

NOTICE OF INTENT
Swimming Pool Patio & Hardscaping
Massachusetts Wetlands Protection Act
M.G.L. c. 131, §40 &
Town of Hingham Wetlands Protection Bylaw

Project Location
33 Gardner Street
Assessor's Parcel: Map 179 Block 23

Applicants/Owners
Kimberly Donlan Holmes
33 Gardner Street
Hingham, MA 02043

Date: July 13, 2026

Prepared by:



10 New Driftway, Suite 303
P.O. Box 92
Scituate, MA 02066
Tel. 781.545.0895
GMorse@Morsecoinc.com

*Registered Professional Engineers, Land Surveyors
Project Managers & Environmental Consultant*

www.morsecoinc.com

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APPENDIX A

NOI Wetland Fee Transmittal Form
Town of Hingham By-Law Fee Schedule
Copy of Filing Checks

APPENDIX B

Certified List of Abutters
Abutter Notification Form
Affidavit of Service Form
Conservation Commission's Policy on Receipt of Information

APPENDIX C

Assessors Map
Locus Deed



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 A legal notice will not be published for an upcoming agenda until a complete application is received by the Conservation office.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](#)

PROJECT NARRATIVE

33 Gardner Street

Hingham, MA

1.0 Project Summary

The project application proposes to update existing hardscaping associated with a swimming pool, as well as propose new hardscaping, landscaping, and utility work, at 33 Gardner Street. The property is identified as Hingham Assessor's Parcel 179-0-23 and is approximately 60,766 square feet in size. The site has frontage along Gardner Street to the south and is abutted by developed residential properties.

The locus is currently developed, containing a single-family dwelling constructed circa 1965 with an associated paved driveway, brick walkways, fences, swimming pool and patios, and a mixture of lawn and wooded areas. A portion of these patios and a retaining wall were prematurely removed in the rear yard, but the property owner stopped all work so that the proper permits could be acquired.

The existing impervious areas on-site total approximately 9,091 square feet. The property slopes towards the north to the vegetated wetland resource area. Additional flow to the resource area is the result of a municipal drainage pipe in the southwestern corner of the property, though this pipe is not associated with any recorded easement.

The intent of the project is to complete the removal of the existing hardscaping adjacent to the swimming pool and replace it with a new permeable pool patio, hardscaping, and pool equipment. Also proposed are a new generator, propane tank, grill, and firepit, and the repair of an existing, dilapidated section of fence. There are no alterations to the existing swimming pool itself, which is to remain.

The proposed work shall not cause any significant alteration of drainage patterns. While the proposed work results in a decrease in impervious surfaces, two infiltration devices are proposed. The first is a 2-foot-deep and 3.5-foot-wide crushed stone infiltration trench wrapped in filter fabric, which shall receive overland flow from a portion of the driveway and roof. The second is a 2-foot-deep and 4-foot-wide crushed stone infiltration trench wrapped in filter fabric, with access provided by a landscape cover, whose purpose is to allow for subsurface infiltration of swimming pool water for seasonal maintenance.

No work is proposed to existing driveway. All new patio surfaces shall be constructed to be permeable, with 1/4" spacing and permeable sand in the joints and crushed stone underneath. The proposed retaining walls in the rear and side yard are all no higher than 2.75-feet in height.

No ledge was observed on-site or during the soil evaluation, and ledge removal is not expected to be required. Within the buffer zone, it is not proposed to remove any vegetation save for a few dying landscape or invasive plants. Per Hingham's policies, mitigation plantings have been prepared, as shown on the plan prepared by Laura Kuhn Design Consultation.

The resource areas at this site include a Bordering Vegetated Wetland and its Buffer Zone, which has been delineated by South River Environmental on August 22, 2025. The site does not contain any areas designated as Estimated or Priority Habitats for Endangered Species, does not lie within an Outstanding Resource Water or Area of Critical Environmental

Concern, and is not near any Potential or NHESP Certified Vernal Pools. The site is also located within a FEMA Zone X, per F.I.R.M Index Map 25023C 0084K, dated July 3, 2024.

2.0 Wetland Resource Areas & Impacts

Bordering Vegetated Wetlands (310 CMR 10.55)

The proposed work lies within the 100-ft buffer to a Bordering Vegetated Wetland, as delineated by South River Environmental on August 22, 2025. Bordering Vegetated Wetlands are likely to be significant to public or private water supply, groundwater supply, flood control, storm damage prevention, pollution prevention, and protection of fisheries and wildlife habitats. Vegetation, soils, and hydrologic indicators were used to establish the vegetated wetland boundary. The state and town performance standards for this resource area are provided below, with Morse responses in *italics*.

310 CMR 10.55(4) – General Performance Standards

- a. Where the presumption set forth in 310 CMR 10.55(3) is not overcome, any proposed work in a Bordering Vegetated Wetland shall not destroy or otherwise impair any portion of said area.

No work is proposed within the Bordering Vegetated Wetland, only its buffer zone.

- b. Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of up to 5000 square feet of Bordering Vegetated Wetland when said area is replaced in accordance with the following general conditions and any additional, specific conditions the issuing authority deems necessary to ensure that the replacement area will function in a manner similar to the area that will be lost:

1. the surface of the replacement area to be created ("the replacement area") shall be equal to that of the area that will be lost ("the lost area");
2. the ground water and surface elevation of the replacement area shall be approximately equal to that of the lost area;
3. The overall horizontal configuration and location of the replacement area with respect to the bank shall be similar to that of the lost area;
4. the replacement area shall have an unrestricted hydraulic connection to the same water body or waterway associated with the lost area;
5. the replacement area shall be located within the same general area of the water body or reach of the waterway as the lost area;
6. at least 75% of the surface of the replacement area shall be reestablished with indigenous wetland plant species within two growing seasons, and prior to said vegetative reestablishment any exposed soil in the replacement area shall be temporarily stabilized to prevent erosion in accordance with standard U.S. Soil Conservation Service methods; and
7. the replacement area shall be provided in a manner which is consistent with all other General Performance Standards for each resource area in Part III of 310 CMR 10.00.

In the exercise of this discretion, the issuing authority shall consider the magnitude of the alteration and the significance of the project site to the interests identified in M.G.L. c. 131, § 40, the extent to which adverse impacts can be avoided, the extent to which adverse impacts are minimized, and the extent to which mitigation measures, including

replication or restoration, are provided to contribute to the protection of the interests identified in M.G.L. c. 131, § 40.

Not applicable – no direct alteration to the Bordering Vegetated Wetland is proposed.

- c. Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of a portion of Bordering Vegetated Wetland when;
1. said portion has a surface area less than 500 square feet;
 2. said portion extends in a distinct linear configuration ("finger-like") into adjacent uplands; and
 3. in the judgment of the issuing authority it is not reasonable to scale down, redesign or otherwise change the proposed work so that it could be completed without loss of said wetland.

Not applicable – no direct alteration to the Bordering Vegetated Wetland is proposed.

- d. Notwithstanding the provisions of 310 CMR 10.55(4)(a),(b) and (c), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.

The work proposed is restricted to previously disturbed areas within the buffer zone and does not propose any negative alteration that would impact the habitats of rare vertebrate or invertebrate species. The work is also not located within an NHESP Priority or Estimated Habitat for Endangered Species area.

- 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.

The proposed work does not seek to directly alter any portion of the Bordering Vegetated Wetland and is not located within an ACEC.

HWR 19.3 Performance Standards: When a Vegetated Wetland, whether Bordering or Isolated, or land within a minimum distance of 100 feet of a Vegetated Wetland 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 the wetland values of a Vegetated Wetland.

The project is proposed within previously disturbed areas, decreases impervious surfaces, and proposes mitigation per Hingham's guidelines to enhance the buffer zone through native plantings and removal of lawn.

2. Where an Isolated Vegetated Wetland meets the criteria for a vernal pool, whether or not it has been certified, as described in HWR 19.1. Except as authorized by the Commission, no activity or alteration shall be permitted within 100 feet of a vernal pool, whether it be certified or uncertified but accompanied by credible evidence of its viability as a vernal pool. The 100 feet around the defined vernal pool boundaries shall be known as “Vernal Pool Protection Zone”. A proposed project shall not cause any adverse effect or cumulate adverse effect upon the wetland values of vernal pool habitat.

The buffer zone is not associated with an Isolated Vegetated Wetland but a Bordering Vegetated Wetland. There are no NHESP Potential or Certified Vernal Pools in the vicinity of the project.

3. 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 and resource areas are not located within NHESP Estimated or Priority Habitats for Rare Species.

4. Refer to HWR 23.0 et seq. for additional project-specific performance standards.

Responses regarding project-specific performance standards are included below.

5. Performance standards for activities or work proposed in the buffer zone to a Vegetated Wetland are specified in HWR 22.0.

Responses regarding Buffer Zone performance standards are included below.

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

We defer to the Commission for any such additional requirements they feel are necessary.

Hingham Wetland Regulations Section 22.0.D – Buffer Zone 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.

No changes to the swimming pool itself are proposed. The existing limit of the pool deck is 6.6-feet away from the resource area, while the proposed setback would be 4.4-feet. This change is required to provide a pool deck that is safe, meets current codes, and does not pose a trip hazard to those entering the pool, as the shallow end is on the wetland side.

Numerous improvements are being made to the site to provide new and improved protection for the resource area and its function. The proposed pool deck shall be pervious whereas the existing deck was impervious and is still limited to previously disturbed areas. The existing pool equipment and fire pit are being relocated to outside of the 50-foot buffer, and approximately 1,600 square feet of mitigation is proposed. Additionally, impervious areas on-site are decreasing by approximately 500 square feet, and a reduction in stormwater runoff rates and volumes is proposed.

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.

It is not proposed to reduce the vegetated areas of the buffer zone for this project, and no vegetation is proposed to be removed save for a few dying landscape or invasive plants. The mitigation area is proposed along the existing edge of clearing, which shall reduce lawn and improve the resource area's protection.

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.

A Conservation Mitigation area of approximately 1,577 square feet is proposed as part of this project, where only 1,358 square feet is required. This area is composed of native plantings that increase vegetation and reduce lawn areas within the Buffer Zone. Drainage improvements and a reduction in impervious areas will also benefit the resource area. For full details on the mitigation area, please refer to the plan prepared by Laura Kuhn Design Consultation.

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 site is not proposing any adverse effect on existing habitats for rare vertebrate or invertebrate species, and is not located in an NHESP Estimated or Priority Habitat for Endangered Species. All work is restricted to previously disturbed areas.

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

We defer to the Commission concerning any additional requirements they might deem necessary.

Project-Specific Performance Standards (HWR 23)

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

No changes to the swimming pool itself are proposed. The existing limit of the pool deck is 6.6-feet away from the resource area, while the proposed setback would be 4.4-feet. This change is required to provide a pool deck that safe, meets current codes, and does not pose a trip hazard to those entering the pool, as the shallow end is on the wetland side.

Numerous improvements are being made to the site to provide new and improved protection to the resource area and its function. The proposed pool deck shall be pervious whereas the existing deck was impervious and is still limited to previously disturbed areas. The existing pool equipment and fire pit are being relocated to outside of the 50-foot buffer, and approximately 1,600 square feet of mitigation is proposed. Additionally, impervious areas on-site are decreasing by

approximately 500 square feet, and a reduction in stormwater runoff rates and volumes is proposed.

- 23.2.2. 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 swimming pool is a pre-existing structure that was built in the 1970s. No changes are being made to the pool itself, only updates to the pool deck and pool equipment. A mitigation area more than what is required is proposed to enhance the Buffer Zone.

- 23.2.3. 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).

The swimming pool is a pre-existing structure that was built in the 1970s. The Applicant is not proposing any work on the swimming pool, only its associated pool deck and equipment. See responses above concerning the setback between the wetland resource area and the pool deck.

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

No new lawns or driveways are proposed in the 50-ft buffer. The project proposes a reduction in lawn areas and impervious areas.

- 23.5 No underground storage tank for oil or hazardous material is permitted in any Resource Area as described in HWR 2.00 (1-5, 7) or within 50 feet of these areas, or within the Inner or Outer Riparian Zone.

A new propane tank is proposed, approximately 80-feet away from the wetland resource area. The site does not lie within a Riverfront Area.

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

No new structures are proposed within the 50-foot buffer, and new retaining walls have been placed as far from the resource area as possible and have been reduced in height as much as practicable given existing site topography.

- 23.7.b. The Commission may at its discretion allow a proposed structure on a wall-type foundation within 100 to 50 feet of the Resource Area, as defined in HWR 2.0 (1-5), if satisfied that mitigation required in the Order of Conditions is sufficient to protect the Resource Area.

The only proposed structure within the 50-100 foot Buffer Zones are retaining walls that are 2.75-feet in height or less. A mitigation area is proposed per Hingham's regulations.

- 23.7.c. No mitigation is sufficient to allow a structure on a wall-type foundation less than 50 feet from a Resource Area, as defined in HWR 2.0 (1-5).

No new structure is proposed within 50-ft of the Resource Areas.

3.0 Construction Phase Mitigating Measures

The following are mitigating measures that will be employed to ensure that impacts to wetland interests protected under the Town of Hingham Wetlands Protection Bylaw and the Wetlands Protection Act are minimized to the extent possible.

Erosion and Sedimentation Control

The potential for temporary impacts to wetlands due to erosion and migration of sediments into adjacent wetlands will be mitigated by adherence to basic erosion control practices. These include:

1. Install staked 12” diameter mulch sock and/or silt fence (as directed by Conservation Agent) at the upland edge of the limit of work as shown on the Site Plan. This erosion control barrier shall be installed prior to earthwork at the site. An additional stockpile of siltation fence, and stakes will be stored on site for use in repairing the erosion control barrier as needed. Inspections of the erosion control barrier shall be made weekly and after all significant rainfall events.
2. Clearly define the limits of work in the field in order to minimize the extent of clearing and soil disturbance.
3. Regrade, loam, and install plants or seed lawn on exposed soil areas immediately following construction.



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

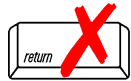
Document Transaction Number

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):

33 Gardner Street

a. Street Address

Hingham

b. City/Town

02043

c. Zip Code

Latitude and Longitude:

42.188440

d. Latitude

-70.886170

e. Longitude

Map 179

f. Assessors Map/Plat Number

Lot 23

g. Parcel /Lot Number

2. Applicant:

Kimberly

a. First Name

Donlan Holmes

b. Last Name

33 Gardner Street Trust

c. Organization

33 Gardner Street

d. Street Address

Hingham

e. City/Town

MA

f. State

02043

g. Zip Code

781-626-3376

h. Phone Number

i. Fax Number

ksdonlan@gmail.com

j. Email Address

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

a. First Name

b. Last Name

c. Organization

d. Street Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Paul

a. First Name

Gunn, P.E.

b. Last Name

Morse Engineering Company, Inc.

c. Company

(781) 545-0895

d. Street Address

Hingham

e. City/Town

MA

f. State

02043

g. Zip Code

(781) 545-0895

h. Phone Number

(781) 545-9895

i. Fax Number

pgunn@morsecoinc.com

j. Email address

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

\$220

a. Total Fee Paid

\$97.50

b. State Fee Paid

\$122.50

c. City/Town Fee Paid



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WPA Form 3 – Notice of Intent

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Provided by MassDEP:

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Hingham

City/Town

A. General Information (continued)

6. General Project Description:

The project involves the replacement of an existing pool deck, the relocation of pool equipment, the installation of a generator and propane tank, and the construction of new permeable hardscaping.

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 CMR 10.24(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

57260

c. Book

b. Certificate # (if registered land)

76

d. Page Number

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

- ☒ 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.
- ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

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City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. ☐ Bank	1. linear feet	2. linear feet
b. ☐ Bordering Vegetated Wetland	1. square feet	2. square feet
c. ☐ Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. ☐ Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. ☐ 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
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Provided by MassDEP:

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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. ☐ Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. ☐ Land Under the Ocean	1. square feet _____ 2. cubic yards dredged _____	
c. ☐ Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. ☐ Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. ☐ Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. ☐ Coastal Banks	1. linear feet _____	
g. ☐ Rocky Intertidal Shores	1. square feet _____	
h. ☐ Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. ☐ Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. ☐ Land Containing Shellfish	1. square feet _____	
k. ☐ 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. ☐ 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

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hingham

City/Town

C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

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

2026 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/mas-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:

MassDEP File Number

Document Transaction Number

Hingham

City/Town

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

Online Users:

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

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
 - a. ☐ Yes ☒ No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
 - b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
 - a. ☐ Yes ☒ No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
 - a. ☐ Yes ☒ No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
 - a. ☐ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
 1. ☐ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. ☐ A portion of the site constitutes redevelopment
 3. ☐ Proprietary BMPs are included in the Stormwater Management System.
 - b. ☒ No. Check why the project is exempt:
 1. ☒ Single-family house
 2. ☐ Emergency road repair
 3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hingham

City/Town

D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Site Plan

a. Plan Title

Morse Engineering Company, Inc.

Paul G. Gunn, P.E.

b. Prepared By

c. Signed and Stamped by

7/13/2026

1" = 20'

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☐ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

6494

7/14/2026

2. Municipal Check Number

3. Check date

6493

7/14/2026

4. State Check Number

5. Check date

Morse Engineering Company, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hingham

City/Town

F. Signatures and Submittal Requirements

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

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

Kimberly S. McLean, Trustee

1. Signature of Applicant

6-25-26

2. Date

3. Signature of Property Owner (if different)

4. Date

7/13/2026

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.

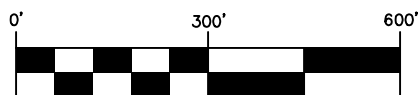
For MassDEP:

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.



SCALE: 1" = 300'

FLOOD INSURANCE RATE MAP (F.I.R.M.)
PANEL NO: 25023C 0082K
EFFECTIVE DATE: JULY 3, 2024

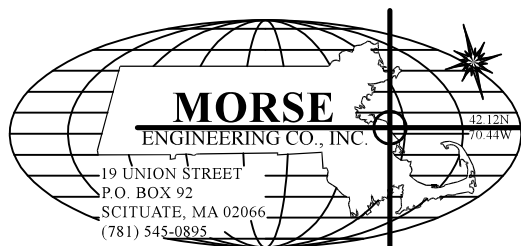
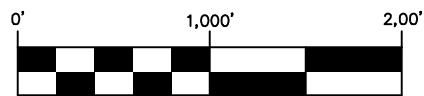
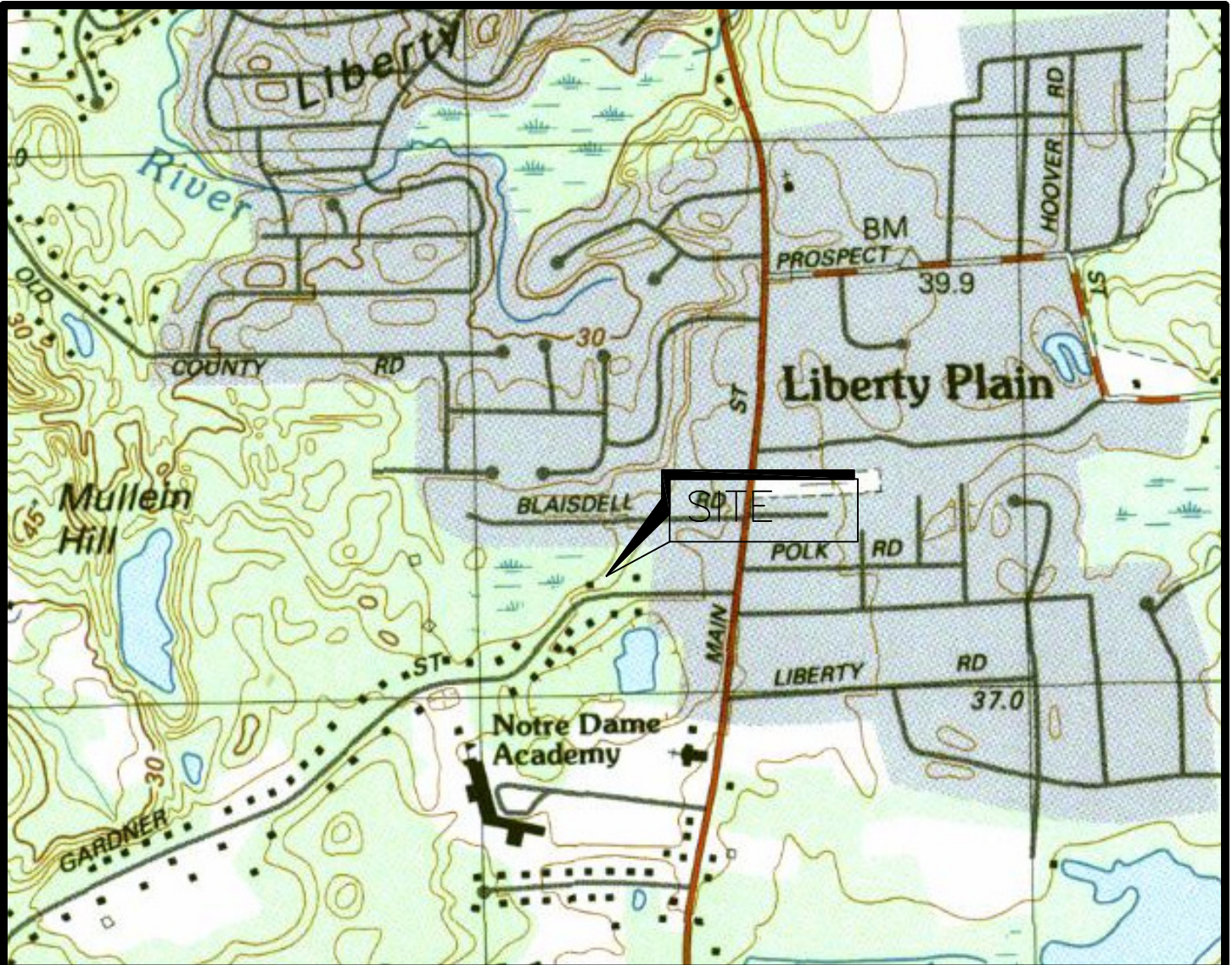


FIGURE — 2

FEMA FLOOD MAP
33 GARDNER STREET
HINGHAM, MASSACHUSETTS



SCALE: 1" = 2,000'

U.S. GEOLOGICAL SURVEY
7.5 X 15 MINUTE SERIES

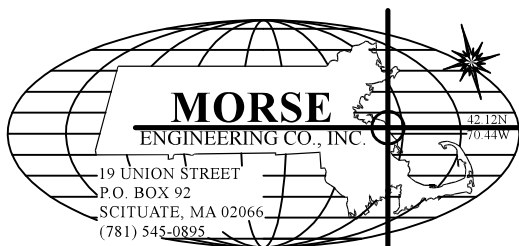


FIGURE — 1

USGS LOCUS MAP
33 GARDNER STREET
HINGHAM, MASSACHUSETTS

APPENDIX A

NOI Wetland Fee Transmittal Form

Town of Hingham By-Law Fee

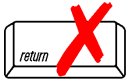
Schedule

Copy of Filing Checks



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:

33 Gardner Street

a. Street Address

6493

c. Check number

Hingham

b. City/Town

\$97.50

d. Fee amount

2. Applicant Mailing Address:

Kimberly

a. First Name

Donlan Holmes

b. Last Name

33 Garnder Street Trust

c. Organization

33 Gardner Street

d. Mailing Address

Hingham

e. City/Town

MA

f. State

02043

g. Zip Code

781-626-3376

h. Phone Number

i. Fax Number

ksdonlan@gmail.com

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
1.) Category 1: Hardscaping	1	1	\$110
2.) Category 1: Generator/Propane	1	1	\$110
Step 5/Total Project Fee:			\$220

Step 6/Fee Payments:

Total Project Fee:	\$220
	a. Total Fee from Step 5
State share of filing Fee:	\$97.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	\$122.50
	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.)

TOWN OF HINGHAM
REVISED WETLANDS PROTECTION BY-LAW FEES
February 10, 2017

ADMINISTRATIVE REVIEWS	\$ 30.00	
REQUESTS FOR DETERMINATION OF APPLICABILITY*	\$ 50.00	For ancillary work on an existing single family house and all other requests for the first acre of land.
	\$ 40.00	For each additional acre of land.
NOTICES OF INTENT*	Category 1	\$ 100.00
	Category 2	\$ 250.00
	Category 3	\$ 525.00
		Commercial
		\$ 1,000.00
		Subdivision (+ \$25.00 per house lot)
	Category 4	\$ 725.00
	Category 5	\$3.00/foot
		Not less than \$100.00.
EXTENSIONS	\$ 100.00	Residential
	\$ 300.00	Commercial/Subdivision
CERTIFICATES OF COMPLIANCE	\$ 50.00	Residential
	\$ 100.00	Commercial/Subdivision
BOUNDARY DELINEATIONS	\$ 3.00/foot	Not less than \$100.00 and not more than \$200.00 for activities associated with a single family house or \$2,000.00 for all other activities.
REQUESTS FOR AMENDMENTS TO ORDERS OF CONDITIONS	\$ 25.00	Residential
	\$ 200.00	Commercial/Subdivision

NOTE: These Bylaw fees are in addition to the fees pursuant to the Massachusetts Wetlands Protection Act (WPA; M.G.L. c. 131, § 40). The Bylaw fee and the Town's share of the WPA fee should be submitted on separate checks, payable to the **Town of Hingham**.

***Fees for filings received after a project has commenced are double the fee listed.**

**TOWN OF HINGHAM
CALCULATED FEE STATEMENT
NOTICE OF INTENT FILINGS**

Activity definition: anywhere the footprint is changing or site work occurs constitutes a new activity.

Category	Activity Letter(s)	Quantity	Fee/Activity	Fee
1	a	2	\$100.00	\$200
2			\$250.00	
3		Commercial	\$525.00	
		Subdivision	\$1,000.00	
4			\$725.00	
5			\$3.00/foot	
Circle activities below.				TOTAL \$200

WETLAND FEE CATEGORY SUMMARY

CATEGORY 1: \$100.00

- a) Work on Single Family Lot: addition, pool, etc.
- b) Site work without house
- c) Control vegetation (SFH): removal, herbicide, etc.
- d) Resource improvement.
- e) Work on septic system separate from house.
- f) Monitoring well activities minus roadway.

CATEGORY 2: \$250.00

- a) Construction of Single Family House (SFH).
- b) Parking lot.
- c) Beach nourishment.
- d) Electric Generating Facility activities.
- e) Inland Limited Projects minus road crossings.
- f) New agricultural or aquacultural projects.
- g) Each crossing for driveway to SFH.
- h) Any point source discharge.

CATEGORY 3: \$525.00/\$1,000.00

- a) Site preparation (for development beyond NOI scope).
- b) Each building (for development) including site.
- c) Road construction not crossing or driveway.
- d) Hazardous clean up.

CATEGORY 4: \$725.00

- a) Each crossing for development or commercial road.
- b) Dam, sluiceway, tidegate work.
- c) Landfill.
- d) Sand and gravel operation.
- e) Railroad line construction.
- f) Control vegetation in development (SFH).
- g) Bridge (SFH).
- h) Water level variation.
- i) Hazardous waste alterations to resource area.
- j) Dredging.
- k) Package treatment plant & discharge

CATEGORY 5: \$3.00 per linear foot (\$100.00 minimum)

- a) Docks, piers, revetments dikes, etc. (coastal or inland)

MORSE ENGINEERING COMPANY, INC.

53-447/113

6494

P.O. Box 92
Scituate, MA 02066PAY
TO THE
ORDER OFTown of ~~Abenett~~^{CVS} Hingham

DATE

7/14/26

\$ 122.50

One Hundred and Twenty Two and 50/100

DOLLARS

ROCKLAND TRUST
ROCKLAND, MASSACHUSETTS

MEMO:

33 Gardner

Cyril K. Sweeney

AUTHORIZED SIGNATURE

DETAILS ON BACK

SECURITY FEATURES INCLUDED

MORSE ENGINEERING COMPANY, INC.

53-447/113

6495

P.O. Box 92
Scituate, MA 02066PAY
TO THE
ORDER OF

Town of Hingham

DATE

7/14/26

\$ 200.00

Two Hundred and 00/100

DOLLARS

ROCKLAND TRUST
ROCKLAND, MASSACHUSETTS

MEMO:

33 Gardner

Cyril K. Sweeney

AUTHORIZED SIGNATURE

DETAILS ON BACK

SECURITY FEATURES INCLUDED

MORSE ENGINEERING COMPANY, INC.

53-447/113

6493

P.O. Box 92
Scituate, MA 02066PAY
TO THE
ORDER OF

Commonwealth of Massachusetts

DATE

7/14/26

\$ 97.50

Ninety Seven and 50/100

DOLLARS

ROCKLAND TRUST
ROCKLAND, MASSACHUSETTS

MEMO:

33 Gardner St.

Cyril K. Sweeney

AUTHORIZED SIGNATURE

DETAILS ON BACK

SECURITY FEATURES INCLUDED

APPENDIX B

Certified List of Abutters

Abutter Notification Form

Affidavit of Service Form

Conservation Commission's Policy on
Receipt of Information

TOWN OF HINGHAM

BOARD OF ASSESSORS



CERTIFICATION SHEET

Property Address: 33 Gardner Street

Parcel ID: 179-0-23

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

Ken M. Went
John M. R.
Sam Abbott

CERTIFICATION DATE June 25, 2026

Parcel ID: 179-0-23
DONLAN JOSEPH E &
33 GARDNER STREET TRUST
33 GARDNER STREET
HINGHAM, MA 02043

Parcel ID: 179-0-2
FOSKETT CATHY A
81 GARDNER STREET
HINGHAM, MA 02043

Parcel ID: 179-0-20
ADAMS KELLY L
24 BLAISDELL ROAD
HINGHAM, MA 02043

Parcel ID: 179-0-28
LOMBARDO FRANCESCA
49 GARDNER STREET
HINGHAM, MA 02043

Parcel ID: 179-0-32
WHITE LISA M
28 GARDNER STREET
HINGHAM, MA 02043

Parcel ID: 179-0-35
ENGLISH WILLIAM S & EDNA
36 GARDNER STREET
HINGHAM, MA 02043

Parcel ID: 179-0-91
NEWLAND HILARY TT
HILARY NEWLAND 2025
4 FOX RUN WAY
HINGHAM, MA 02043

Parcel ID: 179-0-92
KAVOOGIAN CHARLES &
2 FOX RUN WAY
HINGHAM, MA 02043

NOTIFICATION TO ABUTTERS

Under the MA Wetlands Protection Act and
Hingham Wetlands Protection By-Law

In accordance with the second paragraph of the Massachusetts General Laws Ch. 131 §40, and Section 7.5 of the Hingham Wetland Regulations, you are hereby notified of the following:

_____ has filed a _____
Applicant Name *Application Type*

with the Town of Hingham Conservation Commission seeking permission to remove, fill, dredge, or alter an Area Subject to Protection under the Wetlands Protection Act, M.G.L. Ch. 131 §40, and/or the Town of Hingham Wetlands Protection By-Law [Article 22].

The address of the property where work is proposed: _____

The proposed work includes: _____

Copies of the application may be examined at the Conservation Office located at Hingham Town Hall, 210 Central Street, Hingham, MA during the following business hours:

Monday, Wednesday, Thursday: 7:30AM- 5:00PM

Tuesday: 7:30AM - 7:00PM

Fridays: closed

For more information, to request copies of the application, or obtain information about the public hearing please contact the Conservation Office at (781)741-1445 or by emailing Conservation@hingham-ma.gov

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

An Administrative fee may be applied for providing copies of the application or plans.

Notice of the public hearing, including the date, time, and place will be published at least five (5) business days in advance of the hearing in the Patriot Ledger. Notice will also be posted on the town website at least forty-eight (48) hours in advance of the public hearing. <https://www.hingham-ma.gov/>

The Department of Environmental Protection (DEP) Southeast Regional Office can also provide information about this application or the MA Wetlands Protection Act. DEP is located at 20 Riverside Drive, Lakeville, MA 02347 and can be reached by telephone at (508) 946-2700.

AFFADAVIT OF SERVICE
Under the MA Wetlands Protection Act and
Hingham Wetlands Protection Bylaw

(To be submitted to the Hingham Conservation Commission and the MA Department of
Environmental Protection when filing an application requiring abutter notification)

I, _____, hereby certify under the pains and penalties
Name of person making Affidavit

of perjury that on _____ I gave notification to abutters in compliance with the
Date

second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the Hingham

Wetlands Protection Bylaw and Wetland Regulations, by _____ in
Type of Service

connection with the following matter:

A Notice of Intent ☐ or Abbreviated Notice of Resource Area Delineation ☐ was filed under the
MA Wetlands Protection Act and/or Hingham Wetlands Protection Bylaw with the Hingham
Conservation Commission on:

_____ for property located at _____
Date *Property Address*

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


Signature

7/15/2026

Date

HINGHAM WETLAND REGULATIONS

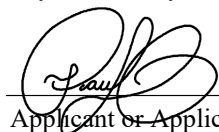
APPENDIX C

Policy on Receipt of Information

(Revised March 4, 2024)

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

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

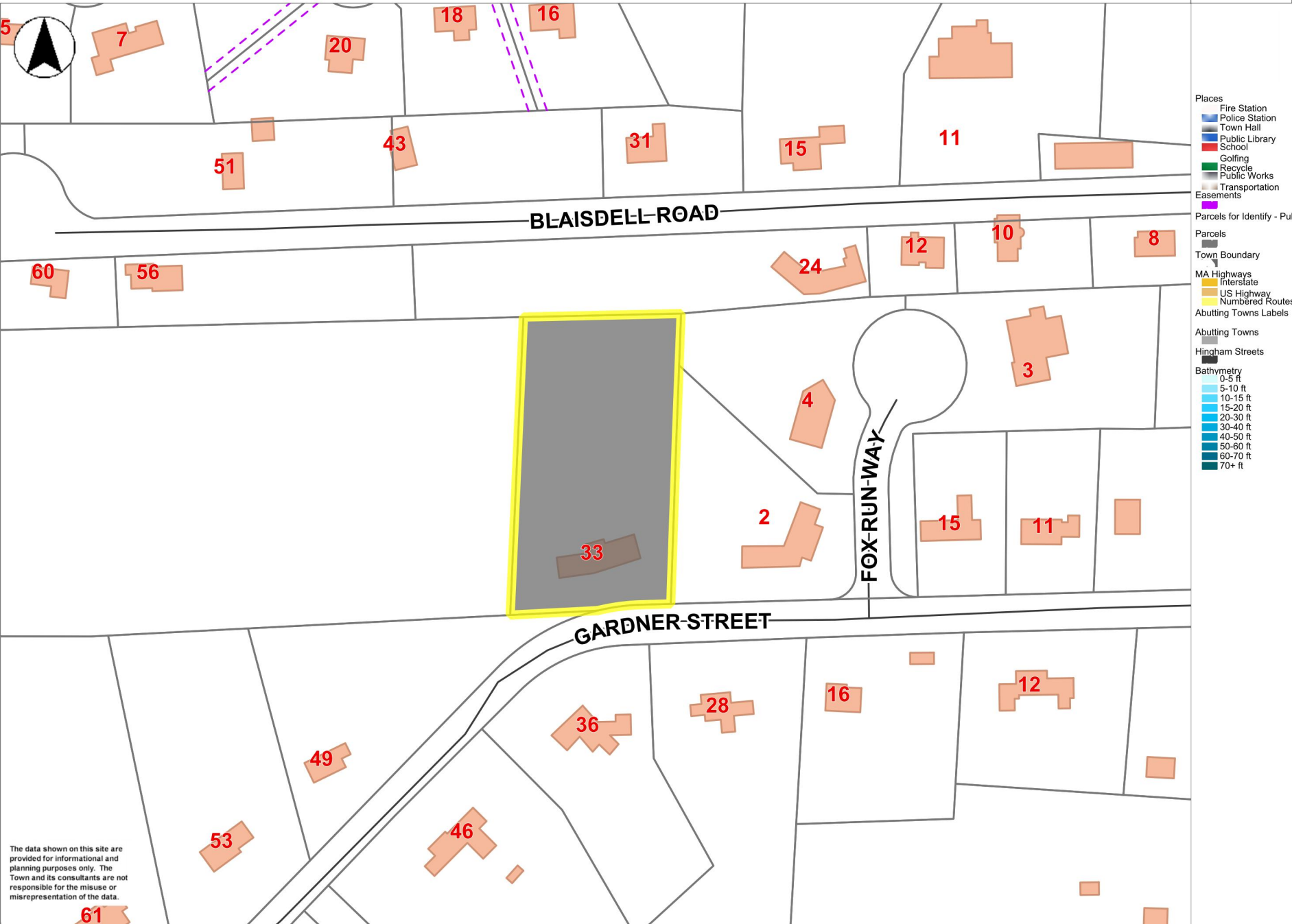


Applicant or Applicant's Representative Signature

7/13/2026

Date

APPENDIX C
Assessors Map
Locus Deed



MASSACHUSETTS QUITCLAIM DEED

Property Address: 33 Gardner Street, Hingham, Massachusetts

Joseph E. Donlan and Kimberly S. Donlan, of Hingham, Massachusetts, for consideration paid and in full consideration of One and 00/100 Dollar (\$1.00) grant to Joseph E. Donlan and Kimberly S. Donlan, Trustees of the 33 Gardner Street Trust established under a Declaration of Trust dated September 28, 2021, and recorded herewith,

with **quitclaim covenants**

A certain parcel of land with the buildings thereon, situated in Hingham, Plymouth County, Massachusetts being shown as Lot 1 on a plan by Lewis W. Perkins & Sons, Eng'rs., dated May 6, 1966, recorded with Plymouth County Registry of Deeds, Plan Book 14, Page 376, and bounded and described according to said plan, as follows:

SOUTHERLY by Gardner Street and land now or formerly of Elser H. and Constance E. Wilson 184.20 feet;

WESTERLY by land now or formerly of Harold T. and Patricia E. Armstrong, 339.70 feet;

NORTHERLY by land now or formerly of Anthony J. and Corrine S. Hardy, 180.18 feet; and

EASTERLY by land now or formerly of Shirley I. Bok, 330.81 feet.

Area consists of 60,766 square feet of land.

For title reference, see Deed of Joseph E. Donlan, Kimberly S. Donlan and Theresa M. Seitz dated January 31, 2000, recorded with the Plymouth County Registry of Deeds in Book 18242, Page 162.



2022 00078057

Bk: 57260 Pg: 76 Page: 1 of 2

Recorded: 09/22/2022 01:10 PM

ATTEST: John R. Buckley, Jr. Register
Plymouth County Registry of Deeds

Joseph E. Donlan

Kimberly S. Donlan

property address and grantee address: 33 Gardner St., Hingham, Mass.

COMMONWEALTH OF MASSACHUSETTS

Plymouth, ss.

OCTOBER 20, 2021

On this 20th day of OCTOBER, 2021, before me, the undersigned notary public, personally appeared Joseph E. Donlan and Kimberly S. Donlan, proved to me through satisfactory evidence of identification which was/were duly issued state driver's license(s) or [] (applicable only if completed) to be the person(s) whose name(s) is/are signed on the preceding or attached document and acknowledged to me that he/she/they signed it voluntarily for its stated purpose.

KMSullivan

Notary Public: Kathleen M Sullivan

My Commission Expires: February 26, 2027



KATHLEEN M. SULLIVAN
Notary Public
Commonwealth of Massachusetts
My Commission Expires February 26, 2027