

# SITE DEVELOPMENT PLANS

FOR

## 46 CHARITY STEVENS LANE SOLAR PROJECT

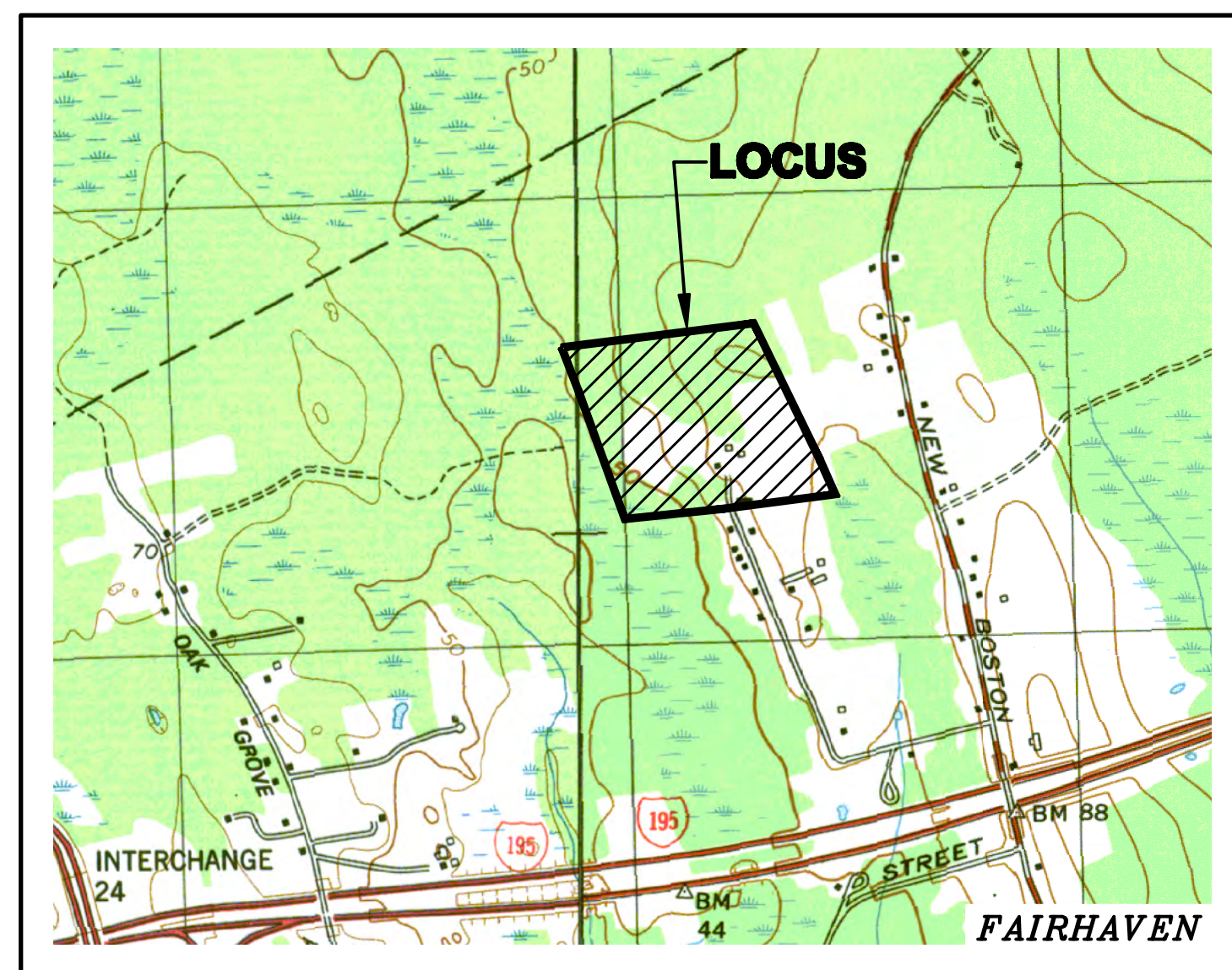
FAIRHAVEN, MASSACHUSETTS

DATE: AUGUST 23, 2019

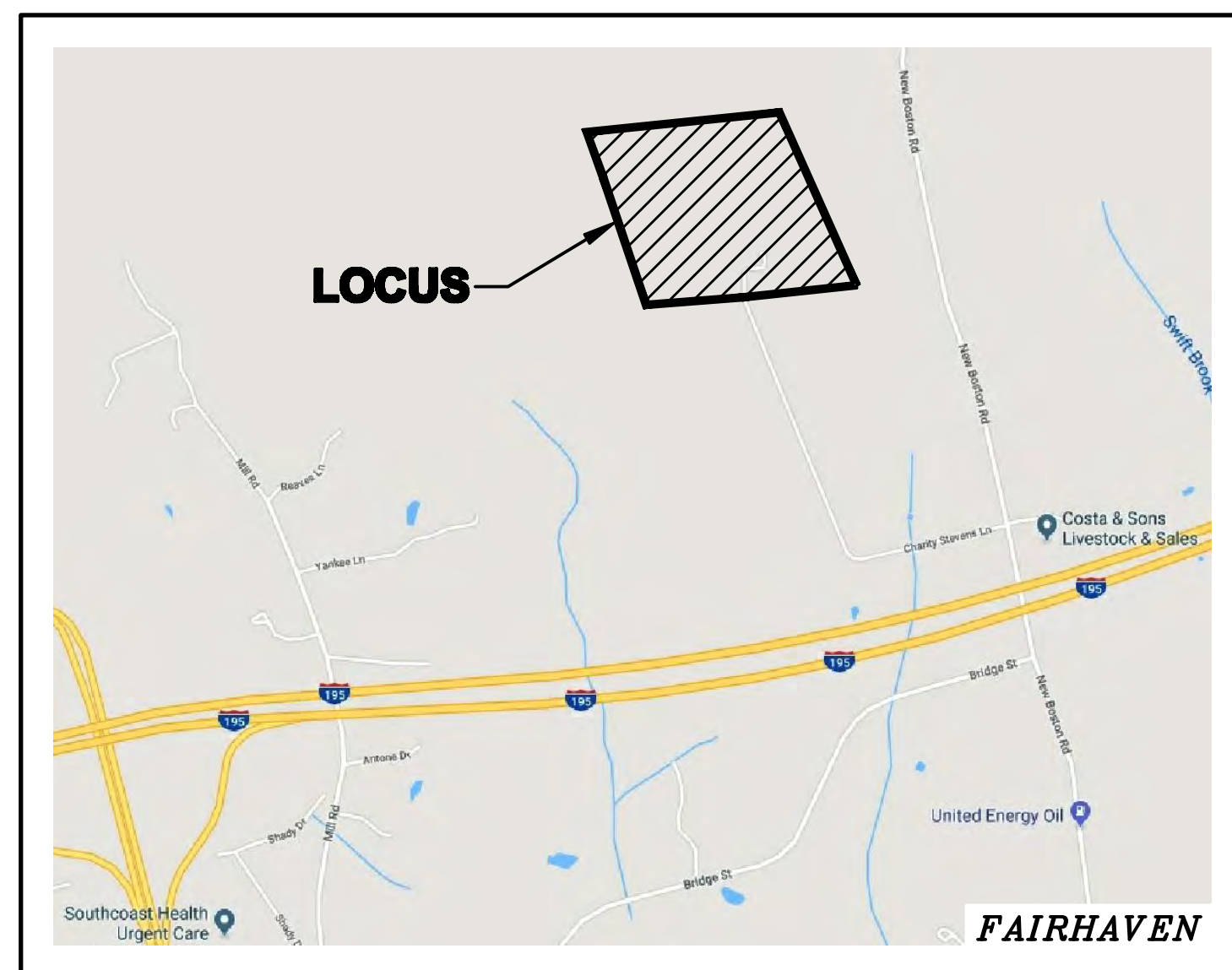
REVISED: SEPTEMBER 11, 2019

REVISED: SEPTEMBER 24, 2019

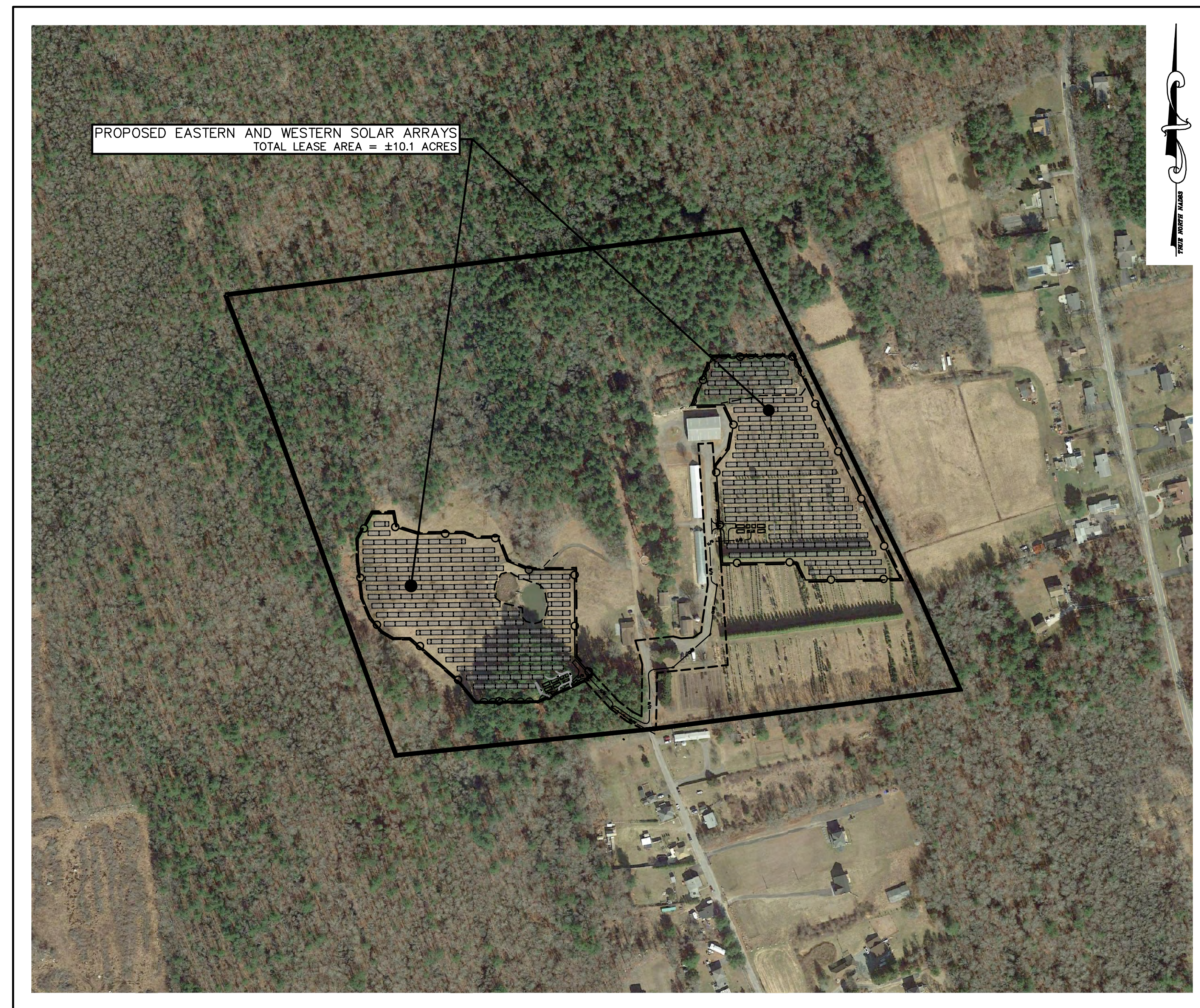
REVISED: OCTOBER 15, 2019



VICINITY MAP  
1" = 1,200'



LOCUS MAP  
1" = 1,200'



OVERALL LOCATION PLAN  
SCALE: 1" = 200'

**NOTE:**  
"THE CONTRACTOR SHALL GIVE SEVEN (7) DAYS' NOTICE TO PERTINENT TOWN DEPARTMENTS BEFORE COMMENCING WORK IN THE FIELD"

INDEX OF PLANS		
SHEET NO.	TITLE	SCALE
1	COVER SHEET	1" = 200'
2	OVERALL EXISTING CONDITIONS PLAN	1" = 80'
3	OVERALL SITE DEVELOPMENT PLAN	1" = 80'
4	SITE DEVELOPMENT PLAN	1" = 40'
5	SITE DEVELOPMENT PLAN	1" = 40'
6	DETAILS PLAN	N.T.S.

**OWNER:**

HASKELL FAMILY REVOCABLE TRUST  
46 CHARITY STEVENS LANE  
FAIRHAVEN, MASSACHUSETTS 02719

**APPLICANT:**

FAIRHAVEN MA 4, LLC  
C/O CLEAN ENERGY COLLECTIVE, LLC  
27 B MIDSTATE DR., SUITE 106  
AUBURN, MASSACHUSETTS 01501

**ENGINEER:**

**Atlantic**<sup>®</sup>  
DESIGN ENGINEERS, INC.  
P.O. Box 1051, Sandwich, MA 02563  
(508) 888 - 9282







**LEGEND**

	EXISTING 1 FOOT CONTOUR LINE
	EXISTING 5 FOOT CONTOUR LINE
	EXISTING EDGE OF GRAVEL
	EXISTING WATER LINE
	EXISTING STONE WALL
	EXISTING VINYL FENCE
	EXISTING WIRE FENCE
	EXISTING MAILBOX
	EXISTING TREE LINE
	EXISTING CONCRETE
	EXISTING TREE
	EXISTING UTILITY POLE
	EXISTING OVERHEAD WIRE
	EXISTING GUY WIRE
	EXISTING WELL
	EXISTING 100' WETLAND BUFFER
	EXISTING WETLAND LINE
	PROPOSED TREELINE/LIMITS OF CLEARING
	PROPOSED CHAIN LINK FENCE
	PROPOSED OVERHEAD WIRES
	PROPOSED 1 FOOT CONTOUR
	PROPOSED 5 FOOT CONTOUR
	PROPOSED EROSION CONTROL BARRIER
	PROPOSED UNDERGROUND ELECTRIC
	PROPOSED UTILITY POLE

**ZONING REQUIREMENTS**  
TOWN OF FAIRHAVEN ZONING BYLAWS; REVISED THROUGH MAY 6, 2017

**RURAL RESIDENCE DISTRICT (RR)**  
AND WITHIN NASKETUCKET RIVER BASIN OVERLAY DISTRICT

	REQUIRED	PROVIDED
MINIMUM LOT AREA:	30,000 S.F.	±1,999,404 S.F. (3)
MINIMUM FRONTAGE AT STREET:	140 FEET	- (1)
CONTIGUOUS UPLAND:	24,000 S.F.	>24,000 S.F.
BUILDING SETBACKS:		
FRONT YARD:	30 FEET	144.8 FEET (3)
SIDE YARD:	20 FEET	51.0 FEET (3)
REAR YARD:	30 FEET	358.3 FEET (3)
MAXIMUM BUILDING HEIGHT:	35 FEET	<35 FEET
MAXIMUM LOT COVERAGE:	25%	<2% (2)
MAXIMUM BUILDING COVERAGE:	15%	<1%

- (1) IN COMPLIANCE 100 FOOT RELIEF GRANTED BY VARIANCE BY THE FAIRHAVEN ZONING BOARD OF APPEALS AND RECORDED AT THE BRISTOL SOUTH COUNTY REGISTRY OF DEEDS ON 8-9-19 IN BOOK 12886, PAGE 348.
- (2) BASED UPON EXISTING SITE FEATURES, PROPOSED RACKING SUPPORT FOUNDATION SYSTEM AND PROPOSED CONCRETE EQUIPMENT PADS.
- (3) SEE PROPOSED LARGE SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS TABLE FOR ADDITIONAL SETBACK REQUIREMENTS.

**LARGE SCALE GROUND MOUNTED SOLAR PHOTOVOLTAIC INSTALLATIONS**

	REQUIRED	PROVIDED
MINIMUM LOT AREA:	10 ACRES (1)	±46 ACRES
MINIMUM YARDS:		
FRONT:	75 FEET	144.8 FEET
SIDE:	50 FEET	51.0 FEET
REAR:	50 FEET	358.3 FEET

(1) MINIMUM REQUIRED IN RR DISTRICT.

SEE SHEET 6 FOR CONSTRUCTION NOTES

**Atlantic** DESIGN ENGINEERS, INC.  
P.O. Box 1051, Sandwich, MA 02563 (508) 888 - 9282

Designed by : \_\_\_\_\_  
 Drawn by : \_\_\_\_\_  
 Checked by : \_\_\_\_\_  
 Survey chk. by : \_\_\_\_\_  
 Approved by : \_\_\_\_\_

**SCALE**  
SCALE 1" = 80'  
0 20 40 80 160



NO.	BY	DATE	REVISION
3	SWG	10-15-19	REDUCED TREE CUTTING
2	SWG	9-24-19	PER CONCOM COMMENTS
1	JCE	9-11-19	UPDATED BUFFER ZONES PER CONCOM

APPLICANT:  
**FAIRHAVEN MA 4, LLC**  
 c/o CLEAN ENERGY COLLECTIVE, LLC.  
 27 B MIDSTATE DR, SUITE 106  
 AUBURN, MASSACHUSETTS 01501

OVERALL SITE DEVELOPMENT PLAN  
 FOR  
**46 CHARITY STEVENS LANE SOLAR PROJECT**  
 FAIRHAVEN, MASSACHUSETTS  
 AUGUST 23, 2019

FILE: 3119.01-SITE-R3  
 Sheet 3 of 6  
 JOB NUMBER 3119.01



PROPOSED WESTERN SOLAR ARRAY  
LEASE AREA = ±5.0 ACRES

SOLAR ARRAY AREA UNDER AND IN  
BETWEEN PANELS TO BE TO BE  
SEEDED WITH NATIVE SEED MIX  
(OR APPROVED EQUAL)

EXISTING BUILDING  
SETBACK LINE  
(TYP)

PROPOSED EROSION CONTROL  
BARRIER TO BE 3' FROM FENCE  
(TYP)

MAP 40  
PARCEL 26F  
N/F  
STEPHEN HILLS COMMUNITY  
SERVICE INC

PROPOSED TREE CUTTING  
±28,200 S.F. (0.65 ACRES)

PROPOSED TEMPORARY ROW OF  
EROSION CONTROL TO BE REMOVED  
UPON COMPLETION OF TREE  
CUTTING ACTIVITIES

PROPOSED LEASE AREA

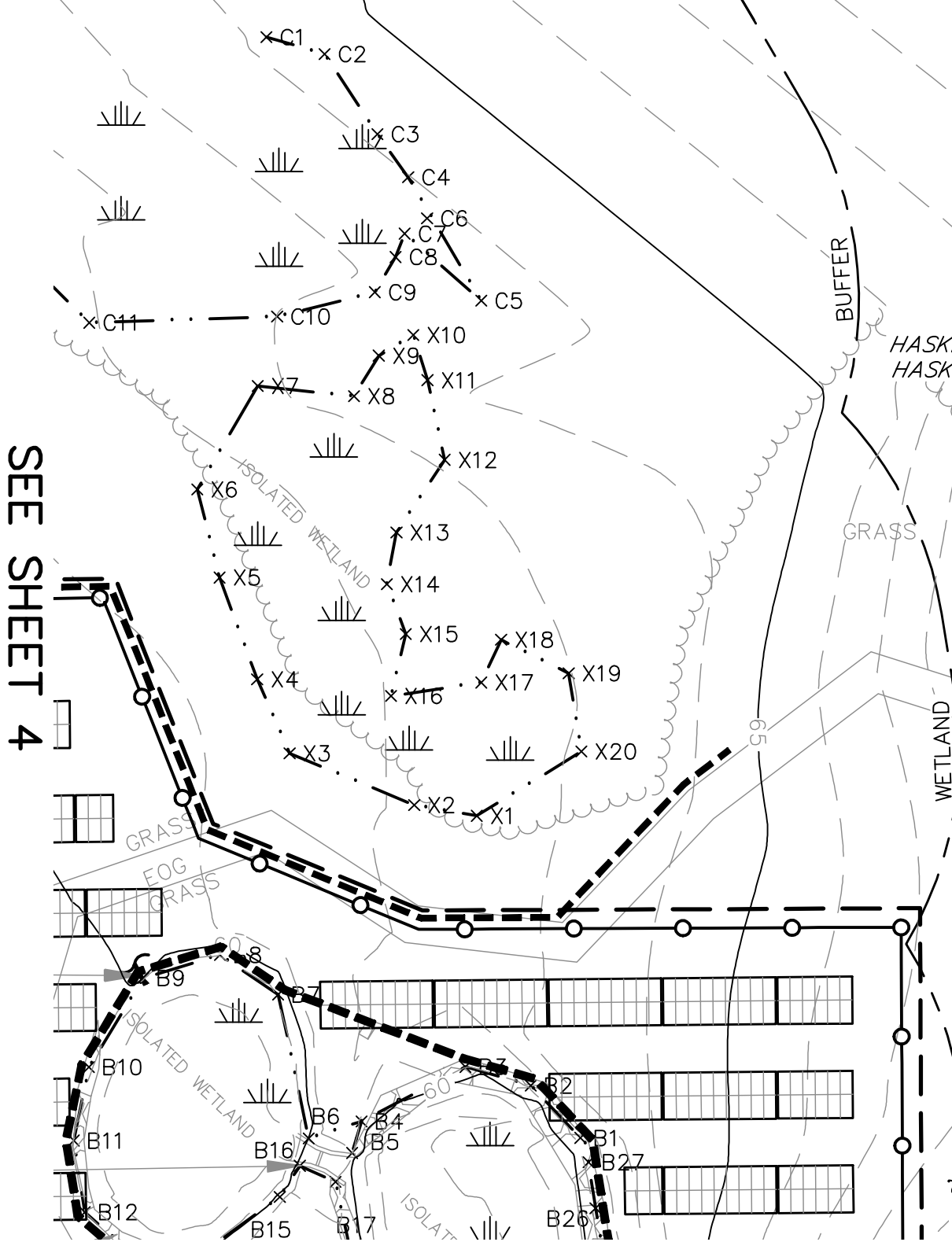
EX.  
GARAGE

EX.  
GREENHOUSE

EX.  
GREENHOUSE

MAP 40  
PARCEL 26-A  
N/F  
BARBOSA, DAVID

SEE SHEET 4



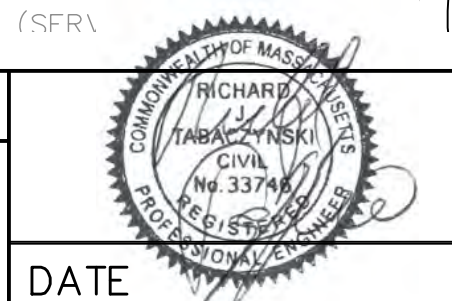
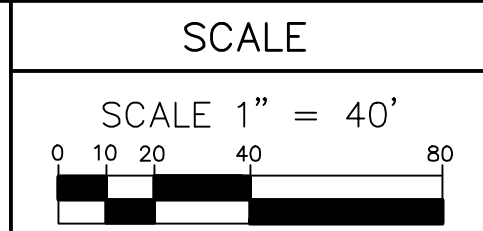
PROPOSED ACCESS AND  
UTILITY EASEMENT

SEE SHEET 4

SEE SHEET 3 FOR LEGEND  
AND SHEET 6 FOR  
CONSTRUCTION NOTES

**Atlantic** DESIGN ENGINEERS, INC.  
P.O. Box 1051, Sandwich, MA 02563 (508) 888 - 9282

Designed by :  
Drawn by :  
Checked by :  
Survey chk. by :  
Approved by :



NO.	BY	DATE	REVISION
3	SWG	10-15-19	REDUCED TREE CUTTING
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APPLICANT:  
FAIRHAVEN MA 4, LLC  
c/o CLEAN ENERGY COLLECTIVE, LLC.  
27 B MIDSTATE DR, SUITE 106  
AUBURN, MASSACHUSETTS 01501

SITE DEVELOPMENT PLAN  
FOR  
46 CHARITY STEVENS LANE SOLAR PROJECT  
FAIRHAVEN, MASSACHUSETTS  
AUGUST 23, 2019

FILE: 3119.01-SITE-R3

Sheet	of
5	6
JOB NUMBER	
3119.01	





**WPA Form 8A – Request for Certificate of Compliance**

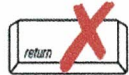
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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:

Name DAVID J. REBELLO  
Mailing Address 8 HATHAWAY ST.  
City/Town FAIRHAVEN, MASS. 02719 State MASS. Zip Code 02719  
Phone Number 508 971 6505

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

Applicant JOSE VALENTIM  
Dated JUNE 30, 2014 DEP File Number SE23-1190

3. The project site is located at:

Street Address 8 HATHAWAY ST. City/Town FAIRHAVEN  
Assessors Map/Plat Number 28B Parcel/Lot Number 6-9

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

Property Owner (if different) JOSE VALENTIM  
County BRISTOL (SD) Book 11099 Page 249

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.





**WPA Form 8A – Request for Certificate of Compliance**

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

Provided by DEP

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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

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**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>).

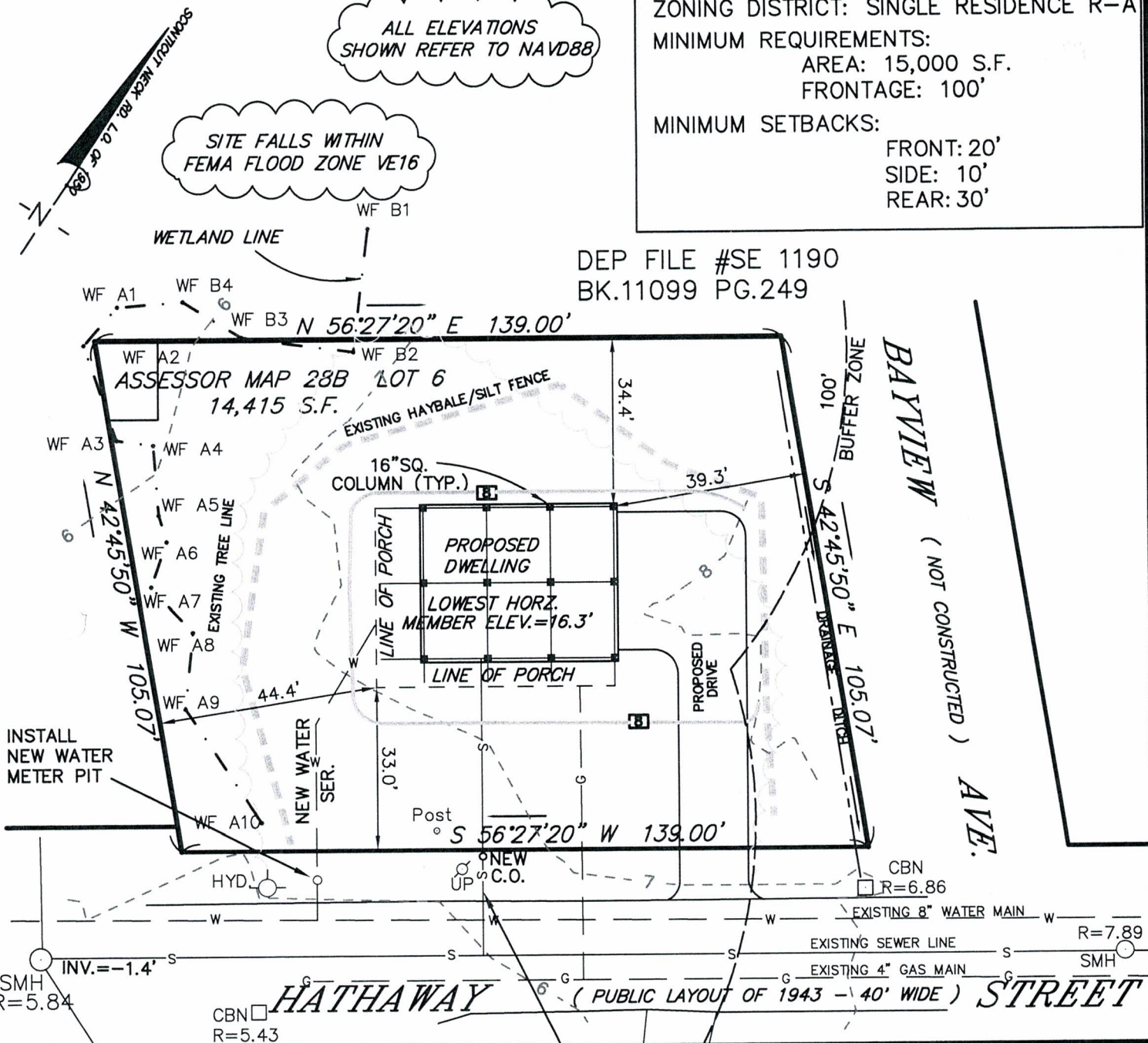


ZONING DISTRICT: SINGLE RESIDENCE R-A  
 MINIMUM REQUIREMENTS:  
 AREA: 15,000 S.F.  
 FRONTAGE: 100'  
 MINIMUM SETBACKS:  
 FRONT: 20'  
 SIDE: 10'  
 REAR: 30'

ALL ELEVATIONS  
 SHOWN REFER TO NAVD88

SITE FALLS WITHIN  
 FEMA FLOOD ZONE VE16

DEP FILE #SE 1190  
 BK.11099 PG.249



BAYVIEW (NOT CONSTRUCTED) AVE.  
 BUFFER ZONE .001  
 S 42°45'50" E 105.07'

HATHAWAY STREET (PUBLIC LAYOUT OF 1943 - 40' WIDE)  
 EXISTING 8" WATER MAIN R=7.89  
 EXISTING SEWER LINE R=7.89 SMH  
 EXISTING 4" GAS MAIN R=7.89 SMH

OWNER  
 David & Filomena Rebello  
 8 Gayla Drive  
 Acushnet, MA 02743  
 Deed BK.11276, PG. 159

REVISED PLAN FOR PERMIT

# HATHAWAY STREET





## **Natural Resource Services, Inc.**

August 21, 2019

Fairhaven Conservation Commission  
c/o Whitney McClees, Conservation Agent  
40 Center Street,  
Fairhaven, MA 02719

RE: Peer Review of ANRAD Filing  
DEP File No. 023-1303  
240 Alden Road  
Fairhaven, Massachusetts

Dear Ladies and Gentlemen of the Conservation Commission:

Natural Resource Services, Inc. (NRS) has completed its peer review of the Abbreviated Notice of Resource Area Delineation (ANRAD) application filed by Jeff White (hereafter the applicant). This review has been performed pursuant to the request and authorization of the Fairhaven Conservation Commission (FCC). Field work and evaluation of the accompanying plan have been performed in accordance with the Massachusetts Wetlands Protection Act (M.G.L. ch. 131 §40) and its regulations (310 CMR 10.00 et seq.). The on-site assessment of the wetland boundary was completed pursuant to the standards and definitions of the handbook entitled Delineating Bordering Vegetated Wetlands Under the Massachusetts Wetlands Protection Act (MassDEP, 1995).

The plan set referenced in this letter was prepared by Prime Engineering and entitled 'Site Plan for Proposed Addition' (dated June 18, 2019). I performed this review on August 15, 2019.

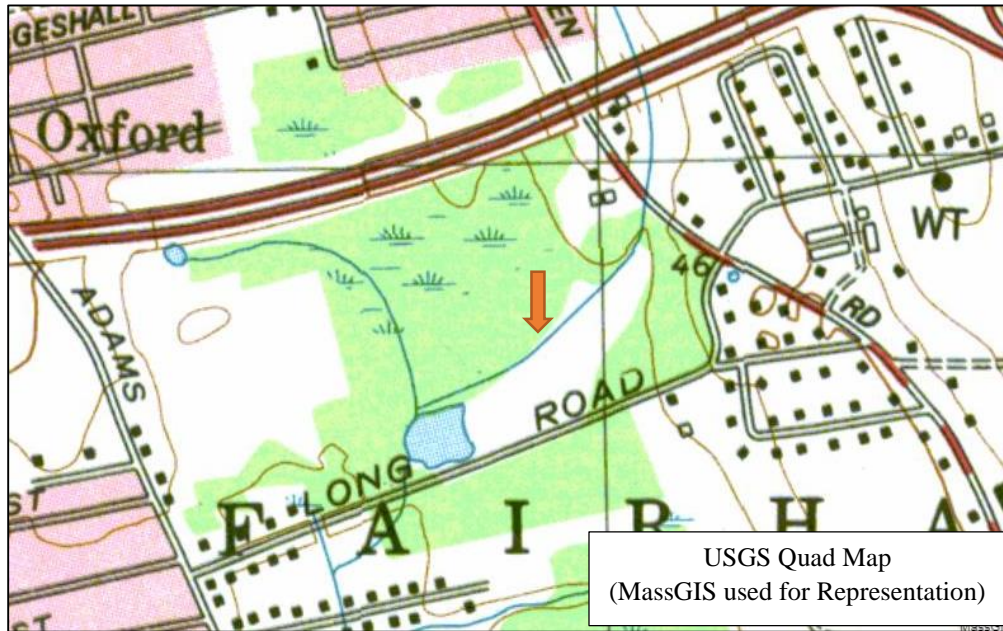
NRS reviewed wetland flags WFA1 – WFA28 and Bank A1 – Bank A36. Regarding the A-series wetland, NRS moved a total of four (4) flags within the property. Flagging WFA16, WFA17, WFA18 and WFA20 were removed and reestablished further to the north. These changes are largely the result of soil indicators. Specifically, the wetland side has a weakly forming E-horizon beneath the A-horizon as well as redox in both the spodic horizon and Bw-horizon.

The WFA-series constitutes a bordering vegetated wetland (BVW). BVWs are subject to regulation under the MA Wetlands Protection Act (WPA) and the Fairhaven Wetlands Bylaw. A 100-foot buffer zone is applied to the BVW under the MA WPA and Section 129-2A of the municipal bylaw.

Flagging labeled Bank A1 – Bank A36 depicts the bank of a perennial stream as defined on the USGS topographic map. It is important to note that this watercourse is currently flagged as



‘top of bank’ related to an intermittent stream. For a perennial stream represented on the USGS topographic map to qualify as ‘intermittent’, the applicant would need to provide the issuing authority with the appropriate documentation as per the protocol of 310 CMR 10.58(2)(a)(1)(d), which includes recording the lack of flow under the timeline established therein. NRS was not provided any such records in the application material. Additionally, this stream was flowing at the time of our review.



Based on the current documentation, the delineated watercourse should be labeled a perennial stream and afforded a 200-foot riverbank wetland. It is important to note that riverbank wetlands are separate and distinct resource areas as defined in 310 CMR 10.58 et seq. NRS also understands that the Fairhaven Wetlands Bylaw also regulates the innermost 100 feet of this riverfront area as per Section 192-2B. The site plans should be revised to reflect these designations, including properly labelling the watercourse as perennial with the 200-foot riverfront area defined.

It is important to note that what appears to be spoils from a greenhouse operation occupy the BVW boundary between WFA7 – WFA10. As documented in the appended photos, this material include fill, plastics and bricks, among other debris. The FCC may consider this to be an unauthorized alteration and could require the applicant to remove the material from the regulated resource area and buffer zone either through this filing or another process the issuing authority determines to be appropriate.

In addition to the fill material, concrete structures were noted interior of flags WFA2 – WFA6. These structures may be remnant of old fountains. Given their water-holding capacity, these features may also serve as vernal pools. An in-season assessment would be required to confirm whether or not these areas could meet NHESP criteria for vernal pool certification. NRS could not accurately discern a timeframe in which these fountain structures were installed in our



review of historic aerial images. This is due in part to graininess of available photographs. At least two (2) dilapidated sheds were also noted within this area.

These comments have been prepared in fulfillment of the FCC's request for a peer review of the ANRAD filing by the applicant. Please do not hesitate to contact me if you have any questions or require elaboration on any of my findings. NRS is also available for any follow-up discussion should the applicant or their representative wish to respond.

Truly yours,

A handwritten signature in blue ink, appearing to read 'E. Avizinis', with a horizontal line underneath it.

Edward J. Avizinis, CPSS, PWS

Enclosures



**Site Photographs**  
**August 15, 2019**



*Debris pile along wetland boundary.*





*Plastic along wetland boundary.*



*Fountain within BVW.*





*Debris within wetland.*





*Fountain within BVW.*





## **Natural Resource Services, Inc.**

15 November 2019

Whitney McClees  
Town of Fairhaven Conservation Commission  
Town Hall  
40 Center Street  
Fairhaven, MA 02719

RE: Supplemental information review  
240 Alden Road  
Fairhaven, Massachusetts

Dear Ms. McClees,

Natural Resource Services, Inc. (NRS) has reviewed the supplemental information provided to us on November 4, 2019. This information included a series of photographs and videos as well as a cover letter submitted by Prime Engineering Inc. The purpose of this information was to satisfy the protocol of 310 CMR 10.58(2)(a.)(1)(d.) and to designate the blue-lined perennial river that flows through the property as an intermittent stream.

I confirmed with the Department of Environmental Protection via a phone conversation on November 13, 2019 that dry conditions need to be shown on any four days in a consecutive twelve-month period. I also confirmed that there were no drought advisories issued for this region during the time period that evidence was presented for which would have nullified results.

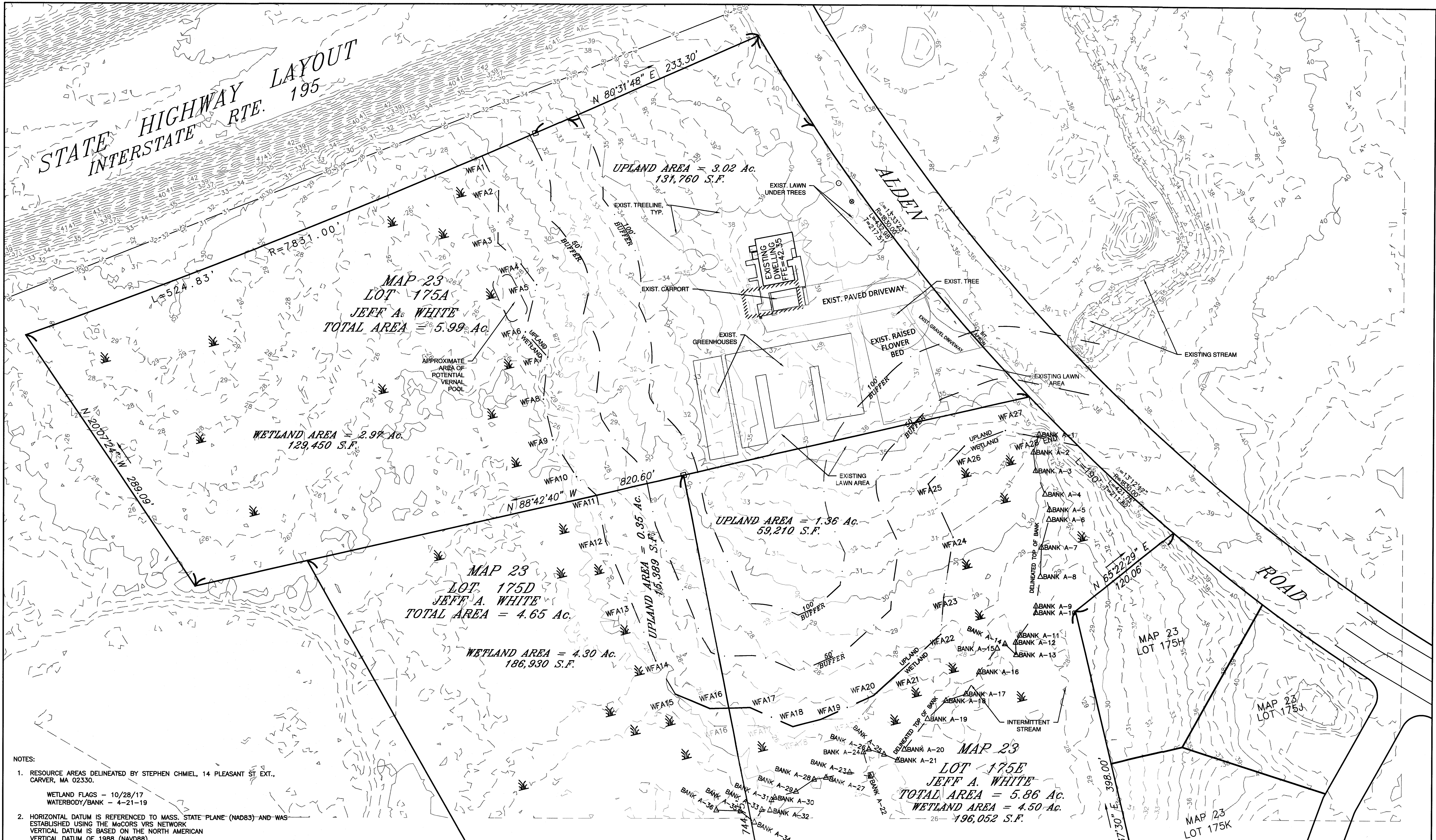
After reviewing the video and photographic evidence, Prime Engineering, Inc., has shown that periods of no flow occurred on June 10, July 12 and 31, August 26, 27 and 28, September 5, 6, 11, 12, 19, 21, and 23. This information is sufficient to re-designate the perennial river as an intermittent stream for which no riverfront area is afforded.

Please do not hesitate to contact me if you have any questions.

Truly yours,

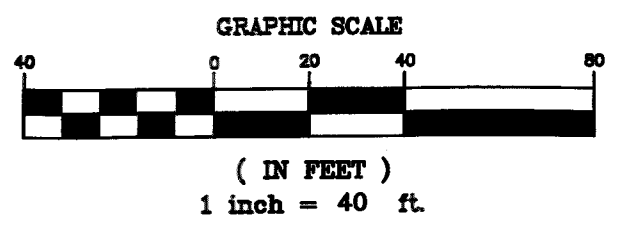
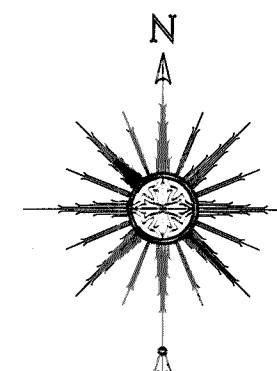
Edward J. Avizinis, CPSS, PWS





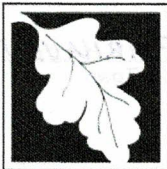
**NOTES:**

- RESOURCE AREAS DELINEATED BY STEPHEN CHMIEL, 14 PLEASANT ST EXT., CARVER, MA 02330.  
WETLAND FLAGS - 10/28/17  
WATERBODY/BANK - 4-21-19
- HORIZONTAL DATUM IS REFERENCED TO MASS. STATE PLANE (NAD83) AND WAS ESTABLISHED USING THE McCORS VRS NETWORK  
VERTICAL DATUM IS BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
- BUILDING LOT COVERAGE  
EXISTING W/O GREENHOUSES=0.8%  
EXISTING W/ GREENHOUSES=5.2%
- THE SUBJECT PROPERTY IS LOCATED ZONE X (UNSHADED) AS SHOWN ON FLOOD INSURANCE RATE MAP 25005C0394G (EFFECTIVE JULY 16, 2014).
- EXISTING TREELINE DIGITIZED FROM AERIAL PHOTOS AND IS APPROXIMATE.



DRAWING TITLE <b>WETLANDS DELINEATION PLAN TO ACCOMPANY ANRAD</b>		DATE: JUNE 25, 2019		
PROJECT 240 ALDEN ROAD FAIRHAVEN, MA		DRAWN BY: JAG		
CLIENT JEFF A. WHITE ACUSHNET, MASSACHUSETTS		DESIGNED BY: N/A		
CIVIL ENGINEERING LAND SURVEYING ENVIRONMENTAL ASSESSMENT		CHECKED BY: RJR		
P.O. BOX 1088 350 BEDFORD ST. LAKEVILLE, MA 02347 TEL: 508.947.0050 FAX: 508.947.2004		APPROVED BY: RJR		SHEET NO. <b>1 OF 1</b> PROJECT NO. TBD





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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:

Name DAVID J. REBELLO E-Mail Address \_\_\_\_\_  
 Mailing Address 8 HATHAWAY ST.  
 City/Town FAIRHAVEN State MASS. Zip Code 02719  
 Phone Number 508 971 6505 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):

Street Address	<u>8 HATHAWAY ST.</u>	City/Town	<u>FAIRHAVEN, MASS.</u>
Assessors Map/Plat Number	<u>28B</u>	Parcel/Lot Number	<u>LOT 6-9</u>

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

SINGLE FAMILY HOUSE

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

Title	<u>8 HATHAWAY ST.</u>	Date	<u>10-30-19</u>
Title	_____	Date	_____
Title	_____	Date	_____

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

A WOODEN SHED TO BE BUILT BEHIND EXISTING HOUSE  
SHED = 8' X 10'





# 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 DAVID J. REBELLO

Mailing Address 8 HATHAWAY ST

City/Town FAIRHAVEN,

State MASS - 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.

Signature of Applicant *David J. Rebello* Date 10-30-19

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



**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 DAVID J. REBELLO
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:  
8 HATHAWAY ST., Fairhaven, MA.
4. The proposed work includes A WOODEN SHED 8' X 10'  
IN BACK OF HOUSE AT  
8 HATHAWAY ST.  
— 8' X 10' WOODEN SHED —
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: DAVID J. REBELLO  
Phone/Email: 5089716505

**PLEASE NOTE:**

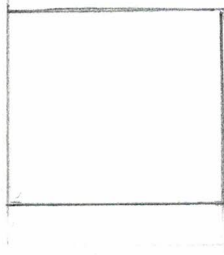
1. Notice of the public hearing including its date, time, and place will be published at least five business days in advance in the Fairhaven Neighborhood News, and will be posted on the Fairhaven Town Website and at the Fairhaven Town Hall not less than 48 hours in advance.
2. Since you are receiving 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.



Map	Lot	Subject Property M-28B Lots-6,7,8 & 9 David & Filomena Rebello	8 Hathaway Street	10/17/2019
		Owner of record and Mailing address	Physical address	
28A	497	Town of Fairhaen (Pope Beach)		
28B	10 & 11	Alexion Lazarus-Adm C/O Attorney Norman Clement 44 School Street Suite 300 Boston, MA 02108	Land only Hathaway Street	
28B	34 & 34A	Jose & Grace Valentine 32 Cove Street Fairhaven, MA 02719	Same	<i>you Valen</i>
28B	35 & 34B	Janet Lee Herrett 18 Tucker Terrace Raynham, MA 02767	30 Cove Street	
28B	36,37 & 34D	Barbara A. Bushell 28 Cove Street Fairhaven, MA 02719	Same	<i>Barbara A Bushell</i>
28B	53 & 54	Rebecca R. Carey Trustee of Seagull Rock Trust 5 Goulart Memorial Drive Fairhaven, MA 02719	27 Cove Street	<i>Rebecca R Carey</i>
28B	55,56 57 & 58	Joseph & Patricia Marshall 18 Abner Potter Way South Dartmouth, MA 02748-1026	21 Cove Street	<i>J &amp; M Marshall</i>
28B	63	Susan M. Amorin 12 Village Drive Dartmouth, MA 02747-2039	13 Hathaway Street	<i>Susan M Amorin</i>



PROPOSED  
SHED  
8' X 10'



EXISTING HOUSE

8 HATHAWAY ST.  
FAIRHAVEN, MASS. 02719

10-30-19





Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

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:

Michael + Joan Tracey  
Name

ebbtideman@comcast.net  
E-Mail Address

166 Bay St.  
Mailing Address

Fairhaven  
City/Town

MA  
State

02719  
Zip Code

(508) 997-5926  
Phone Number

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 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):

<u>106 Bay St.</u>	<u>Fairhaven</u>
Street Address	City/Town
<u>28A</u>	<u>lots 415 + 413 A</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

single family home

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

<u>Site/Shed Plan</u>	<u>11-4-19</u>
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date

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

addition of a 10 x 16 vinyl sided  
shed on concrete slab





# 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).

\_\_\_\_\_  
NA  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_





# 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 Joan Seacey

Mailing Address 111 Bay St.

City/Town Fairhaven, MA

State \_\_\_\_\_ Zip Code 02719

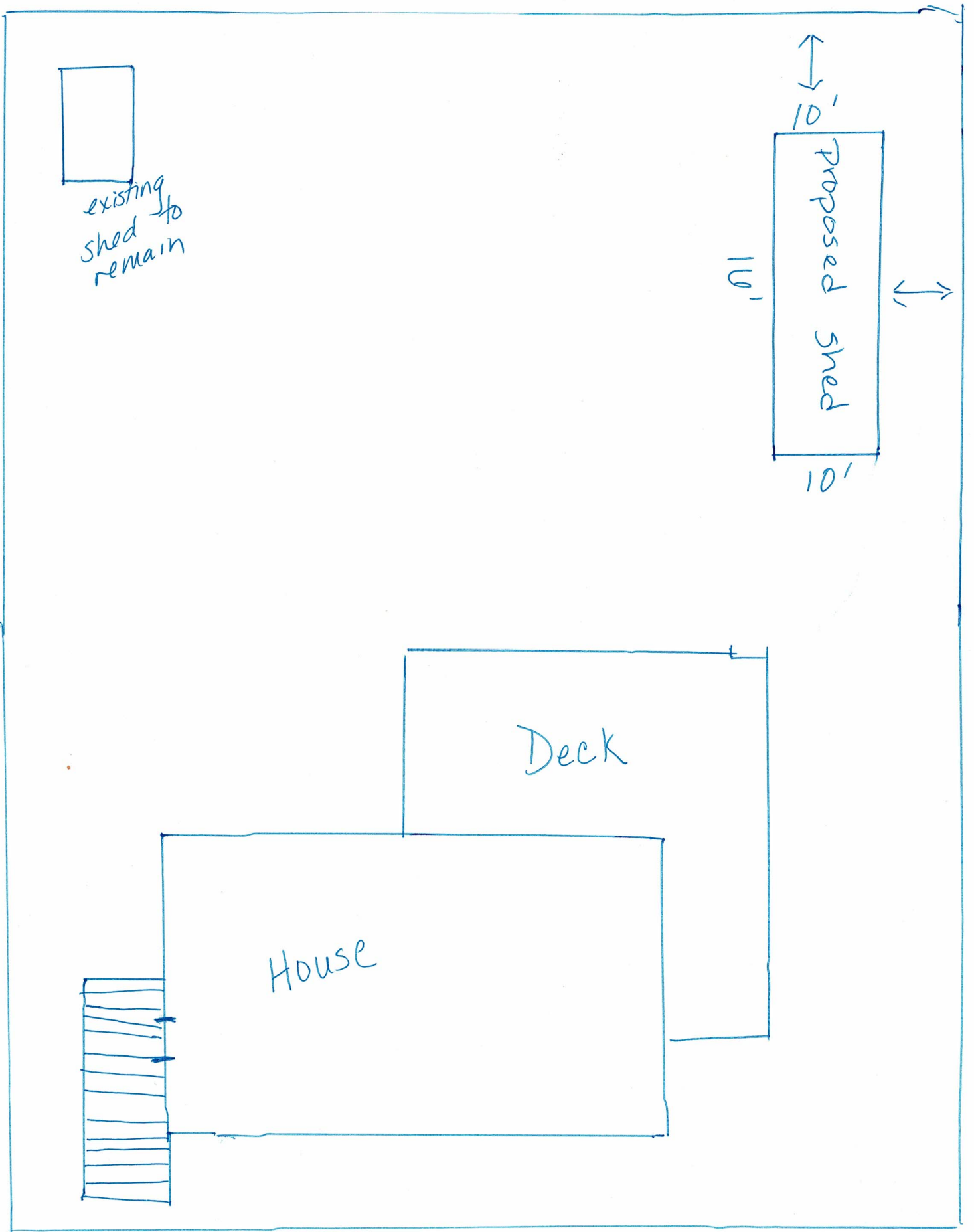
Signatures:

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 Joan Seacey Date 11-4-19

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





66 Bay St.

SITE PLAN - SHED  
11-4-19



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2. The applicant has filed the following type of permit application with the Fairhaven Conservation Commission:  
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 Notice of Intent  
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 Notice of Resource Area Delineation
3. The address or location of the site where the activity, project, or delineation is proposed is:  
66 Bay St., Fairhaven, MA.
4. The proposed work includes 10'x16' shed on concrete slab  
vinyl siding
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: November 25, 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: Michael + Joan Tracey  
Phone/Email: (508) 997-5926

**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.
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<b>MAP/LOT</b>	<b>PROPERTY ADDRESS</b>	<b>OWNER ON RECORD</b>
28A-441	50 BAYVIEW AVENUE	RESENDES JOAQUIM M & SHEILA J ✓
28A-440	52 BAYVIEW AVENUE	POWER MICHAEL T & SHARON F ✓
28A-439	54 BAYVIEW AVENUE	HYMAN SCOTT ✓
28A-438	56 BAYVIEW AVENUE	NOLAN DONALD O & HILDY N ✓
28A-437	58 BAYVIEW AVENUE	BYERS MARGO & REMIESIEWICZ LEO ✓ ✓
28A-436	60 BAYVIEW AVENUE	FRYE DALTON P & ROSSI MAGGIE ✓
28A-413	68 BAY STREET	DEMELLO CECELIA C ✓
28A-416	62 BAY STREET	COSTA CRAIG A TRUSTEE OF CRAIG A COSTA REV TRUST ✓
28A-519	4 CHANEY AVENUE	ALBEE SCOTT & ROCHELLE ✓
28A-367	45 HIGHLAND AVENUE	VIERA ROBERT S & CYNTHIA TRUSTEES OF THE CYNTHIA ✓
		VIERA 2017 REVOCABLE TRUST
28A-369	59 BAY STREET	ADAIR DANIELL & WENDY ✓



<u>OWNER ADDRESS</u>	<u>CITY/TOWN</u>	<u>STATE</u>	<u>ZIP</u>
✓ 50 BAYVIEW AVE.	FAIRHAVEN	MA	02719
✓ 52 BAYVIEW AVE.	FAIRHAVEN	MA	02719
✓ 54 BAYVIEW AVE.	FAIRHAVEN	MA	02719
✓ 56 BAYVIEW AVE.	FAIRHAVEN	MA	02719
✓ 50 WEDGEWOOD DRIVE	NORWOOD	MA	02062
✓ 5 COTTAGE STREET	FAIRHAVEN	MA	02719
✓ 68 BAY STREET	FAIRHAVEN	MA	02719
✓ 13 BAYVIEW AVE.	FAIRHAVEN	MA	02719
✓ 12 POPE STREET	NEW BEDFORD	MA	02740
✓ 4 LEEWARD WAY	FAIRHAVEN	MA	02719
✓ 59 BAY STREET	FAIRHAVEN	MA	02719