

DEP File No. 34-533 – Bay Club Patio Dining Area (Building 39)

Project:

“Modification of existing perimeter under canopy to accommodate patio dining.” Creation of outdoor patio dining area at existing restaurant (modification under existing canopy; no expansion beyond footprint). Minor changes to a portion of the exterior wall of existing restaurant to accommodate outdoor food and beverage service for patio dining at a riverfront restaurant.

Dates:

NOI filed 5/7/1998; hearing closed 6/1/1998; OOC recorded 9/10/1999.

Applicant / Owner:

Hingham Bay Club, Inc. / Sea Chain, LLC

Location (based on documents submitted in file):

349 Lincoln Street

Work Status:

The work was likely completed and subsequently eliminated as part of subsequent redevelopment of the Shipyard site.

Key Conditions:

Work limited to existing footprint; no expansion toward river without new filing; perimeter plantings and barrier required; operational controls (noise, trash, use). Certain conditions (17–19) are ongoing.

- Ongoing Conditions (17–19):

Outdoor dining use must minimize noise and impacts to wildlife; perimeter plantings and barrier must be maintained; no expansion of restaurant operations closer to the river without further permitting.

Compliance / Comments:

Original work was likely constructed as approved. Site was part of Shipyard redevelopment. The demolition of Bay Club Restaurant and outdoor dining patio happened between 7/2007 and 4/2008, based on aerial photographs. See Attached Aerial Photographs. Any ongoing conditions are a nullity, as the site was redeveloped pursuant to DEP File #34-700, as amended. No Certificate of Compliance on record. Site has since been redeveloped, and original project no longer exist in its approved form.

RECEIVED

MAY 18 2026

TOWN OF HINGHAM
CONSERVATION

12/2005

Write a description for your map.

Legend

Weymouth Back River

Hewitt's Cove

Hewitt's Cove Pier

DCR Island District Office

Hingham Terminal

Hingham Shipyard Marinas

Alma Nove

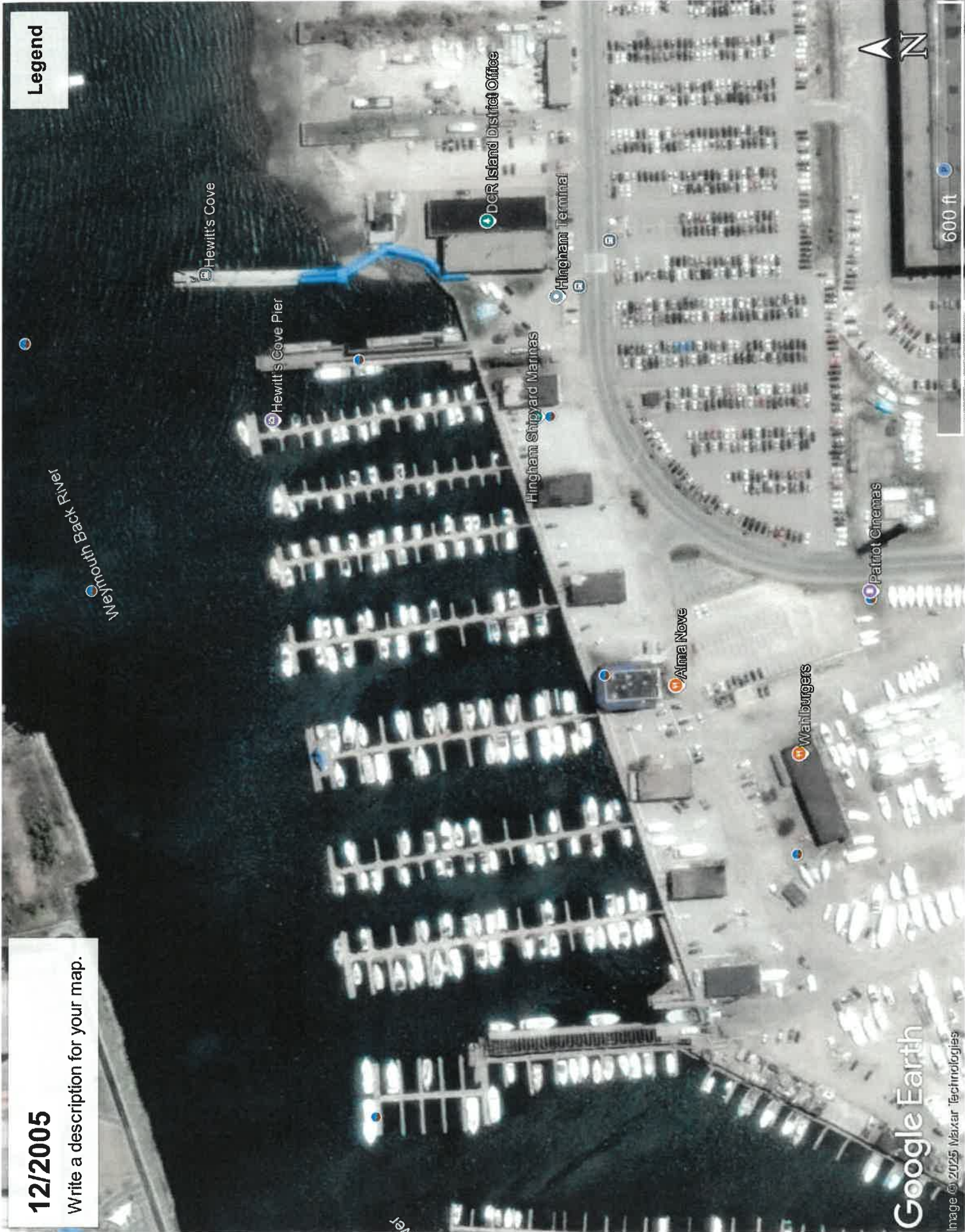
Wahburgers

Patriot Cinemas

Google Earth

Image © 2025 Maxar Technologies

600 ft



7/2007

Write a description for your map.

Legend



4/2008

Write a description for your map.

Legend





Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Form 8A – Request for Certificate of Compliance
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

DEP File Number:
34-533
Provided by DEP

A. Project Information

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

DTM Law, P.C., on behalf of Hingham Shipyard Marinas

Name

175 Derby Street; Suite 30

Mailing Address

Hingham

MA

02043

City/Town

State

Zip Code

781-749-7200

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

Hingham Bay Club, Inc.

Applicant

June 1, 1998

34-533

Dated

DEP File Number

3. The project site is located at:

349 Lincoln Street

Hingham

Street Address

City/Town

35

4

Assessors Map/Plat Number

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

Hewitts Cove Marina, LLC

Property Owner (if different)

Plymouth

County

Book

Page

89826

Certificate (if registered land)

5. This request is for certification that (check one):

- ☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

- ☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.

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A. Project Information (cont.)

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☐ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☒ No

B. Submittal Requirements

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).



TOWN OF HINGHAM CONSERVATION COMMISSION

APPLICATION CHECKLIST REQUEST FOR CERTIFICATE OF COMPLIANCE (COC)

Please submit the following when requesting a Certificate of Compliance under the MA Wetlands Protection Act and Hingham Wetlands Protection By-Law. Submit one (1) copy of the following to the Conservation Office and an electronic copy of the complete request to conservation@hingham-ma.gov. A complete Request will be added to the next available Conservation Commission agenda.

- ☒ WPA Form 8A: Request for Certificate of Compliance
- ☒ A check payable to the town of Hingham for the Town of Hingham Wetlands Protection Bylaw fee
 - \$50 for Residential
 - \$100 for Commercial
 - Please redact bank account information from photocopies
- ☐ A letter from a registered professional engineer, surveyor, architect, or landscape architect, as applicable, certifying substantial compliance with the approved plans and describing what deviations, if any, exist from the plans approved in the Order of Conditions. The letter should also document compliance with any applicable special conditions. A certification letter without the requested information will be deemed incomplete.
- ☒ Post construction site photos of the completed work including established vegetation where required.
- ☒ The Conservation Commission's Policy on Receipt of Information
- ☐ Optional – Voluntary 21 Day Waiver (COC)

If required pursuant to Special Conditions of the Order of Conditions (any other required documentation not listed below should also be included):

- ☐ Mitigation Planting Area progress report to include status of plantings, photos of planting area, and dates of installation.
- ☐ Final As-built Plan signed and stamped by a Massachusetts Registered Professional Engineer or Land Surveyor showing post-construction conditions within all areas under the jurisdiction of the MA Wetlands Protection Act and the Hingham Wetlands Protection By-Law. This plan shall include at a minimum:
 - All wetland resource area boundaries with associated buffer zones and regulatory setback areas taken from the plan(s) approved in this Order of Conditions;
 - Locations and elevations of all stormwater management conveyances, structures and best management designs, including foundation drains, constructed under this Order within any wetland resource area or buffer zone;
 - Distances from any structures constructed under this Order to wetland resource areas - "structures" include, but are not limited to, all buildings, septic system components, wells, utility lines, fences, retaining walls, and roads/driveways;
 - A line delineating the limit of work - "work" includes any filling, excavating and/or disturbance of soils or vegetation approved under this Order;
 - Mitigation planting areas constructed under this Order, as applicable.

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

5/18/26
Date