

March 12, 2026

Conservation Commission
210 Central Street
Hingham, MA 02043

RE: 58 Bonnie Brier Circle (Assessors Lot 22-21)
Notice of Intent – Proposed Raze and Rebuild Single Family Dwelling
Applicant – Richard and Mary D'Ambrosia

Dear Commission Members:

On behalf of the applicant, we hereby submit the revised Site Plan and additional information. The revisions are in response to review comments from Conservation Officer, Shannon Palmer, in an email dated March 11, 2026. The response to comments are as follows:

Comments from the review are shown in *Italic* font and response to comments in **Bold** font.

- The project description does not sufficiently describe existing conditions or proposed work within jurisdictional areas and does not include required information or photos per the NOI Checklist. Please expand to include current site condition (including all wetland resource area descriptions or reference to wetland delineation memo, existing structures, Flood Zone, ACEC, etc.) and details on all proposed work (size of dwelling, dimensions and materials for new deck, driveway material, required grading, utility installation, etc.)*
The project narrative has been revised to include a more detailed description of the existing conditions and proposed project as requested. Photos of the site have been provided as requested. All information from the NOI checklist has been provided as requested.
- In accordance with the NOI Checklist, please submit 11x17 copies of project plan.*
An 11x17 copy of the project plan has been provided as requested.
- Please review NOI checklist for recommended site plan color coding for resource areas. The wetland should be labeled as Salt Marsh as applicable.*
The colors have been added to resource areas and wetland identified as salt marsh as requested.
- BVW Determination forms were not submitted with the application as required by the NOI checklist. Based on the site and apparent marsh boundary, staff will waive the determination forms in this case, however the Wetland Summary Form must indicate how the Salt Marsh boundary was identified. Also, please indicate how the boundary of Riverfront Area was delineated (refer to definition of mean high water under 310 CMR 10.23 for tidal rivers.)*

It is our understanding that the Wetland Summary Form prepared by Wetland Scientist, John Zimmer meets the criteria under the Resource Area Delineation Policy. The boundary of the riverfront area is based on the approximate mean high water line of the Weir River.

- *The NOI does not include a performance standards analysis for compliance with the Wetlands Protection Act Regulations, 310 CMR 10.58(5) for redevelopment in the RA. Please provide.*

The performance standards analysis for compliance with 10.58(5) have been provided as requested.

- *The WPA Form 3 page 7: C.4 and 5 should be checked yes for ACEC and ORW.*
All proposed work and limit of work is located outside of the ACEC and ORW which is associated with the 100 year flood plain, therefore the project is not located within an ACEC and ORW. The mitigation plantings have been relocated outside of the 100 year flood plain.

- *Will any work (demolition of structures) take place on the abutting property? If so, permission is required via owner signature.*

All work will take place within the current lines of occupation or fence lines. Based on the survey it may require a small portion of work on the abutting property to the northwest. A signature from the abutter shall be provided if required.

If you have any questions please do not hesitate to contact us.

Sincerely,
GRADY CONSULTING, L.L.C.



Paul Seaberg
Project Manager

Cc: Richard and Mary D'Ambrosia
58 Bonnie Brier Circle
Hingham, MA 02043

Department of Environmental Protection
Southeast Regional Office
20 Riverside Drive
Lakeville, MA 02347

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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. 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 sending 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 sending the complete NOI to the MA Natural Heritage & Endangered Species Program (NHESP) if applicable (certified mail receipt from the post office)
- ☐ Proof of sending the complete NOI to the MA Division of Marine Fisheries (DMF) Gloucester office, if applicable (copy of email sent to dmf.envreview-north@mass.gov.)
- ☐ For projects proposing any work on a dock or pier or other work in the harbor, email copy of application and plan to the Town of Hingham Harbor Master at CorsonK@hpd.org (with email copy to conservation@hingham-ma.gov)
- ☐ The Conservation Commission's [Policy of Receipt of Information](#) signed by the applicant or applicant's representative
- ☐ Optional: [Voluntary 21 Day Waiver](#) and [Permission for Site Access](#)

Narrative

The project proposes to raze and rebuild an existing single family dwelling within 100' of a wetland resource area. The project site is located at 58 Bonnie Brier Circle, Assessor's Parcel 22-21, consisting of 6,643 sf.

The property is currently developed with a single family dwelling. There is a paved driveway on the westerly side of the property and existing home, an existing deck on the rear of the house, and a shed located to the northwest of the house. The existing vegetation consists of a few scattered trees with existing maintained lawn area and a salt marsh in the rear of the property. The existing utilities consist of town water and sewer, gas and overhead electric services. The topography of the site slopes from the street down to the salt marsh. The resource areas consist of salt marsh, flood zone AE elevation 10, and 200' riverfront area associated with the Weir River. A portion of the site that is located within the flood zone falls within an Area of Critical Environmental Concern and Outstanding Resource Waters.

The applicants are proposing to raze the existing dwelling, and construct a new single family home with a paved driveway and deck in the rear. The project proposes to connect to the existing water, sewer, gas and electric services that currently serve the property. The proposed grading and site is consistent with the existing topography. The project proposes to decrease the impervious coverage within the 50' buffer zone from 36 sf to 24 sf, a reduction of 2 sf and increase the impervious coverage within the 50-100' buffer zone from 1,543 sf to 1,659 sf, an increase of 116 sf. The project proposes 1:1 mitigation to impervious coverage in accordance with the buffer zone mitigation policy consisting of 116 sf of native plantings. The proposed house is located further from the resource areas, and the proposed deck is located no closer to the resource area than the existing deck. Dimensions of the proposed structures are detailed on the Site Plan. The project is not located within an ORW or ACEC as there is no proposed work within this area of the site. There is a silt sock erosion control barrier located between the proposed work and resource area and a construction entrance is proposed.

The project meets the performance standards of the Hingham Wetland Regulations as follows:

18.0. LAND BORDERING ON THE OCEAN

18.4. Salt Marshes

d) Performance Standards. When a Salt Marsh or land within a minimum distance of 100 feet of a Salt Marsh is determined to be significant to a wetland value, the following regulations shall apply:

(1) A proposed project shall not cause any adverse effect or cumulative adverse effect upon salt marsh productivity and wetland values of a salt marsh.

The project will have no adverse effects on the Salt Marsh. No work is proposed within this resource area. All proposed work is located greater than 50' from the resource area with the exception of removing a small portion of an existing deck and proposed new deck. A silt sock erosion control barrier is proposed between the resource area and limit of work. 116 sf of mitigation planting are proposed along the rear property line and perimeter of the salt marsh.

(2) Notwithstanding the above provisions, no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate, as identified by procedures established under 310 CMR 10.37.

No work is proposed within this resource area. All proposed work is located greater than 50' from the resource area with the exception of removing a small portion of an existing deck and proposed new deck. The site is not located within an NHESP priority habitat.

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

22.0. RIVERS

d) Performance Standards.

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

2) Notwithstanding the above, a river is any natural flowing body of water that empties to any ocean, lake, pond, other river, stream or wetland and which flows throughout the year. Perennial rivers, streams and creeks are rivers; intermittent streams are not.

Notwithstanding 310 CMR 10.58, the burden of proof shall be on any applicant to show that a river, stream or creek is not perennial (i.e., is intermittent).

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

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

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

The project site is a single family residence. The lot size is only 6,624 sf and is entirely developed. The project proposes to raze and rebuild the existing single family dwelling. The proposed dwelling is located in the same location as the existing dwelling in previously altered and degraded riverfront area. There are no feasible alternatives that would result in less potential impacts to the riverfront area. There are no other feasible alternative locations for the house. The house is located as far from the resource area as possible and is in the same location as the existing house to be razed.

(6) Notwithstanding the above provisions, no project may be permitted which will have any adverse effect on specified habitat of rare vertebrate or invertebrate and rare plant species, as identified by procedures established under 310 CMR 10.59.

The project site is not located within a NHESP habitat.

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

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

Riverfront Area

10.58: Redevelopment Within Previously Developed Riverfront Areas; Restoration and Mitigation.

5. Notwithstanding the provisions of 310 CMR 10.58(4)(c) and (d), the issuing authority may allow work to redevelop a previously developed riverfront area, provided the proposed work improves existing conditions. Redevelopment means replacement, rehabilitation or expansion of existing structures, improvement of existing roads, or reuse of degraded or previously developed areas. A previously developed riverfront area contains areas degraded prior to August 7, 1996 by impervious surfaces from existing structures or pavement, absence of topsoil, junkyards, or abandoned dumping grounds. Work to redevelop previously developed riverfront areas shall conform to the following criteria:

The project proposes to raze and rebuild an existing single family dwelling within an existing developed riverfront area. The proposed project is an improvement as the proposed structure and driveway will be further from the resource area than the existing structure and driveway.

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

The proposed house is located primarily within the same location as the existing house. The proposed project is an improvement as the proposed structure and driveway will be further from the resource area than the existing structure and driveway

- b. Stormwater management is provided according to standards established by the Department.

There are no stormwater standards for a single family dwelling.

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

The proposed dwelling is further from the river than the existing dwelling.

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

This is not feasible as almost the entire site is located within the riverfront area.

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

All proposed work is located within the previously developed and degraded riverfront area.

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

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

Not applicable. The project does not propose restoration of degraded riverfront area.

- g. When an applicant proposes mitigation either on-site or in the riverfront area within the same general area of the river basin, alteration may be allowed notwithstanding the criteria of 310 CMR 10.58(5)(c), (d), or (e) at a ratio in square feet of at least 2:1 of mitigation area to area of alteration not conforming to the criteria or an equivalent level of environmental protection where square footage is not a relevant measure. Alteration not conforming to the criteria shall begin at the riverfront area boundary. Mitigation may include off-site restoration of riverfront areas, conservation restrictions under M.G.L. c. 184, §§ 31 through 33 to preserve undisturbed riverfront areas that could be otherwise altered under 310 CMR 10.00, the purchase of development rights within the riverfront area, the restoration of bordering

vegetated wetland, projects to remedy an existing adverse impact on the interests identified in M.G.L. c. 131, § 40 for which the applicant is not legally responsible, or similar activities undertaken voluntarily by the applicant which will support a determination by the issuing authority of no significant adverse impact. Preference shall be given to potential mitigation projects, if any, identified in a River Basin Plan approved by the Secretary of the Executive Office of Energy and Environmental Affairs.

Not applicable. The project does not propose mitigation other than elevating the existing structure and removal of structures within the riverfront area.

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

Not applicable.

22.0. BUFFER ZONE

d) Performance Standards.

(1) The intent of the Conservation Commission is to move all structures and activities as far away as possible from any Resource Area, in order to protect the wetland values of Resource Areas.

The proposed deck, is located approximately 47.6' from the salt marsh. The closest work to the resource area is the limit of work located 45' from the salt marsh. The existing vegetated buffer zone shall be retained. 116 sf of mitigation planting are proposed along the rear property line and perimeter of the salt marsh.

(2) Except as otherwise specified, Resource Area buffers shall be retained and maintained in a naturally vegetated condition. Where buffer disturbance has occurred during construction, revegetation with native vegetation may be required.

The existing vegetated buffer zone shall be retained. 116 sf of mitigation planting are proposed along the rear property line and perimeter of the salt marsh.

(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.

The existing vegetated buffer zone shall be retained. 116 sf of mitigation planting are proposed along the rear property line and perimeter of the salt marsh.

(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.

Not applicable.

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

23.0. PROJECT-SPECIFIC PERFORMANCE STANDARDS

23.3. Landscaping

No new lawns or driveways may be constructed within 50 feet of any Resource Area, as defined in HWR 2.00 (1-5).

There are no new lawns or driveways proposed within 50 feet of any Resource Area.

23.6. Filling

a) No fill shall be placed in any Resource Area or any buffer zone so as to alter the flow of surface water in a way that the Conservation Commission feels will adversely affect the wetland values of the Resource Area(s).

The project proposes to maintain existing grades. There is minimal grading proposed.

b) No filling or excavation or other alteration of salt marshes shall be permitted.

Not applicable.

c) The Commission at its discretion may allow the filling of up to 2,500 square feet of Vegetated Wetland for a limited project, if satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area. If filling is allowed, the Commission shall require replication of the wetland at a ratio of at least 2:1, in an area that is hydrologically suitable for supporting wetland functions, similar in type or function to the wetland being altered, hydrologically connected to the altered wetland, and must be accomplished by using wetland soils and by using native wetland plant species removed from the area to be filled. The replicated wetland must be established prior to commencing the upland activity. The replicated wetland must be monitored for at least two growing

seasons and must be maintained as a functional wetland with wetland values at least equaling those of the filled wetland for at least five years following the completion of the main project.

Not applicable.

d) Compatible fill shall be used for beach and dune nourishment projects. Compatible fill means clean sediment of a grain size that is approximately the same as the area being nourished (e.g., if the area being nourished consists of gravel, sand, silt or clay, then the fill brought in for nourishment should be gravel, sand, silt or clay). Clean means the sediment does not contain contaminants and is free of debris.

Not applicable.

e. Dumping of lawn wastes, brush or leaves or other materials or debris is not permitted in any Resource Area.

Not applicable.

f. The Commission is authorized to deny any filling of any Resource Area in order to protect the wetland values of the Resource Area.

Not applicable.

Site Photos



