

## **REQUEST FOR DETERMINATION OF APPLICABILITY (RDA) PROPOSED PERCOLATION TEST**

**Project Location:**  
**39 Nelson Avenue**  
**Map 43, Lot 224**  
**Fairhaven, Massachusetts**

**Prepared for:**  
**Steven Taylor**  
**99 Blueberry Drive**  
**E. Greenwich, RI 02818**

11D Industrial Drive  
P.O. Box 1178  
Mattapoisett, MA 02739  
Tel. (508) 758-2749  
Fax (508) 758-2849

**Project No. 2446**  
**September 27, 2021**

---

## TABLE OF CONTENTS

DEP WPA 1 – Request for Determination of Applicability (RDA).....	Section 1
Map References .....	Section 2
Abutters List and Abutters Notification.....	Section 3
Plan to Accompany RDA .....	Section 4

**Section 1 – WPA Form 1 – Request for Determination of Applicability**

---



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Fairhaven  
City/Town

# WPA Form 1- Request for Determination of Applicability

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

## A. General Information

### Important:

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



1. Applicant:

Steven Taylor

Name

srt997@gmail.com

E-Mail Address

99 Blueberry Drive

Mailing Address

E. Greenwich

City/Town

RI

State

02818

Zip Code

401-474-4283

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Field Engineering Co., Inc.

Firm

Peter Therrien, E.I.T.

Contact Name

ptherrien@fieldengrg.com

E-Mail Address

PO Box 1178

Mailing Address

Mattapoisett

City/Town

MA

State

02739

Zip Code

508-758-2749

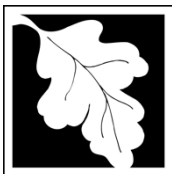
Phone Number

Fax Number (if applicable)

## B. Determinations

1. I request the Fairhaven Conservation Commission make the following determination(s). Check any that apply:

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☐ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:
- Fairhaven
- Name of Municipality
- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



## WPA Form 1- Request for Determination of Applicability

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

### C. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

39 Nelson Avenue

Street Address

Fairhaven

City/Town

43

Assessors Map/Plat Number

224

Parcel/Lot Number

- b. Area Description (use additional paper, if necessary):

Approximately 0.306-acres of land containing a single family dwelling, located within a mapped FEMA Flood Zone VE.

- c. Plan and/or Map Reference(s):

Assessors Map

5/1/17

USGS Topo Map - MassGIS Oliver

9/14/21

FEMA Flood Map Firmette Panel No. 250054

Oct. 2020

Title

Date

Plan to Accompany Request for Determination of Applicability

9/23/21

Title

Date

2. a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):

The applicant proposes to perform a percolation test and soil evaluations at 39 Nelson Avenue for a proposed individual sewage disposal system. A backhoe will be used to dig the perc test holes.



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

Fairhaven

City/Town

**WPA Form 1- Request for Determination of Applicability**

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

---

**C. Project Description (cont.)**

b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

---

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

---



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Fairhaven  
City/Town

**WPA Form 1 - Request for Determination of Applicability**

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

**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Rasmus & Sarah Tonnessen, c/o New Bedford Ship Supply

Name

108 Front Street

Mailing Address

New Bedford

City/Town

MA

State

02740

Zip Code

Signatures:

I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.



Signature of Applicant

9/16/21

Date



Signature of Representative (if any)

9/17/21

Date

## Section 2 – Map References

---





42

ANGELICA  
ISLAND  
2A 37880±  
202

SCALE 1"=200'

THIS MAP IS FOR ASSESSMENT PURPOSES. IT IS NOT VALID FOR LEGAL DESCRIPTION OR CONVEYANCE.

THE HORIZONTAL DATUM IS THE MASSACHUSETTS STATE PLANE COORDINATE SYSTEM, NAD 83.

ORIGINAL MAPPING BY FRANK M. METCALF, C.E.

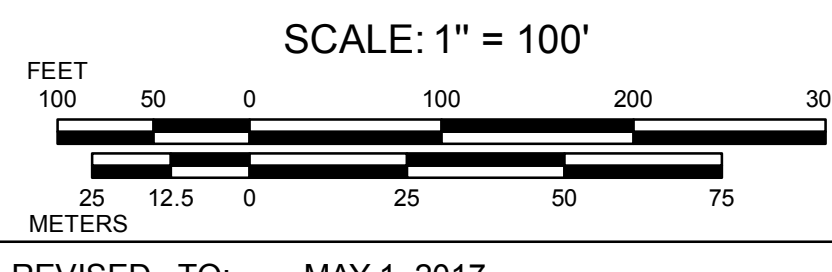
COMPLETION DATE: JANUARY, 1914

REVISED & REPRINTED BY  
**CAI Technologies**  
Precision Mapping. Geospatial Solutions.  
11 Pleasant Street, Littleton, NH 03561  
800.322.4540 • www.cai-tech.com

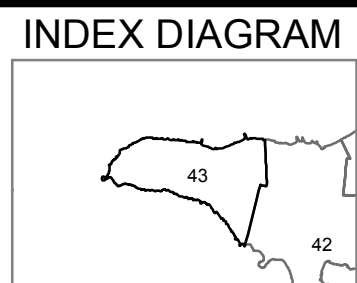
LEGEND

AREA SURVEYED - - - - - Ac / Rods  
PARCEL NUMBER - - - - - 62  
RECORD DIMENSION - - - - - 100  
WATER - - - - -

SUBDIVISION LOT NO. - - - - - ②  
RIGHT OF WAY/ACCESS - - - - -  
COMMON OWNERSHIP - - - - -  
ADJACENT MAP - - - - - ③



PROPERTY MAPS  
**FAIRHAVEN**  
MASSACHUSETTS



MAP NO.  
**43**



# National Flood Hazard Layer FIRMMette



70°51'40"W 41°35'16"N



0 250 500 1,000 1,500 2,000 Feet

1:6,000

70°51'3"W 41°34'49"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5 Cross Sections with 1% Annual Chance Water Surface Elevation
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped



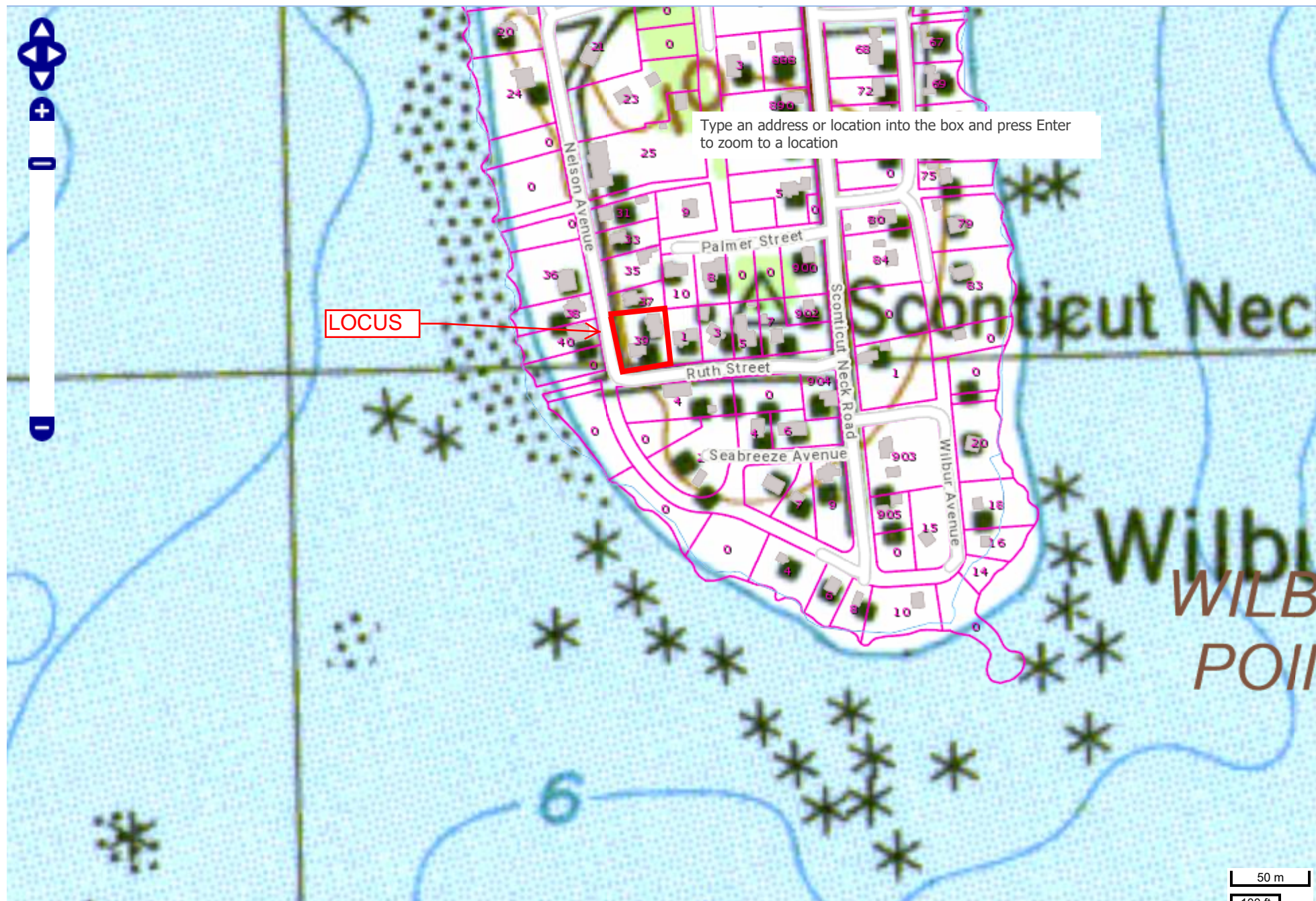
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 9/14/2021 at 11:14 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





### **Section 3 – Abutters List and Abutters Notification**

---



Ronnie Manzone, Chairman  
Pamela K. Davis, MAA, Member  
Ellis B. Withington, Member

**Town of Fairhaven**  
**Massachusetts**  
**BOARD OF ASSESSORS**  
40 Center Street  
Fairhaven, MA 02719

RECEIVED  
BOARD OF ASSESSORS

SEP 16 2021

FAIRHAVEN, MA

**Delfino R. Garcia, Principal Assessor**  
Notary Public  
Phone: (508) 979-4023  
Facsimile: (508) 979-4079  
Email: dgarcia@fairhaven-ma.gov

**ABUTTERS LIST REQUEST FORM**

Please allow 10 days from the submission of the form for the Assessor's office to complete the processing of your request.

Date of Request: 9 / 16 / 21

Assessors Parcel ID: MAP 43 LOT 224 + 225

Property Address: 39 Nelson Avenue

Distance Required from Parcel # listed above (Circle One): 500 300 100  
(Note: if a distance is not circled, we cannot process your request)

Property Owner: Rasmus & Sarah Tonnessen, c/o New Bedford Ship Supply

Property Owner's Mailing Address: 108 Front Street

Town/City: New Bedford State: MA Zip: 02740

Property Owner's Telephone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Requestor's Name (if different from Owner) Rebecca Carvalho - Field Engineering

Requestor's Address: PO Box 1178, Mattapoisett, MA 02739

Requestor's Telephone # 508 - 758 - 2749

Email address: rcarvalho@fieldengrg.com

MAP	LOT	OWNER OF RECORD MAILING	PROPERTY ADDRESS
		MAP 43 LOTS 224, 225 AND 235	39 NELSON AVENUE
		9/21/2021	100' LIST
43	44	KATHLEEN H. TAYLOR THOMAS W. ROSSI	36 NELSON AVENUE
		PETER J. ROSSI	
		165 DANA FARMS	
		FAIRHAVEN, MA 02719	
43	140-142	ROBERT BATES A & TYLER BATES	4 RUTH STREET
	71	TRUSTGEES OF THE RUTH STREET TRUST	
		P O BOX 1090	
		MATTAPOISETT, MA 02739	
43	221	RONALD & MARY D. KRASINSKI	35 NELSON AVENUE
		TRUSTEES OF THE R&M FAMILY REALTY	
		TRUST	
		89 WARREN STREET	
		NEWTON, MA 02159	
43	223	NICHOLAS J. & NANCY S. JULIAN	37 NELSON AVENUE
		12 SPRING STREET APT #2	
		MILFORD, MA 01757-3486	
43	226	DANA DIDRICKSEN & SIGURD W.	1 RUTH STREET
		JOHANNESSEN	
		113 MACARTHUR DRIVE	
		NEW BEDFORD, MA 02740	
43	227	MARJORIE N. GOODHUE	3 RUTH STREET
		1112 CONSTITUTION DRIVE	
		CHATTANOOGA, TN 37405	
43	232	PAMELA A. VEEK TRUSTEE OF THE	38 NELSON AVENUE
		ARNOLD J VEEK TRUST	
		6 CAHILL PARK DRIVE	
		FRAMINGHAM, MA 01702	
43	233	CHRISTOPHER J & DEREK A. WOLKOWICZ	40 NELSON AVENUE
		27 MERIAM STREET	
		NEW BEDFORD, MA 02740-2454	
43	235	JIMMY, NICKOLAS & FOPI PAPAS	0 NELSON AVENUE
		14 BELMONT STREET	
		NEW BEDFORD, MA 02744	

43	250	BARBAR R. DEAN & MARCIA D.	SAME
		MCAULEY & JANET D. BEDERIAN	
		TRUSTEES OF THE DEAN FAMILY TRUST	
		8 PALMER STREET	
		FAIRHAVEN, MA 02719	
43	251	JAYNE A. ABBOTT	SAME
		MARK A. MUCCIARONE	
		10 PALMER STREET	
		FAIRHAVEN, MA 02719	

**Notification to Abutters Under the  
Massachusetts Wetlands Protection Act  
and the Fairhaven Wetlands Bylaw**

*(this form must be completed and copies sent by certified mail  
to all abutters within 100 feet of the site of the project)*

In accordance with the Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and the Fairhaven Wetlands Bylaw (Chapter 192), you are hereby notified of the following:

1. The applicant's name is Steven Taylor
2. The applicant has filed the following type of permit application with the Fairhaven Conservation Commission:  
☒ Request for Determination of Applicability  
☐ Notice of Intent  
☐ Request to Amend an existing Order of Conditions  
☐ Notice of Resource Area Delineation
3. The address or location of the site where the activity, project, or delineation is proposed is:  
39 Nelson Avenue, Fairhaven, MA.
4. The proposed work includes percolation testing at 39 Nelson Avenue.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. Copies of the above application may be examined at the Conservation Office, located in Town Hall, 40 Center Street, Fairhaven, MA 02719, between 9:00 AM and 4:00 PM, Monday through Friday. Copies may be obtained at the office if notified in advance or from the applicant.
6. Applications will also be uploaded to [www.fairhaven-ma.gov/conservation-commission/pages/current-filings](http://www.fairhaven-ma.gov/conservation-commission/pages/current-filings). If you are unable to access or view the application electronically, please contact the Conservation Office at 508-979-4023, ext. 128.
7. Notice of the public hearing including its date, time, and place will be published at least five business days in advance in the Fairhaven Neighborhood News, and will be posted on the Fairhaven Town Website and at the Fairhaven Town Hall not less than 48 hours in advance.

**PLEASE NOTE:**

Since you are receiving this notice, you may have wetland resource areas or wetland buffers on your property. Therefore, construction, cutting, clearing, or grading may require a permit. For clarification or for more information, call the Conservation Agent at 508-979-4082 or visit our website.



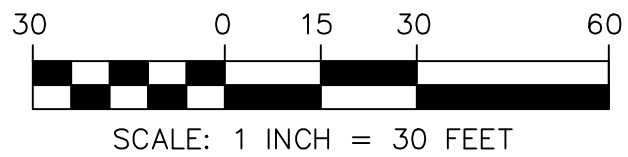
## Section 4 – Plan to Accompany RDA

---

F:\ProjectData\2400-2499\2446\_Taylor\Drawings\2446\_TP LOCATIONS.dwg



**PLAN**  
SCALE: 1"=30'



**SITE LOCUS**  
1"=400'

**FIELD**  
**ENGINEERING**  
**CO., INC.**  
CONSULTING ENGINEERS

11D INDUSTRIAL DRIVE  
P.O. BOX 1178  
MATTAPOISETT, MA 02739  
TEL: (508) 758-2749  
FAX: (508) 758-2849

## PROPOSED TEST PIT LOCATIONS STEVEN TAYLOR

39 NELSON AVENUE  
FAIRHAVEN, MASSACHUSETTS

Project No.	2446	Date	9/23/2021
Scale	1"=30'	Revised	
Issued For		Sheet	1 OF 1