

PROJECT NARRATIVE

1.0 INTRODUCTION

The Applicants, Gary and Christine Jacobson, are the owners of a parcel of land located at 169-171 Otis Street (the "Property"). The Property was formerly a condominium with two residential units. The Jacobsons purchased one condominium unit at the Property in 2014 and the second unit in 2020. The Applicants would like to demolish the unit recently purchased, along with the detached garage on the Property, and build an addition onto their existing unit with an attached garage.

The unit slated for removal is located partially within FEMA Flood Zone X and partially within FEMA Flood Zone VE, elevation 16. Demolition work will take place within FEMA Flood Zone VE and on a Coastal Bank. The new addition will be built over a portion of the footprint of the former unit but outside of the VE Flood Zone. The following explains this in detail.

2.0 EXISTING CONDITIONS

The Property is located at 169-171 Otis Street, Hingham, Massachusetts. Prior to September 2020, the Property consisted of one lot with two condominium units -- unit 169 and unit 171. Units 169 and 171 Otis Street were created by Master Deed dated September 12, 1991 and recorded with the Plymouth County Registry of Deeds at Book 10483 Page 206.

In October 2014, the Jacobsons purchased unit 171 by deed recorded with the Plymouth County Registry of Deeds at Book 44893, Page 328 on October 30, 2014. In July 2020, the Jacobsons purchased the second unit on the lot, unit 169, by deed recorded with the Plymouth County Registry of Deeds at Book 53363, Page 163 on September 1, 2020. On September 3, 2020, the Jacobsons removed the Otis Street 171 Condominium Trust from M.G.L. c. 183 § 19, as recorded with the Registry at book 53380, page 80.

The Property is located in Residence Zone A. The total lot area above mean high water (MHW) is approximately 11,374 square feet and is partially located within the 100-year flood zone VE (Elevation 16 NAVD) based on FEMA Flood Map No. 25023C0019J, dated July 17, 2012 and amended on August 14, 2015 as shown on the enclosed plan entitled "Existing and Proposed Conditions Plan," prepared by Nantasket Survey Engineering LLC, dated December 3, 2020 (the "Site Conditions Plan"). There is a seawall in the rear of the Property. Seaward of the seawall, the land consists of tidal flats and other coastal wetland resource areas. Tidal flats and large rocks are exposed daily between the edge of the Salt Marsh and mean low water (MLW).

The topography of the lot slopes toward Hingham Harbor. Both units currently share a concrete driveway leading to a three car detached garage. The lot is bordered by Otis Street, two residential lots and Hingham Harbor.

3.0 PROPOSED PROJECT

The proposed project involves the removal of one of the units at the Property, as well as the detached garage, and the construction of an addition onto the remaining unit on the Property (the “Addition”). The unit being removed is located partially within FEMA Flood Zone X and partially within FEMA Flood Zone VE, elevation 16. Demolition work will take place within approximately 239 square feet of the FEMA Flood Zone VE and on the Coastal Bank. The Addition will be built over a portion of the footprint of the former unit but outside of the VE Flood Zone. The total footprint of the areas of the Addition encompasses approximately 1320 square feet.

A driveway will be constructed as part of the project. Two trenches designed for stormwater collection are included; with one located in the upper driveway area in front of upper garage and one located in lower driveway area. A deck also extends along the back of the Addition.

4.0 WETLAND RESOURCE AREAS

There are three wetlands resource areas subject to the jurisdiction of the Wetlands Protection Act (M.G.L. Ch. 131 § 40) and the Hingham Wetlands Protection Bylaw (“Bylaw”) within the landward portion of the Property: Land Subject to Coastal Storm Flowage, Coastal Bank and Buffer Zone under the Bylaw. A brief description of the resource areas is provided below.

4.1 Land Subject to Coastal Storm Flowage

310 CMR 10.02

Land Subject to Coastal Storm Flowage (“LSCSF”) is an Area Subject to Protection under the Massachusetts Wetlands Protection Act, M.G.L. c. 131, §40 (“MWPA”). LSCSF “means land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater.” 310 CMR 10.04. There is no performance standard for work within LSCSF under the MWPA. Notwithstanding, the project will have no adverse effect on the interests of flood control or storm damage prevention protected under the MWPA.

Hingham Wetland Regulations (“HWR”) 20.1¹

LSCSF is defined at HWR 20.1(c) as “land subject to any inundation caused by coastal storms up to an including those that resulting in a 100 year flood as designated by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), surge of record, or flood of record, whichever is greater.” The general performance standard for LSCSF at HWR 20.1(d)(1) is that the “proposed project shall not cause any adverse effect or cumulative adverse effect upon the wetland values of LSCSF.” The wetland values are presumed to be storm damage prevention and the prevention of water pollution. HWR 20.1(a).

¹ The HWR were enacted under the Hingham Wetlands Protection By-law, Article 22, § 1.

The project will not have an adverse effect or cumulative adverse effect upon storm damage prevention and the prevention of water pollution. The Jacobsons will utilize best available measures and best practices to avoid any adverse effects.

4.2 Coastal Bank

310 CMR 10.30

Per 310 CMR 10.30, Coastal Bank means the seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of a coastal beach, land subject to title action, or other wetland. Coastal Banks composed of unconsolidated sediment and exposed to vigorous wave action serve as a major continuous source of sediment for beaches, dunes, and barrier beaches. Coastal Banks, because of their height and stability, may act as a buffer or natural wall, which protects upland areas from storm damage and flooding.

The Coastal Bank present on the Property does not serve as a source of sediment to the Coastal Beach but may serve as a vertical buffer to storm waters. The project will have no adverse effects on the stability of the Coastal Bank.

HWR 18.1

Per HWR 18.1, the project will not have any adverse effect or cumulative adverse effect on the wetland values of the Coastal Bank. The project will also have no adverse effect on bank height, bank stability, bank vegetation and wildlife habitat.

4.3 Buffer Zone

310 CMR 10.24

Buffer Zone is not a resource area under the Wetland Protection Act. Notwithstanding, “[f]or work in the buffer zone subject to review under 310 CMR 10.02(2)(b)3, the issuing authority shall impose conditions to protect the interests of the Act identified for the adjacent resource area.” 310 CMR 10.24(1). Conditions may include limitations on the scope and location of the work within the buffer zone as necessary to avoid alteration of resource areas. Id.

The Project proposed in Buffer Zone will not alter adjacent resource areas.

HWR 22.0

Per HWR 22.0, Buffer Zone is the area within a minimum distance of 100 horizontal feet of any Resource Area specified in HWR 2.0 (1-4). The Buffer Zone is presumed to be significant to the wetland values of the Resource Areas which it borders under HWR 22.0(b). The general performance standard for work within Buffer Zone 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

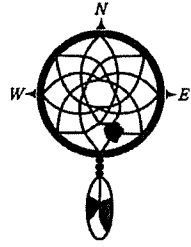
Areas.” HWR 22.0(d)(1).

Nearly the entire site is located within 50 feet of the top of the Coastal Bank. The addition will have a wall-type foundation less than 50 feet from the top of bank. See HWR 23.7(c) and 7.4. As such, the addition will require a waiver pursuant to Section 2B of the Bylaw.

The unit being demolished sits closer to the resource area than the new addition. The new addition is being moved as far from the resource area as possible while maintaining appropriate zoning setbacks and keeping with the overall character of the neighborhood. Moreover, the proposed work within 50-foot of the top of the Coastal Bank, and its natural and consequential impacts and effects, will not adversely affect the wetland values of the Bylaw.

5.0 CONCLUSION

Based on our professional education, training and experience, and our familiarity with the project and the project site, it is our opinion that the project complies with the relevant performance standards under the Wetlands Protection Act and the Bylaw. We also enclose a copy of our resume which provides our professional qualifications.



Nantasket Survey Engineering, LLC

David G. Ray, P.L.S. Experience

David Ray has over 35 years of experience as a land surveyor. As the Managing Principal for Nantasket Survey Engineering, LLC (NSE), Mr. Ray is responsible for the coordination and direction of land surveying services. Services provided under his leadership include property line, deformation, topographic, title insurance, pipeline, hydrographic, control, construction, route, subdivision, Global Positioning System (GPS), interior building, Land Court, roadway, accident, airport, aerial photogrammetric, and As-Built surveys. His client roster includes private landowners, residential and commercial developers, institutions, towns, redevelopment authorities, cities, utilities, state agencies, and the federal government.

Mr. Ray has managed a vast variety of survey projects. Some of his more significant projects include the MetroWest Tunnel and pipeline rehabilitation for the East West Spot Pond and Weston Area Supply Mains (WASM) 1, 2, 3, and 4. Each of these projects were large in scale (10 to 20 miles in length), and contained a variety of survey services including GPS control, right-of-way, aerial photogrammetry, topography, property line, hydrographic, easement, and tunnel alignment surveys. He has also worked with public agencies and private utilities performing mapping for fiber optic cable routes, gas pipeline routes, rights-of-way, and electric power lines throughout Maine, New Hampshire, Massachusetts, and Rhode Island.

While Mr. Ray has worked on numerous large-scale projects his area of special interest is coastal surveys. Living on the coast in the south shore, he has a great deal of experience with littoral and riparian projects. He has done extensive work in Boston Harbor recreating the 1880 Harbor Line, bulkhead lines, and pierhead lines for projects such as the New England Aquarium, Chelsea River crossing, and Clippership Wharf. Recent projects involving riparian issues at NSE include the Mill Wharf Marina in Scituate, Sunset Bay Marina in Hull, Spinnaker Island Yacht Club in Hull, and thousands of residential surveys (many directly on the coastline).

Education	B.S., Forest Engineering, Oregon State University
Registrations	Professional Land Surveyor States of MA (# 35412), ME (# 2278), RI (# 1944)
Affiliations	Massachusetts Association of Land Surveyors and Civil Engineers Maine Society of Land Surveyors