

May 18, 2026

Re: 8 Court Pickleball Proposal at 25 Bare Cove Park Drive

Dear Hingham Planning Board, Hingham Zoning Board of Appeals and Conservation Commission (collectively, the “Boards”):

Thank you for your service to Hingham and willingness to engage citizens on the projects under your review.

We are providing comments on the proposed 8 Pickleball Court project for the Town’s Department of Public Works (DPW) lot on Bare Cove Park Drive (the “Site”) to your three boards as you are all meeting on this proposal simultaneously. We are opposed to this project in its current form and think several improvements should be made, which serve the best interests of Hingham, its residents and the public. In that vein, we provide the following comments:

1. [Hingham’s 2021 Master Plan](#) (the “Plan”) connects the Town’s identity and future to protecting its natural resources and open spaces. The Plan’s community vision specifically states that Hingham should “**safeguard its coastal and inland natural resources**”¹ and residents repeatedly identified “greenspace” and the Town’s “natural beauty” as defining features worth protecting.² The Master Plan also calls on decision makers to “provide stewardship of priority open space and natural resource areas” and to “protect the environment.”³ Regardless of whether a particular Board views furthering this stated goal in Hingham’s Master Plan as within its purview, each Board, especially when the Applicant is a town department, could be and should be encouraging balance, compromise and stewardship of its natural resources.
 - a. The resource areas adjacent to the proposed Site are important as wildlife habitat and a key part of Tucker’s Swamp and the wetlands that feed and are part of, the Back River ecosystem.⁴ The perennial stream adjacent to the Site has been designated by the Division of Marine Fisheries, Commonwealth of Massachusetts as a “rainbow smelt (*Osmerus mordax*) run”.⁵
 - b. The Site as it exists today was the result of ecological alteration and filling in of the swamp/wetlands by the military. The amount of fill in Test Pit 1 is 80 inches and in Test Pit 2 it is 84 inches.⁶ With the removal of the ammunition depot building on the Site, this project presents a unique and precious opportunity to

¹ See Exhibit A ([Master Plan](#), p. 7)

² See [Master Plan](#), p. 6-7, 10

³ See [Master Plan](#), p. 15

⁴ See Exhibit B (photos of Resource Area).

⁵ See Exhibit C (Call of the Wild Letter to Conservation Commission).

⁶ See [Drainage Report revised May 6, 2026](#), pp. 101-102.

restore more of the natural ecology of the area rather than simply replacing impervious area with impervious area in the buffer and riverfront areas for pickleball players. ***If the number of courts is reduced***, more of the buffer area and Riverfront Area could be restored and since the Applicant is a town agency and should be aligned with the Town's goals in its Master Plan, we advocate that this reduction is highly appropriate and should be pursued.⁷

- c. The Applicant proposes an ***eight*** pickleball court project that goes right up to, and even on top of, the 50 foot buffer and/or 100 foot vernal pool buffer line.⁸ For some portion of the project, there is no opportunity for mitigation planting adjacent to the resource area because two of the eight pickleball courts leave no room between the 50 foot buffer zone on the Site. It is disappointing that there is not more of an attempt to restore more resource area, especially as the need for eight pickleball courts has not been substantiated.
 - d. The proposed placement of ***eight*** outdoor pickleball courts creates tension with the character of surrounding parcels. It is adjacent to an Area of Critical Environmental Concern, sensitive wetlands, Outstanding Resource Waters under 31 CMR 12.00, and a Hingham Town Meeting designated Wildlife Refuge.⁹ In addition, according to [U.S Fish & Wildlife Service's iPaC tool](#) over 20 migratory birds are in the vicinity of the proposed development.
2. The proposed location of the 8 Pickleball Courts is not "within The Carlson Athletic Complex."¹⁰ Rather the parcel of land where the proposed 8 Pickleball Courts are to be located is known as School Tract IV on the original plan at the time of the conveyance from the US Federal Government.¹¹ Based on a vote at the 2012 Annual Town Meeting for a land swap, the 10.08 acres of the already constructed Carlson Athletic Complex was removed from School Tract IV and combined with the Open Space Recreation Lot

⁷ In initial conversations with the Conservation staff, it was indicated that this project would involve the removal of debris left over from the Naval Ammunition Depot. However, this seems to have recently changed as the Applicant has indicated does not view this project as involving the removal of such material from the resource or buffer areas outside the footprint of the existing building. As such, that debris, some of which was shown to the Planning Board on May 4, 2026, ***will remain*** after this proposed project is completed, leading to a missed opportunity of improvement to the natural resources of the area. See [Supplemental Information Letter to Conservation Commission 05.11.2026, p. 2](#).

⁸ See Exhibit D (close up of schematic)

⁹ In 1985 Hingham Town Meeting voted unanimously to designate Bare Cove Park a Wildlife Refuge. This is a local designation by Town Meeting and did not need approval from the state (as the state can only designate land it owns as a state-designated Wildlife Sanctuary, [which is why the parcel of land in the vicinity that is owned by the state](#) at 0 Beal Street (Account # 131046000000021), is a Wildlife Management Area, and Bare Cove Park is not). The 1985 Town Warrant Article referred to a condition of "an Act of the General Court, ***if any is required***, authorizing and approving use of parked land for the purposes of a wildlife refuge]. . ." No Act of the General Court was required for the Town designation of a wildlife refuge. See Exhibit E (Hingham Annual Town Meeting Designated Wildlife Refuge and state Wildlife Management Area for parcel owned by Massachusetts/0 Beal Street).

¹⁰ See [March 30, 2026 Carlson Letter to Planning Board filed by the Applicant, page 1](#).

¹¹ See Plan at Book 17, Page 508 at the Plymouth Registry of Deeds.

known as Bare Cove Park (i.e., the Federal Land to Parks program parcel). The Site was not part of that land swap transfer and therefore is still part of the School Tract IV parcel.

3. The School Tract IV parcel of land, and therefore the Site, [according to the Town's records, is owned and controlled by Hingham's Department of Public Works \(DPW\)](#). Yet the DPW is not listed nor copied on any of the Applicant's materials, nor did the DPW sign any of the applications before any of the Boards.
 4. The Zoning Board of Appeals (ZBA) application incorrectly answered "No" in response to the question of whether an application for relief from the zoning By-Laws has ever been filed for this parcel. That is incorrect. There have been multiple prior decisions of the ZBA for a special permit relating to this parcel of land, i.e., in connection with the athletic fields, DPW and the Light Plant.
 - a. In 2006, the ZBA previously agreed to apply the Noise section of the Zoning By-Law to this parcel of land by "analogy", even though it was not "applicable to the [a]pplicant's project which is situated in the Official and Open space zoning district."¹² As a result of the ZBA's review of noise impacts on the athletic fields and DPW, its 2006 decision on this same parcel imposed specific noise abatement requirements upon the applicant, including limited hours.¹³
 5. The issue of Noise is within the purview of the review of this pickleball project. [Hingham By-law Article 42](#) states "WHEREAS excessive sound poses a serious hazard to the public health, welfare, safety and ***quality of life***, and WHEREAS the residents of the Town of Hingham **have a right to, and should be ensured, an environment free of excessive Sound that may jeopardize their health, welfare or safety, or degrade their quality of life**; NOW THEREFORE, it is the policy of the Town of Hingham to prevent excessive Sound which may jeopardize the health, welfare or safety of its residents, or adversely impact their quality of life. This By-law shall apply to the control of all Sound originating within the geographical limits of the Town of Hingham."
- "5(c) Project Review and Approval. **All Town departments, boards and officials having responsibility for the review and approval of new projects or activities [sic], or changes to existing projects, that result, or may result, in the production of Sound shall, to the extent reasonably feasible under the circumstances, require compliance with the provisions of this By-law as a condition of approval.** This By-law is not intended to require any Town department, board or official to apply a more restrictive standard for the approval of any project or activity, or change to any existing projects, than has been applied prior to the By-law's adoption." (emphasis added)

¹² See July 20, 2006 Notice of Decision for a Special Permit A1 and A2 of the ZBA, p. 8 (Book 36925, pp. 185-200, Plymouth Registry of Deeds).

¹³ See *Id.* (p. 12-13).

“6(a) NOISE DISTURBANCE PROHIBITED (a) No Person shall make, continue, or cause to be made or continued, any Noise Disturbance. Unamplified, non-commercial public speaking and public assembly activities conducted at conversational voice levels on any Public Property or Public Right-of-Way shall be exempt from the operation of this Section if such Sound is not Plainly Audible beyond 100 feet or does not infringe the legitimate rights of others.”

No information on the noise¹⁴ associated with these 8 pickleball courts has been provided by the Applicant, or how such noise pollution will be mitigated and/or comply with the Town’s Noise By-Law. It is also not clear where the sound mitigants will be located in the proposed development, i.e., will it be only on certain sides of the proposed facility?

It is our understanding that these 8 pickleball courts will create the kind of Noise Disturbance that By-Law Article 42 is meant to prevent. This is based on the volume of courts, and the lack of information regarding the sound created with these courts, their impact on the various surrounding neighborhoods¹⁵ and their impact on surrounding passive recreation areas such as the walking path from the entrance of the Light Plant.¹⁶

Adding to the challenge of this proposed project are [the complaints such courts have generated](#) in other communities, [the effects they have on people once they have been built elsewhere](#), [litigation regarding pickleball courts in other communities](#) and [municipal bans involving public pickleball courts](#).

6. The Hingham Housing Authority has commenced the process to construct a 68-unit senior affordable housing complex at 100 Beal, and the noise from 8 proposed pickleball courts should be analyzed so that they would not have a detrimental effect on the residents for this housing project.¹⁷
7. The proposed 8 court pickleball project may violate Massachusetts Department of Environmental Protection’s noise regulations (310 CMR 7.10), including but not limited to, the increase of broadband sound levels by more than 10dBA above the existing ambient sound level as a result of the project.

¹⁴ According to Article 42 of Hingham’s By-Laws “3(g)Noise Disturbance” means any Sound which: (a) may disturb or annoy reasonable Persons of normal sensitivities; (b) causes, or tends to cause, an adverse effect on the public health and welfare; (c) endangers or injures Persons; or (d) endangers or injures real or personal property.”

¹⁵ These neighborhoods include Christina Estates (on Baker Hill Drive; see Exhibit F (photo of proposed Site with Baker Hill in background)), Taylor Lane and Beal Street, Hillside Terrace, Adams Court and Conservatory Park.

¹⁶ See Exhibit G (passive walking path between Light Plan and Bare Cove Park).

¹⁷ See Exhibit H (Peabody Properties 100 Beal schematic). See also [August 12, 2025 HHA minutes, p. 2](#), and [September 9, 2025 HHA minutes, p.1](#).

8. An alternative proposal that would be more compatible or harmonious with the surrounding areas, especially the quiet and serenity, would be an enclosed pickleball facility. An enclosed facility would also allow for year-round activity and avoid the recurring need of re-surfacing the courts due to weather wear-and-tear. It would also be consistent with the existing character of the area because of the existing building and buildings on the same parcel.
9. The construction of 8 public courts in Hingham is without precedent and exceeds the normal number of public courts by 2 courts. There are 6 courts at Plymouth River (tennis courts with pickleball lines), 6 courts at Cronin Field (tennis courts with pickleball lines), 6 courts at Hingham High School (tennis courts), and 4 courts at Hingham Middle School (tennis courts). Indeed, [the consultant for Hingham's 2020 Comprehensive Athletic Fields and Outdoor Court Study referred to the addition of "a pickleball court or two"](#) not eight. Building 8 courts at 1 site is out of character for Hingham and the Applicant should reduce the number of proposed courts.
10. Existing courts in Hingham, including those with pickleball lines, have not reached capacity. Indeed the [Applicant currently hosts pickleball clinics and lessons at Cronin Field and PRS](#). The ability to play pickleball on Hingham's existing courts further indicates that constructing new 8 pickleball courts at one location is in excess of what is appropriate.
11. The Carlson Complex skateboard park and athletic fields are heavily used after school in the Fall and the Spring and on the weekends by children and families, all within less than 500 feet from the Site. The noise impact by the 8 pickleball courts on those activities has never been measured nor considered. This is an unacceptable absence as part of the A2 Special Permit application and the noise impact on these activities needs to be measured and appropriately mitigated. Alternatively, the use of the pickleball courts could have complementing hours of availability so as not to aggravate existing parking and noise conditions, e.g., limit availability to Monday-Friday 9am to 2pm.
12. There is a concern that the proposed eight pickleball court project will adversely affect the health, safety and welfare of Town employees, who will work adjacent to this facility, often outdoors, because of the level, repetitiveness and scale of pop-pop from 8 pickleball courts. Such exposure and adverse effects on Town employees could lead to an OSHA complaint.
13. The large number of proposed pickleball courts may be used for pickleball tournaments, increasing the volume of people and use of these proposed courts, at Hingham taxpayer expense. With 8 courts and tournament teams being 2 players, this equates to 32 people at a time if tournaments are allowed to be scheduled at these courts. There simply is not

enough parking, nor facilities, to handle such volume. Accordingly, we suggest that a condition be included that pickleball tournaments not be allowed on the Site.¹⁸

14. The proposal to construct these 8 courts also creates health issues. With the volume of pickleball players, up to 32 people at a time, some of whom are characterized as “fanatics”, there are **no public restroom facilities** for them to use. This is very significant and concerning because this site is adjacent to Outstanding Resource Waters, an Area of Critical Environmental Concern and abuts right up against the 50 foot wetland buffer zone.
15. Due to the environmental sensitivity of the wetlands in the area and the adjacent ACEC, we advocate that the [Stormwater System Operation and Maintenance Plan](#) should prohibit the use of de-icing materials such as sodium chloride, calcium chloride, chemically treated abrasives, or other chemicals used for the removal of snow or ice on roads.
16. We advocate that the following additional conditions be considered:
 - a. Limit hours of play;
 - b. Limiting use of the courts to only Hingham residents;
 - c. Signage be installed stating the hours and limiting use to Hingham residents (similar to signage at other recreational facilities in Hingham);
 - d. A look-back period of 12 months to evaluate the impact and operation of any mitigants; and
 - e. Any other conditions that the Boards deem appropriate.
17. The boundary of the Area of Critical Environmental Concern (ACEC) is not clearly nor correctly delineated on the Revised Site Plans 5.11.2026. The ACEC is a continuous and smooth boundary¹⁹ and should be reflected properly on the schematic.

Thank you for your consideration of our comments.

Yours sincerely,

Brian Seppala
President
Bare Cove Preservation, Inc.

¹⁸ Commercial Pickleball facilities, such as the indoor facility at [Boston Pickle Club in Norwell, MA](#) hosts regular tournaments. We also note that the proposed Bristol Bros. development project for South Hingham plans to include a commercial facility with 6 pickleball courts.

¹⁹ See Exhibit I (ACEC boundary).

EXHIBIT A

Hingham's Community Vision

In 2035, Hingham will be a place that ...

Honors its coastal New England heritage and *celebrates* its place and role throughout our country's history.

Safeguards its coastal and inland natural resources.

Enhances public access to Hingham Harbor and its amenities.

Strengthens its pride of place and *sense of community* through town-wide events and celebrations.



Provides infrastructure and services to encourage multimodal mobility linking key locations throughout town, such as the Shipyard, Harbor, Downtown, and South Hingham.

Promotes the *safety and well-being of older adults* and supports aging in community by providing high-quality amenities and services and encouraging housing that meets the needs of seniors..

Provides excellent schools and supports families by meeting the needs of children and youth, offering a wide range of recreation, athletic, social, and cultural activities.

Provides for strong, resilient commercial districts by supporting responsible development that brings economic growth and diversifies our tax base.

Welcomes racial, cultural, and economic diversity.

Encourages a range of housing types and prices.

Systematically *plans for and invests* in planned preventive maintenance and capital improvements to municipal and school facilities and infrastructure.

EXHIBIT B

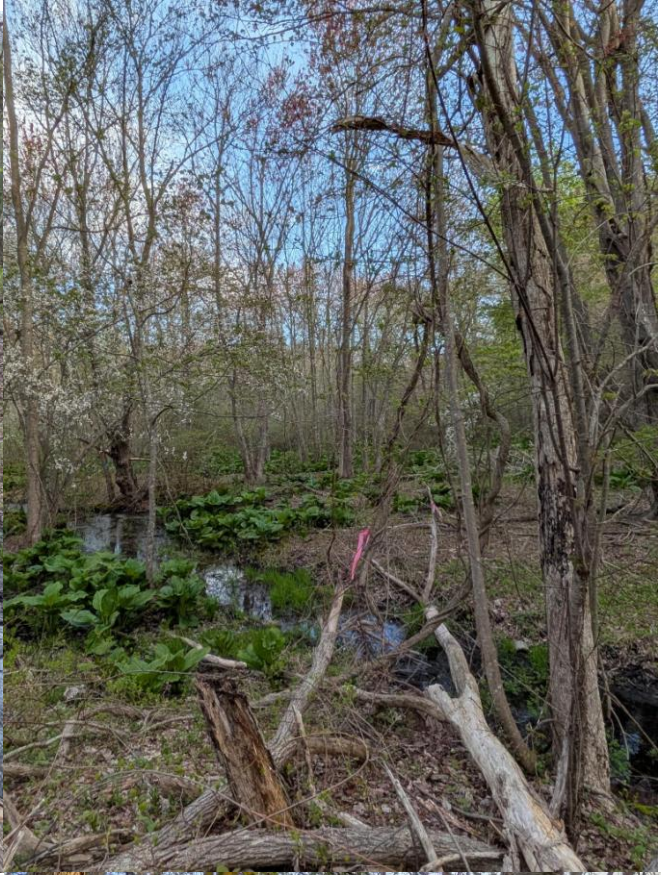
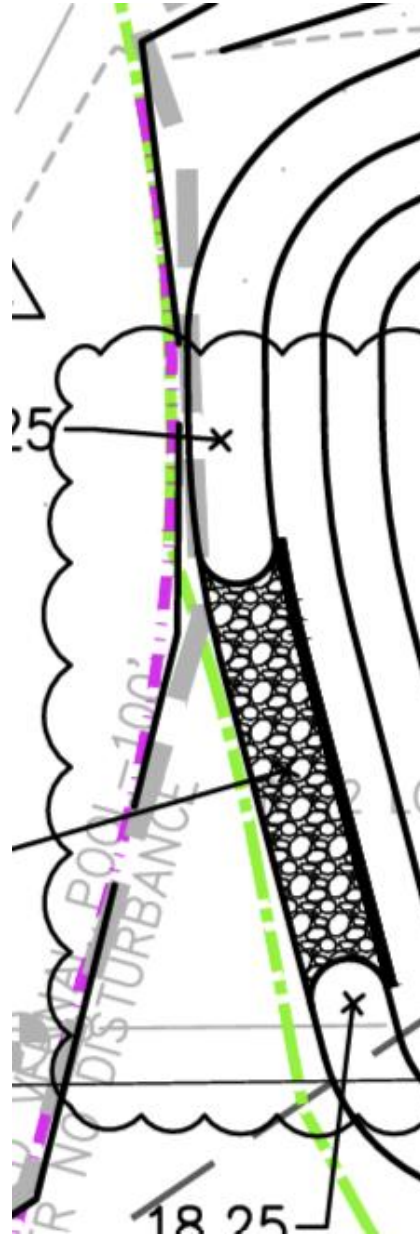
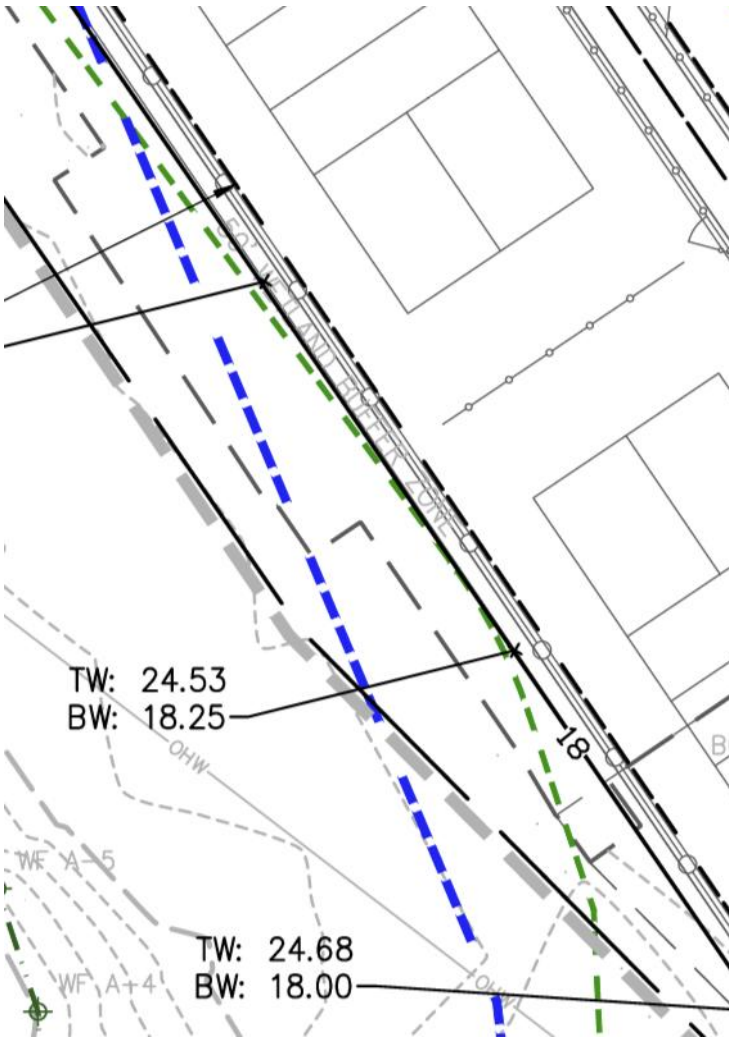


EXHIBIT D



Call of the Wild Consulting and Environmental Services



February 24, 2004

Hingham Conservation Commission
Town Hall
Hingham, MA

Re: Letter in support of the designation of the un-named stream in Tucker Swamp as Riverfront Area

Dear Commission Members:

The un-named stream in the Tucker Swamp in Bare Cove Park is *Riverfront Area* as defined under the *Massachusetts Wetlands Protection Act Regulations 310 CMR 10.58 (2)(a)* for the following reasons.

The stream is identified on the USGS quadrangle map for Weymouth as a perennial stream. This meets the starting point requirement found under the Definition of *Riverfront Area, 10.58 (2) (a) 1, a*.

During several field observations made during the month of February 2004, I observed flowing surface water present with areas of pool/riffle systems at various points through out the length of the stream. These riverine characteristics are also features found in the Definition of *Riverfront Area under 10.58 (2) (a) 1*. In addition, this stream has steeply cut banks that vary in depth from scouring associated with different flooding events that occur through out the course of a year. The stream channel width ranges from 2 feet to 12 feet, which is also another indicator that it is subject to a wide variety of flowage volumes (not just spring flowage), and bank sculpting processes such as high volume flow and freezing and thawing.

Call of the Wild also observed other biological indicators of the perennial nature of this stream. There was duckweed *Lemna sp.*, an aquatic, obligate plant species growing on the surface of the stream in many areas along the stream's length. The stream has an extensive low gradient (flat), well developed flood plain associated with it that is basically the area known as the Tucker Swamp. Because of the low gradient of this flood plain, it is reasonable to assume that the stream is receiving groundwater flow year round. In addition, this stream is receiving surface run-off from it's topographical and culverted watershed. Another indicator of the presence of year- round water flow in the stream is the presence of emergent, nonpersistent wetlands (cattail/sedge marsh) adjacent to the stream on the easterly side. Emergent nonpersistant marshes such as this are not usually

found in association with intermittent streams, they are more typically found adjacent to perennial streams.

The entire length of the perennial stream is within the area identified as “Coastal Zone “ as identified by the *Massachusetts Coastal Zone Management Program 301 CMR 21.05 Massachusetts Coastal Regions and An Atlas of Resources Map* and referenced under the *Wetlands Protection Act Regulations 310 CMR 10.23 Additional Definitions for 310 CMR 10.21 through 10.35*. Please see the attached map. In addition, the lower reaches of this stream is an *Anadromous Fish Run* (Rainbow Smelt) as defined under *310 CMR 10.35 (2)*. Please see the attached letter from fisheries biologist, Bradford Chase of the *Division of Marine Fisheries*.

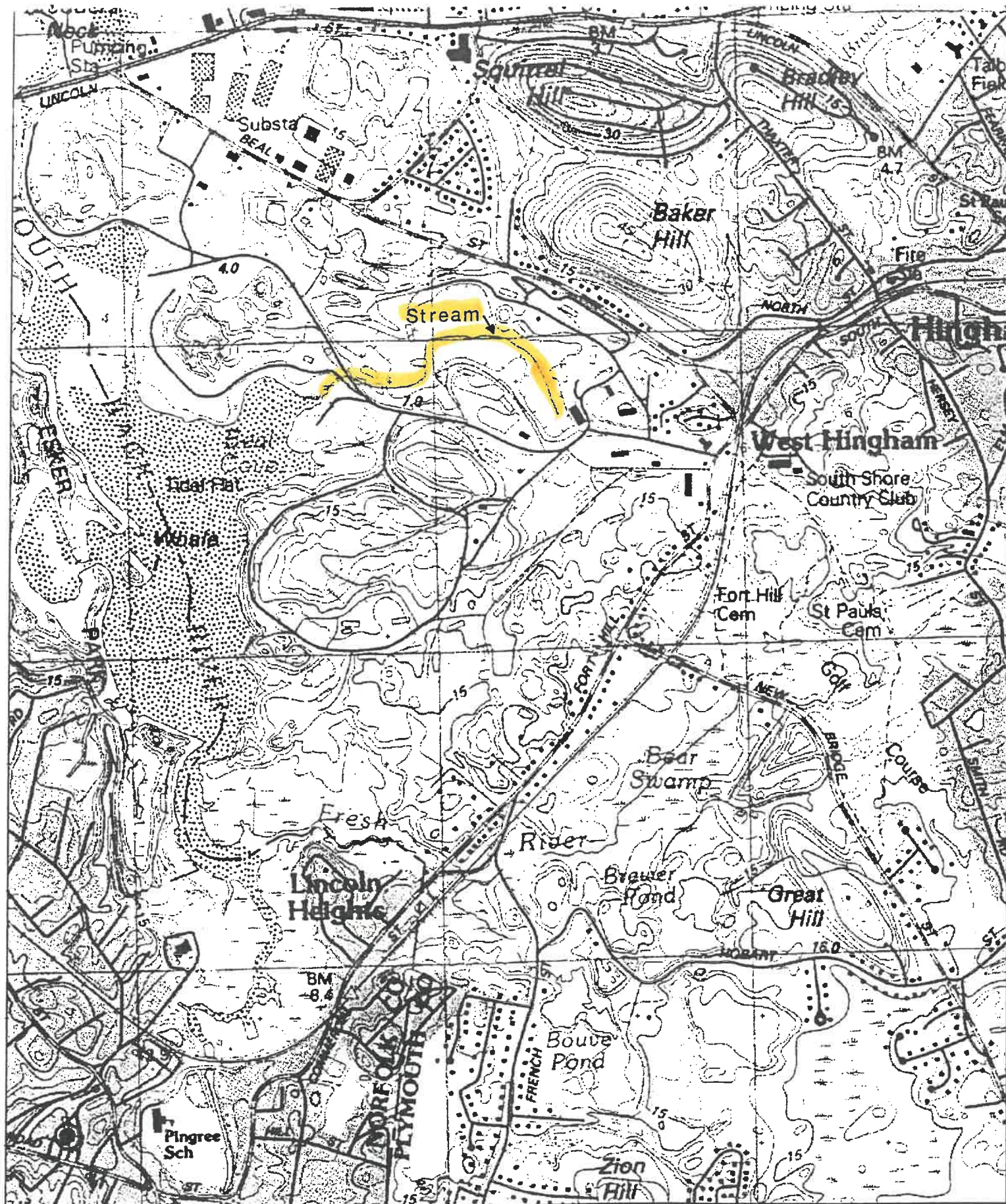
For the above stated reasons Call of the Wild believes that this unnamed stream in Tucker Swamp in Bare Cove Park /School Depot property meets the definition of *Riverfront Area* under *310 CMR 10.58 (2)* and that the applicant should be required to address the *Scope of Alternatives* provision under *Riverfront Area 10.58 (4)*.

Respectfully submitted,

C. Diane Boretos, P.W.
Principal Biologist



Cc: Michael Connolly
Sanford M. Matathia, Esq.



Name: WEYMOUTH
 Date: 2/29/ 04
 Scale: 1 inch equals 1333 feet

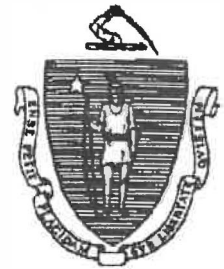
Location: 042° 13' 56.8" N 070° 54' 42.5" W
 Caption: Perennial Stream in Bare Cove Park, Hingham

Call of the Wild



Paul J. Diodati
Director

Commonwealth of Massachusetts
Division of Marine Fisheries
Annisquam River Marine Fisheries Station
30 Emerson Avenue
Gloucester, MA 01930
(978) 282-0308
fax (617) 727-3337



February 25, 2004

C. Diane Boretos
Call of the Wild
P.O. Box 572
West Falmouth, MA 02574

Re: Anadromous fish run at Bare Cove Park, Hingham

Dear Ms. Boretos:

I am responding to your request for information on the status of anadromous fish resources in an unnamed stream that runs through Bare Cove Park and discharges to the Weymouth Back River estuary. This stream is designated by the Massachusetts Division of Marine Fisheries as a rainbow smelt (*Osmerus mordax*) run. This stream was monitored in the 1990s and very low densities of smelt eggs were found over a small stretch of the stream above the salt and freshwater interface. This stretch of spawning habitat (see enclosed table) is the smallest in the Boston Harbor area. We refer to that area of the Weymouth Back River as Beal Cove based on U.S. Geological Survey maps. It is the same stream that runs through the area now called Bare Cove Park. If needed, you can reference this table as included the following report:

Chase, B.C. 2004. Rainbow smelt (*Osmerus mordax*) spawning habitat on the Gulf of Maine coast of Massachusetts. Massachusetts Division of Marine Fisheries, Technical Report, *In preparation*.

Sincerely,

Bradford C. Chase
Marine Fisheries Biologist
brad.chase@state.ma.us

An Agency of the Department of Fisheries, Wildlife & Environmental Law Enforcement
David M. Peters, *Commissioner*

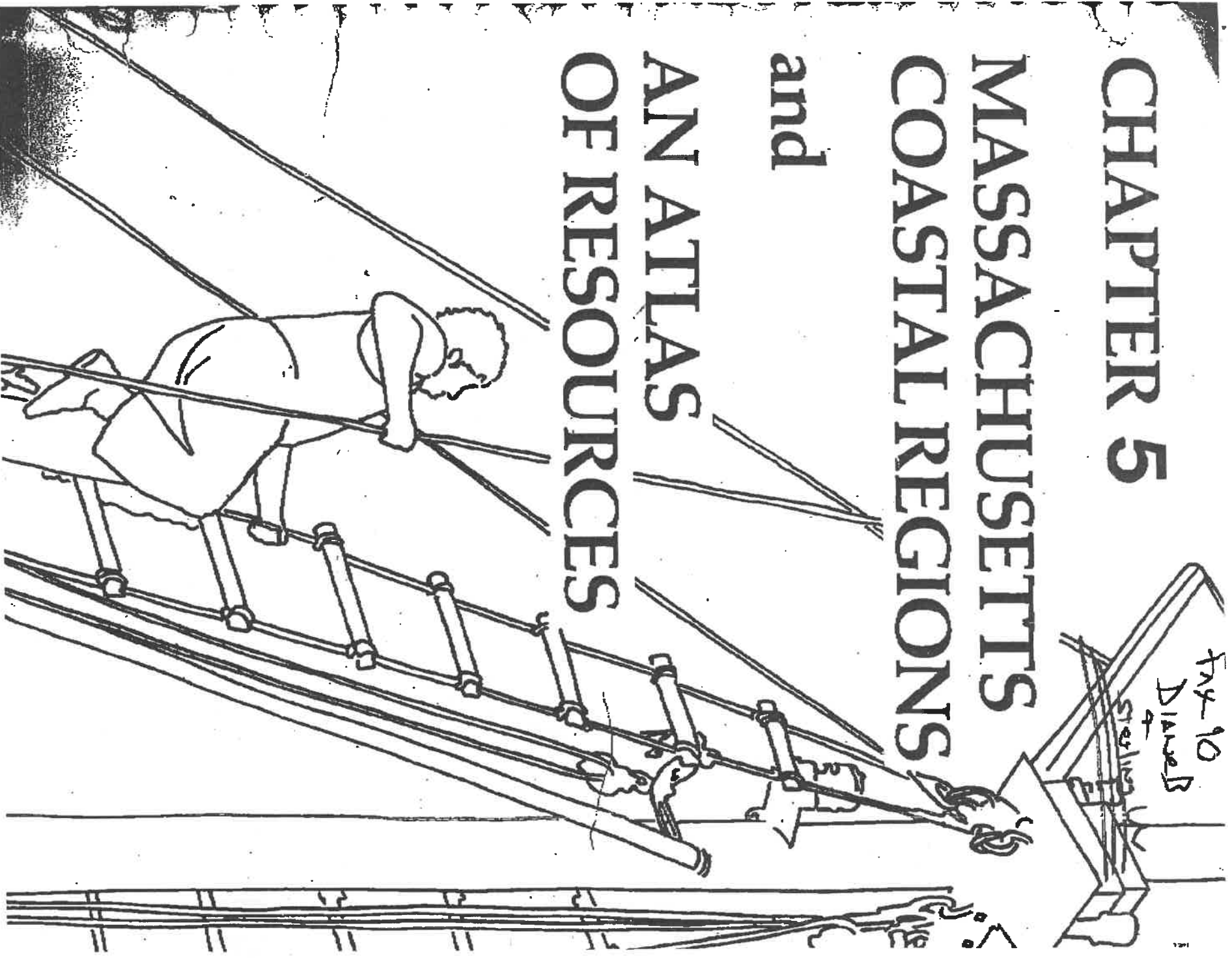


CHAPTER 5

MASSACHUSETTS COASTAL REGIONS

and

AN ATLAS OF RESOURCES



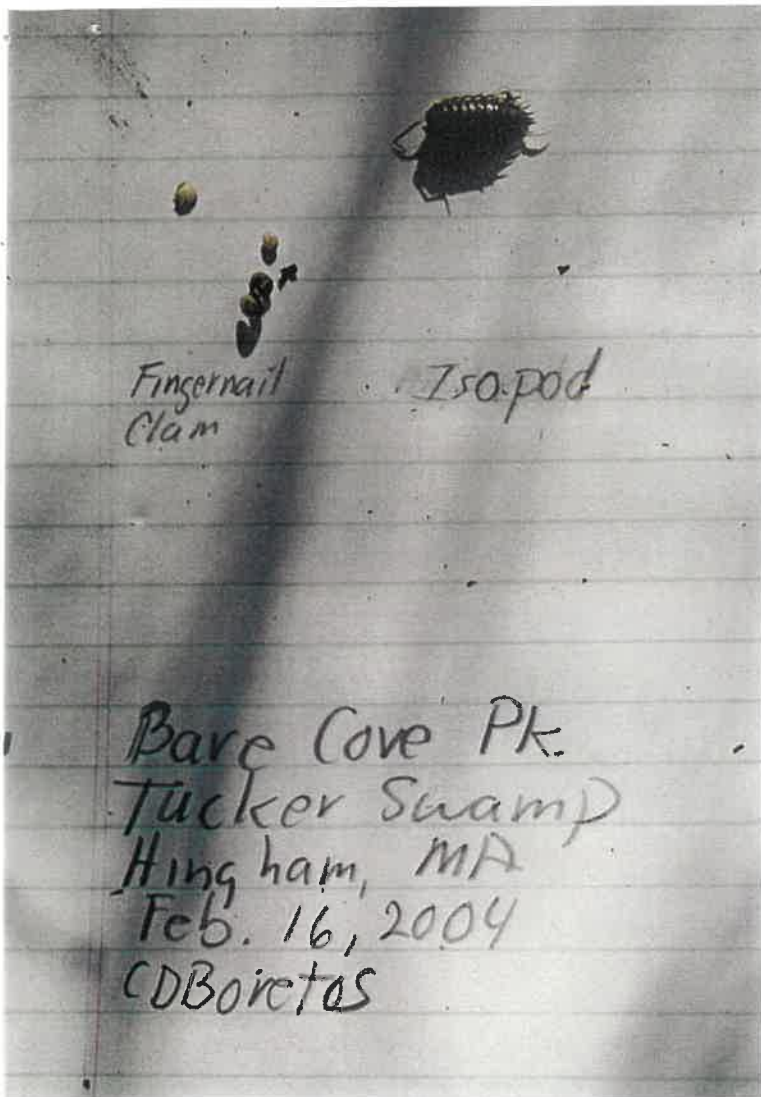
May 10
D. J. Davis
4

PLATE 18

Stream

Coastal Zone Delineation





Vernal pool spp. found in flood plain assoc. with stream



Duckweed and emergent marsh on east side of stre

EXHIBIT E

1985 Town Warrant Article, which passed unanimously:

ARTICLE 49. Will the Town vote, subject to (a) concurrence and/or consent, if any is required, from the Bureau of Outdoor Recreation, or its successor in function, or its designee, or the Secretary of the Interior of the United States Government, pursuant to covenants in a corrective deed to the Town of Hingham, dated June 27, 1983, recorded in Plymouth Registry of Deeds, Book 3917, Page 327; and (b) concurrence and/or consent, if any is required, from the United States of America, acting through the Department of Health, Education and Welfare, or its successor in function, or its designee, pursuant to covenants and deeds to the Town dated December 17, 1973, recorded with Plymouth Registry of Deeds, Book 3961, Page 682 and Book 3961, Page 701; and (c) compliance with applicable provisions of all Massachusetts General Laws, United States Statutes, and Town of Hingham By-Laws; and (d) an Act of the General Court, if any is required, authorizing and approving use of park land for the purposes described herein; to (1) establish and dedicate, as a Wildlife Refuge, a parcel of land consisting of approximately 470 acres, more or less, commonly known as Bare Cove Park, located on the Northwesterly part of the Town together with that portion of the Weymouth Back River which is within the Town of Hingham, which land is formerly known as the Hingham Ammunition Depot, so that birds and mammals in the said area shall be protected and so that a sanctuary for said wildlife can be provided; and (2) to authorize the Board of Selectmen and any other committee or commission of the Town designated by said Board of Selectmen, to do all things necessary or desirable, to cause the establishment and dedication of said Wildlife Refuge, or act on anything relating thereto?

(Inserted by the Selectmen, at the request of the Back River Committee.)

COMMENT: The acceptance of this article will allow for the protection of the wildlife in the area against illegal hunting and will allow for more public enjoyment of the area. Because the area is flat, it is one of the few recreational areas in Hingham that is accessible to the elderly and handicapped. A wildlife refuge could serve both a recreational and educational function. Favorable action would entail no additional cost to the Town.

Parcel that is owned by MA Division of Fisheries and Wildlife is a state-designated WMA:

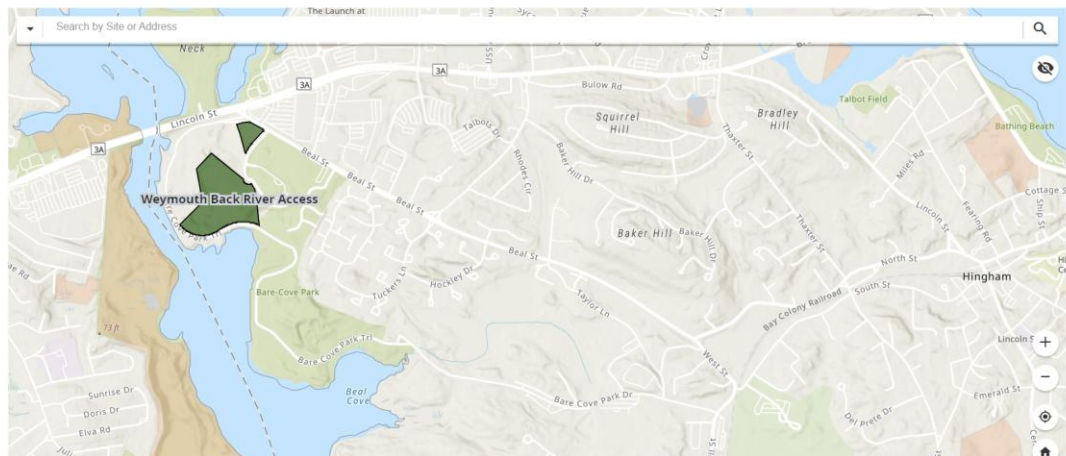
<https://www.mass.gov/info-details/wildlife-management-areas-wmas>

Division of Fisheries and Wildlife > MassWildlife Lands Viewer

OFFERED BY Division of Fisheries and Wildlife

Wildlife Management Areas (WMAs)

WMAs are public areas that are protected to provide habitat for wildlife and to give people a place to explore wild Massachusetts. These lands are free and open to the public for walking, hiking, hunting, fishing, trapping, and wildlife viewing. Any trails through the properties are unmarked and parking lots are usually not paved.



Excerpts of Minutes of the Back River Committee regarding the Wildlife Refuge designation as led by former Hingham Police Officer, George Dolan:

Oct 22, 1984:

MINUTES OF THE BACK RIVER MEETING

MONDAY, OCTOBER 22, 1984

ATTENDANCE: Joseph Prioli, George Dolan, Brad Pierce, George Mutch, Mary F. Toomey, Helene Finnicks

Guest: Mr. Arthur W. Boyne, Resident of River Street, No. Wey.

OLD BUSINESS:

1. Wildlife Sanctuary

George Dolan reported that he had received lengthy correspondence from the town of Yarmouth which had declared an area a refuge in 1981. The article #30 in the warrant of the annual town meeting, received the backing of the selectmen, finance committee and Conservation Commission, as well as Town Meeting. George will work to prepare a similar article to present to

2.

Weymouth and Hingham Selectmen in November, requesting that the ACEO area be designated a refuge.

The Back River Committee voted unanimously in favor of such an article in order to insure safety of the many persons using the park for passive recreation year round. Also it will insure the safety of researchers and students studying the many forms of wildlife found in the area, and protect the rare species such as the colony of blue heron which have a rookery there,

It is also to be noted that Dr. Pratt has received permission to set up a Wildlife Center in which students and the public will participate. The building of walking trails is also a strong possibility. In addition the Back River Committee will pursue its efforts to obtain a grant which will allow a survey of the estuary. This will entail researchers and observers being in the area on a year-round basis. For these two reasons alone the designation of a refuge is mandatory.

May 13, 1985:

MINUTES FOR THE BACK RIVER COMMITTEE MEETING

Monday, May 13, 1985- Hingham Town Hall

ATTENDANCE: David Malone, George Dolan, Barbara Johnson, Joseph Prioli, George Mutch, Brad Pierce, Mary F. Toomey

CORRESPONDENCE:

- Power Recovery Systems of Cambridge- concerning the request of the committee to know the "specific chemical composition" of the residue, and the results of the "EP toxicity" test of the same. The committee will be informed in due time. The request is being looked into. The Weymouth Gasification plant for the Incinerator will not be voted on until later at a special town meeting.
- Coastal Zone - Notification of the fact that the final work concerned with the designation of the Area of Critical Concern is now being carried out, namely the placing of restrictions on the marshes bordering the river within the designated area.
- MDC - The final phase of the sewer work, that of updating the pumping station at Stodder's Neck and the placing of a larger pipe across the Back River bridge will begin in July. (This hopefully will mean the elimination of sewage discharges into the river.)

OLD BUSINESS:

- WILDLIFE REFUGE AND HUNTING BAN ARTICLES

Both of these articles, supported unanimously by all boards in Hingham and Weymouth, were unanimously voted by both Town Meetings as well. They must now be passed by the Attorney-General of the State. The chairman congratulated Barbara Johnson and George Dolan on the excellent work both did in preparing these articles for their respective towns. The facts were thoroughly researched, and all questions answered prior to the hearings on the articles.

Aug 12, 1985:

MINUTES OF THE BACK RIVER COMMITTEE MEETING- AUGUST 12, 1985

HINGHAM TOWN HALL - 7:30 P.M.

ATTENDANCE: George Dolan, Lisa Drucker, George Mutch, Barbara Johnson, Robert Beal, Mary F. Toomey, Capt. Paul Lutz, Arthur Boyne

INTRODUCTION: Captain Paul Lutz, Ret. U.S.C.G. Ret., representing the Hingham Harbor Development Committee

River will have a prime place on the Back River agenda this year.

- George Dolan requested that time be given at the next meeting to set up regulations for the newly-designated Wildlife Refuge. A letter has been received from the Attorney General that all hunting and shooting etc. has been banned from the area. His approval followed the passage of a by-law concerning the same and passed unanimously by the town meetings of Weymouth and Hingham. The designation of the Wildlife Refuge which also passed unanimously did not require approval by the attorney general.

The meeting closed at 10:30 P.M.

Respectfully submitted,

Mary F. Toomey Chairman, Back River Comm.

NEXT MEETING DATE: MONDAY, SEPTEMBER 9, AT 7:30

Exhibit F



EXHIBIT G



EXHIBIT H

Site Plan | Proposed Design



EXHIBIT I

[Description of the ACEC from Designation Document](#) (much of the railroad lines have been removed and land altered):

DESIGNATION OF THE WEYMOUTH BACK RIVER
as an AREA OF CRITICAL ENVIRONMENTAL CONCERN
with supporting findings

Following the extensive formal review required by the regulations of the Massachusetts Coastal Zone Management program (301 CMR 20.00 et seq) and the Massachusetts Environmental Policy Act (301 CMR 10.00 et seq), including nomination review, research, meetings, and evaluation of all public comments, I, the Secretary of Environmental Affairs, hereby designate a portion of the Weymouth Back River and surrounding lands in the towns of Hingham and Weymouth as an Area of Critical Environmental Concern (ACEC). This action is taken pursuant to the authority granted to me under Massachusetts G.L. c. 21A, s. 2(7).

I also hereby find that the coastal resource areas included in the Back River ACEC are significant to flood control, the prevention of storm damage, the protection of land containing shellfish, and fisheries; public interests defined in the Wetlands Protection Act (G.L. c. 131, s.40; 310 CMR 10.00 et seq.).

I. Boundary of the Back River ACEC.

The area generally includes the Weymouth Back River estuary and certain surrounding lands and watershed areas. All elevations referred to are NGVD datum as indicated on USGS topo sheet of the Weymouth Quadrangle dated 1971, photorevised 1979. A map showing the ACEC boundaries is available in the Massachusetts Coastal Zone Management office at 100 Cambridge Street, Boston.

Specifically, the boundary is defined as follows:

Beginning at the point just south of the Route 3A bridge where the northern boundary of Weymouth's Great Esker Park meets the western bank of the Back

Description of ACEC around Tucker's Swamp (and outside the Bare Cove Park parcel and on the School Lot IV parcel):

Three additional areas adjacent to Bare Cove Park are within the boundaries of the ACEC. The first includes a section of Tuckers Swamp on land owned by the Hingham School Department. It is generally bounded by the beds of unnamed roads and railroad lines from the former naval installation. Beginning at the juncture of the roadbed and the Park boundary just south of the Tucker Swamp well field and extending northeast to the railroad bed, northwest and northeast to the first intersecting roadway, northwest along the west side of that roadbed to a point 50' to the south of the brook, in a northeast direction to north side of the first roadbed, thence southeast along the north side of the road to the west side of the first intersecting road, north along the west side of that roadbed to the first intersection, west along the south side of the road to the intersection with the railroad bed, southeast along the north side of the railroad to the intersection with the 20' contour line, south and west along this contour line and extending west to the railroad bed and northwest to the Park boundary.

The overlay of the ACEC from Coastal Zone Management ([as referenced in the ACEC Designation](#)):



[From ACEC Map:](#)



Article 97 Tool:

