)(l); and*
- 4. shall not apply to maintenance of stormwater detention, retention, or sedimentation ponds, or to maintenance of stormwater energy dissipating structures, that have been constructed in accordance with a valid order of conditions.”*

7. HW recommends that the Commission include the ORW designation for this site as a **Finding** in any Determination it makes for this Site.

Buffer Zone

The WPA applies a 100 foot wide buffer zone to the boundaries of BVW, and the local regulations extend this same buffer zone width to the boundary to isolated wetlands and vernal pools. No performance standards are specified for Buffer Zone under the WPA. However, the local regulations apply additional Buffer Zone performance standards under Section 22(d).

8. For any future project proposed at this Site, HW recommends that the Applicant demonstrates to the Commission the proposed project's conformance to the local Buffer Zone performance standards as defined under Section 22(d), as well as a demonstration of the proposed project's conformance to the Town of Hingham *Buffer Zone Mitigation Policy* and *Tree Removal and Replacement Policy*, as applicable.

Other Protected Resources Not Found at the Site

HW reviewed MassGIS data to confirm the absence of other protected areas associated with wetlands from within and in the vicinity of the Site. The results of this evaluation are provided in the following sections.

State-Listed Rare Species Habitat

According to the most recent version of the *Massachusetts Natural Heritage Atlas* (15th Edition, August 1, 2021), the Site does not occur within areas of *Estimated Habitat of Rare Wildlife*, or *Priority Habitat of Rare Species* as designated by NHESP.

Bordering Land Subject to Flooding

The current Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for Bristol County (Community Panel 25023C0081K, effective July 3, 2024) shows that no portion of the Site or the surrounding lands are within floodplains, including Bordering Land Subject to Flooding (BLSF).

Public Water Supply Protection Zones

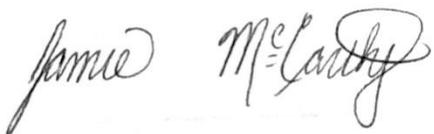
The Site does not occur within any areas designated as Public Water Supplies, including MassGIS data layers for Surface Water Supply Watersheds, Surface Water Supply Protection Areas (Zones A-C), or MassDEP Wellhead Protection Areas, including Zone I, Zone II, or Interim Well Protection Areas (IWPA).

Summary

HW is pleased to provide the Hingham Conservation Commission with comments and recommendations for consideration regarding our review of the wetland resource areas and RDA application package. Should you have any questions or require further clarification with respect to our observations and recommendations, please do not hesitate to contact Jamie McCarthy at (508) 833-6600 or at jmccarthy@horsleywitten.com.

Sincerely,

Horsley Witten Group, Inc.



Jamie McCarthy, PWS, CWS, CESSWI
Environmental Scientist



Amy Ball, PWS, CWS
Senior Associate