

# 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:

Name Missy and Arthur Cimbron E-Mail Address ismi78@comcast.net

Mailing Address 115 Weeden Rd

City/Town Fairhaven State MA Zip Code 02719

Phone Number 5085259005 Fax Number (if applicable) \_\_\_\_\_

2. Representative (if any):

Firm \_\_\_\_\_

Contact Name \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Mailing Address \_\_\_\_\_

City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

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 MA

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):

<u>115 Weeden Road</u>	<u>Fairhaven</u>
Street Address	City/Town
<u>32</u>	<u>44</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

On the side of our home facing Weeden Road it was alleged that approx. a quarter of our property may have been Wetlands/Conservation land. Prior to purchasing our home the prior seller had to ensure a Certificate of Compliance was adhered to. To ensure this was done Daniel Gilmore from the MassDEP came to the home prior to us purchasing it along with Richard Charon from Charon Assoc. Myself the prior homeowner and our Realtor Athena was present. We were advised that it didnt appear that this part of the property was wetlands.

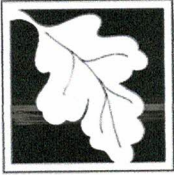
see google earth map

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

<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date
<u> </u>	<u> </u>
Title	Date

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

no work proposed



# 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).

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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.

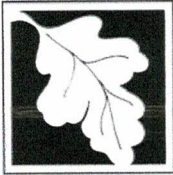
- Single family house on a lot recorded on or before 8/1/96
- Single family house on a lot recorded after 8/1/96
- Expansion of an existing structure on a lot recorded after 8/1/96
- Project, other than a single family house or public project, where the applicant owned the lot before 8/7/96
- New agriculture 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.)

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# 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:

Missy and Arthur Cimbron

Name

115 Weeden Road

Mailing Address

Fairhaven

City/Town

MA

State

02719

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.

*Missy Cimbron*

Signature of Applicant

*Arthur Cimbron*

9-26-19

Date

Signature of Representative (if any)

Date

115 WEEDEN ROAD  
100 FT ABUTTERS

MAP/LOT	PROPERTY ADDRESS	OWNER ON RECORD	OWNER ADDRESS	CITY/TOWN	STATE	ZIP
32-026C	2 FLORAL DRIVE	PHILIP Y DENORMANDIE	12 MARSHALL STREET	BOSTON	MA	02108
32-026B	121 WEEDEN ROAD	PHILIP Y DENORMANDIE	12 MARSHALL STREET	BOSTON	MA	02108
32-026A	123 WEEDEN ROAD	AGUIAR KYLE J	123 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-019L	12 MARK DRIVE	RODRIGUES TODD J & MAURINE A	81 COUNTY ROAD	MATTAPOISETT	MA	02739
32-019D	11 MARK DRIVE	SANTOS DOREEN M TRUSTEE OF THE DOREEN M SANTOS	11 MARK DRIVE	FAIRHAVEN	MA	02719
		REVOCABLE TRUST				
32-064	110 WEEDEN ROAD	CABRAL ELTON	110 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-065	116 WEEDEN ROAD	COBB MARJORIE L	116 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-066	118 WEEDEN ROAD	TAVARES RICHARD M	118 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-068	122 WEEDEN ROAD	MELLODY OWEN C	122 WEEDEN ROAD	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 Missy and Arthur Cimbron
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:  
115 Weeden Road, Fairhaven, MA.
4. The proposed work includes \_\_\_\_\_  
This filing is being done as there was a previous order of Conditions on the property through the MassDEP that has received a Certificate of Compliance and we are looking to determine whether or not the property is jurisdictional.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
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 for a fee if notified in advance or from the applicant.
6. The public hearing will be held:
  - a. DATE: October 28
  - b. TIME: 6:30 pm
  - c. LOCATION: Town Hall, 40 Center Street, Fairhaven MA
7. For additional information, please contact the applicant/applicant's representative:  
Name: Missy Cimbron  
Phone/Email: P: 508 525 9005 or ismi78@comcast.net

**PLEASE NOTE:**

1. 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.
2. 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.

115 WEEDEN ROAD  
100 FT ABUTTERS

MAP/LOT	PROPERTY ADDRESS	OWNER ON RECORD	OWNER ADDRESS	CITY/TOWN	STATE	ZIP
32-026C	2 FLORAL DRIVE	PHILIP Y DENORMANDIE	12 MARSHALL STREET	BOSTON	MA	02108
32-026B	121 WEEDEN ROAD	PHILIP Y DENORMANDIE	12 MARSHALL STREET	BOSTON	MA	02108
32-026A	123 WEEDEN ROAD	AGUIAR KYLE J	123 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-019L	12 MARK DRIVE	RODRIGUES TODD J & MAURINE A	81 COUNTY ROAD	MATTAPOSETT	MA	02739
32-019D	11 MARK DRIVE	SANTOS DOREEN M TRUSTEE OF THE DOREEN M SANTOS	11 MARK DRIVE	FAIRHAVEN	MA	02719
		REVOCABLE TRUST				
32-064	110 WEEDEN ROAD	CABRAL ELTON	110 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-065	116 WEEDEN ROAD	COBB MARJORIE L	116 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-066	118 WEEDEN ROAD	TAVARES RICHARD M	118 WEEDEN ROAD	FAIRHAVEN	MA	02719
32-068	122 WEEDEN ROAD	MELLODY OWEN C	122 WEEDEN ROAD	FAIRHAVEN	MA	02719

*Philip Y Denormandie*  
*Elton Cabral*  
*Marjorie L Cobb*  
*Richard M Tavares*  
*Melody Owen C*

FAIRHAVEN  
 13 WILLIAM ST  
 FAIRHAVEN, MA 02719-9998  
 242533-0719  
 (800)275-8777  
 10/01/2019 12:43 PM

Product	Qty	Unit Price	Price
First-Class Mail® Large Envelope (Domestic) (BOSTON, MA 02108) (Weight:0 Lb 0.90 Oz) (Estimated Delivery Date) (Thursday 10/03/2019)	1	\$1.00	\$1.00
Certified (USPS Certified Mail #) (70171450000144712996)			\$3.50
Return Receipt (USPS Return Receipt #) (9590940252019122751661)			\$2.80
First-Class Mail® Large Envelope (Domestic) (FAIRHAVEN, MA 02719) (Weight:0 Lb 0.90 Oz) (Estimated Delivery Date) (Thursday 10/03/2019)	1	\$1.00	\$1.00
Certified (USPS Certified Mail #) (70171450000144713108)			\$3.50
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First-Class Mail® Large Envelope (Domestic) (FAIRHAVEN, MA 02719) (Weight:0 Lb 0.90 Oz) (Estimated Delivery Date) (Thursday 10/03/2019)	1	\$1.00	\$1.00
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First-Class Mail® Large Envelope (Domestic) (LAKEVILLE, MA 02347) (Weight:0 Lb 3.00 Oz) (Estimated Delivery Date) (Thursday 10/03/2019)	1	\$1.30	\$1.30
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Winter Berries	1	\$11.00	\$11.00
<b>Total:</b>			<b>\$40.50</b>

Debit Card Remit'd \$40.50  
 (Card Name:MasterCard)  
 (Account #:XXXXXXXXXXXX8799)  
 (Approval #)  
 (Transaction #:320)  
 (Receipt #:021646)  
 (Debit Card Purchase:\$40.50)  
 (Cash Back:\$0.00)  
 (AID:A0000000042203 Chip)  
 (AI:Debit)



7018 2290 0000 9576 1438

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

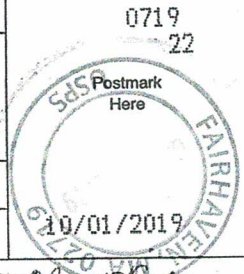
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**  
LAKEVILLE, MA 02347

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.30
Total Postage and Fees	\$7.60

Sent To *MA DEP SE Regional Office*  
Street and Apt. No., or PO Box No. *20 Riverside Dr*  
City, State, ZIP+4® *Lakeville ma 02347*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7017 1450 0001 4471 2996

**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

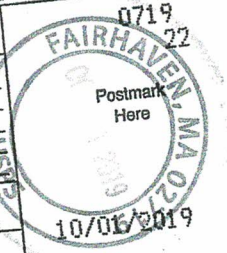
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**  
BOSTON, MA 02108

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.00
Total Postage and Fees	\$7.30

Sent To *Philip Denormandie*  
Street and Apt. No., or PO Box No. *12 Marshall St*  
City, State, ZIP+4® *Boston ma 02108*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7018 2290 0000 9576 1421

**U.S. Postal Service™**  
**CERTIFIED MAIL® RECEIPT**  
Domestic Mail Only

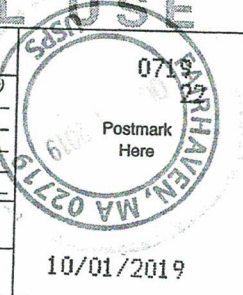
For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**  
FAIRHAVEN, MA 02719

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.00
Total Postage and Fees	\$7.30

Sent To *M. Cobb*  
Street and Apt. No., or PO Box No. *116 Wenden Rd*  
City, State, ZIP+4® *Fairhaven ma 02719*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



7017 1450 0001 4471 3108

**U.S. Postal Service™**  
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For delivery information, visit our website at [www.usps.com](http://www.usps.com)®.

**OFFICIAL USE**  
FAIRHAVEN, MA 02719

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$1.00
Total Postage and Fees	\$7.30

Sent To *Trustee of Doreen Santos*  
Street and Apt. No., or PO Box No. *11 Mark Drive*  
City, State, ZIP+4® *Fairhaven ma 02719*

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions





TOWN OF FAIRHAVEN, MASSACHUSETTS

# CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

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## APPLICATION CHECKLIST REQUEST FOR DETERMINATION OF APPLICABILITY

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**Please submit the following to the Fairhaven Conservation Commission:**

- A check for \$75.00, advertising fee
- A check for the Fairhaven Wetlands Bylaw filing fee
  - \$100.00 for ancillary work on an existing single-family home **OR**
  - \$150.00 for all other requests
- Eight (8) collated packets (1 original, 7 copies)**, each containing the following:
  - Completely filled out and signed copy of the most recent WPA Form 1, available at <http://www.mass.gov/eea/agencies/massdep/service/approvals/wpa-form-1.html>
  - A brief narrative describing the proposed activity, including whether work will be done by hand or with equipment, location of storage of materials, how the site will be accessed by equipment, etc., and any other information that will help the Commission understand your project.
  - Complete copies of project plans that include the following information:
    - Locus map – i.e. USGS Quad topographic map
    - Location of all known resource areas
    - 50- and 100-foot buffer lines from resource areas
    - 200-foot Riverfront Area, if applicable
    - FEMA Flood Zone boundaries, if applicable
    - Location of existing structures and/or vegetation, including all trees 8" dbh or greater
    - Location of proposed structures and/or vegetation
    - Shortest distance from proposed disturbed areas to known resources
    - Erosion and sedimentation controls, if applicable
  - An 11" x 17" set of project plans if they are larger
  - Abutters List (a list of property owners that are within **100 feet** of the property where the project is taking place, see [Abutter List Request Form](#))
  - Notification to Abutters Form – filled out by applicant
  - Any other information that will help the Commission understand your project
- Proof of abutter notification by certified mail or hand delivery (can be presented at the hearing). *Failure to present proof will result in the Conservation Commission NOT hearing your application.*
- Proof that a **complete copy** of the above packet was sent to:
  - MA Department of Environmental Protection
  - Southeast Regional Office
  - 20 Riverside Drive
  - Lakeville, MA 02347
- An electronic copy of the entire application packet, thumb drive or emailed to [conservation@fairhaven-ma.gov](mailto:conservation@fairhaven-ma.gov)



TOWN OF FAIRHAVEN, MASSACHUSETTS

# CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

## 21-DAY WAIVER

Date:

I, Arthur Cimbron hereby waive the twenty-one-day time period for a  
Name of Applicant or Representative  
public hearing/meeting following receipt of my filing of:

- Notice of Intent
- Request for Determination of Applicability
- Other \_\_\_\_\_

by the Fairhaven Conservation Commission under Massachusetts General Laws, Ch. 131, §40, an/or  
under Fairhaven General Bylaws, Chapter 192, Wetlands.

The request was submitted on: 10-1-19 for work at: 115 Weedon Road F.  
Date Received in Conservation Dept. Location/Address of Project

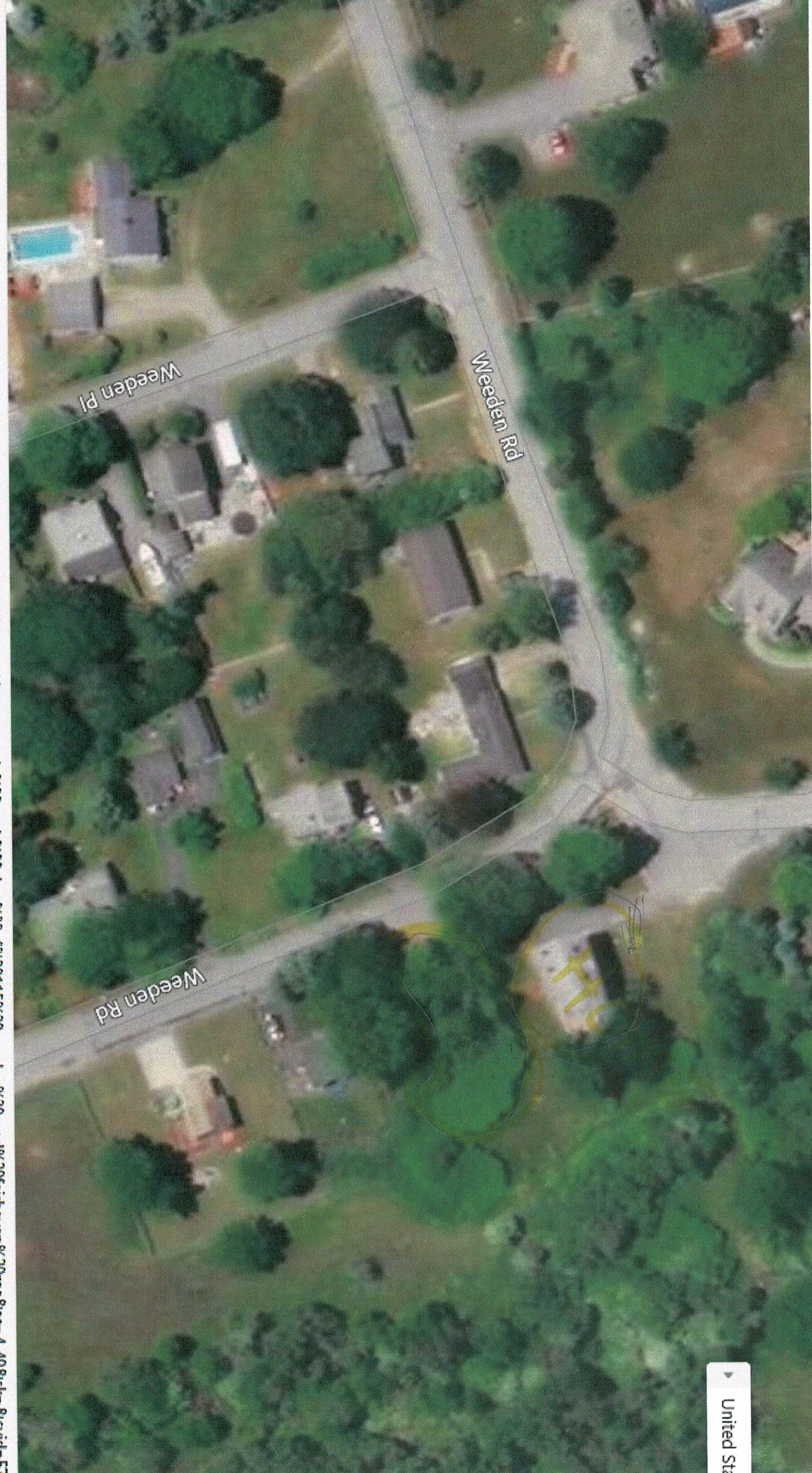
Please be advised that you will be notified of the meeting date once this application has been  
assigned to a Conservation Commission Meeting Agenda.

I am the:

- Applicant
- Applicant's Representative
- Property Owner

Arthur Cimbron  
Signature

10-1-19  
Date



COPY

AXF25

Doc 00026082 506

BK 12623 PG 42

Bristol South  
Registry District

RECORDED ON

On: Nov 05, 2018 at 02:04P



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

DEP File Number:

SE 23-739

Provided by DEP

**A. Project Information**

1. This Certificate of Compliance is issued to:

Jamie L. Simmons

Name

64 Cottage Street

Mailing Address

Fairhaven

City/Town

MA

State

02719

Zip Code

2. This Certificate of Compliance is issued for work regulated by a final Order of Conditions issued to:

Onset Trust, Nancy Burgess, Trustee

Name

March 13, 2001

Dated

SE 23-739

DEP File Number

3. The project site is located at:

115 Weeden Road

Street Address

32

Assessors Map/Plat Number

Fairhaven

City/Town

44

Parcel/Lot Number

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

Onset Trust, Nancy Burgess, Trustee

Property Owner (if different)

Bristol (S.D.)

County

5425

Book

268

Page

Certificate

4. A site inspection was made in the presence of the applicant, or the applicant's agent, on:

October 26, 2018

Date



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

DEP File Number:

SE 23-739

Provided by DEP

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## B. Certification

Check all that apply:

- Complete Certification:** It is hereby certified that the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.
- Partial Certification:** It is hereby certified that only the following portions of work regulated by the above-referenced Order of Conditions have been satisfactorily completed. The project areas or work subject to this partial certification that have been completed and released from this Order are:
- Invalid Order of Conditions:** It is hereby certified that the work regulated by the above-referenced Order of Conditions never commenced. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act may commence without filing a new Notice of Intent and receiving a new Order of Conditions.
- Ongoing Conditions:** The following conditions of the Order shall continue: (Include any conditions contained in the Final Order, such as maintenance or monitoring that should continue for a longer period).

Condition Numbers:

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## C. Authorization

Issued by:

Massachusetts Department of Environmental Protection

OCT 26 2018

Date of Issuance

Signature:

James Mahala, Chief, Wetlands & Waterways Program, Bureau of Water Resources



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

DEP File Number:

SE 23-739  
 Provided by DEP

**D. Recording Confirmation**

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Department of Environmental Protection.

To:

Massachusetts Department of Environmental Protection - Southeast Regional Office

Please be advised that the Certificate of Compliance for the project at:

115 Weeden Road  
 Project Location

Fairhaven  
 CITY/ TOWN

SE 23-739  
 DEP File Number

Has been recorded at the Registry of Deeds of:

Bristol (S.D.)  
 County

for:

Property Owner

And has been noted in the chain of title of the affected property on:

Date

Book

Page

If recorded land, the instrument number which identifies this transaction is:

\_\_\_\_\_

If registered land, the document number which identifies this transaction is:

Document Number

JM/dfg

Signature of Applicant



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

DEP File Number:

SE 23-739

Provided by DEP

**D. Recording Confirmation**

The applicant is responsible for ensuring that this Certificate of Compliance is recorded in the Registry of Deeds or the Land Court for the district in which the land is located.

Detach on dotted line and submit to the Department of Environmental Protection.

To:

Massachusetts Department of Environmental Protection - Southeast Regional Office

Please be advised that the Certificate of Compliance for the project at:

115 Weeden Road  
Project Location

Fairhaven  
CITY/ TOWN

SE 23-739  
DEP File Number

Doc 00026032

Has been recorded at the Registry of Deeds of:

BK 12623 PG 42

Bristol (S.D.)  
County

Bristol South  
Registry District

RECORDED ON

On: Nov 05, 2018 at 02:04P

for:

\_\_\_\_\_  
Property Owner

And has been noted in the chain of title of the affected property on:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Book

\_\_\_\_\_  
Page

If recorded land, the instrument number which identifies this transaction is:

\_\_\_\_\_

If registered land, the document number which identifies this transaction is:

\_\_\_\_\_  
Document Number

JM/dfg

\_\_\_\_\_  
Signature of Applicant



**Fairhaven Conservation Commission  
Record of Site Visit**

<b>Date of Visit</b>	9/9/2019	<b>DEP #</b>	None
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<b>Site Location</b>	115 Weeden Road		
<b>Property Owner/ Applicant</b>	Arthur and Missy Cimbron	<b>Tel #</b>	508-525-9005

<b>Reason for Site Visit</b>	Assessment of property regarding presence of wetlands
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**Findings**

Though there is some wetland vegetation at the property, the soil characteristics do not indicate hydric/wetland soils. We did not observe a perennial stream and nor did we observe indicators of an intermittent stream and none are noted on the USGS Quad. Therefore, it was the opinion of both Andrew and myself that there is not a wetland on the property.

However, due to a previous Superseding Order of Conditions and Certificate of Compliance through MassDEP, it is my recommendation that you file a Request for Determination of Applicability to have the Conservation Commission officially determine that your property is not jurisdictional.

**Inspected by: Whitney McClees, Conservation Agent; Andrew Poyant, MassDEP**

Mark Drive

12 MARK DRIVE

DeNormandie  
Farm West CR  
2 FLORAL  
DRIVE

Angies Way

115 WEEDEN  
ROAD

110 WEEDEN  
ROAD

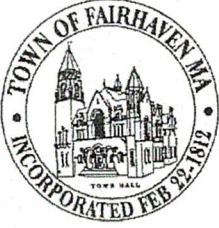
115  
WEEDEN  
ROAD

116 WEEDEN  
ROAD

Weeden Road

121  
WEEDEN  
ROAD





TOWN OF FAIRHAVEN, MASSACHUSETTS

# CONSERVATION COMMISSION

Town Hall · 40 Center Street · Fairhaven, MA 02719

## APPLICATION INTAKE SHEET

### Notice of Intent

- \$75 check, advertising fee
- Town's share of WPA filing fee check
- Bylaw filing fee check
- Eight packets containing:
  - Completely filled out and signed copy of WPA Form 3
  - Detailed narrative describing the property, delineated resources area(s) and methods of delineation, proposed activity and/or work, how work will be done, location of storage materials, how site will be accessed, etc., and any other information that will help the Commission understand your project
  - Complete copies of the project plans
  - An additional 11" x 17" set of project plans *if they are larger*
  - OPTIONAL: Existing condition photographs of the property where activities are proposed
  - Any other information that will help the Commission understand your project
  - Abutters List (within 100 feet)
  - Notification to Abutters Form – filled out by applicant
- Proof that a copy of the complete packet was sent to Mass DEP SERO, 20 Riverside Drive, Lakeville, MA 02347
- Proof that a copy of the complete application was sent to MA NHESP and MA DMF, if applicable
- Proof of mailing (green cards, okay to present at hearing)
- Electronic copy of the entire application packet, thumb drive or emailed

### Request for Determination

- \$75 check, advertising fee
- Fairhaven Wetlands Bylaw filing fee, \$100 for ancillary work on an existing single-family home OR \$150 for all other requests
- Eight packets containing:
  - Completely filled out and signed copy of WPA Form 1
  - A brief narrative describing the proposed activity, including how work will be done, how site will be accessed, etc., and any other information that will help the Commission understand your project
  - Complete copies of the project plans
  - An additional 11" x 17" set of project plans *if they are larger*
  - OPTIONAL: Existing condition photographs of the property where activities are proposed
  - Any other information that will help the Commission understand your project
  - Abutters List (within 100 feet)
  - Notification to Abutters Form – filled out by applicant
  - Proof that a copy of the complete packet was sent to Mass DEP SERO, 20 Riverside Drive, Lakeville, MA 02347
  - Proof of mailing (green cards, okay to present at hearing)
  - Electronic copy of the entire application packet, thumb drive or emailed

entire packet mailed

2 copies brought in

Notification page to abutters

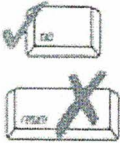


**WPA Form 1- Request for Determination of Applicability**

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:  
 Name: 20 Adams Fairhaven LLC E-Mail Address: David@yourteamconduit.com  
 Mailing Address: 16A Bedford St. Suite 103  
 City/Town: Fall River State: MA Zip Code: 02720  
 Phone Number: 508-762-4777 Fax Number (if applicable): N/A

2. Representative (if any):

Firm: \_\_\_\_\_  
 Contact Name: David M. Ferreira E-Mail Address: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 City/Town: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_  
 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):

20 Adam St.

Street Address

10

Assessors Map/Plat Number

Fairhaven

City/Town

154A

Parcel/Lot Number

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

Existing Single family home

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

20 Adams St proposed driveway

Title

10/2/2019

Date

Title

Date

Title

Date

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

We would like to add a 1-2 car driveway to the left of the existing single family home.



**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).

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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.)

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Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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

City/Town \_\_\_\_\_

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:

20 Adams Fairhaven LLC

Name

16 A Bedford St. Suite 103

Mailing Address

Fall River

City/Town

MA

State

02780

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]

Signature of Applicant

10/2/19

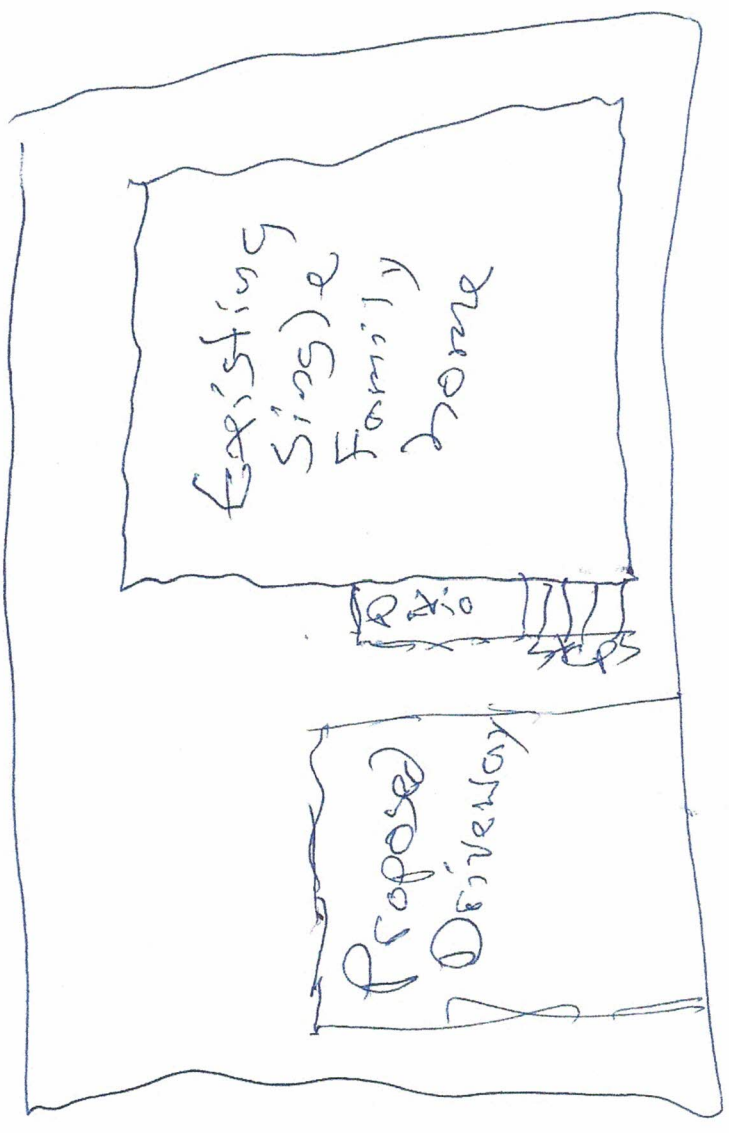
Date

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

10/2/2019

20 Adams St.  
Proposed Driveway



Adams St



MAP/LOT	PROPERTY ADDRESS	OWNER ON RECORD	OWNER ADDRESS	CITY/TOWN	STATE	ZIP
08-015A	CENTER STREET	MEDEIROS A CONTRACTOR INC.	318 ALDEN ROAD	FAIRHAVEN	MA	02719
08-014	91 CENTER STREET	GONSALVES ANDREW M & PEIYING YU	91 CENTER STREET	FAIRHAVEN	MA	02719
10-151	109 PLEASANT STREET	KIRBY BRANDI L & MARTIN GAIL	109 PLEASANT STREET	FAIRHAVEN	MA	02719
10-152	90 CENTER STREET	HELGELAND KATHERINE J	90 CENTER STREET	FAIRHAVEN	MA	02719
10-149	113 PLEASANT STREET	FLANNERY SEAN & CAROLYN	113 PLEASANT STREET	FAIRHAVEN	MA	02719
10-212	24 ADAMS STREET	WALKER STEPHEN G & MARY A TRUSTEES OF THE WALKER FAMILY NOMINEE TRUST	24 ADAMS STREET	FAIRHAVEN	MA	02719
10-150	22 ADAMS STREET	SANTOS MATTHEW R & ASHLEE K	22 ADAMS STREET	FAIRHAVEN	MA	02719
10-153	92 CENTER STREET	BLANCHARD JILLIAN & SERINO PETER	92 CENTER STREET	FAIRHAVEN	MA	02719
10-154	94 96 CENTER STREET	SIMMONS JEFFREY P	94 CENTER STREET	FAIRHAVEN	MA	02719
10-161	25 ADAMS STREET	MURPHY JOHN D & MARIE E	25 ADAMS STREET	FAIRHAVEN	MA	02719
10-162	21 23 ADAMS STREET	ARRUDA DAVID C & NATALIE	110 NEW BOSTON ROAD	FAIRHAVEN	MA	02719
10-163	100 CENTER STREET	TETREAU ELISE R	100 CENTER STREET	FAIRHAVEN	MA	02719
10-208	19 ADAMS STREET	BARR DENISE	19 ADAMS 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 20 Adams Fairhaven LLC
  
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:  
20 Adams St., Fairhaven, MA.
  
4. The proposed work includes Add a 1-2 car driveway to the left of the existing single family home.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
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 for a fee if notified in advance or from the applicant.
  
6. The public hearing will be held:
  - a. DATE: October 28, 2019
  - b. TIME: 6:30 pm
  - c. LOCATION: Town Hall, 40 Center Street, Fairhaven MA
  
7. For additional information, please contact the applicant/applicant's representative:  
Name: David Ferreira  
Phone/Email: 508 762 4777 david@yourteamcandoit.com

PLEASE NOTE:

1. 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.
2. 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.

24 ADAMS STREET

22 ADAMS STREET

21 23 ADAMS STREET

32 CENTER STREET

ADAMS STREET

19 ADAMS STREET

100 CENTER STREET

CENTER STREET

94 96 CENTER STREET

Center Street

Center Street

97 S

99 C ST

et

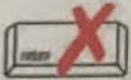


# WPA Form 1- Request for Determination of Applicability

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:

Name Lawrence and Shannon Pereira E-Mail Address S.c.pereira@verizon.net  
 Mailing Address 217 Via Buena Ventura  
Redondo Beach State CA Zip Code 90277  
 City/Town  
310 722-7975 Phone Number Fax Number (if applicable)

2. Representative (if any):

Firm \_\_\_\_\_ E-Mail Address \_\_\_\_\_  
 Contact Name \_\_\_\_\_  
 Mailing Address \_\_\_\_\_  
 City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
 Phone Number \_\_\_\_\_ Fax Number (if applicable) \_\_\_\_\_

## B. Determinations

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

- 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

Fairhaven  
City/Town

## C. Project Description

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

87 Balsam St. Fairhaven  
Street Address City/Town  
43A / 138 Parcel/Lot Number  
Assessors Map/Plat Number

138 is location of cottage. 140 is lot to be worked on

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

primarily front and right side of house  
of lot 140.

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

Plan 1 9/16/19  
Title Date  
Title Date  
Title Date

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

Level land, add loam and plant grass



**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).

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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.)

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# 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:

Lawrence and Shannon Pereira  
Name

217 Via Buena Ventura  
Mailing Address

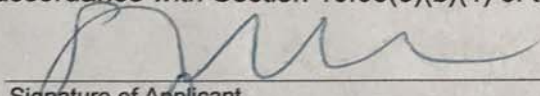
Rodondo Beach  
City/Town

CA  
State

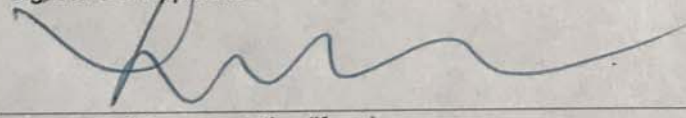
90277  
Zip Code

### 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

9/16/19  
Date

  
Signature of Representative (if any)

9/14/19  
Date

0.00

60

140

8

100

100

50

Currently, lot 140 is empty and overgrown.  
We would like to level, add loam, and plant grass.  
87 Balsam cottage is located on lot 138, to the left.

60



		Subject Property 87 Balsam M-43A L-138 + 140	Generated on 9/17/2019
Map	Lot	Record Owner and mailing address	Physical address
43A	38	Gerd H. & Carolyn J. Laudien 21 Eldredge Lane cohasset, MA 02025	Land on Balsam Street
43A	39	Gloria P. Nerney Trustee of the Gloria P. Nerney Irrevocable Trust-2013 48 Terrace Drive Greenville, RI 02828	90 Balsam Street
43A	40 & 41	Robert Mazzola 72 Lafayette Street Waltham , MA 02453	86 Balsam Street
43A	42 & 43	Higgins Mobile Homes Inc 45 Washington Street Plainville, MA 02762	82 Balsam Street
43A	133	James T. & Gail M. Van Buran 108 cottonwood Street Fairhaven, MA 02719	Same
43A	134	Nancy P. Antin 185 Rawson Road Unit #2 Brookline, MA 02445	91 Balsam Street
43A	135	Jeffrey M. smith 11 Shadowbrook Lane Unit #9 Milford, MA 01757	104 Cottonwood Street
43A	136	Peter R. Kennett & Jonathan R. Kilburn 78 Thorny Lea Terrace Brockton, MA 02301	89 Balsam Street
43A	141	Allen R. Valcourt 8 Gull Island Road Fairhaven, Ma 02719	Same
43A	142	Herbert W. & Beverly Pope Trustees of the Pope Revocable Trust 6 Gull Island Road Fairhaven, MA 02719	Same
43A	143	Dianne M. Powers 59 Cottage Street Unionville, CT 06085	4 Gull Island Road
43A	144	Theresa B. Pereira 2 Gull Island Road Fairhaven, MA 02719	Same

**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 Lawrence and Shannon Pereira
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:  
87 Balsam St., lot 140, Fairhaven, MA.
4. The proposed work includes  
Level land, add loam, and plant grass on right side of house
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 for a fee if notified in advance or from the applicant.
6. The public hearing will be held:
  - a. DATE: \_\_\_\_\_
  - b. TIME: 6:30 pm
  - c. LOCATION: Town Hall, 40 Center Street, Fairhaven MA
7. For additional information, please contact the applicant/applicant's representative:  
Name: Lawrence Pereira  
Phone/Email: 310 722-7975 / s.c.pereira@verizon.net

**PLEASE NOTE:**

1. 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.
2. 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.

**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 Lawrence and Shannon Pereira
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: 87 Balsam St. - Lot 140, Fairhaven, MA.
4. The proposed work includes level land, add loam, and plant grass on lot 140. Cottage located on lot 138.
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 for a fee if notified in advance or from the applicant.
6. The public hearing will be held:
  - a. DATE: October 28
  - b. TIME: 6:30 pm
  - c. LOCATION: Town Hall, 40 Center Street, Fairhaven MA
7. For additional information, please contact the applicant/applicant's representative:
 

Name: Lawrence Pereira  
 Phone/Email: 310 722-7975 / S.C.Pereira@verizon.net

**PLEASE NOTE:**

1. Notice of the public hearing including its date, time, and place will be published at least five business in advance in the Fairhaven Neighborhood News, and will be posted on the Fairhaven Town Website at the Fairhaven Town Hall not less than 48 hours in advance.
2. 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 for more information, call the Conservation Agent at 508-979-4082 or visit our website.

LAWRENCE F. PEREIRA  
SHANNON PEREIRA

2758

16-24/1220 4627  
5839862207

9/23/19

DATE

PAY TO THE  
ORDER OF

Town of Fairhaven

\$ 150-

One hundred fifty dollars and  $\frac{00}{100}$

DOLLARS



Security  
Features  
Details on  
Back.

WELLS  
FARGO

Wells Fargo Bank, N.A.  
California  
wellsfargo.com

FOR

det. of applicability 87 Balsam

MP

LAWRENCE F. PEREIRA  
SHANNON PEREIRA

2756

16-24/1220 4627  
5839862207

9/23/19

DATE

PAY TO THE  
ORDER OF

Town of Fairhaven

\$ 75-

Seventy five dollars and  $\frac{00}{100}$

DOLLARS



Se  
Fa  
De  
Ba

WELLS  
FARGO

Wells Fargo Bank, N.A.  
California  
wellsfargo.com

Advertising fee 87 Balsam

7018 3090 0000 2059 6134

7018 3090 0000 2059 6097

7018 3090 0000 2059 6042

7018 3090 0000 2059 6127

7018 3090 0000 2059 6080

7018 3090 0000 2059 6073

7018 3090 0000 2059 6035

7018 3090 0000 2059 6059

7018 3090 0000 2059 6103

7018 3090 0000 2059 6066

7018 3090 0000 2059 6110

Proof of Cert. MAIL  
MA Envir. Protect.

7018 3090 0000 2059 6158

and  
Aunters



Balsam Street

91 BALSAM STREET

89 BALSAM STREET

87 BALSAM STREET

82 BALSAM STREET

86 BALSAM STREET

90 BALSAM STREET

96 BALSAM STREET

99 BALSAM STREET

82 BALSAM

108 COTTONWOOD STREET

158 COTTONWOOD STREET

104 COTTONWOOD STREET

Cottonwood Street

8 GULL ISLAND ROAD

6 GULL ISLAND ROAD

4 GULL ISLAND ROAD

2 GULL ISLAND ROAD

2 GULL ISLAND ROAD

331 GULL ISLAND

7 GULL ISLAND

9 GULL ISLAND ROAD

10 GULL ISLAND ROAD

Balsam Street

Gull Island Road

**W. Drumm  
1 Stetson Avenue  
Fairhaven Mass  
02719**

**Conservation Commission Application Package**

**October 5, 2019**

---





Drumm copies

Wendy Drumm

Thu 10/3/2019 9:34 AM

To: The UPS Store #1443 <store1443@theupsstore.com>

Please make 4 color copies before noon



Sent from my iPhone



**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:  
Name Wendy Drumm E-Mail Address wendydrumm@earthlink.net  
Mailing Address Stetson Avenue  
Fairhaven State MASS Zip Code 02719  
City/Town  
Phone Number 401-787-3530 Fax Number (if applicable)

2. Representative (if any):  
Firm \_\_\_\_\_  
Contact Name \_\_\_\_\_ E-Mail Address \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City/Town \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
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:

Town 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):

1 Stetson Avenue  
Street Address

Fairhaven  
City/Town

MAP 2  
Assessors Map/Plat Number

256, 262, 263  
Parcel/Lot Number

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

Beach

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

Site Plan Attached

Title

Date

Title

Date

Title

Date

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

Beach nourishment;

Replacement of eroded dyes  
(ditch) with beach appropriate  
sand

Please see Attached Narrative





**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).

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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.)

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# 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:

Name Wendy Drumm

Mailing Address Stetson Avenue

City/Town Fairhaven

State MASS Zip Code 02719

### 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 [Handwritten Signature] Date Oct 5, 2019

Signature of Representative (if any) \_\_\_\_\_ Date \_\_\_\_\_



Activity Narrative  
(see photos at beginning of packet)

W. Drumm 1 Stetson Avenue Fairhaven Mass

Drumm Beach property was seriously eroded due to reconstruction of Road (Farmfield), for gas line repairs. Water ran down long hill and incorrectly banked road created a virtual creek through Drumm's property (flooding it) to the beach and rushing water created the ditch on the beach

Deep ditch has now created dangerous access to beach.

Beach Nourishment: the ditch will be filled in using appropriate ocean sand material. MassDEP's Guide to Best Management Practices has been consulted.

Work will be done by hand: wheel barrowed from truck and shoveled in to fill the ditch.

The ditch is about plus or minus 20 feet long and at about 1-3 feet deep

About 4 Cubic yards of sand will be required.

STETSON AVE. (GRAVEL)

67.60'

64.59' P.

DRIVEWAY

21.91'

69.26'

RAILROAD TIES

EROSIONS

SEE PHOTOS

WOOD PILE BRACK

59.10'

NOPTA

PUZZARDS BAY



FARM FIELD STREET (GRAVEL)

ZONE V14 (EL. 13)

ZONE V14 (EL. 16)

ZONE V14 (EL. 17)

SITE PLAN 1" = 20'-0"

15 STETSON AVES  
FAIRHAVEN, MA  
10-3-19

Donald R. Conlon AIA  
Apr. 28  
1745 N. Shannon Ave

		Subject-1 Stetson Avenue	Map-2 Lot-256, 262 & 263	9/30/2019			
Map	Lot	Record owner & mailing address	Physical address				
2	7	Hans R. & Christine M Doherty 121 Farmfield Street Fairhaven, MA 02719	Same				
2	7B & 24	John R. & Julie Wright 1123 N. Southlake Drive Hollywood, FL 33019	lot-7B is 20 Harborview Ave. lot- 24 is land only				
2	21,22,23	Janice G. Dessert 18 Thompson Street Fairhaven, Ma 02719	17 Harborview Avenue				
2	241,242, 243,244	Bernice Fields 1 Turner Avenue Fairhaven, MA 02719	Saem				
	250,267 & 286						
2	245 & 251	Christine H. Davis 11 Turner Avenue Fairhaven, MA 02719	Same				
2	258 & 259 260, 266 264 & 265	Donald R Conlon 5 Stetson Avenue Fairhaven, MA 02719	Same				
		Registered owner Wendy Drumm	wendydrumm@earthlink.net (401)-787-3530				



**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 Wendy Drumm
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:  
1 Stetson Ave, Fairhaven, MA.
4. The proposed work includes  
Filling eroded area of beach: deep  
dangerous ditch  
Using appropriate Beach Sand
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 for a fee if notified in advance or from the applicant.
6. The public hearing will be held:
  - a. DATE: October 28, 2019
  - b. TIME: 6:30 pm
  - c. LOCATION: Town Hall, 40 Center Street, Fairhaven MA
7. For additional information, please contact the applicant/applicant's representative:  
Name: Wendy Drumm  
Phone/Email: 401 787 3530 wendydrumm @ earthlink.net

**PLEASE NOTE:**

1. 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.
2. 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.

		Subject-1 Stetson Avenue	Map-2 Lot-256, 262 & 263	9/30/2019			
Map	Lot	Record owner & mailing address	Physical address				
2	7	Hans R. & Christine M Doherty 121 Farmfield Street Fairhaven, MA 02719	Same		<i>See sig on attached</i>		
2	7B & 24	John R. & Julie Wright 1123 N. Southlake Drive Hollywood, FL 33019	lot-7B is 20 Harborview Ave. lot- 24 is land only		<i>See sig. on Notification</i>		
2	21,22,23	Janice G. Dessert 18 Thompson Street Fairhaven, Ma 02719	17 Harborview Avenue		<i>cert. mail</i>		
2	241,242, 243,244	Bernice Fields 1 Turner Avenue Fairhaven, MA 02719	Same		<i>see sig on attached</i>		
	& 286						
2	245 & 251	Christine H. Davis 11 Turner Avenue Fairhaven, MA 02719	Same		<i>cert. Mail</i>		
2	258 & 259	Donald R Conlon 5 Stetson Avenue 260, 265 264 & 265 Fairhaven, MA 02719	Same		<i>see sig on attached</i>		
		Registered owner Wendy Drumm	<a href="mailto:wendydrumm@earthlink.net">wendydrumm@earthlink.net</a> (401)-787-3530				

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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
<b>Total Postage and Fees</b>	<b>\$6.85</b>

Sent To **JANICE DESSERT**  
 Street and Apt. No., or PO Box No. **18 Thomas St**  
 City, State, ZIP+4® **Fairhaven, MASS 02719**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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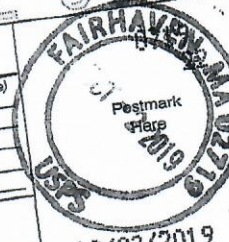
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FAIRHAVEN, MA 02719

Certified Mail Fee	\$3.50
Extra Services & Fees (check box, add fee as appropriate)	
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.55
<b>Total Postage and Fees</b>	<b>\$6.85</b>

Sent To **Christie DAVIS**  
 Street and Apt. No., or PO Box No. **11 Turner Ave**  
 City, State, ZIP+4® **Fairhaven MASS 02719**

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions



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Name: Wendy Drumm  
Phone/Email: 401-787-3530

**PLEASE NOTE:**

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2. 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.

*Wendy Drumm*  
20 Harbor View FHM

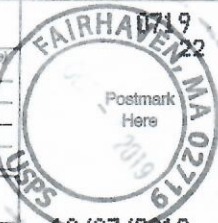
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<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00



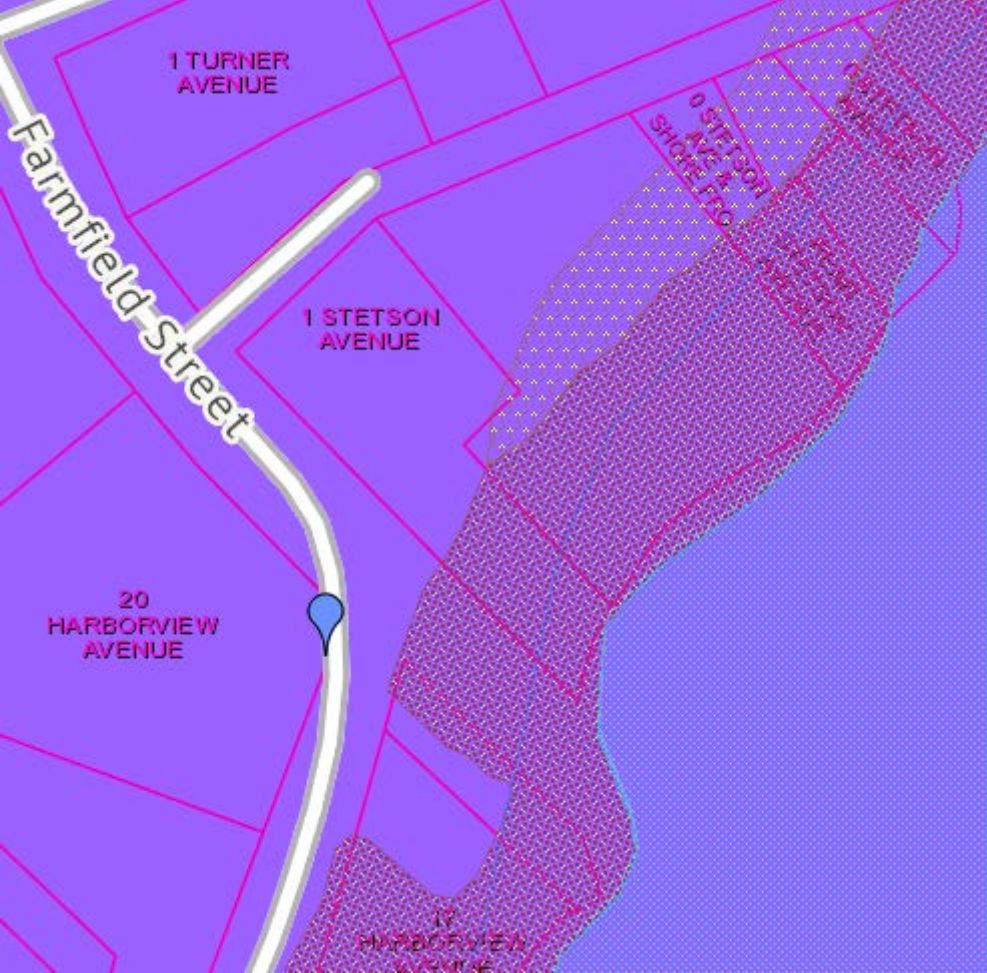
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City, State, ZIP+4®



1 TURNER AVENUE

Farmfield Street

1 STETSON AVENUE

20 HARBORVIEW AVENUE



17 HARBORVIEW AVENUE

0 STETSON AVENUE

10 STETSON AVENUE