



TOWN OF HINGHAM CONSERVATION COMMISSION

Hingham Wetland Regulations Update Summary of Proposed Revisions May 14, 2026

The Town of Hingham contracted with the Horsley Witten Group, Inc. (HW) in May 2025 to assist the Conservation Commission with updates to the Hingham Wetlands Regulations. HW completed an initial high-level review and five rounds of edits to the Regulations. Each round of edits built on and refined prior edits, and included further research, review, and discussions with Shannon Palmer and Carolyn Nielsen.

HW also compared Hingham's Wetlands Regulations and Zoning Bylaw Floodplain Overlay District to the Massachusetts Model Floodplain Bylaws language. The MA Model Floodplain Bylaws language was developed by the state to assist communities in meeting National Flood Insurance Program (NFIP) requirements that are not already addressed in the state's Wetland Protection Act (WPA) Regulations and Building Code. HW found that most of the MA Model Floodplain Bylaws language is already included in the Zoning Bylaw and can therefore be deleted from the Wetlands Regulations (specifically, Section 24.0 Additional Protection of Special Flood Hazard Zones).

The attached redline version of the Regulations, provided as a Microsoft Word document, shows proposed edits as tracked changes (with strikethroughs for deleted text and underlines for inserted text) and includes comments in the right margin. This version has not yet been reviewed by Town Counsel. The appendices are included separately.

Summary of Proposed Edits

The following bullets summarize the proposed edits to the Regulations. **Blue, bolded text** indicates substantive changes to jurisdiction, procedures, and performance standards. These items are also emphasized with comments in the draft Regulations. Bulleted items follow the subsections of each section.

General

- Corrected typos and outdated language. Reworded and reorganized some provisions for clarity.
- Reorganized structure to more closely mimic the structure of the Wetlands Protection Act Regulations (310 CMR 10.00). In the reorganized Regulations, sections for individual resource areas are separated by coastal and inland wetlands.
- Created new sections for Limited Projects, Amended Orders, Waivers, Barrier Beaches, Isolated Land Subject to Flooding, and Vernal Pools.
- Added preamble language regarding sea level rise and coastal resilience, adapted from Nantucket wetland regulations and the Massachusetts Association of Conservation Commissions (MACC) [Climate-Smart Regulation Provisions](#).

2.0 Jurisdiction

- Edited for clarity.
- (7) Riverfront Area. Revised jurisdiction to apply to a 200-ft distance from the mean annual high-water line and to clarify that Riverfront Area applies to perennial streams, consistent with the WPA definition.

4.0 Exemptions

- Changed section title from “Exceptions” to “Exemptions”.
 - **Expanded list of exemptions based on 310 CMR 10.00.**

5.0 General Provisions

- Moved sections for Fill, Underground Storage Tanks, and Septic Systems from Project-Specific Performance Standards (originally under Section 23.0) to General Provisions.

5.1 Fill within Resource Area

- For provision prohibiting dumping within Resource Areas, added exclusion for residential yard waste in the Buffer Zone.

5.2 Underground Storage Tanks

- Corrected conflicting restrictions that were in the original Section 23.5.

5.3 Septic Systems

- Edited for clarity. Revised to prohibit “all components of the system” (not just leaching field) within 100 ft. to be consistent with more stringent Hingham Health Regulations.
- **Changed prohibition within LSCSF to apply only to the velocity zone and moderate wave action (MoWA) area, consistent with edits in Section 17.10 LSCSF.**
- Deleted prohibition within 175 ft of a surface water supply because it is less stringent than Title 5 for protection of public surface water supplies.

5.4 Limited Projects

- **Added new section.**

5.6 Stormwater Management

- **Added requirement to use NOAA Atlas 14 “Plus” precipitation depths**, which MassDEP has proposed as a requirement for the draft updated Massachusetts Stormwater Manual. The provision allows for either precipitation depths in the table or retrieved from the NOAA website for the project site. The table represents precipitation depths for the approximate center of Hingham.

6.0 Definitions

- Added definitions and edited for clarity and to match definitions in 310 CMR 10.00.

7.0 Procedures

- Edited language regarding zoning relief, WPA forms, submittal requirements, and abutter notification.

7.4(b) Notice of Intent Project Plans

- (b) NOI Project Plans - Updated list for required contents, including the boundary of the 0.2% chance flood zone and the projected 1% annual chance flood for 2070.
- (c) Construction Setbacks – Deleted section and integrated the setbacks into General Provisions and the setbacks table in Section 19.0 Buffer Zone.

7.8 Amended Orders

- **Added new section.**

7.14 Administrative Review and Decisions

- Expanded the list of projects that may be reviewed administratively.
- Updated review process.

7.15 Waivers

- Added new section.

8.0 Emergency Certification

- Edited to clarify procedures and conditions of emergency certification projects.

9.0 Entry to Property for Review Purposes

- Edited to more closely match Bylaw language.

13.2 Consultant Fees

- Revised to bring this section into compliance with M.G.L. 53G.

14.0 Appeals

- Edited for clarity and added sentence regarding appeal of administrative decisions.

17.2 Beaches

- Added language regarding “compatible fill,” copied from original Section 23.6 Filling.

17.3 Coastal Dunes

- Added language regarding “compatible fill,” copied from original Section 23.6 Filling.
- Added performance standard prohibiting alteration of dunes when the alteration would increase potential flood damage. This language is from the MA Model Floodplain Bylaws and is required for NFIP compliance.

17.4 Barrier Beaches

- Added new section, referencing definitions and performance standards at 310 CMR 10.29.

17.6 Salt Marshes

- Updated performance standards to be consistent with WPA regulations.
- Revised provisions about fill and allowable activities within the 50-foot buffer zone to salt marsh.

17.10 Land Subject to Coastal Storm Flowage

- In preamble, replaced “Overwash zones” (which do not exist in Hingham’s FIRM map) with “Moderate Wave Action (MoWA) Areas”, which is a portion of the AE Zone and is synonymous with the Coastal A Zone (wave action of 1.5-3 feet).
- Added definitions for Limit of Moderate Wave Action (LIMWA) and MoWA Area.
- Added a requirement at (d)(4) to evaluate and incorporate measures to protect resource area values from the impacts of sea level rise. Specified that the applicant must show the projected 2070 1% annual chance flood boundary on the NOI Project Plans and describe how measures to enhance ecological climate resilience were incorporated into site planning and design.
- Revised prohibitions at (d)(6) to apply to MoWA Area rather than AE Zone. This is less stringent than the original regulations that applied prohibitions to a larger area (the full AE Zone).
- Revised language at (d)(6)(i) regarding standards for replacement and expansion of existing buildings.

18.2 Bordering and Isolated Vegetated Wetlands

- Added language to performance standards for “Filling” copied from original Section 23.6 Filling with minor edits.

18.3 Land Under Inland Water Bodies and Waterways

- Added language from the MA Model Floodplain Bylaws that is required somewhere in the Hingham code for NFIP compliance.

18.4 Bordering Land Subject to Flooding (BLSF) and 18.5 Isolated Land Subject to Flooding (ISLF)

- Separated the original section (19.1) into two sections, retaining the relevant language for each section. Created a new section for ISLF.
- For BLSF, deleted language related to “land within 100 feet” because there is no Buffer Zone for BLSF.

18.6 Vernal Pools

- Created a new section, with language cut from the original Land Subject to Flooding (original Section 19.1). Added preamble language adapted from the Town of Arlington Wetland Regulations.

18.7 Riverfront Area

- Edited definition of mean annual high-water line and clarified that Riverfront Area only applies to perennial streams and rivers, consistent with WPA definition.
- Deleted (d)(5) that was less stringent than the WPA.
- Edited (d)(1) to specify 310 CMR 10.58(4) and (5) because the Commission did not intend to include the exemptions under 310 CMR 10.58(6).
- **Added provision at (d)(2) requiring review under an RDA or Administrative Review for activities within Riverfront Area that are otherwise exempted under 310 CMR 10.58(6).**

19.0 Buffer Zone

- Clarified definition of Buffer Zone.
- **Established a 50-foot no-disturbance area with prohibited activities.**
- Integrated requirements and guidelines from Hingham Conservation Commission’s Buffer Zone Mitigation Policy.
- Created a table that summarizes setbacks (previously contained in NOI and Project-Specific Performance Standards sections) and clarified that the setbacks are from the boundary of Resource Areas that have Buffer Zones.
- **In the setbacks table, added a 75-foot setback for commercial and industrial buildings and accessory structures.**

20.0 Docks and Piers

- Reorganized section.
- Simplified definition of “docks and piers”. Added definitions of platform, gangway, and float.
- **Revised regulations to be consistent with MA Division of Marine Fisheries (DMF) *Environmental Recommendations for Small Docks and Floats* and MassDEP *Guidance to Permitting Small Docks and Piers*.**

24.0 Additional Regulations for Protection of Special Flood Hazard Zones

- Deleted section.

- For language that needed to stay in the Wetlands Regulations (because it covers NFIP requirements that are not otherwise covered by Hingham's Zoning Bylaw), moved provisions to other relevant sections.

Appendices

- Appendix A: Updated Bylaw Fee Schedule (increased most fees comparable to surrounding towns), formatting updates
- Appendix B: Removed 'Guide to Permitting' from regulations added 'Resource Area Delineation Policy'
- Appendix C: Changed title to Submittal of Information