



Environmental Consulting & Restoration, LLC



RESPONSE TO STAFF COMMENTS

TO: Hingham Conservation Commission

FROM: Brad Holmes

DATE: April 30, 2026

RE: 18 Shipyard Drive, Hingham

Please include this Response to Staff Comments with the Notice of Intent (NOI) application under review for the proposed patio project at 18 Shipyard Drive in Hingham (the Site). This submittal responds to the 4/28/26 email with comments as noted below with our response following in italic:

- WPA Form 3 indicates the total riverfront on the lot is 64,280 SF. Please clarify how this was calculated.

Response – ECR calculated the total amount of Riverfront Area for 18 Shipyard Drive (assessors map 35-0-54) using MassGIS, which totaled approximately 64,280 sq. ft. Engineering calculations using Autocad calculate 65,200 square feet of Riverfront Area at the site. The NOI form has been updated to correct this calculation. We note that the parcel was part of a larger Shipyard Redevelopment Project which included approximately 19.7 acres of Riverfront Area and at least 18.9 acres of Riverfront Area consisting of areas degraded prior to August 7, 1996. See Order of Conditions, DEP File No. 34-700, issued on January 28, 2003. The Conservation Commission found that all 19.7 acres of Riverfront Area qualified as previously developed Riverfront Area under 310 CMR 10.58(5).

- WPA Form 3 indicates the project is exempt from the stormwater standards, however the commercial project is not exempt. Please address.

Response – The proposed project has a reduction in the amount of existing impervious surface within the project area. The amount of stormwater generated as part of this project does not require stormwater management. The DEP form (WPA Form 3) does not offer check boxes for these scenarios. Please note that the Shipyard Redevelopment Project already includes stormwater management facilities to accommodate this area, which were designed and installed as part of the Hingham Shipyard redevelopment project.

- As required by Section D of WPA Form 3 and the Commission's Resource Area Delineation Policy, please identify the method for all resource area delineations (RA and Coastal Bank) which is not addressed in the narrative.

Response – The resource area delineations are based off the existing bulkhead which is a coastal engineering structure. Meaning, the Mean High Water of the Weymouth Back River coincides with the seaward side of the bulkhead. The bulkhead also sets the top of the Coastal Bank which consists of the seaward face of the landform behind the bulkhead. There are no vegetated wetlands on or near the site.

- The project description does not appear to include all aspects of the proposal. Please expand on the proposed pervious patio details and describe any other proposed work in jurisdictional areas



(retaining wall, canopy, bar, etc.) which are apparent on plans uploaded to the town's Permit Eyes (application #65618).

Response –Included in this response submittal are the stamped architectural plans, sheets A1.01 Proposed First Floor Plan, Section and Interior Elevations and A2.01 Reflected Ceiling Plan & Details that include all aspects of the proposed patio project and is what was used as the basis for the exhibit plans submitted as part of this NOI. The NOI Narrative has been updated to reflect the full scope of patio project. Please note that the building permit application #65618 includes outdated plans, which will be corrected to match the stamped architectural plans referenced above.

- The plans uploaded to Permit Eyes are prepared by DEFY Architecture and depict a different patio layout and landscaping and include additional details not shown on the plans submitted to Conservation including use of artificial turf. The project description in the NOI narrative refers to “environmentally friendly lawn” and native plant species. Please clarify and include specifications for turf, if proposed. Please note, plans submitted to multiple departments should be consistent to avoid delays with review and permitting. Staff recommends the stamped architectural plans be submitted with the NOI for review by the Commission.

Response – The building permit application #65618 includes outdated plans, which will be corrected to match the stamped architectural plans referenced above. The NOI Narrative has been revised to reflect the full scope of the patio project. The stamped architectural plans are included in this submittal and are now consistent with the engineering plans that are included as exhibits to this NOI. Please see the last comment response that's specific to the submitted NOI plans and revisions to those plans.

- Section 4 of the narrative, please specify what the proposed impervious surfaces are within the 50 and 100 foot buffer zone.

Response – Section 4 of the NOI Narrative has been revised to include addition details of the impervious surfaces in the buffer zone.

- Section 5 of the narrative, please expand on how the project meets the performance standards under 10.58(5)(a) through (e) and include calculations of existing and proposed degraded RA. The discussion should also describe how the proposal will result in improvement of the capacity of the RA to protect the wetland values identified in the HWR (including open space and recreation and aesthetics).

Response – Section 5 of the NOI Narrative has been expanded regarding the performance standards for Riverfront Redevelopment.

- The narrative does not include a performance standard analysis for compliance with the HWR Section 22.0 (Buffer Zone). Please include.

Response – The NOI Narrative has been revised to include an additional analysis for compliance with HWR buffer zone standards.

ECR

Environmental Consulting & Restoration, LLC

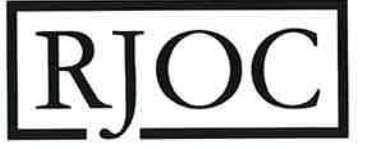
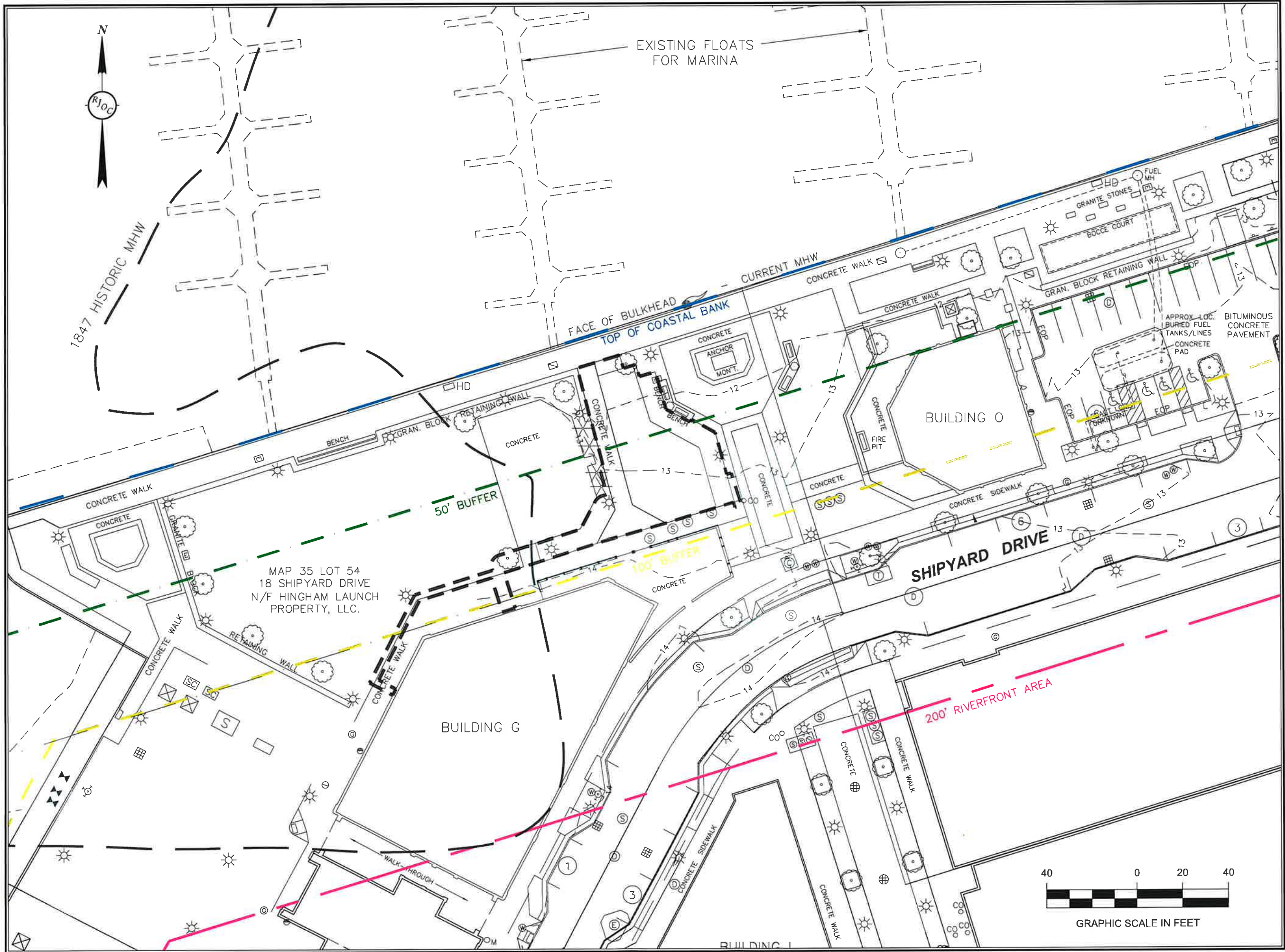


- The submitted plans are not stamped, do not meet the submittal requirements in the NOI Checklist and as stated above, are not consistent with plans submitted to the Building Dept. Please address.

Response – The previously submitted plans have been revised to include being stamped stamped by a MA Registered Professional Engineer and now meet the submittal requirements in the NOI checklist. As referenced previously, the plans submitted to the Building Department will be amended to match the plans provided as part of this NOI.

Included with this submittal are the following attachments:

1. Site Plans
2. Architectural Plans and Specifications
3. Revised NOI Form WPA 3
4. Revised NOI Narrative



SEAL:



PREPARED BY:
RJ O'CONNELL & ASSOCIATES, INC.
CIVIL ENGINEERS, SURVEYORS
& LAND PLANNERS
80 MONTVALE AVENUE, SUITE 201
STONEHAM, MA 02180
PHONE: 781.279.0180
RJOCONEILL.COM

PREPARED FOR:
**HINGHAM LAUNCH
PROPERTY, LLC**
18 SHIPYARD DRIVE
HINGHAM, MA

PROJECT NAME:
**THE LAUNCH AT
HINGHAM SHIPYARD**
HINGHAM, MA

DESIGNED BY: BJM
DRAWN BY: WJH
REVIEWED BY: BPD
SCALE: 1" = 40'
DATE: 04/14/2026
REVISED:
ISSUANCE:

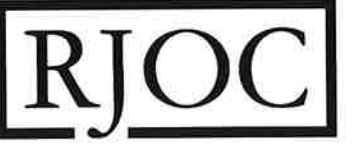
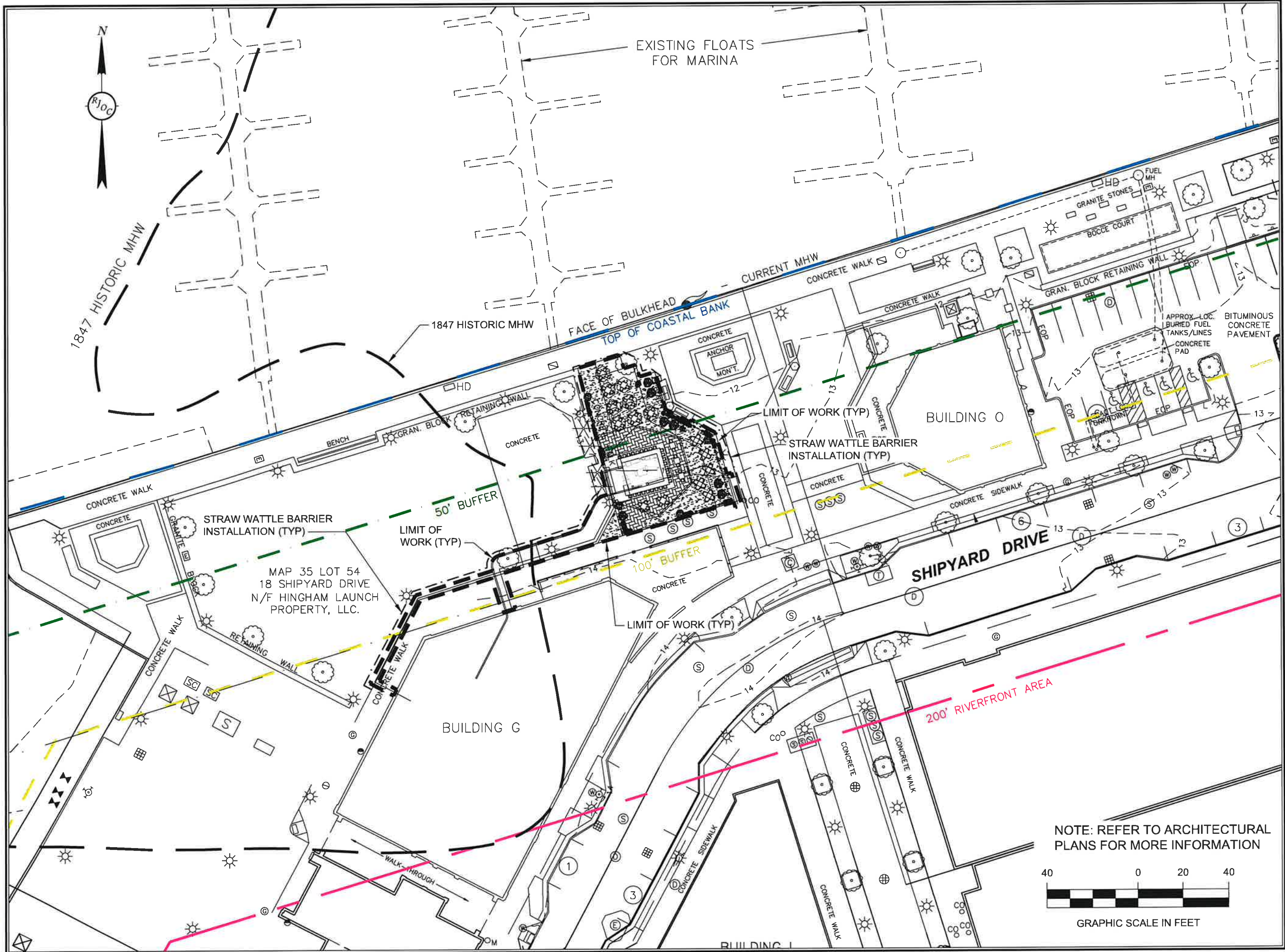
FOR PERMITTING
PURPOSES ONLY

DRAWING NAME:
**EXISTING
CONDITIONS PLAN**

DRAWING NUMBER:
EC-101

PROJECT NUMBER:

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SEAL:



B. Dundon 4-30-2026

PREPARED BY:
**RJ O'CONNELL
& ASSOCIATES, INC.**
CIVIL ENGINEERS, SURVEYORS
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80 MONTVALE AVENUE, SUITE 201
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RJOCNNELL.COM

PREPARED FOR:
**HINGHAM LAUNCH
PROPERTY, LLC**
18 SHIPYARD DRIVE
HINGHAM, MA

PROJECT NAME:
**THE LAUNCH AT
HINGHAM SHIPYARD**
HINGHAM, MA

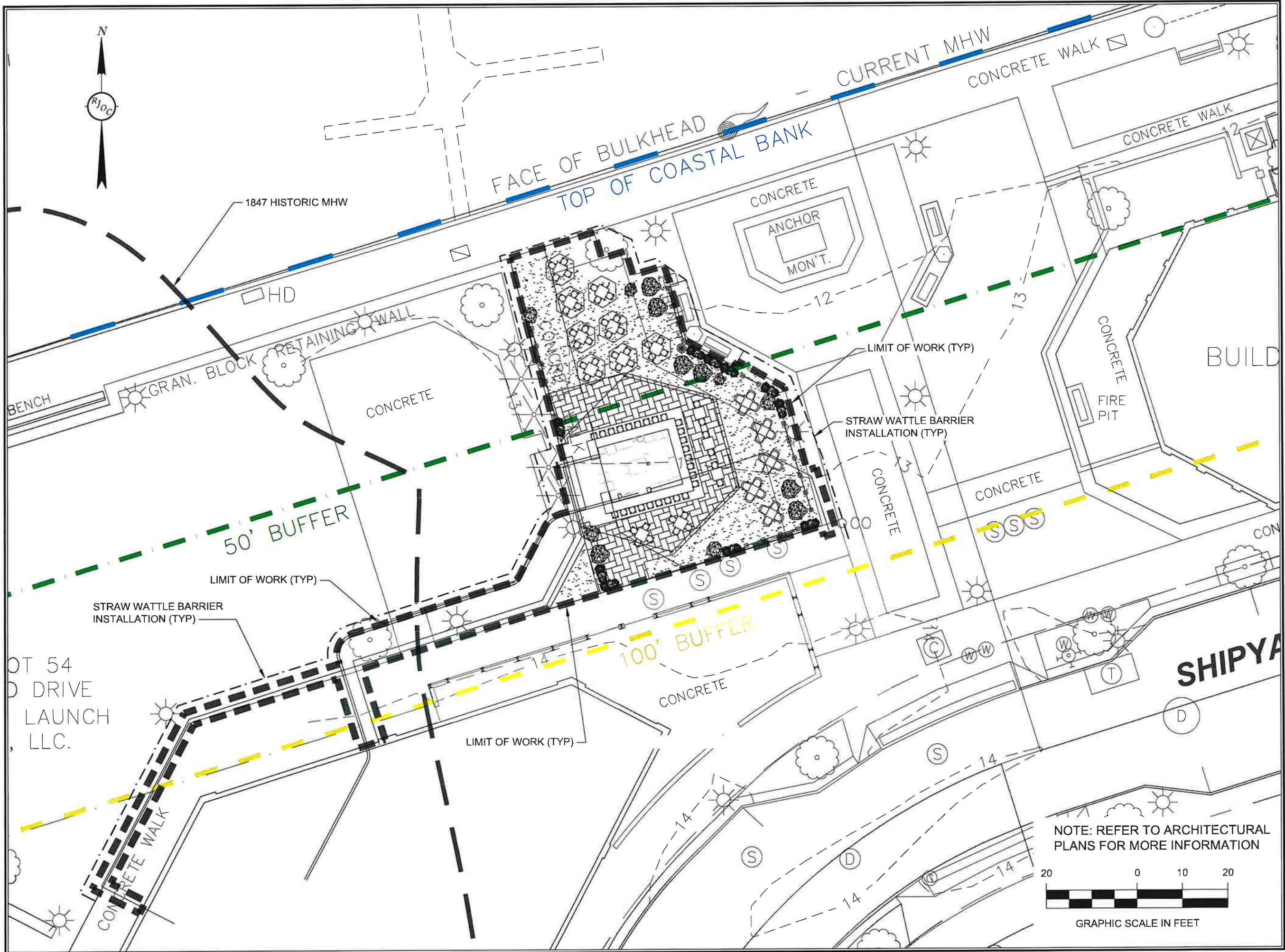
DESIGNED BY: BJM
DRAWN BY: WJH
REVIEWED BY: BPD
SCALE: 1" = 40'
DATE: 04/30/2026
REVISED:
ISSUANCE:

FOR PERMITTING
PURPOSES ONLY

DRAWING NAME:
**PROPOSED PATIO
EXPANSION**

DRAWING NUMBER:
C-101

PROJECT NUMBER:
Copyright © 2026 by RJ O'Connell & Associates, Inc.



SEAL:



Brian P. Dondos 4-30-2026

PREPARED BY:

**RJ O'CONNELL
& ASSOCIATES, INC.**
CIVIL ENGINEERS, SURVEYORS
& LAND PLANNERS
80 MONTVALE AVENUE, SUITE 201
STONEHAM, MA 02180
PHONE: 781.279.0180
RJOCONNELL.COM

PREPARED FOR:

**HINGHAM LAUNCH
PROPERTY, LLC**
18 SHIPYARD DRIVE
HINGHAM, MA

PROJECT NAME:

**THE LAUNCH AT
HINGHAM SHIPYARD**
HINGHAM, MA

DESIGNED BY:	BJM
DRAWN BY:	WJH
REVIEWED BY:	BPD
SCALE:	1" = 20'
DATE:	04/30/2026
REVISED:	
ISSUANCE:	

FOR PERMITTING
PURPOSES ONLY

DRAWING NAME:

**PROPOSED PATIO
EXPANSION**

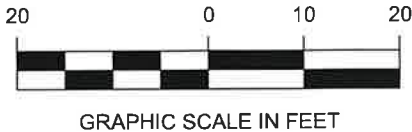
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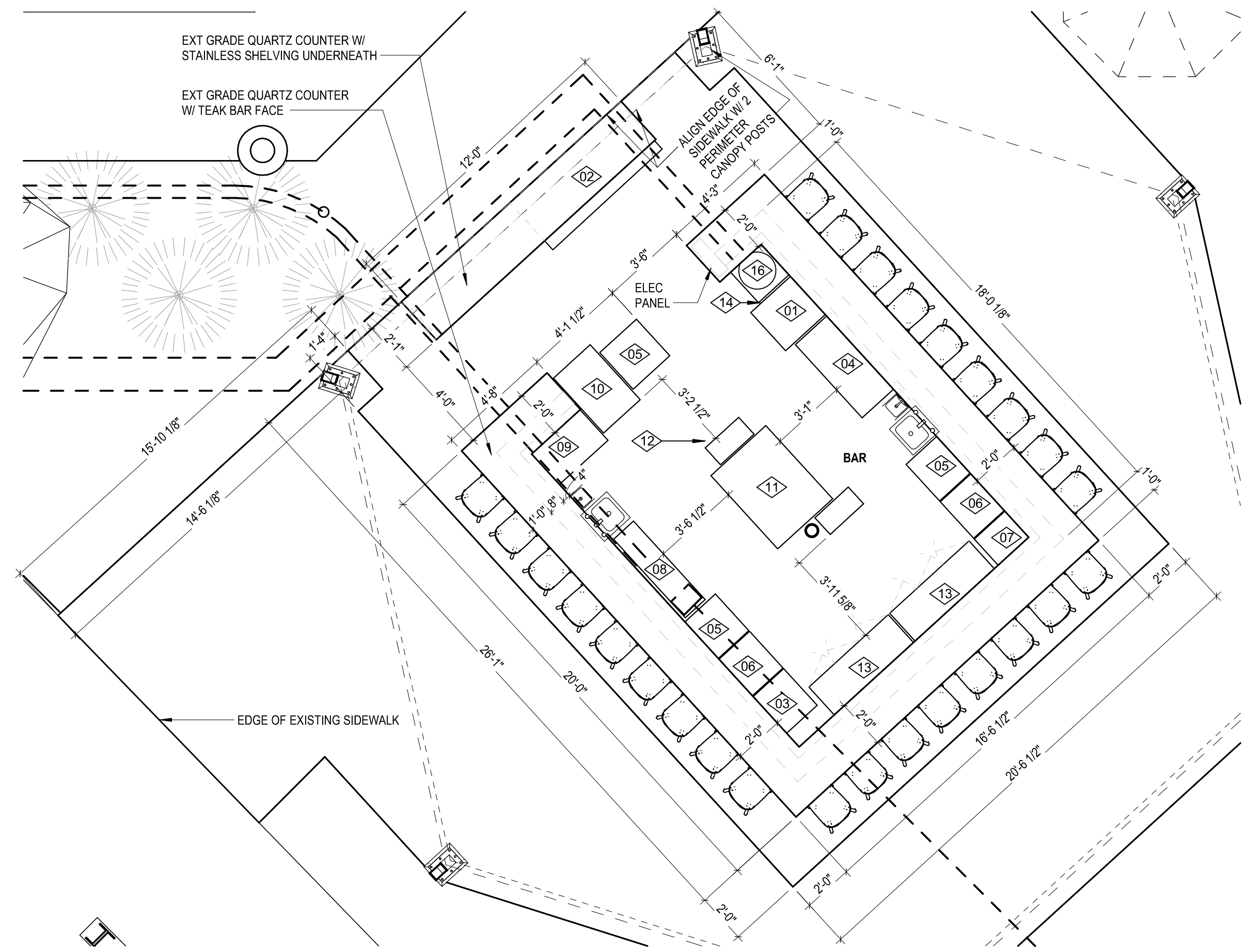
C-101

PROJECT NUMBER:

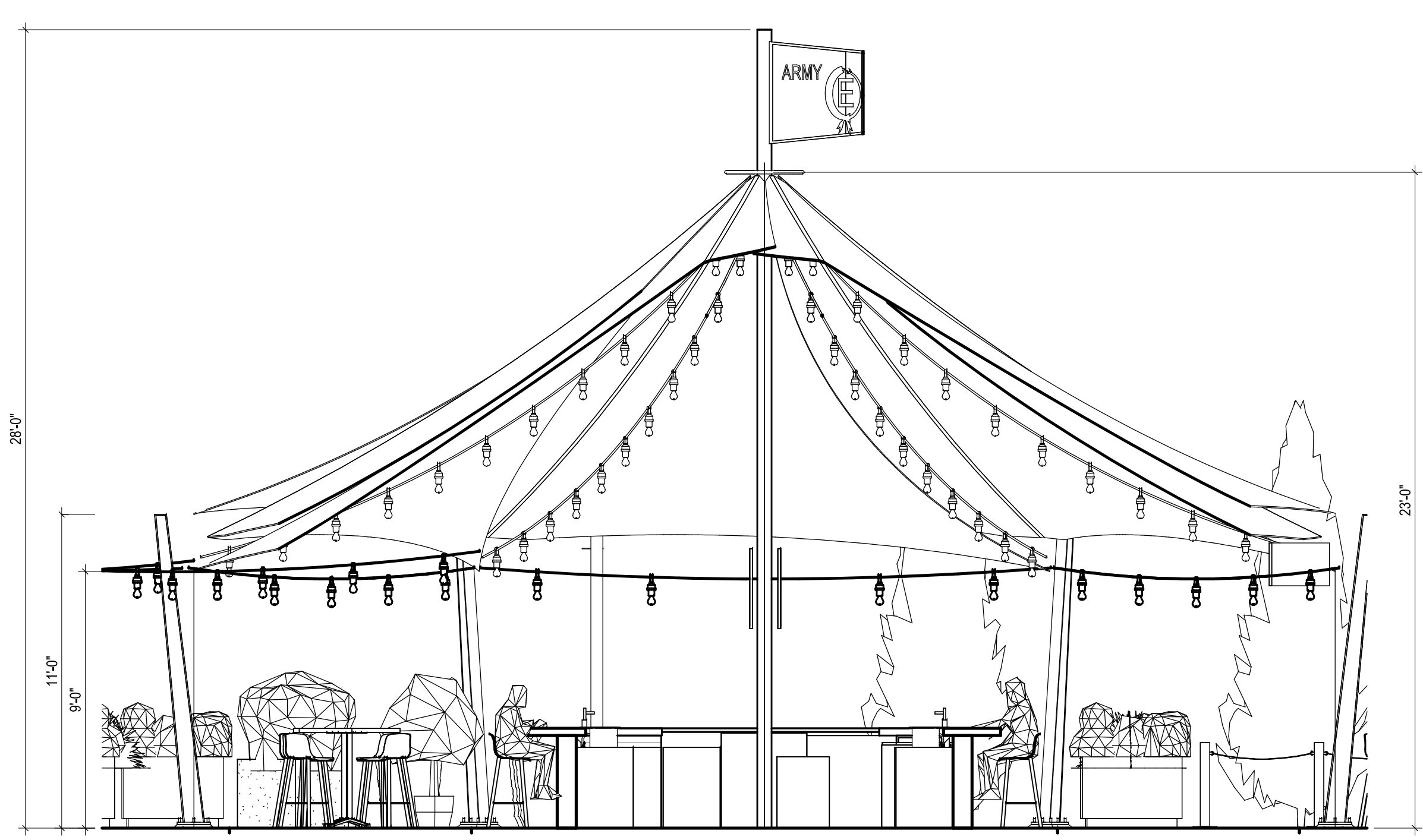
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NOTE: REFER TO ARCHITECTURAL
PLANS FOR MORE INFORMATION

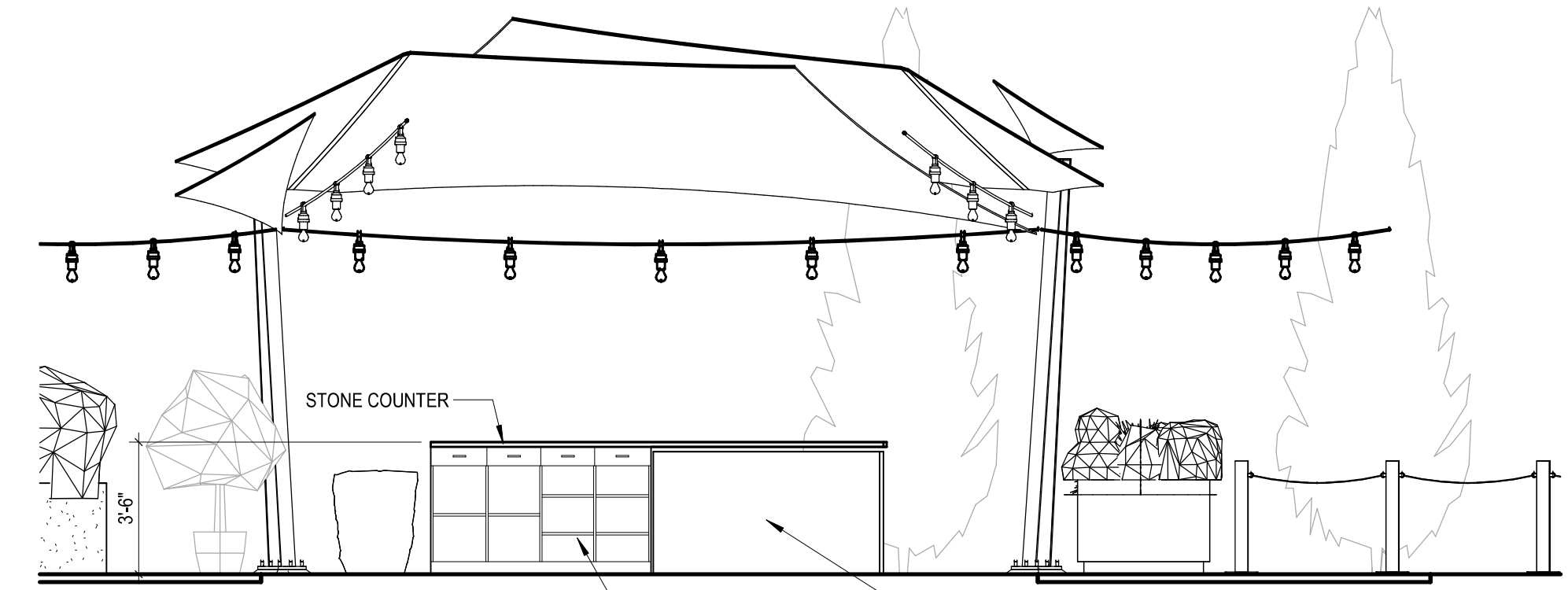




FIRST FLOOR - DETAIL PLAN - OUTDOOR BAR

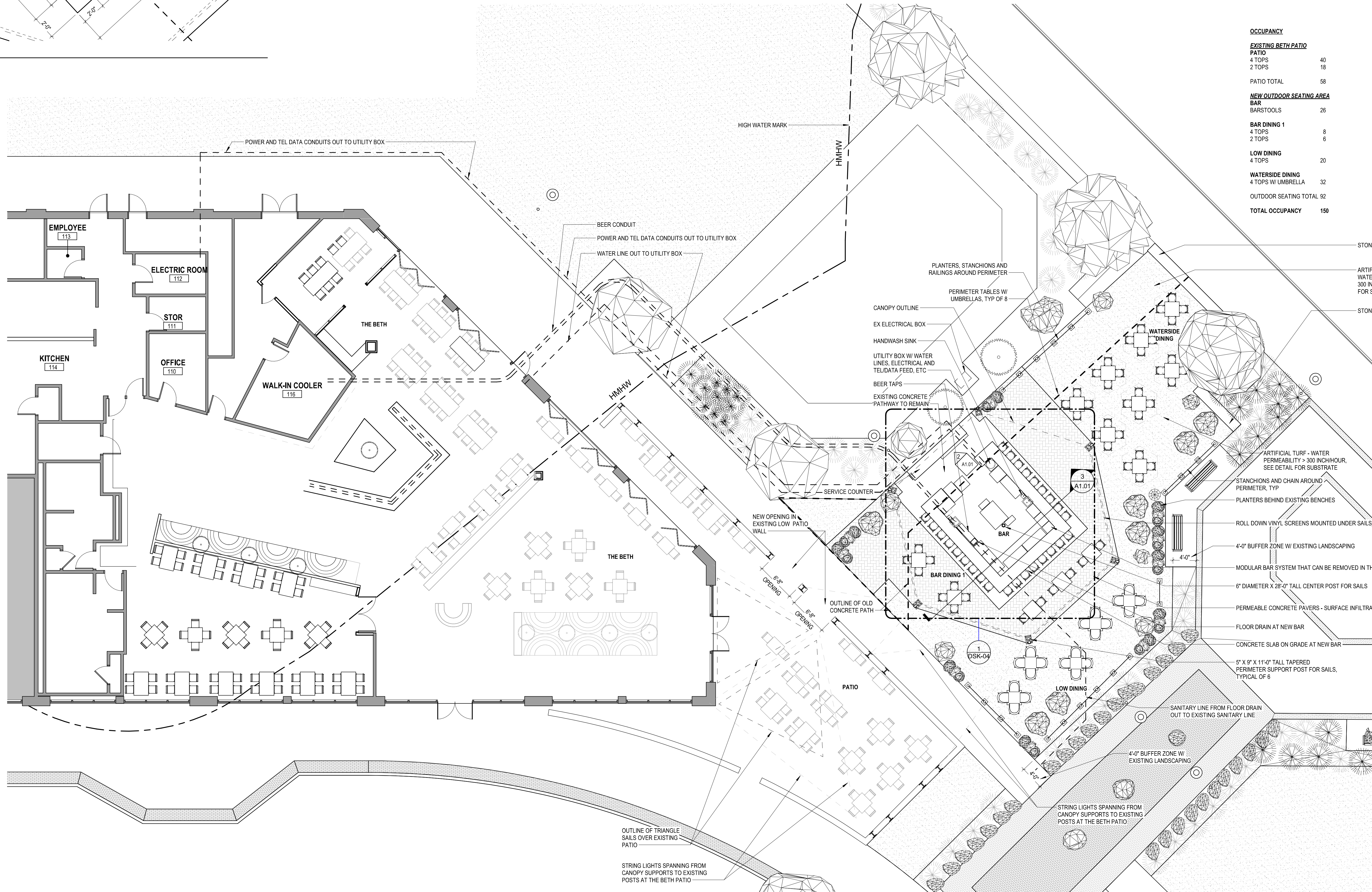


SECTION THRU BAR & CANOPY



BACK BAR ELEVATION

EQUIPMENT SCHEDULE - OPTION 3			
TYPE MARK	DESCRIPTION	MODEL	SIZE
	TV60		
01	DISHWASHER	25" X 29"	
02	BOTTLE FRIDGE	22" X 30"	
03	SS TABLE - GLASSES	24" X 24"	
04	BOTTLE FRIDGE	48" X 24"	
05	SPEED WELL	24" X 24"	
06	ICE WELL	24" X 24"	
07	SS TABLE - GLASSES	20" X 24"	
08	BEER TAPS	52" X 13"	
09	SS TABLE - GLASSES	36" X 24"	
10	PASS THRU ICE WELL	36" X 24"	
11	BOTTLE FRIDGE DBL SIDED	48" X 30"	
12	SUM JIM TRASH CAN	11" X 22"	
13	CUSTOM CAB MADE W/ STAIRCASE	52" X 22"	
14	WH CABINET	24" X 24"	
15	ELEC PANEL	20" X 8"	
16	WATER HEATER	18" DIA X 28" H	



FIRST FLOOR PLAN - OUTDOOR BAR

OCCUPANCY

EXISTING BETH PATIO

PATIO	40
4 TOPS	18
2 TOPS	
PATIO TOTAL	58

NEW OUTDOOR SEATING AREA

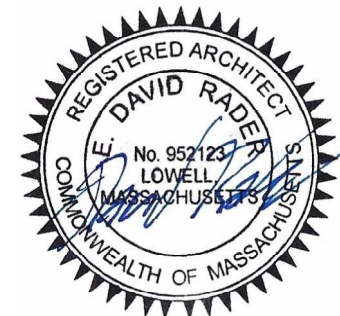
BAR	26
BARSTOOLS	
BAR DINING 1	8
4 TOPS	6
2 TOPS	
LOW DINING	20
4 TOPS	
WATERSIDE DINING	32
4 TOPS W/ UMBRELLA	
OUTDOOR SEATING TOTAL	92
TOTAL OCCUPANCY	150

ISSUED

12/11/25 - ANNOTATED SET
03/25/26 - BAR UPDATE
03/30/26 - BAR & PAVING UPDATE
04/30/26 - STRUCT. COORD.

REVISIONS

Date # Description



PROJECT NAME

OUTDOOR BAR - HINGHAM WATERFRONT

PROJECT ADDRESS

18 SHIPYARD DRIVE
HINGHAM, MA 02043

DRAWING TITLE

PROPOSED FIRST FLOOR PLAN,
SECTION AND INTERIOR
ELEVATIONS
SCALE

As indicated

SHEET NUMBER

A1.01

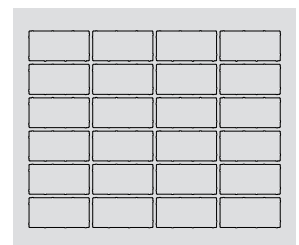


AQUALINE™

6 X 12
PERMEABLE PAVER

LOW MAINTENANCE AND PROVEN
DURABILITY THAT ALLOWS FOR
FLEXIBLE DESIGN OPTIONS

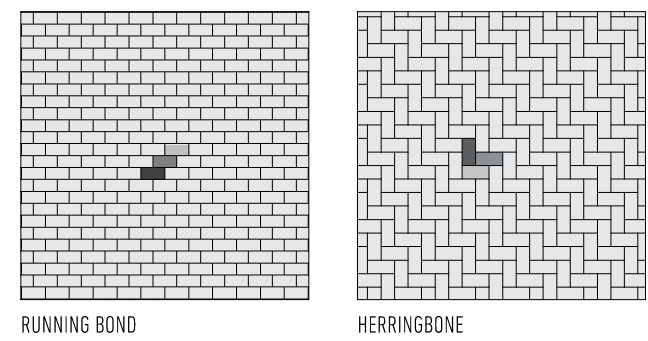
PALLET LAYOUT



FEATURES & BENEFITS

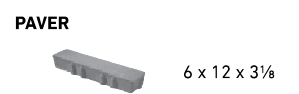
- Can eliminate stormwater runoff and improve water quality
- Meets the requirements of ASTM C706
- Interlocking spacer bars for increased structural performance
- Smooth surface texture with a micro-chamber to minimize vibration and enhance wheelchair comfort
- Can be utilized to construct an ADA-compliant pavement
- True installed dimensions for design optimization
- Optimal joint openings for infiltration and maintenance
- Chamber Width: 3 mm
- Spacer Bar Width: 7 mm
- Surface Infiltration Rate: > 500 inches per hour (varies based on joint infill gradation)
- Surface Open Area: 7%

LAYING PATTERNS



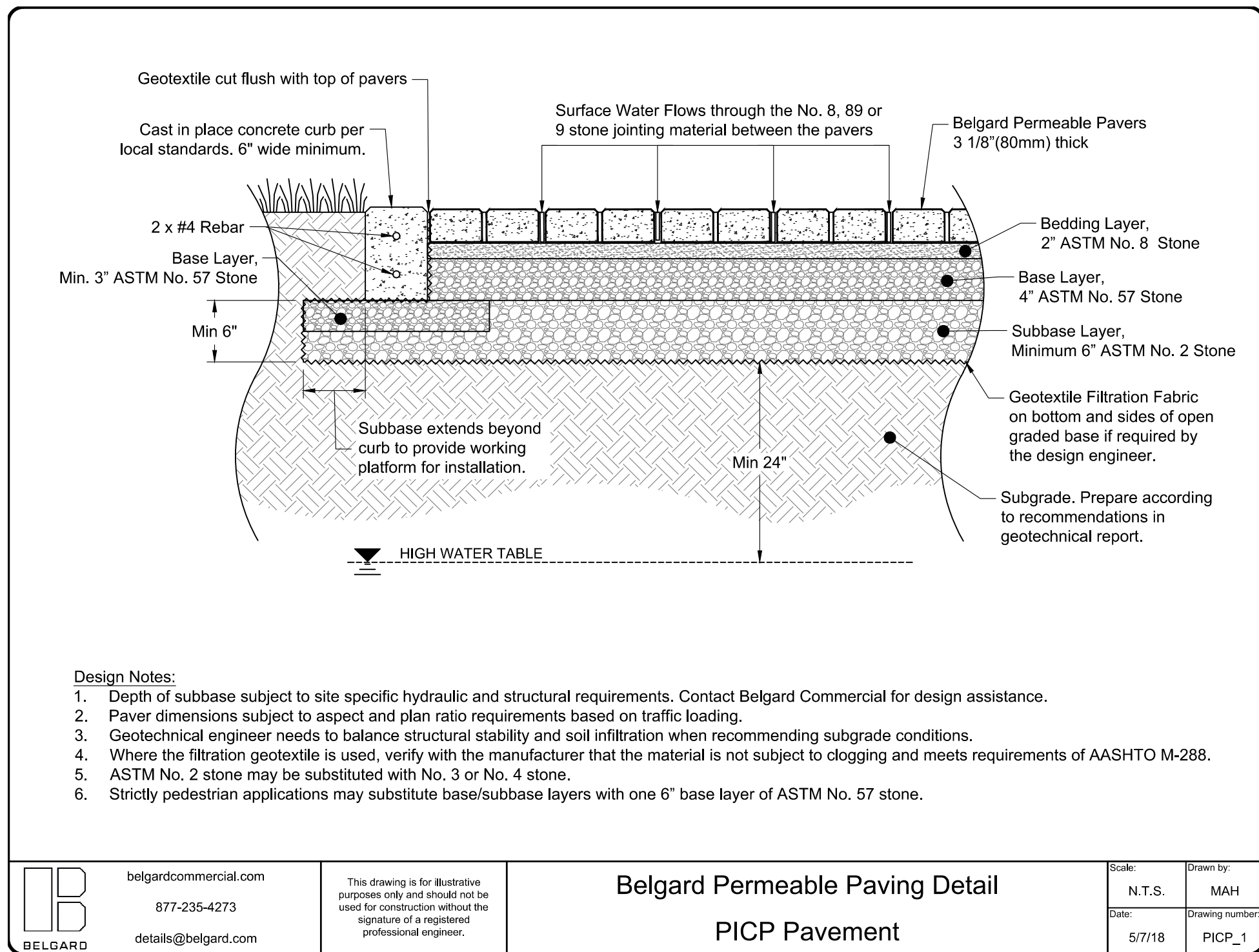
Check with your local Belgard Representative for product availability and color options.

SHAPES & SIZES



Oldcastle APG - A CRH Company
480 Piedmont Center Terrace, Suite 1000
Atlanta, GA 30346
1-866-499-8210

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FieldTurf[®]
COMMERCIAL
A Tarkett Sports Company



COMMAND CORE

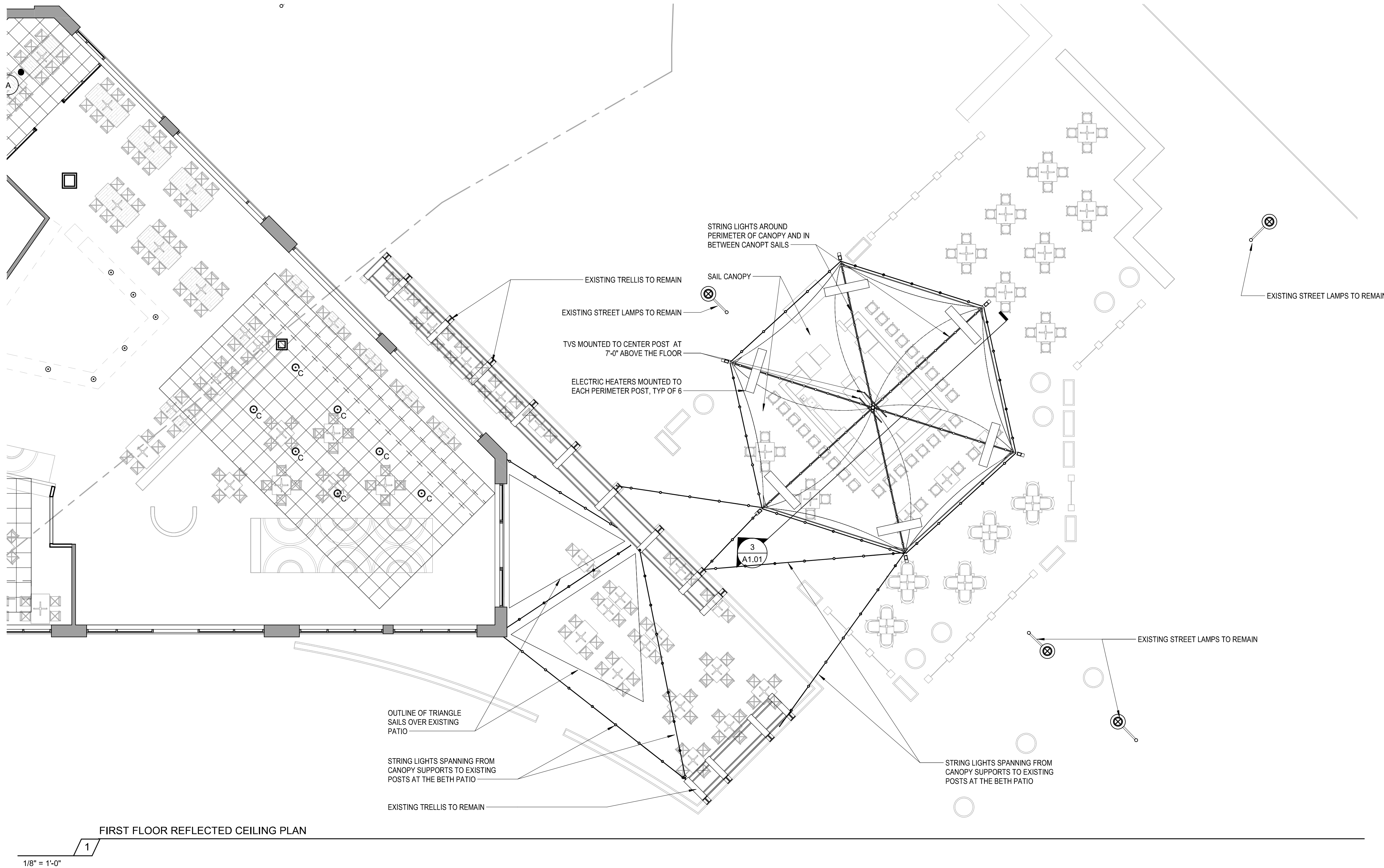
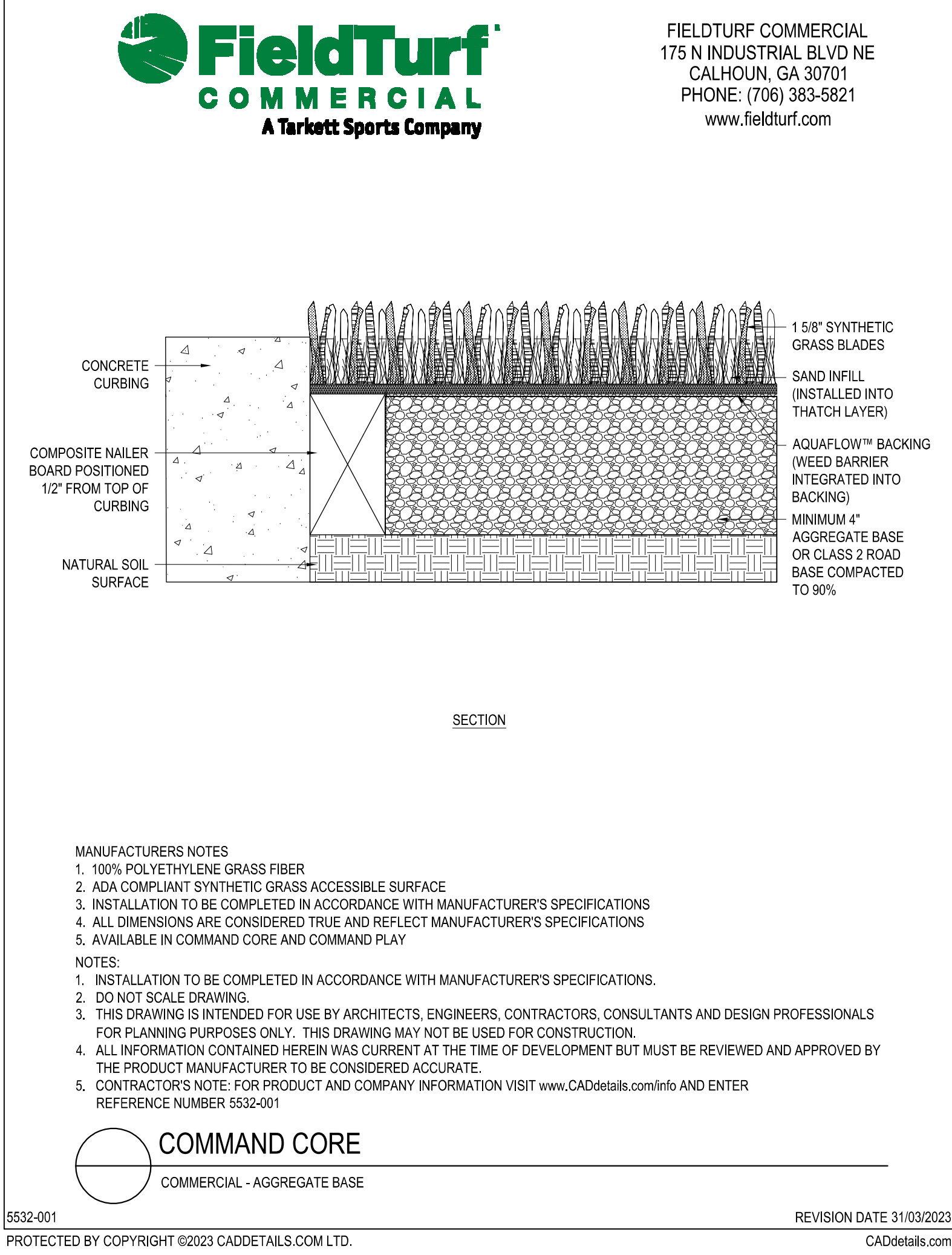
- UNMATCHED 8 YEAR WARRANTY
- PROUDLY CRAFTED IN THE USA
- #1 DRAINAGE IN THE INDUSTRY
- ENVIRONMENTALLY SUSTAINABLE



PROPERTY	VALUE	METHOD
Pile Height	1.625"	D5823
Pile Weight	65 OZ/YD2	D5848
Total Weight	91 OZ/YD2	D5848
Gauge	0.375"	D5793
Primary Backing Weight	8+ OZ/YD2	D5848
Pile Yarn Type	Mono/Thatch Combo	n/a
Primary Yarn Color	Field Green/Nutmeg & Olive	n/a
Primary Denier	19,000+	D1577
Secondary Yarn Structure	Slit Film	n/a
Secondary Yarn Color	Field Green	n/a
Secondary Denier	9,900+	D1577
Grab Tear Length	>275 LBS/Force	D5034
Grab Tear Width	>275 LBS/Force	D5034
Coating Weight	18 OZ/YD2	D5848
Coating Type	AquaFlow	n/a
Water Permeability	>300 IN/HR	DIN 18-035
Total Infill	2.5 - 3 LBS/FT2	n/a

* Variation of +/- 5% on above listed property values are within normal manufacturing tolerances.

Fieldturfcommercial.com



FIRST FLOOR REFLECTED CEILING PLAN

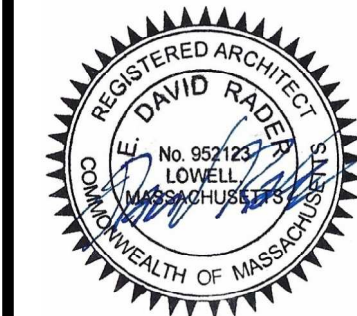
1/8" = 1'-0"

ISSUED

12/11/25 - ANNOTATED SET
03/25/26 - BAR UPDATE
04/30/26 - STRUCT. COORD.

REVISIONS

Date # Description



PROJECT NAME

OUTDOOR BAR -
HINGHAM
WATERFRONT

PROJECT ADDRESS

18 SHIPYARD DRIVE
HINGHAM, MA 02043

DRAWING TITLE

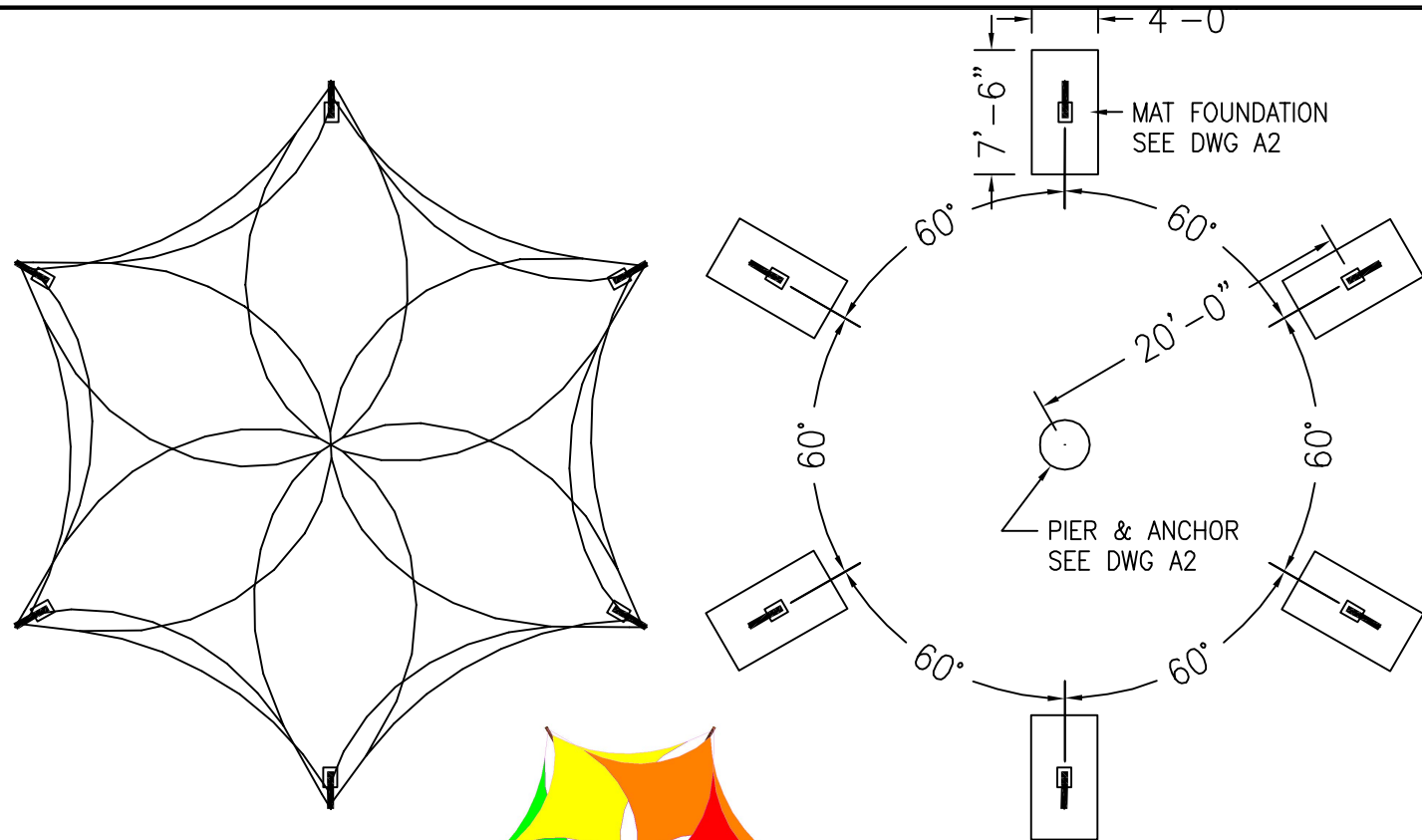
REFLECTED CEILING PLAN &
DETAILS

SCALE

1/8" = 1'-0"

SHEET NUMBER

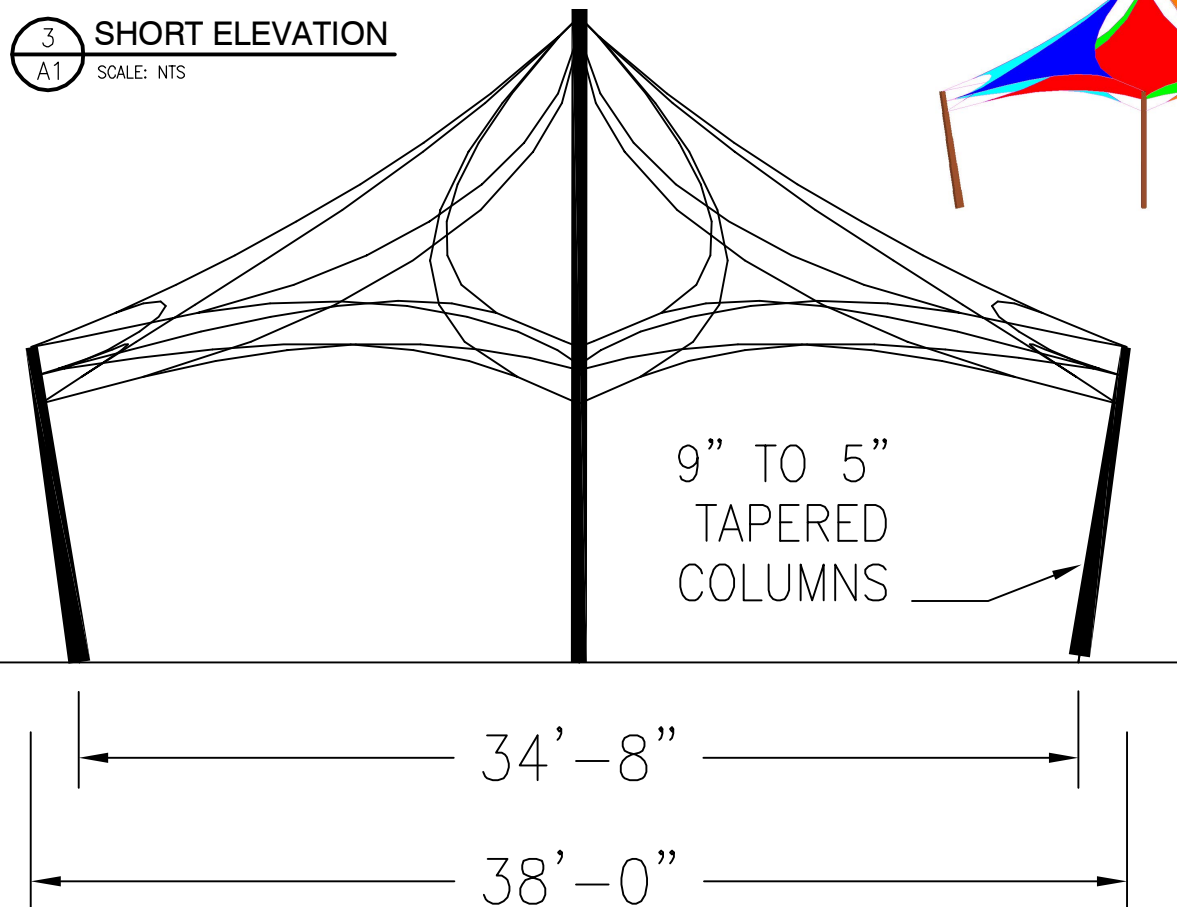
A2.01



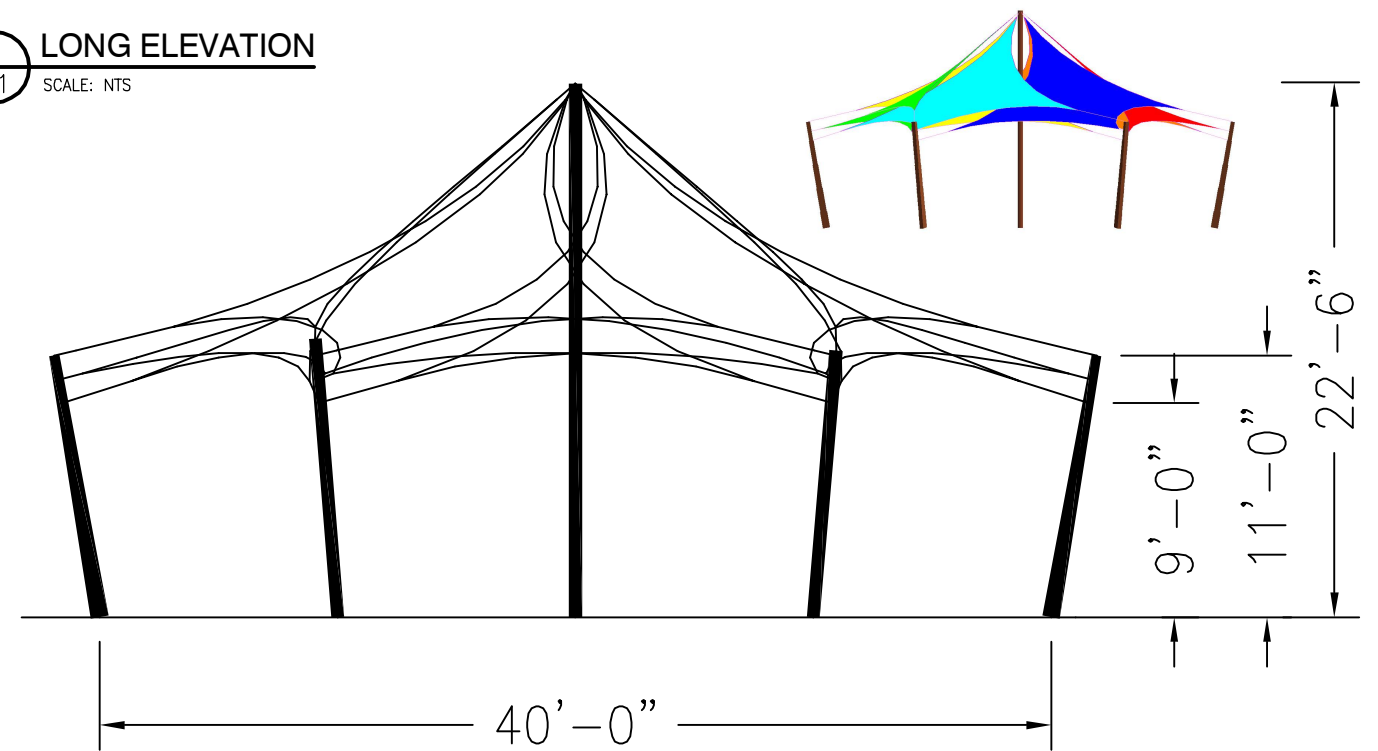
2 CABLES PLAN
A1 SCALE: NTS

1 BASEPLATE PLAN CL
A1 SCALE: NTS

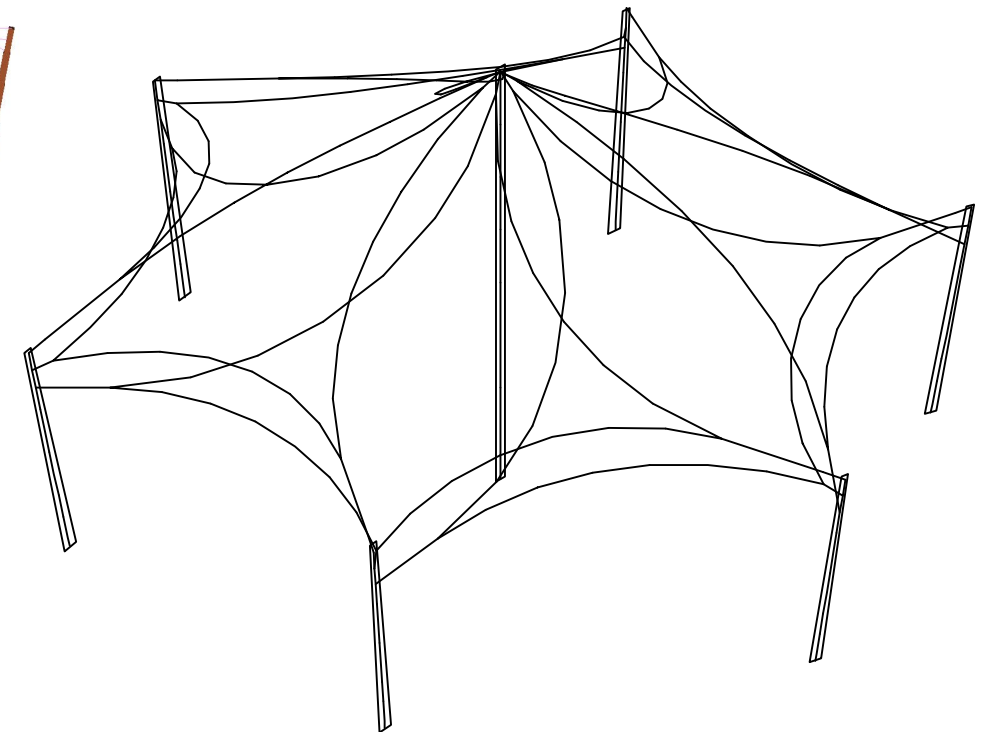
3 SHORT ELEVATION
A1 SCALE: NTS



4 LONG ELEVATION
A1 SCALE: NTS



5 PERSPECTIVE
A1 SCALE: NTS



TEMPORARY CLADDING
PERMANENT COLUMNS
DESIGN WIND PRESSURE = 10 PSF
80 MPH ASD/// 100 MPH LRFD
6 PSF LIVE LOAD

Massachusetts Building
Code, 10th ed.

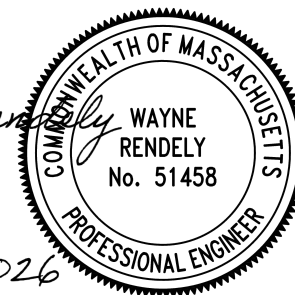
IBC 2021 amended

Massachusetts Fire Code
2021

IFC 2021 not amended

Wayne Rendely

4-24-2026



WAYNE RENDELY PE
132 COLUMBIA STREET
HUNTINGTON STATION, NY
MA PE # 51458
EXPIRES: 6/30/2026

ALL MEASUREMENTS ARE IN
FEET-INCHES UNLESS
SPECIFIED OTHERWISE

ORIGINAL DRAWING SIZE
IS 11" x 17"

PERMIT DRAWING

Sperry Fabric
Architecture
15 Dexter Lane
Rochester, MA 02770

DRAWN BY:
WRPE

DATE:
APR 24, 2026

SCALE:
NTS

FILE NO.

LAYOUT:

PROJECT: THE BETH KITCHEN & BAR
18 SHIPYARD DRIVE
HINGHAM, MASSACHUSETTS 02043

DESCRIPTION: PLAN & ELEVATIONS

ENGINEER APPROVAL: DATE:

CUSTOMER APPROVAL: DATE:

1 OF

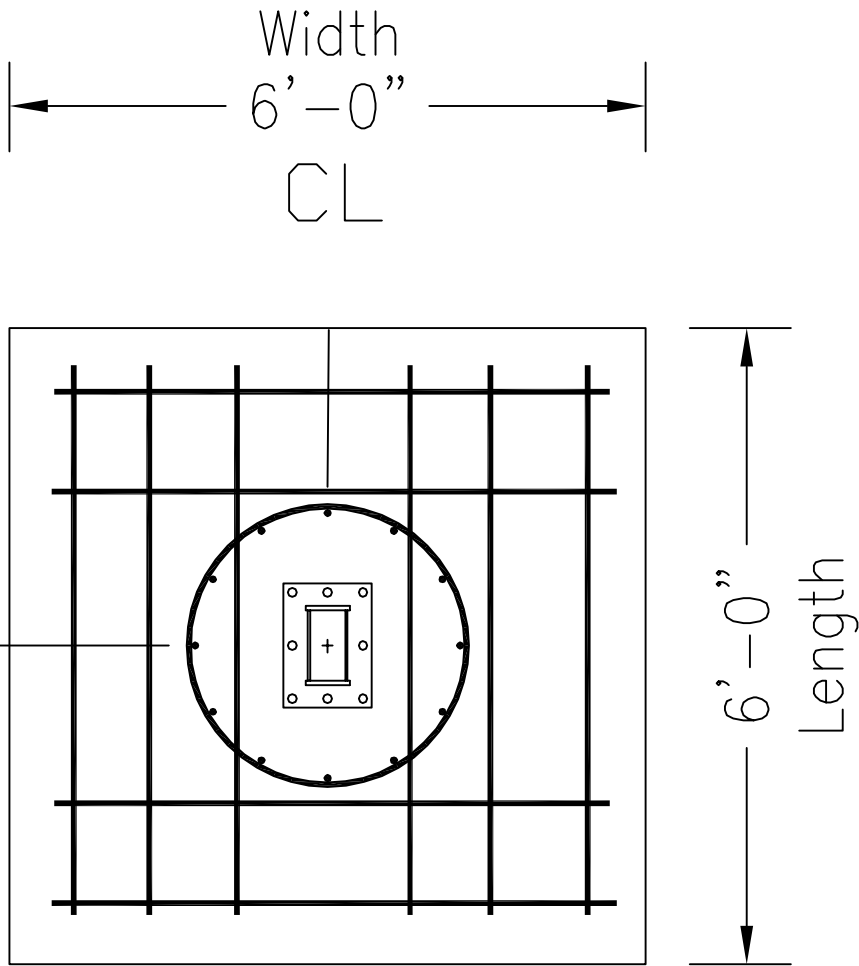
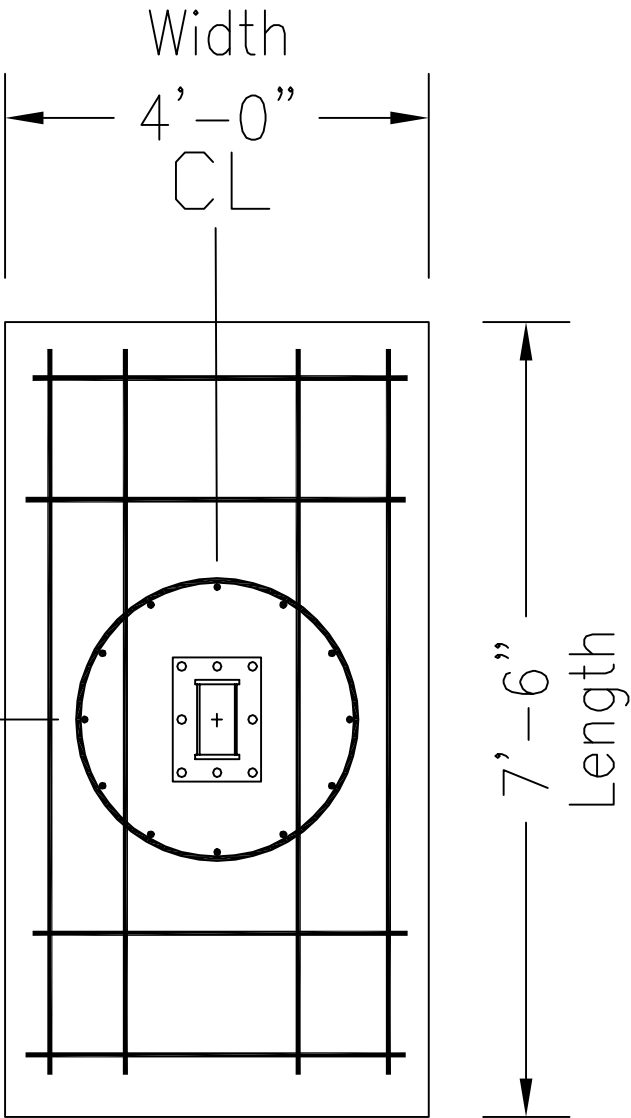
A1

RECTANCULAR MAT
REINFORCEMENT
GRADE 60 KSI

#5 HORIZONTALS
#4 "U" STIRRUPS

ACCEPTABLE MAT SIZES
FOR 4.5 FOOT DEPTH:
FT WIDTH x FT LENGTH

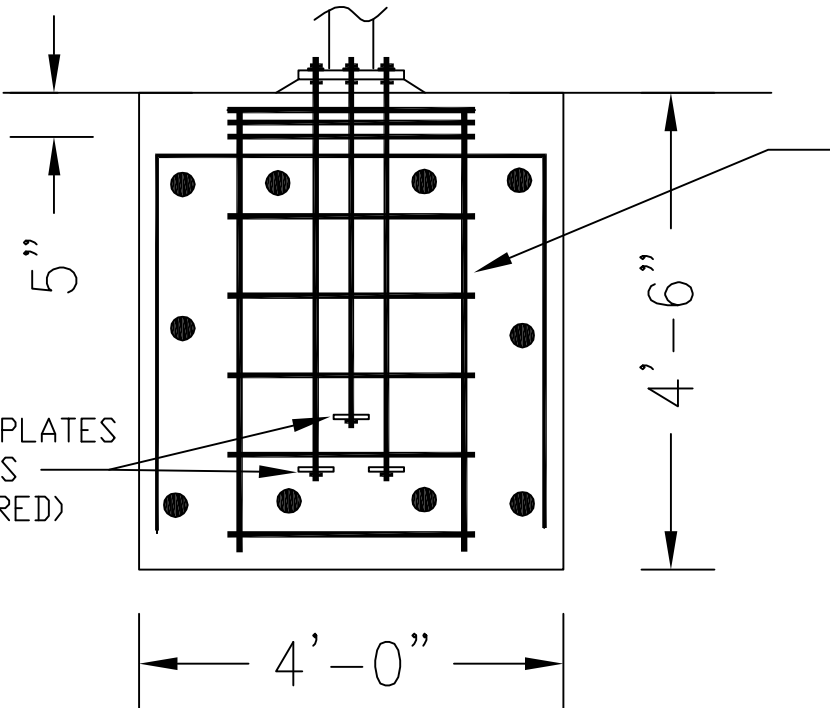
4.0 x 7.5
4.5 x 7.0
5.0 x 6.5
6.0 x 6.0



48" & 42" ANCHOR RODS
PROJECTED 4" MINIMUM
FOR 1.5" GROUT WITH
LEVELING NUTS AND
BOTTOM ANCHOR NUTS
W/ 4" DIAM X 1/2" THICK
ANCHOR PLATES

8 @ 7/8" DIAMETER
THREADED RODS
F1554 (105 KSI)

ANCHOR PLATES
AND NUTS
(STAGGERED)

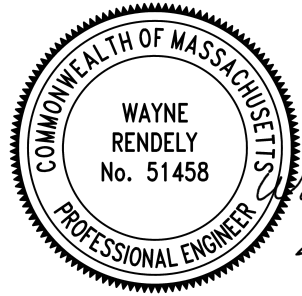


CENTER CAGE
12@#5 VERTICAL BARS
EQUALLY SPACED
GRADE 60 KSI

#4 HORIZONTAL STIRRUPS
TOP THREE (3) WITHIN 5"
OF TOP PER CODES
OTHERS ARE 9" ON CENTER

2,500 PSI CONCRETE DESIGN
4,500 PSI CONCRETE PER CODE

CAGE DIAMETER = 28" MAXIMUM



Wayne Rendely
4-24-2026

WAYNE RENDELY PE
132 COLUMBIA STREET
HUNTINGTON STATION, NY
MA PE # 51458
EXPIRES: 6/30/2026

ALL MEASUREMENTS ARE IN
FEET-INCHES UNLESS
SPECIFIED OTHERWISE

ORIGINAL DRAWING SIZE
IS 11" x 17"

PERMIT DRAWING

DRAWN BY:
WRPE

DATE:
APR 24, 2026

SCALE:
NTS

FILE NO.

LAYOUT:

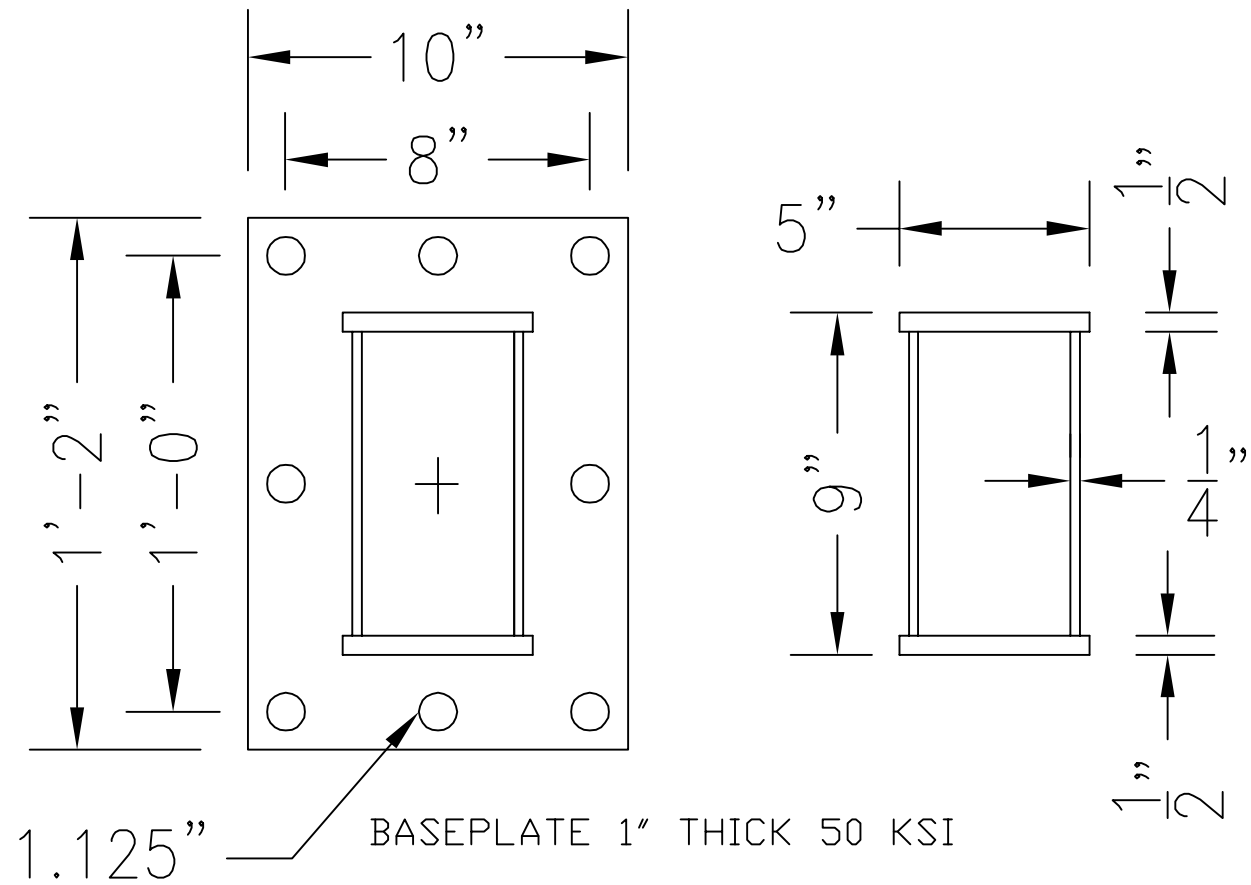
PROJECT: THE BETH KITCHEN & BAR
18 SHIPYARD DRIVE
HINGHAM, MASSACHUSETTS 02043

DESCRIPTION:
PIERS AND ANCHORS (TAPERED)

ENGINEER APPROVAL: DATE: 1 OF

CUSTOMER APPROVAL: DATE: A2

Sperry Fabric
Architecture
15 Dexter Lane
Rochester, MA 02770



1.125" BASEPLATE 1" THICK 50 KSI

COLUMN PLATES 50 KSI
1/2" CHORDS, 1/4" WEBS

SEE SHOP DRAWINGS
FOR WELDS AND FULL
COLUMN AND TABS DETAILS

Wayne Rendely

COMMONWEALTH OF MASSACHUSETTS
WAYNE
RENDELY
No. 51458
4-24-2026
PROFESSIONAL ENGINEER

WAYNE RENDELY PE
132 COLUMBIA STREE
HUNTINGTON STATION, NY
MA PE # 51458
EXPIRES: 6/30/2026

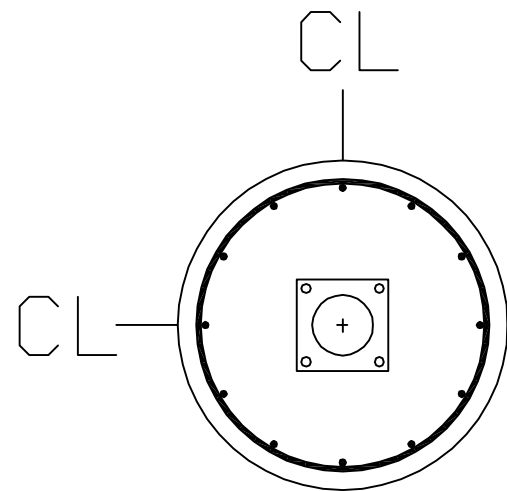
ALL MEASUREMENTS ARE IN
FEET-INCHES UNLESS
SPECIFIED OTHERWISE

ORIGINAL DRAWING SIZE
IS 11" x 17"

PERMIT DRAWING		Sperry Fabric Architecture 15 Dexter Lane Rochester, MA 02770	
DRAWN BY: WRPE		PROJECT: THE BETH KITCHEN & BAR 18 SHIPYARD DRIVE HINGHAM, MASSACHUSETTS 02043	
DATE: APR 24, 2026			
SCALE: NTS		DESCRIPTION: TABPER COLUMN BASEPLATE	
FILE NO.		ENGINEER APPROVAL:	DATE:
LAYOUT:		CUSTOMER APPROVAL:	DATE:
		1 OF A3	

8
A4

SCALE: NTS



24" ANCHOR RODS
PROJECTED 3" MINIMUM
6"x6"x1/2" BEARING PAD
3/4" PLATE WITH WASHERS,
NUTS AND JAM NUTS
PLUS BOTTOM ANCHOR NUTS

4 @ 7/8" DIAMETER
THREADED RODS
F1554 (105 KSI)

12@#5 VERTICAL BARS
EQUALLY SPACED
GRADE 60 KSI

#4 HORIZONTAL STIRRUPS
9" ON CENTER

2,500 PSI CONCRETE DESIGN
4,500 PSI CONCRETE PER CODE

CAGE DIAMETER = 28" MAXIMUM
3" COVER MINIMUM

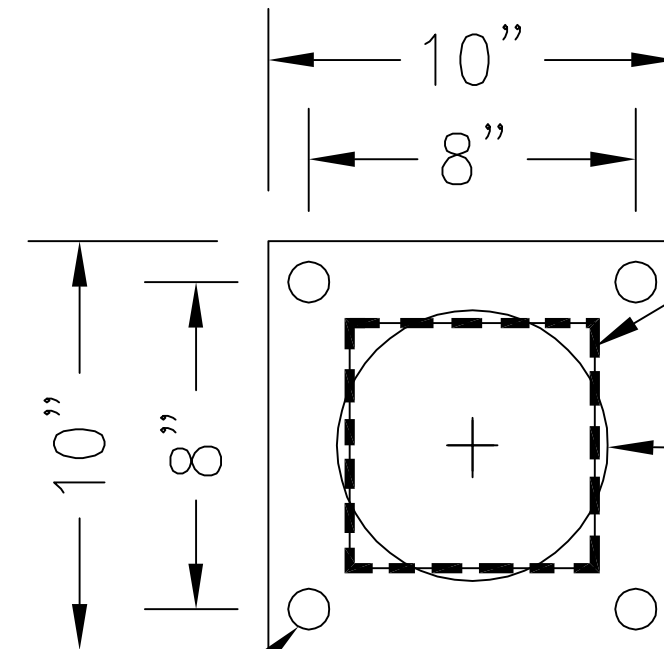
ANCHOR NUTS

3'-0''

4-0"

9
A4

SCALE: NTS

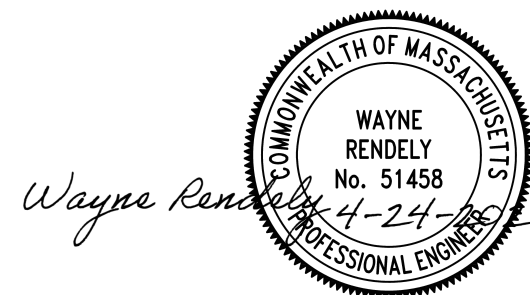


6"x6"x1/2"
- BEARING PAD
BELOW PLATE

$$\varnothing 6\frac{3}{4}''$$

1.125" — BASEPLATE 3/4" THICK 50 KSI

SEE SHOP DRAWINGS
FOR WELDS AND FULL
COLUMN AND TABS DETAILS



WAYNE RENDELY PE
132 COLUMBIA STREET
HUNTINGTON STATION, NY
MA PE # 51458
EXPIRES: 6/30/2026

ALL MEASUREMENTS ARE IN
FEET-INCHES UNLESS
SPECIFIED OTHERWISE

ORIGINAL DRAWING SIZE
IS 11" x 17"

PERMIT DRAWING

DRAWN BY:
WRPE

DATE:
APR 24, 2026

SCALE:
NTS

FILE NO.

LAYOUT:

PROJECT: THE BETH KITCHEN & BAR
18 SHIPYARD DRIVE
HINGHAM, MASSACHUSETTS 02043

DESCRIPTION:	CENTER PIER AND ANCHOR
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ENGINEER APPROVAL:	DATE:	1 OF
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CUSTOMER APPROVAL: _____ DATE: _____ **A4**

Sperry Fabric
Architecture
15 Dexter Lane
Rochester, MA 02770

OF

A4



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Hingham

City/Town

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

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:

Approx. 65,200 s.f.
square feet

4. Proposed alteration of the Riverfront Area:

3,198 s.f.	3,198 s.f.	0
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.

PROJECT NARRATIVE (REVISED 4/30/26)

1. Introduction

This Notice of Intent (NOI) application has been submitted to permit the proposed patio project at 18 Shipyard Drive in Hingham (the site). The Town of Hingham Assessors Department references the site as Map 35 Parcel 54. The proposed project is located within the 100-foot buffer zone to a Coastal Bank and within the 200-foot Riverfront Area. Prior to the start of work, erosion controls will be installed to protect wetland resource areas. This application is being submitted in accordance with the Massachusetts Wetlands Protection Act and the Town of Hingham Wetlands Protection Bylaw.

2. Site Description

The site is part of the Hingham Shipyard and consists of commercial property that has been redeveloped as part of the overall Hingham Shipyard Riverfront Redevelopment Project (DEP File #SE34-700). The project is focused within a small portion of the site that includes a concrete walkway, maintained lawn, and landscape bed. Environmental Consulting & Restoration, LLC (ECR) performed a review of the site on April 10, 2026. ECR confirmed the site is located within the 100-foot buffer zone to coastal resource areas as well as the 200-foot Riverfront Area associated with the Weymouth Back River. As a result of the field work and review of available environmental databases, ECR can confirm that the site contains the following wetland resource areas and areas of Conservation Commission jurisdiction:

- 100-foot buffer zone
- 200-foot Riverfront Area

Notes:

1. The site is not located within an area mapped as Priority Habitat & Estimated Habitat for Rare Species according to the Massachusetts Natural Heritage & Endangered Species Program (MaNHESP).
2. The site does not contain or is near a Certified Vernal Pool according to the MaNHESP.
3. The site is not located within an area mapped as Land Subject to Coastal Storm Flowage according to the FEMA Maps.
4. The site is not located within an Area of Critical Environmental Concern (ACEC).

3. Proposed Activities

The purpose of this application is to authorize the proposed construction of a patio and seating area to service the commercial use of the site. The proposed project occurs within the 100-foot buffer zone and 200-foot Riverfront Area. The proposed project will involve the following activities:

- Installation of Erosion Controls – Prior to the start of work, erosion/sediment controls will be installed along the limit of work to protect the nearby wetland resource areas.
- Construction of the New Patio – The new patio is proposed within an area that is currently occupied by a concrete walkway, maintained lawn, and landscape beds. The site itself is very flat, so minimal earthwork will be required. The site will be accessed from Shipyard Drive through an already developed area. Material and equipment will be stored landward of the 50-foot buffer zone.

The new patio will consist of a combination of concrete pad to support the outdoor bar (with a canopy) and a combination of pervious pavers and turf for the remaining portions of the

patio. Included with the proposed patio project will be typical appurtenances such as outdoor awnings, seating, umbrellas, lighting, etc. Also included are utility connections from the building to the patio project area such as water, drainage, electrical, etc. For more information, please refer to the additional architectural plans and revised NOI plans that include design specifications.

- **Site Stabilization & Landscape Activities** – All disturbed areas surrounding the proposed patio will be restored and stabilized with pervious surfaces and plantings. Instead of lawn, a synthetic turf will be used to accommodate seating areas and to eliminate the need for maintenance such as irrigation and fertilization needs. All turf areas will be fully pervious, please see turf specification included on the architectural plans for more information. All landscape plant materials proposed will consist of native plant species. The existing plantings within the project area will be transplanted to nearby landscape beds prior to the start of work.

4. Hingham Mitigation Requirements

The project proposes work within the 100-foot buffer zone to coastal resource areas and is subject to the Hingham Wetlands Protection By-Law, Article 22 (Bylaw), and the Hingham Wetlands Regulations (HWR) and, in particular HWR § 22.00 Buffer Zone. The performance standard for work within the Buffer Zone is set forth at HWR § 22.00(d). In this instance, the applicant cannot move the structures and activities further away from the resource areas (HWR § 22.00(d)(1)); there are no naturally vegetated conditions to be maintained (HWR § 22.00(d)(2)); and it is impractical to restore already-altered buffer zone (HWR § 22.00(d)(3)).

Therefore, the applicant is proposing mitigation in compliance with the Town of Hingham Buffer Zone Mitigation Policy to protect the wetlands values protected under the Bylaw in compliance with HWR § 22.00(d)(5). The existing conditions at the site contain impervious surfaces consisting of a concrete walkway. The remaining project area consists of lawn and landscape beds. The proposed patio project proposes a combination of impervious and pervious surfaces to include removal of existing concrete walkway. The existing plantings within the project area will be transplanted to nearby landscape beds prior to the start of work. The proposed patio project will include a combination of new and relocated landscape plantings, which will consist of native species (consistent with the original project approvals) so there will be an enhancement over existing conditions.

A summary of the impervious vs. pervious areas are documented in the area calculations below:

Location in Buffer Zone	Existing Conditions	Proposed Conditions	Proposed Change	Mitigation Required (to Altered Areas)
0-50 foot Buffer Zone	Pervious surface = 863 sq. ft.	Pervious surface = 1,017 sq. ft.	Increase of 154	No mitigation required
	Impervious surface = 302 sq. ft.	Impervious surface = 87 sq. ft.	Reduction of 215 sq. ft.	No mitigation required
50-100 foot Buffer Zone	Pervious surface = 1,588 sq. ft.	Pervious surface = 1,459 sq. ft.	Reduction of 129 sq. ft.	No mitigation required
	Impervious surface = 444 sq. ft.	Impervious surface = 571 sq. ft.	Increase of 127 sq. ft.	1:1 mitigation = 127 sq. ft.

Based on the Hingham Buffer Zone Mitigation Policy, the proposed project requires 127 square feet of mitigation. It is ECR's opinion that transplanting the existing plantings prior to the start of work and the addition of new native plantings as part of the landscape project meet the requirement of

127 square feet of mitigation (note: 127 square feet if planted with shrubs 8 feet on center equals 2.3 shrubs).

5. Riverfront Area Analysis

The proposed project includes work within the 200-foot Riverfront Area. Since the property was previously determined to be developed and degraded, this proposed project also constitutes a redevelopment project; more specifically, Redevelopment Within Previously Developed Riverfront Area (310 CMR 10.58(5)). See also Hingham Wetlands Regulations (HWR) § 21.1(d)(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."). DEP defines previously degraded as:

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.

The patio project consists of new alteration within a past Riverfront Redevelopment Project (Hingham Shipyard Redevelopment Project DEP File #SE34-700). The Hingham Shipyard was created in the 1940s for the Navy's war efforts and consisted of fully developed waterfront with buildings, pavement, etc. This portion of the site consisted of a building surrounded by pavement up to the bulkhead.

The proposed patio project is consistent with previous jurisdictional determination and the issued Orders of Conditions for the site (DEP File Nos. SE 034-700 and SE 034-1135), which authorized redevelopment and improvement of the Riverfront Area at the Hingham Shipyard. Mitigation and restoration was not required to comply with 310 CMR 10.58(5) but was included as part of the Hingham Shipyard Redevelopment project as enhancements over past conditions. The current patio proposal does not interfere with past Riverfront Redevelopment standards and falls within the scope of work associated with the past redevelopment project.

The proposed patio project complies with the Riverfront Redevelopment Standards at 310 CMR 10.58(5) as follows:

- (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.

Analysis – The proposed project results in an improvement over existing conditions with less impervious surface than existing conditions, increased native plant coverage, etc.

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

Stormwater management is already in place for this area as part of the Hingham Shipyard Redevelopment project. The proposed project does not require additional stormwater management activities.

- (c) Within 200 foot Riverfront areas, proposed work shall not be 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 patio project occurs within the existing landscaped area and is not closer to the river.

- (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).

The proposed patio project consists of re-landscaping an existing maintained area and does not include the construction of structures.

- (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).

This patio project occurs within a redeveloped Riverfront Area that was entirely degraded. The proposed project does not exceed the amount of degraded Riverfront Area at the site.

- (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....

This patio project does not result in new degraded Riverfront Area, which would trigger the need for restoration, and complies with the performance standard eliminating the need to comply with section (f) and (g).

- (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...

This patio project does not result in new degraded Riverfront Area, which would trigger the need for mitigation, and complies with the performance standard eliminating the need to comply with section (f) and (g).

The performance standard for Riverfront Area under the Bylaw and HWR incorporates the performance standard under the Wetlands Protection Act, M.G.L. c. 131, § 40, at 310 CMR 10.58 and is not more stringent. Notwithstanding, the Bylaw protects additional wetland values including open space, recreation, and aesthetics. The proposed project is consistent with the open space originally developed under the Shipyard Redevelopment Project. Similarly, the proposed project does not interfere with the use and enjoyment of the natural surroundings or hinder access to coastal resources thereby preserving recreational values. Lastly, the proposed project does not interfere with the natural and natively scenic impressions of the coastal resource areas or Riverfront Area and protects aesthetic values.

6. Summary

Erosion and sediment control measures will be implemented and maintained throughout the duration of the construction process to prevent the conveyance of sedimentation into environmentally sensitive areas. Disturbed areas will be stabilized upon the completion of work, and if intense rainfall is expected, reinforcing control measures will be installed as needed to protect all wetland resource areas. The stockpiling of materials, if any, shall be located beyond the 50-foot buffer zone and surrounded by erosion controls as necessary. Erosion control measures shall remain in place and

be maintained until such time that a Certificate of Compliance has been issued by the Hingham Conservation Commission, stating that the project has been constructed in accordance with the conditions set forth in the Order of Conditions. As a result, it is my opinion that the project complies with the performance standard for Redevelopment Within Previously Developed Riverfront Area and protects the interests of the Massachusetts Wetlands Protection Act and the Town of Hingham Wetlands Protection Bylaw for the adjacent Resource Area and the Applicant is entitled to an Order of Conditions approving the project.