



Notice of Intent

**Single-Family Dwelling
Proposed Pool
240 Lazell Street
Hingham, MA**

January 22, 2026

**Prepared for:
Neil & Michelle MacLellan
240 Lazell Street
Hingham, MA 02043**

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

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1.1 EXECUTIVE SUMMARY

In accordance with the provisions of the Wetlands Protection Act and the Town of Hingham Wetland By-Law, the Applicants, Neil and Michelle MacLellan, propose to construct an in-ground pool with surrounding patio area at 240 Lazell Street.

The site is bound by Lazell Street to the northwest, residential properties to the west and northeast, and wetlands to the east. The parcel is denoted as Lot 35 on Assessor's Map 148 and is located within the Residence C District.

The existing conditions consist of the single-family dwelling, bituminous concrete driveway, and various landscaping and hardscape features. The existing house has water and electric services fed underground from Lazell Street. An underground propane tank on site provides gas service. A subsurface sewage disposal system existing to the northwest of the existing house. The lot is predominately developed with various landscaping areas and hedges. A bordering vegetated wetland is located east of the property which projects the 100-foot and 50-foot buffers depicted on the plans, see section 1.5 below for more information.

The applicant proposes to install an 18 foot by 40-foot inground pool and a 7 foot by 7-foot spa enclosed by a 6' high cedar fence. The pool area will contain various hardscape and landscape improvements surrounding it. The applicant proposes a pervious patio surrounding the pool that will cover 940± square feet. A 613± square foot terrace improvement connected to the south face of the existing dwelling is also proposed. The site will be enclosed by a silt fence to limit sediment runoff to the wetland. There is 1,883± square feet of mitigation buffer area proposed along the eastern property line, between the proposed pool improvements and the wetlands. See the attached Landscape Plan for more details.

1.2 APPROVALS BEING SOUGHT

A Notice of Intent (NOI) is being filed with the Town of Hingham Conservation Commission and the Massachusetts Department of Environmental Protection (MA DEP) for the proposed work. The applicant requests that the permit approvals encompass the entirety of the scope listed in the narrative and shown in the accompanying site plan.

1.3 FEMA FLOOD MAPS

The parcel is shown on FEMA Flood Insurance Rate Map 25023C0103L dated July 3, 2024. The entire site is located within Zone X, which is defined as areas with a less than 1% annual chance of flooding.

1.4 ON-SITE SOIL INFORMATION

The Natural Resource Conservation Service (NRCS) maps the majority of the on-site soil as Quonset sandy loam, Soil Map Unit 262E, with 15 to 35 percent slopes. Quonset sandy loam is considered an excessively drained soil and is classified under Hydrologic Soil Group (HSG) "A". The depth of the water table is greater than 80 inches. Refer to Section 1.8 for complete soil information.

1.5 ENVIRONMENTAL RESOURCE AREAS ANALYSIS

The project is located within 100 feet of Environmental Resource Areas, and therefore the project must be permitted through MassDEP and the Hingham Conservation Commission.



A Bordering Vegetated Wetland is present east of the property that projects the 50-foot and 100-foot wetland buffer areas onto the property. The interface between the wetland and upland areas was delineated by Environmental Consulting and Restoration, LLC (ECR) on November 5th, 2025 – Refer to Section 1.9 for the delineation Memo. The project is located outside the 50-foot buffer and meets the associated performance standards set forth in Hingham Wetland By-Law. The site does not appear to contain any areas designated as estimated or priority endangered species habitat, certified vernal pools or areas of critical environmental concern. The site does not contain areas classified as estimated habitats of rare wildlife by the Natural Heritage and Endangered Species Program of the Division of Fisheries and Wildlife.

The following is a summary of the buffer and protection zones that portions of the project are proposed within:

1) 100' Buffer to Bordering Vegetated Wetland (BVW) (310 CMR 10.55)

The majority of the sitework is proposed within the 100-foot wetland buffer area including small grading improvements, the proposed pool and associated hardscapes/landscapes, and a portion of the proposed terrace expansion.

2) 100' Buffer to Bordering Vegetated Wetland (BVW) (Hingham Wetland Regulations 22.0)

It is the opinion of Homestead Consulting Engineers that the project meets the performance standards set forth in this section as the proposed pool is set as far from the resource as practicable, the project is a conversion of previously disturbed area and does not disturb other kinds of vegetation or habitat, and an area for mitigation has been proposed to help increase the value of the existing buffer area. The mitigation area meets the mitigation requirements set forth by the conservation commission.

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 structure has been moved out of the 50-foot buffer and maintains adequate separation from the resource based on the project specific performance standards in section 23.0.

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.

No disturbance to buffer vegetation is proposed. A robust mitigation plan has been provided that exceeds the mitigation policy requirements.

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.

It is our opinion the proposed plan already addresses this potential request.



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.

The project as proposed does not detract or otherwise degrade habitat as it is proposed within the existing lawn. The mitigation plan proposed will improve the buffers area's ability to maintain habitat area above the sites existing conditions.

3) Pools and Tennis Courts (Hingham Wetland Regulations 23.0)

1. The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area.

The structure has been moved out of the 50-foot buffer and maintain adequate separation from the resource based on the project specific performance standards in section 23.0, see the below response.

2. The Commission may at its discretion allow a proposed pool or tennis courts and all associated structures and facilities if they are at least 50 feet from a Resource Area, as defined in HWR 2.0 (1-5) if it is satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area.

The pool and patio around it are proposed outside the 50 foot buffer. It is our opinion that the mitigation proposed meets this standard.

3. No mitigation is sufficient to allow a pool or tennis court less than 50 feet to a Resource Area, as defined in HWR 2.0 (1-5).

Not applicable.

1.6 CONCLUSION

In conclusion, the project has been designed in accordance with the requirements of the MA DEP and in compliance with the Town of Hingham Conservation Commission's Bylaw Regulations. The applicant respectfully requests the Commissions consideration of approval and issuance of an Order of Conditions, accordingly.

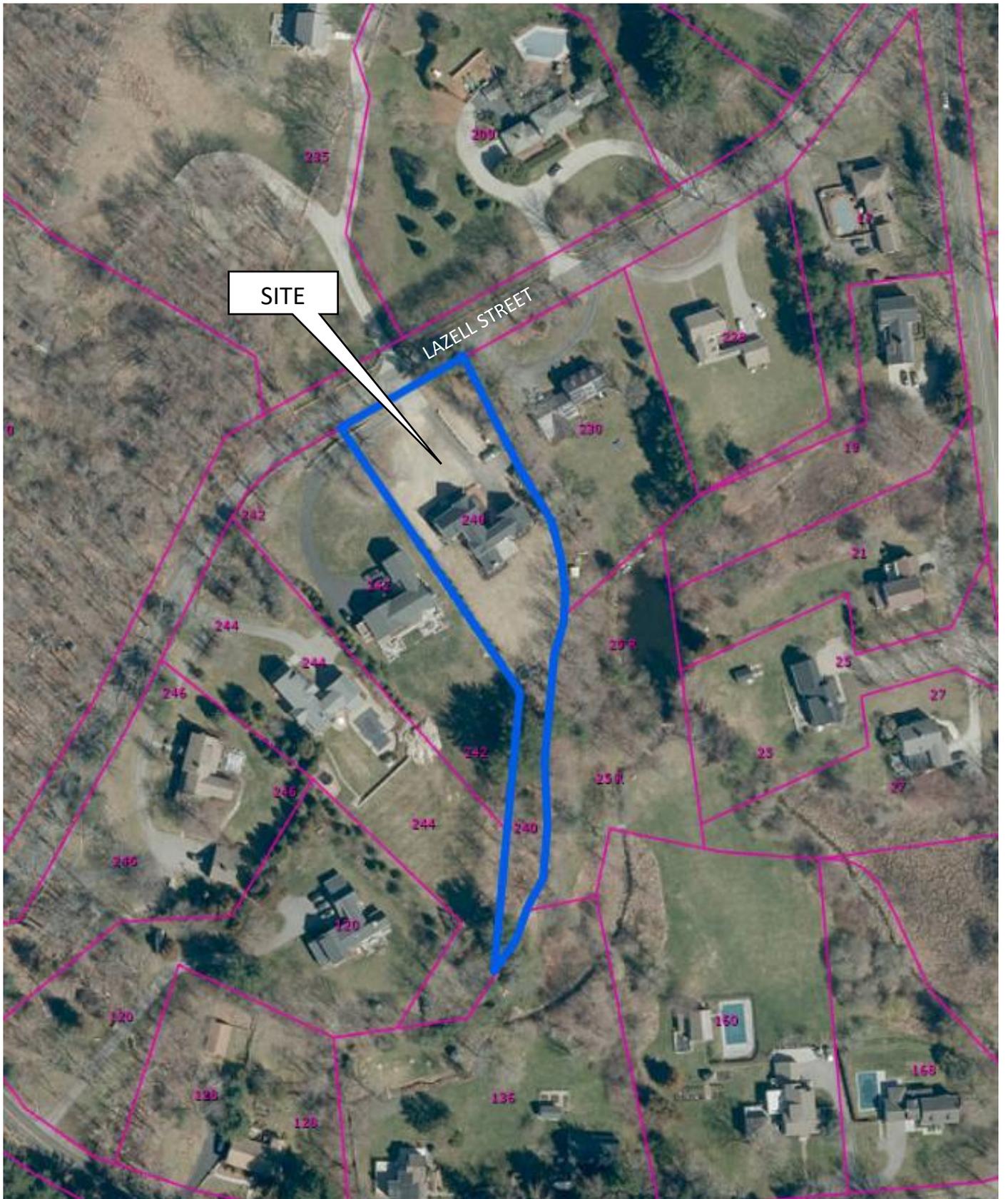
1.7 FIGURES

FIG 1 ORTHOGRAPHIC/AERIAL MAP
 FIG 2 FEMA FLOODPLAIN MAP (EFFECTIVE PANEL)
 FIG 3 MASSDEP WETLANDS/NHESP MAP
 FIG 4 USGS MAP

1.8 NRCS Soil Report (See attached)

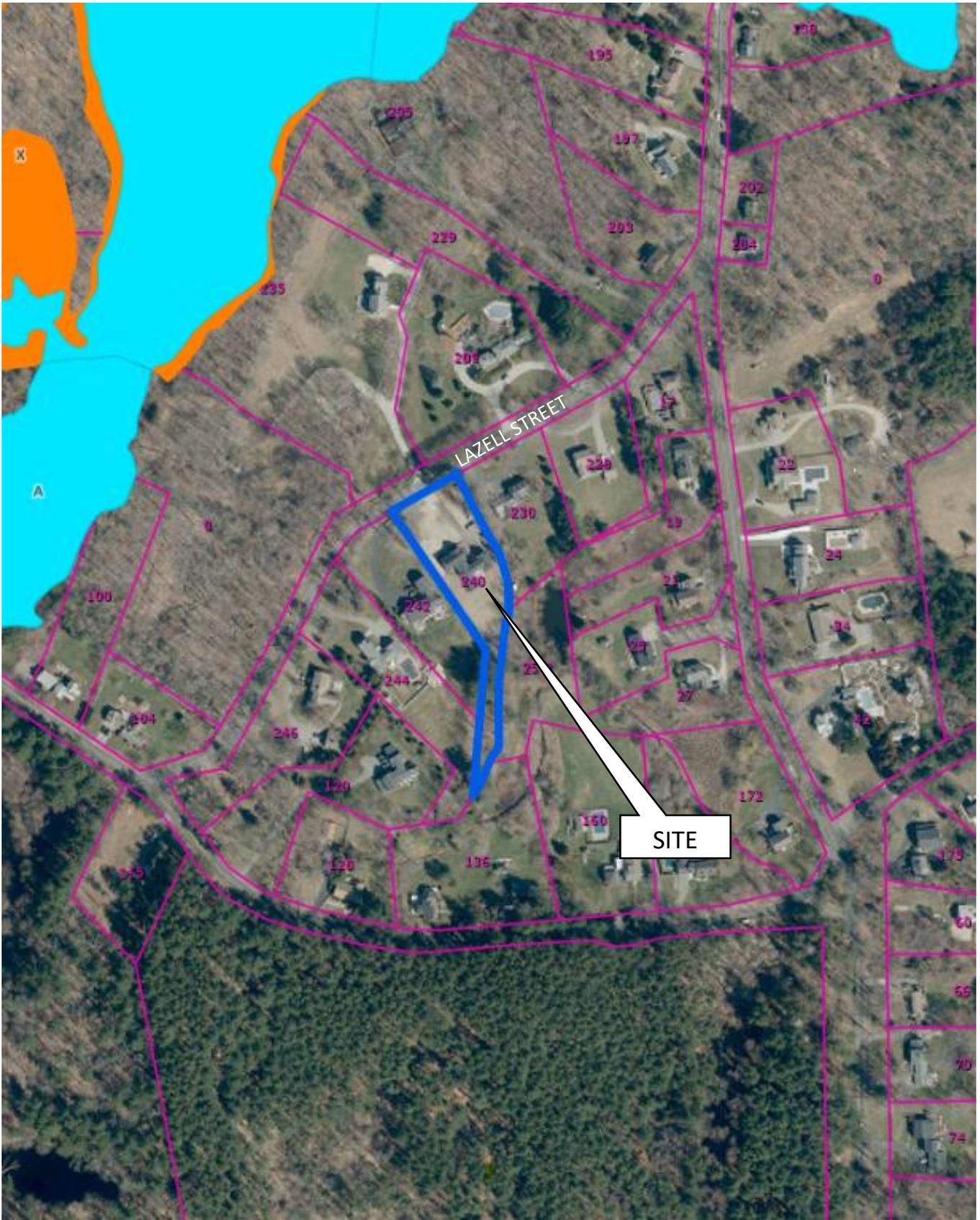
1.9 ECR Delineation Memo (See attached)





**Figure 1: Aerial Map
240 Lazell Street
Hingham, MA 02043**





FEMA # 25023C0103L eff. 7/3/2024
Figure 2: FEMA Floodplain Map
240 Lazell Street
Hingham, MA 02043



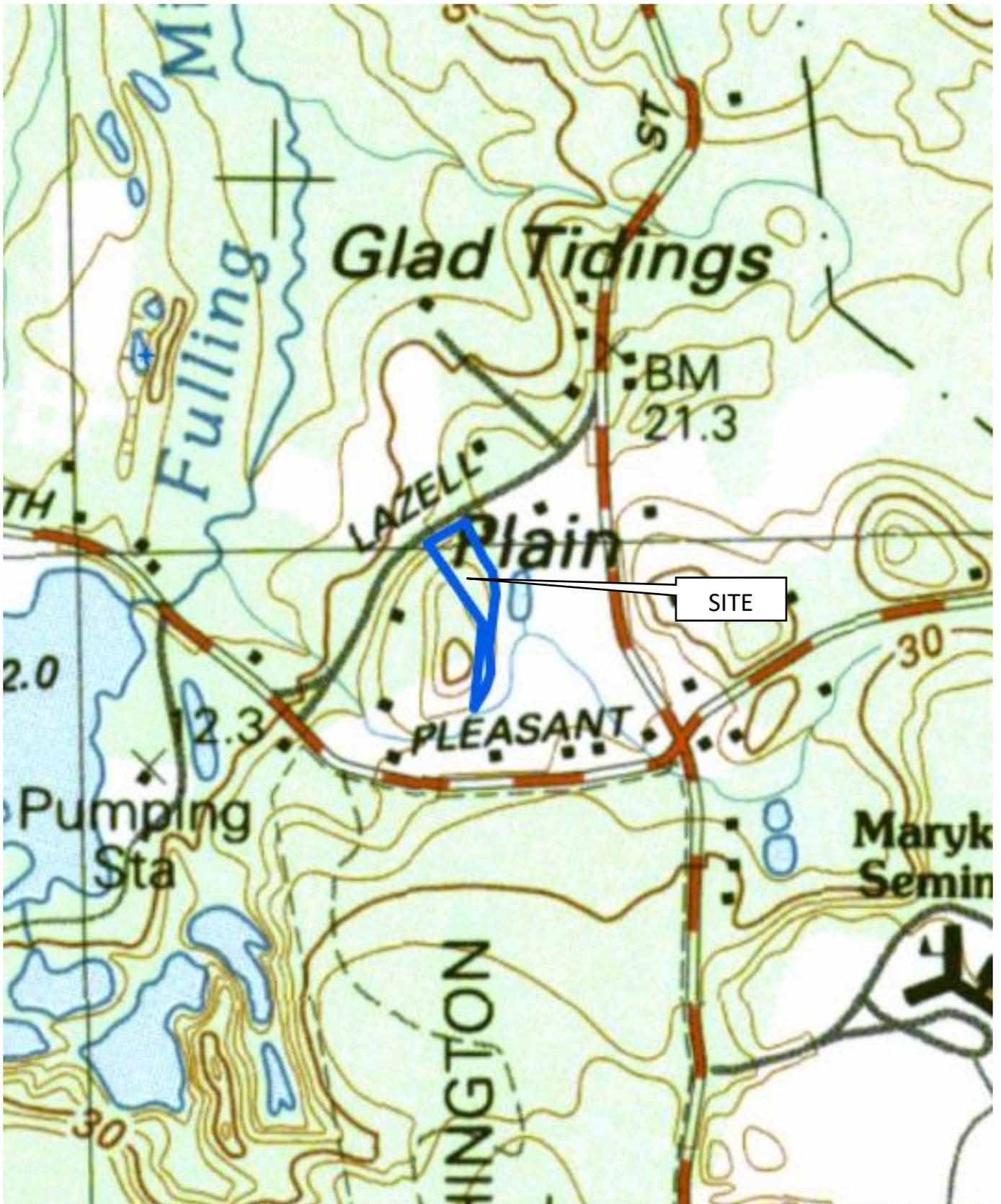


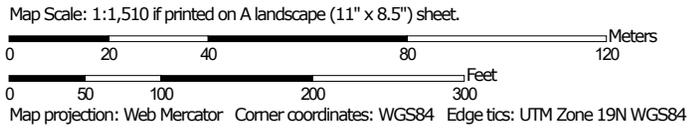
Figure 4: Site Locus USGS Map
240 Lazell Street
Hingham, MA 02043



Soil Map—Plymouth County, Massachusetts



Soil Map may not be valid at this scale.



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Plymouth County, Massachusetts

Survey Area Data: Version 18, Sep 5, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: May 22, 2022—Jun 5, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
6A	Scarboro muck, coastal lowland, 0 to 3 percent slopes	1.5	19.0%
30A	Raynham silt loam, 0 to 3 percent slopes	0.3	3.2%
262B	Quonset sandy loam, 3 to 8 percent slopes	1.3	16.6%
262C	Quonset sandy loam, 8 to 15 percent slopes	0.2	3.1%
262E	Quonset sandy loam, 15 to 35 percent slopes	4.0	50.2%
289C	Hinckley gravelly sandy loam, 8 to 15 percent slopes, bouldery	0.0	0.0%
424C	Canton very fine sandy loam, 8 to 15 percent slopes, extremely bouldery	0.6	7.9%
Totals for Area of Interest		8.0	100.0%

Plymouth County, Massachusetts

262E—Quonset sandy loam, 15 to 35 percent slopes

Map Unit Setting

National map unit symbol: bqtm
Elevation: 0 to 400 feet
Mean annual precipitation: 41 to 54 inches
Mean annual air temperature: 43 to 54 degrees F
Frost-free period: 145 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Quonset and similar soils: 80 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Quonset

Setting

Landform: Eskers, terraces, deltas, kames, outwash plains
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Convex
Parent material: Sandy and gravelly glaciofluvial deposits

Typical profile

O_i - 0 to 1 inches: slightly decomposed plant material
O_a - 1 to 2 inches: highly decomposed plant material
A - 2 to 4 inches: sandy loam
Bw₁ - 4 to 7 inches: channery sandy loam
Bw₂ - 7 to 14 inches: channery loamy sand
BC - 14 to 22 inches: very channery loamy sand
C - 22 to 65 inches: extremely channery sand

Properties and qualities

Slope: 15 to 35 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Excessively drained
Runoff class: Very low
Capacity of the most limiting layer to transmit water (K_{sat}): High (1.98 to 5.95 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Very low (about 2.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7e

Hydrologic Soil Group: A
Ecological site: F144AY022MA - Dry Outwash
Hydric soil rating: No

Minor Components

Warwick

Percent of map unit: 10 percent
Landform: Terraces, deltas, outwash plains
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Canton

Percent of map unit: 5 percent
Landform: Till plains, ridges, hills
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Hinckley

Percent of map unit: 5 percent
Landform: Eskers, outwash deltas, terraces, kames
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Riser
Down-slope shape: Linear
Across-slope shape: Convex
Hydric soil rating: No

Data Source Information

Soil Survey Area: Plymouth County, Massachusetts
Survey Area Data: Version 18, Sep 5, 2025

ECR

Environmental Consulting & Restoration, LLC



WETLAND DELINEATION MEMO

TO: Homestead Engineering
FROM: Cameron Larson, Wetland Scientist
DATE: November 24, 2025
RE: 240 Lazell Street, Hingham

Per your request, Environmental Consulting & Restoration, LLC (ECR) performed a review of the existing conditions at the property located at 240 Lazell Street in Hingham (the site) on November 5, 2025. The purpose of the review was to identify wetland resource areas on and near the site. The site is located to the south of Lazell Street and consists of a single-family home with a paved driveway, deck, maintained lawn, landscaped areas, etc. Wetland resource areas were delineated along the southeastern property line to the rear of the home.

ECR placed Bordering Vegetated Wetland (BVW) flags (pink/black striped ribbons) #A1 to #A8 along the limit of the vegetated wetland. The wetland was delineated following the methodology established by the Massachusetts Department of Environmental Protection (DEP) regulations found at 310 CMR 10.55 pertaining to the delineation of Bordering Vegetated Wetlands. The delineation was performed by analyzing vegetation, hydrology within 12 inches of the surface, and soil conditions within 20 inches of the surface. The wetland contains hydric soils, saturated soils, and dominant wetland indicator plants.

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

- 100-foot Buffer Zone to BVW

Also, a review of the MassMapper 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 mapped Certified or Potential Vernal Pools according to the MaNHESP.
3. The site does not contain a USGS mapped stream.
4. The site does not contain areas mapped as Land Subject to Flooding (FEMA flood zone).
5. The site is not located within an Area of Critical Environmental Concern.

Upon review of this wetland delineation memo, please contact me at (508) 648-3957 or cameron@ecrwetlands.com with any questions or requests for additional information.

SECTION 2
Forms Required



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>240 Lazell Street</u>	<u>Hingham</u>	<u>02043</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>42.205742</u>	<u>-70.870789</u>	
d. Latitude	e. Longitude	
<u>148</u>	<u>35</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Neil and Michelle</u>	<u>MacLellan</u>	
a. First Name	b. Last Name	
<u>NA</u>		
c. Organization		
<u>240 Lazell Street</u>		
d. Street Address		
<u>Hingham</u>	<u>MA</u>	<u>02043</u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

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

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Street Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Joshua</u>	<u>Green</u>	
a. First Name	b. Last Name	
<u>Homestead Consulting Engineers</u>		
c. Company		
<u>2 Sharp Street, Unit A</u>		
d. Street Address		
<u>Hingham</u>	<u>MA</u>	<u>02043</u>
e. City/Town	f. State	g. Zip Code
<u>781-206-5770</u>	<u>homesteadeng@gmail.com</u>	
h. Phone Number	i. Fax Number	j. Email address

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

<u>\$110.00</u>	<u>\$42.50</u>	<u>\$67.50</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:

Install in-ground pool and associated patio. See narative for more detail.

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

60065

c. Book

b. Certificate # (if registered land)

235

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

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

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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. Riverfront Area
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: _____ square feet

4. Proposed alteration of the Riverfront Area:

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. 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

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Provided by MassDEP:

MassDEP File Number

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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**

- '26 (Massmapper)
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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:
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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
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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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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.

Pool Plan - 240 Lazell Street

a. Plan Title

Homestead Consulting Engineers

b. Prepared By

Joshua Green, P.E.

c. Signed and Stamped by

1"=20'

e. Scale

d. Final Revision Date

1/21/2026

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:

1080

2. Municipal Check Number

1/21/26

3. Check date

1079

4. State Check Number

1/21/26

5. Check date

Homestead Consulting Engineers, LLC.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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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.

Neil F MacLellan

1. Signature of Applicant

January 21, 2026

2. Date

3. Signature of Property Owner (if different)

John Lee

4. Date

January 21, 2026

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:

240 Lazell Street	Hingham
a. Street Address	b. City/Town
1079	\$42.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Neil and Michelle	MacLellan	
a. First Name	b. Last Name	
NA		
c. Organization		
240 Lazell Street		
d. Mailing Address		
Hingham	MA	02043
e. City/Town	f. State	g. Zip Code
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 1	1	\$110.00	\$110.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$110.00
Step 6/Fee Payments:			
Total Project Fee:			\$110.00
State share of filing Fee:			\$42.50
City/Town share of filing Fee:			\$67.50
			a. Total Fee from Step 5
			b. 1/2 Total Fee less \$12.50
			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.)

**SECTION 3 –
Abutter Notifications**

TOWN OF HINGHAM
BOARD OF ASSESSORS



CERTIFICATION SHEET

Property Address: 240 Lazell Street

Parcel ID: 148-0-35

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. ...
John M. ...
Sam Abbott

CERTIFICATION DATE January 20, 2026

Abutters List[print this list](#)

Date: January 13, 2026

Subject Property Address: 240 LAZELL STREET Hingham, MA
Subject Property ID: 148-0-35

Search Distance: 100 Feet

Owner: TENNEBO JEANNE & PER
Prop ID: 138-0-17
Prop Location: 230 LAZELL STREET Hingham, MA

Owner: HEALEY HARRY WILLIAM III & HEALEY SANDRA LEE TT
Co-Owner: HARRY WILLIAM HEALEY III TRUST THE
Prop ID: 138-0-27
Prop Location: 235 LAZELL STREET Hingham, MA

Owner: HEALEY SANDRA LEE & HEALEY WILLIAM III TT
Co-Owner: SANDRA LEE HEALEY TRUST THE
Prop ID: 138-0-27
Prop Location: 235 LAZELL STREET Hingham, MA

Owner: HEALEY ANN R
Prop ID: 138-0-5
Prop Location: 209 LAZELL STREET Hingham, MA

Owner: ROBICHAUD JAMES
Co-Owner: SOUTH PLEASANT STREET REALTY TRUST
Prop ID: 138-0-7
Prop Location: 0 LAZELL STREET Hingham, MA

Owner: DOLPHIN PETER J & CLAUDIA G
Prop ID: 148-0-18
Prop Location: 160 SO PLEASANT ST Hingham, MA

Owner: DOLPHIN PETER J & CLAUDIA G
Prop ID: 148-0-29
Prop Location: 25 R CHARLES STREET Hingham, MA

Owner: MAGUIRE MICHAEL J & AMY
Prop ID: 148-0-36
Prop Location: 242 LAZELL STREET Hingham, MA

Owner: NICHOLS KEVIN & LINDA
Prop ID: 148-0-37
Prop Location: 244 LAZELL STREET Hingham, MA

Owner: MOORE GEORGE A & KIRSTEN E
Prop ID: 148-0-39
Prop Location: 120 SO PLEASANT ST Hingham, MA

Owner: DUCHESNEAU LUC & ROSEMARY
Prop ID: 148-0-5
Prop Location: 136 SO PLEASANT ST Hingham, MA

Notification to Abutters

By Hand Delivery, Certified Mail (return receipt requested), or Certificates of Mailing

This is a notification required by law. You are receiving this notification because you have been identified as the owner of land abutting another parcel of land for which certain activities are proposed. Those activities require a permit under the Massachusetts Wetlands Protection Act (M.G.L. c. 131, § 40) and the Hingham Wetlands Protection By-law(Article 22) and cooresponding Regulations.

In accordance with the second paragraph of the Massachusetts Wetlands Protection Act, and 310 CMR 10.05(4)(a) of the Wetlands Regulations and Part 1 Section 7.5 of the Hingham Wetlands Regulations, you are hereby notified that:

- A. A Notice of Intent was filed with the Hingham Conservation Commission seeking permission to remove, fill, dredge, or alter an area subject to protection under M.G.L. c. 131 §40. The following is a description of the proposed activity/activities:

Installation of in-ground pool and associated patio area. Minor alteration to grading and hardscapes as needed to accommodate proposed work.

- B. The name of the applicant is: **Neil and Michelle MacLellan**
- C. The address of the land where the activity is proposed is: **240 Lazell Street, Hingham, MA 02043, Assessors Map 148 Lot 35.**
- D. Copies of the Notice of Intent may be examined or obtained at the office of the Hingham Conservation Commission, located at the **Hingham Town Hall, 210 Central Street, Hingham, MA 02043**. The business hours of the Commission are Monday, Wednesday, and Thursday from 7:30 a.m. to 5:00 p.m. and Tuesday from 7:30 a.m. to 7:00 p.m. and the Commission may be reached at 781-741-1445.
- E. Copies of the Notice of Intent may be obtained from the applicant or their representative by calling **Joshua Green, P.E., Homestead Consulting Engineers** at **781-206-5770**. An administrative fee may be applied for providing copies of the NOI and plans.
- F. Information regarding the date, time, and location of the public hearing regarding the Notice of Intent may be obtained from the Hingham Conservation Commission.

Notification provided pursuant to the above requirement does not automatically confer standing to the recipient to request Departmental Action for the underlying matter. See 310 CMR 10.05(7)(a)4.

AFFIDAVIT OF SERVICE

Under the Massachusetts Wetlands Protection Act

(To be submitted to the Massachusetts Department of Environmental Protection and the Conservation Commission when filing a Notice of Intent)

I, Joshua Green, hereby certify under the
(Name of person making the Affidavit)

pains and penalties of perjury that on 1/22/26 I gave notification to abutters
(Date)

in compliance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, and the DEP Guide to Abutter Notification dated April 8, 1994, in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act by

Neil and Michelle MacLellan with the Hingham
(Name of Applicant) (Name of Municipality)

Conservation Commission on 1/22/26 for property located at
(Date)

240 Lazell Street, Hingham, MA 02043
(Address of land where work is proposed)

The form of the notification and a list of the abutters to whom it was given and their addresses, are attached to this Affidavit of Service.


(Name)

1/22/26
(Date)

SECTION 4 –
Town of Hingham Additional Documents

HINGHAM WETLAND REGULATIONS

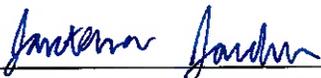
APPENDIX C

Policy on Receipt of Information

(Revised March 4, 2024)

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

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



Applicant or Applicant's Representative Signature

1/20/26

Date