

Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

Fairhaven  
City/Town

**WPA Form 1- Request for Determination of Applicability**  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**A. General Information**

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



1. Applicant:  
Mark Silverman Name msilverman@usart.com E-Mail Address  
6 Goodnow Ln. Mailing Address  
Framingham City/Town MA State                      Zip Code  
617-480-9953 Phone Number                      Fax Number (if applicable)

2. Representative (if any):  
Dana Pickup Firm  
CareFree Homes Inc. Contact Name dangjr@carefreehomes.com E-Mail Address  
239 Hittleston Ave. Mailing Address  
Fairhaven City/Town MA State 02719 Zip Code  
508-997-1111 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:

\_\_\_\_\_  
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>22 Alder St.</u>	<u>Fairhaven</u>
Street Address	City/Town
<u>43A</u>	<u>19</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

deck rear of house

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

<u>Site Plan</u>	<u>2/26/20</u>
Title	Date
<u>Frame Detail</u>	<u>2/26/20</u>
Title	Date
Title	Date

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

Build 16x12' deck rear of house w/ 3 supports

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**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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N/A 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

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Fairhaven  
City/Town

## 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:

Mark Silverman  
Name

6 Goodnow Ln  
Mailing Address

Framingham  
City/Town

MA  
State

01702  
Zip Code

Signatures:

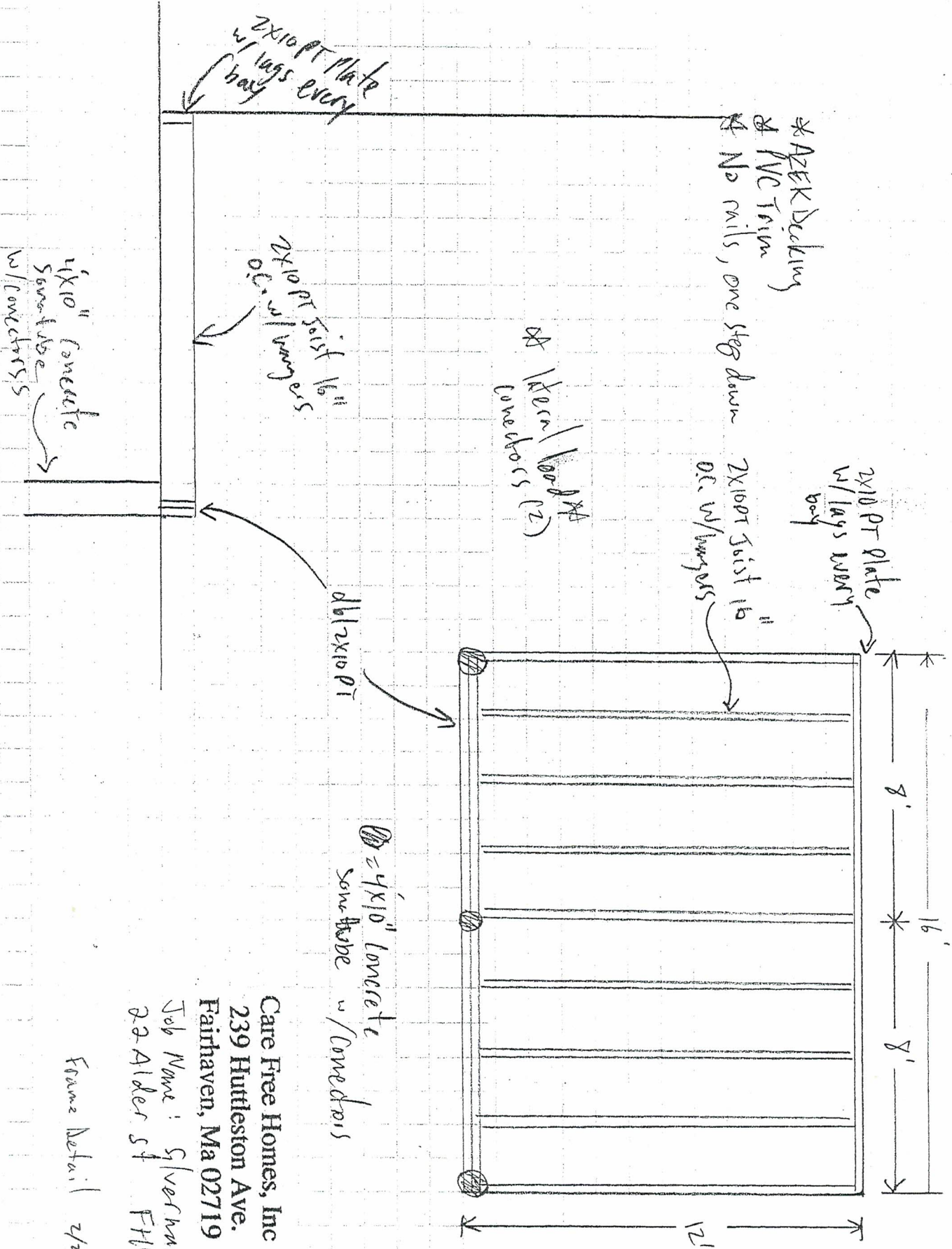
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

[Signature]  
Signature of Applicant

2/26/20  
Date

[Signature]  
Signature of Representative (if any)

2/26/20  
Date

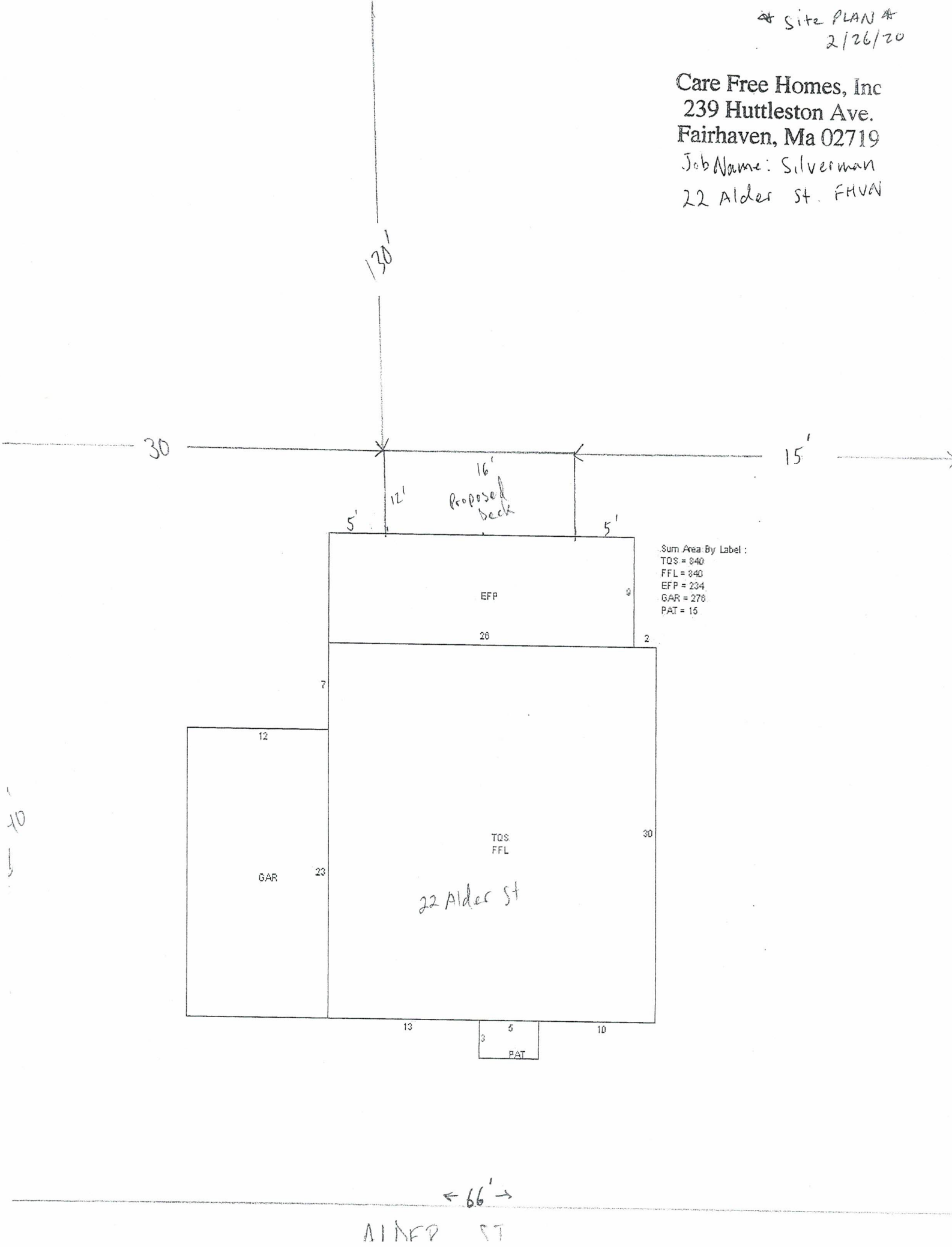


Care Free Homes, Inc  
 239 Huttleston Ave.  
 Fairhaven, Ma 02719  
 Job Name: Silverman  
 22 Alder St  
 FHVM

Frame Detail 2/26/20

\* Site PLAN #  
2/26/20

Care Free Homes, Inc  
239 Huttleston Ave.  
Fairhaven, Ma 02719  
Job Name: Silverman  
22 Alder St. FHVA





**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

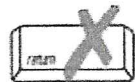
Fairhaven  
City/Town

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

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

**A. General Information**

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



1. Applicant:

Name Michel EL-KHOURY E-Mail Address N/A  
Mailing Address 43 Elizabeth St.  
City/Town Fairhaven State MA Zip Code 02719  
Phone Number 508-863-0719 Fax Number (if applicable) N/A

2. Representative (if any):

Firm MICHAEL KHALIFE E-Mail Address MJKHALIFE@ComCast.net  
Contact Name 258 Orchard St.  
Mailing Address New Bedford, State MA Zip Code 02740  
City/Town 508-287-6881 Fax Number (if applicable) N/A  
Phone Number

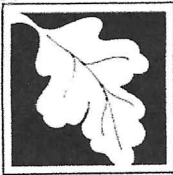
**B. Determinations**

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):

43 Elizabeth St.

Street Address

Fairhaven

City/Town

27

Assessors Map/Plat Number

008K

Parcel/Lot Number

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

removing car port and Asphalt driveway  
to construct the 2 car garage.

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

Deed BK/PG 2942/142

Title

08/99

Date

Plan BK/PG 120/33

Title

08/99

Date

Title

Date

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

Construction of 2 car garage attached  
to the left side of the house, with  
a Master Bedroom above.





# 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:

Michel EL-KHOURY  
Name  
43 Elizabeth St.  
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.

X Michel El-Khoury Signature of Applicant 2/27/2020 Date  
Richard Mahoff Signature of Representative (if any) 2/27/2020 Date

**To:** Fairhaven Conservation Commission

**From:** Michel El-Khoury

43 Elizabeth St.

Fairhaven, Ma 02719

**Project Address:**

43 Elizabeth St.

Fairhaven Ma, 02719

Map 27 Lot 008K

**Project Description:**

Removing the existing carport and the asphalt driveway (exhibit A) in order to construct an attached two car garage to the left side of the house (exhibit B). the two-car garage will also have a second floor with a master suit (exhibit C). As you could see in exhibit D the construction site is 62.19 FT away from the wetlands, we will have erosion control on both rear and front of the house to maintain any sediments on construction site. A four feet deep foundation will be dug by a small excavator that will access the site via driveway. All the storage of materials will be stored on the left side of the driveway. All the construction will be supervised by a Licensed Construction Supervisor Michael Khalife. All abutters have been notified via certified mail regarding the public hearing that will take place on March 23, 2020. The WPA Form 1 – Request for Determination of Applicability has been filed with the Massachusetts Department of Environmental Protection.

Thank you,

Michel El-Khoury

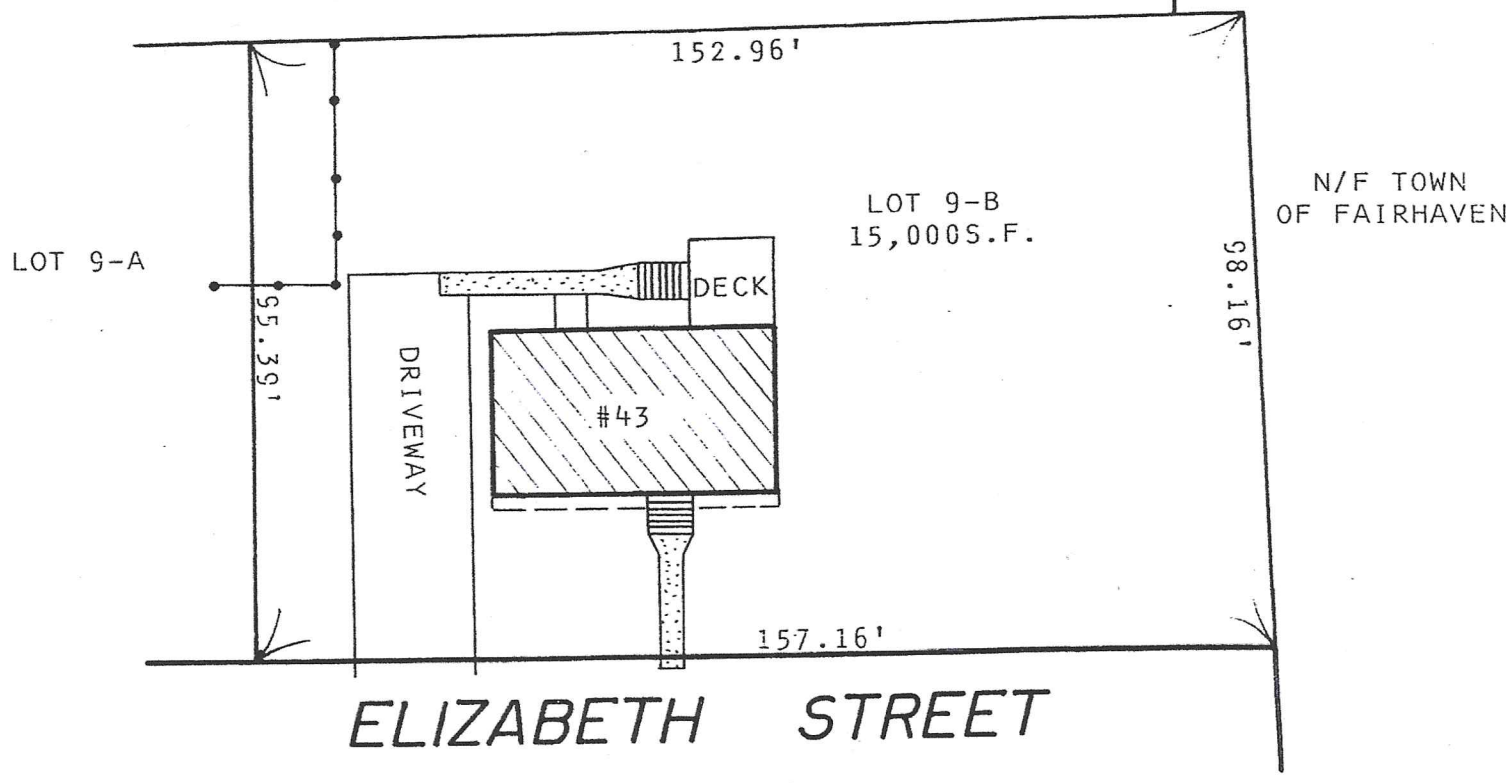
CLIENT THOMAS & THOMAS ATTORNEYS FILE 994574BM  
 DEED BK./PG. 2942/142 PLAN BK./PG. 120/33 CENSUS TRACT 6553  
 ASSESSOR PLAN/PLOT TYPE OF BLDG. 1 1/2 STORY  
 OWNER MAROUN EL-KHOURY APPLICANT SAME AS OWNER

**THIS PLAN IS A TWO SIDED DOCUMENT - SEE REVERSE SIDE FOR NOTES**

Exhibit A

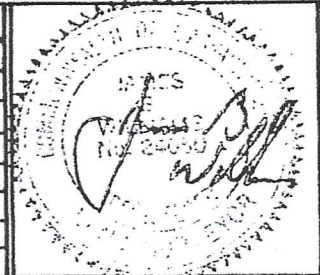


N/F EAST SHOPPING CENTER REALTY TRUST



NOTE: THIS PLOT PLAN WAS NOT MADE FROM AN INSTRUMENT SURVEY. THESE CERTIFICATIONS ARE MADE TO THE ABOVE NAMED CLIENT AND ARE FOR MORTGAGE PURPOSES ONLY. UNDER NO CIRCUMSTANCES ARE THE DISTANCES SHOWN TO BE USED TO ESTABLISH PROPERTY LINES OR FOR CONSTRUCTION PURPOSES. THIS PLAN IS NOT TO BE USED FOR RECORDING OR DEED DESCRIPTIONS AND APPLIES ONLY TO CONDITIONS EXISTING AS OF THE DATE SHOWN HEREON.

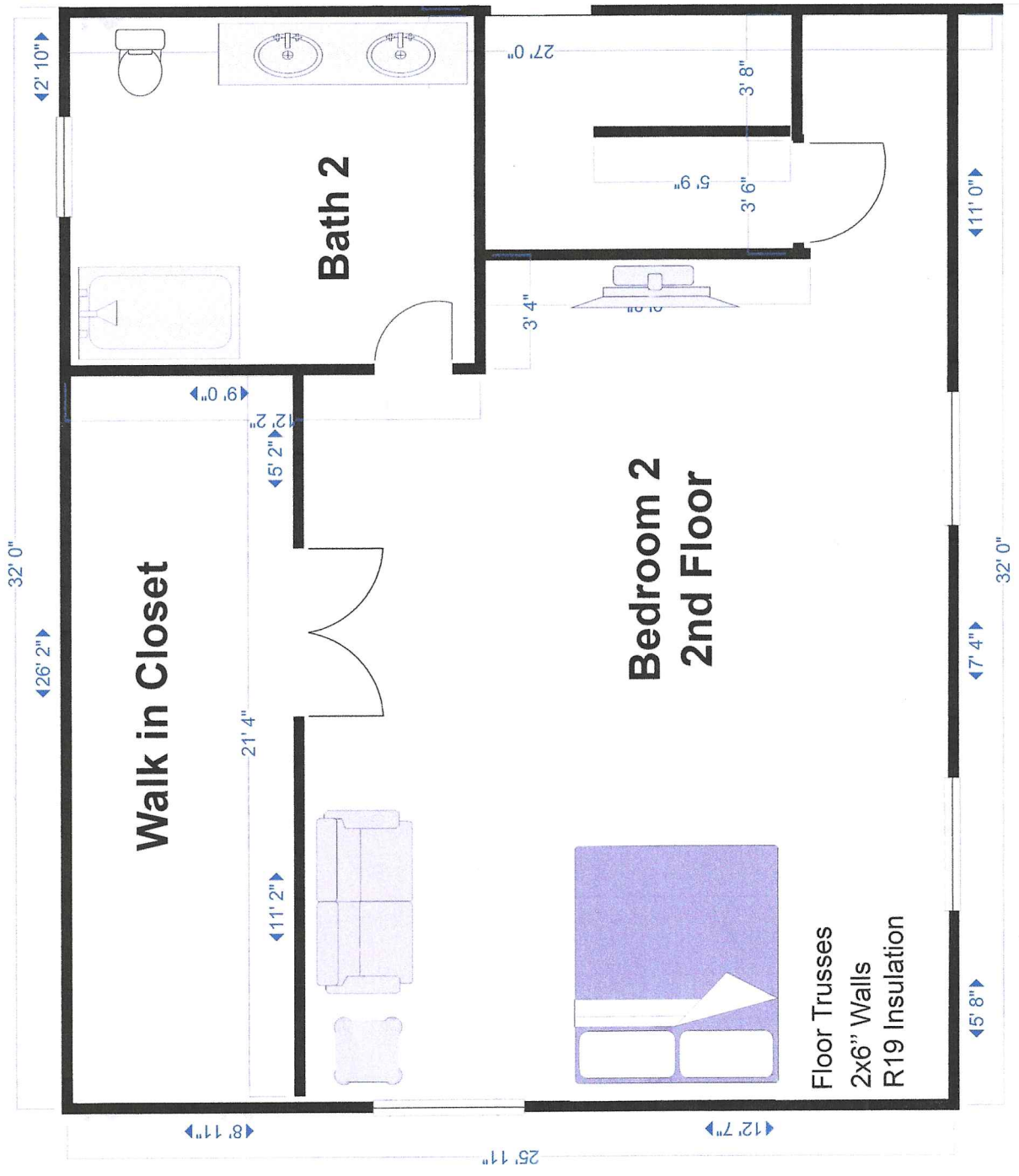
<b>REVIEW - SEE NOTE #</b>	
ZONING LOCATIONS	3
FLOOD LOCATIONS	8
LOT DESCRIPTION	
BLDG. LOCATIONS	
OTHER	14

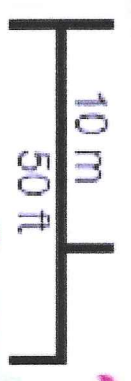
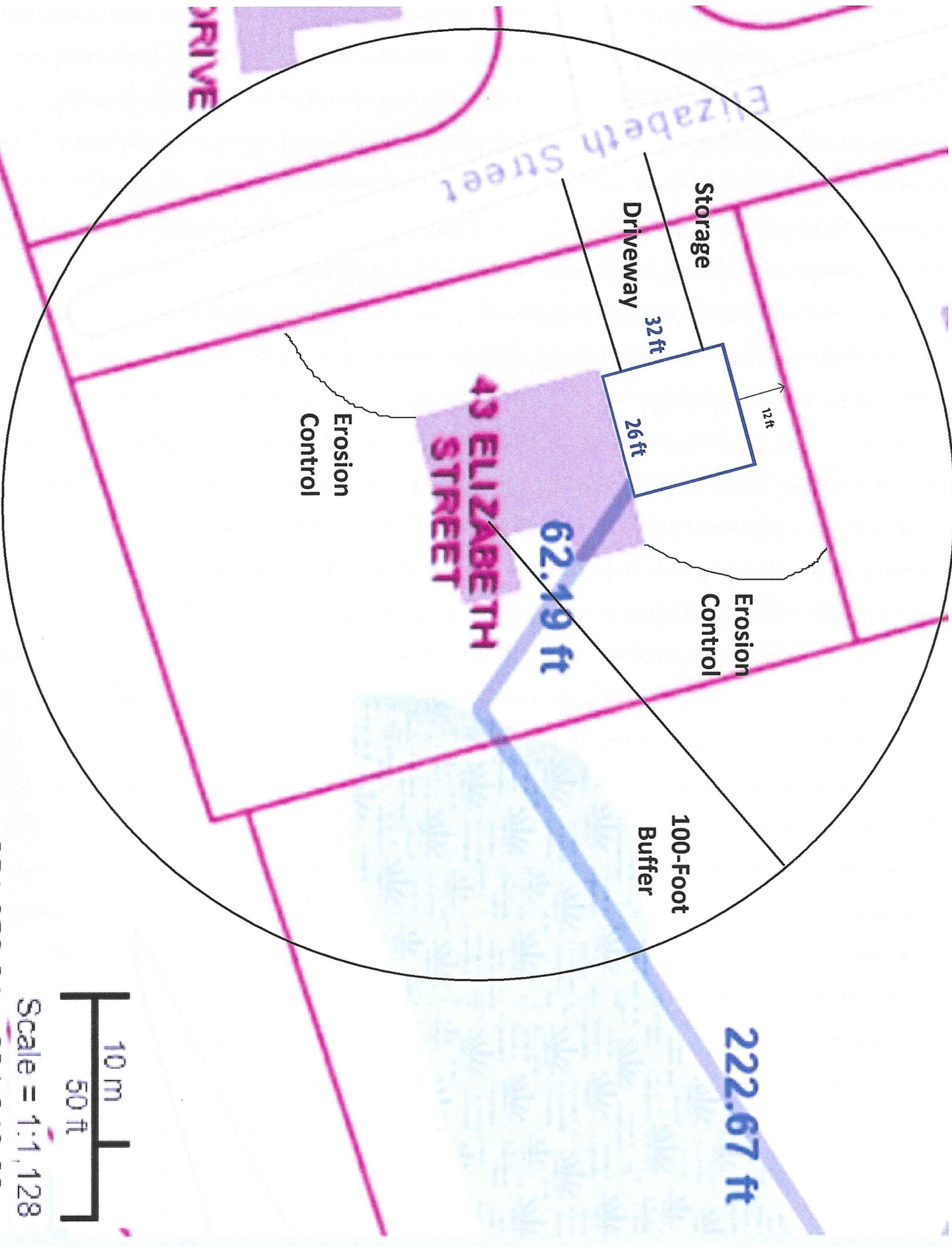


**MORTGAGE PLOT PLAN OF LAND**  
 IN  
**FAIRHAVEN, MA**  
 SCALE: 1" = 30' AUGUST 23, 1999  
**HAYWARD-BOYNTON & WILLIAMS, INC.**  
 SURVEYORS CIVIL ENGINEERS  
 60 COURT ST. TAUNTON, MA



43 Elizabeth St.  
Fairhaven, Ma 02719

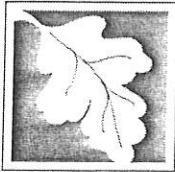




Scale = 1:1,128

251,053.91m 821,043.66m

MassGIS Topographic Features Basemap



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

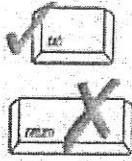
**WPA Form 1- Request for Determination of Applicability**

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

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

**A. General Information**

**Important:**  
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1. Applicant:

Name PAUL STARKIE E-Mail Address P55TARKIE@Comcast.net  
Mailing Address 53 WAKATA AVE.  
City/Town FAIRHAVEN State MA. Zip Code 02719  
Phone Number 774-269-9992 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**

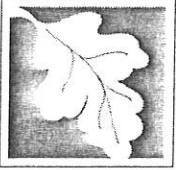
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TOWN OF FAIRHAVEN  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).





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**C. Project Description**

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

SPONTICUT Neck Rd

Street Address

Fairhaven

City/Town

43

Assessors Map/Plat Number

193-195

Parcel/Lot Number

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

OVER GROWN VACANT LOT

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

SITE PLAN

Title

2/23/20

Date

Title

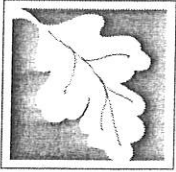
Date

Title

Date

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

CLEARING BRUSH LEAVING TREES PLANTING GRASS



**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.

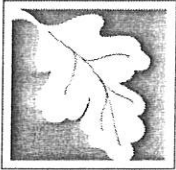
- Single family house on a lot recorded on or before 8/1/96
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b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)

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## D. Signatures and Submittal Requirements

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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:

PAUL STARKIE  
Name


53 WAHATA AVE  
Mailing Address

FAIRHAVEN  
City/Town

MA. 02719  
State 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

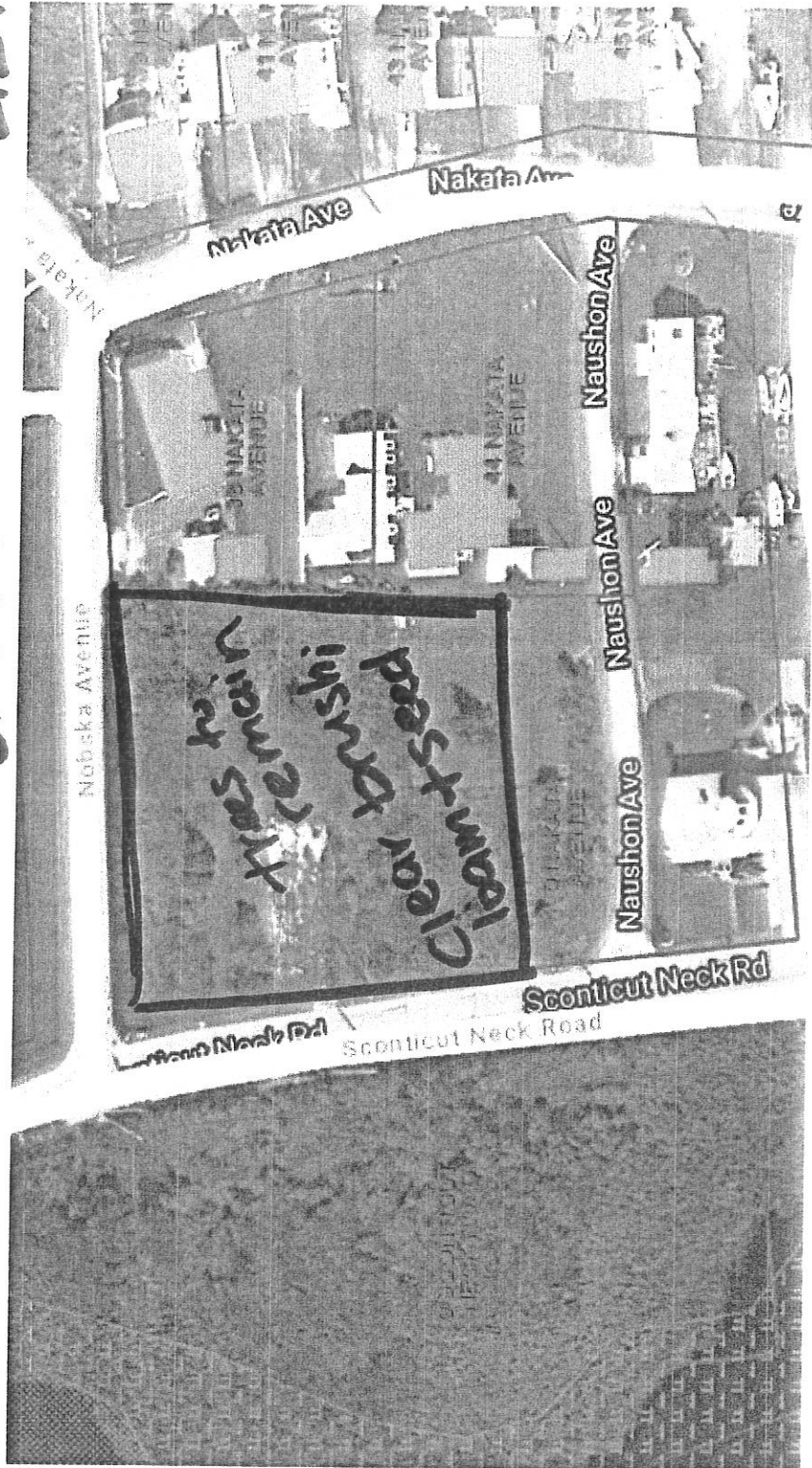
3/2/20  
Date

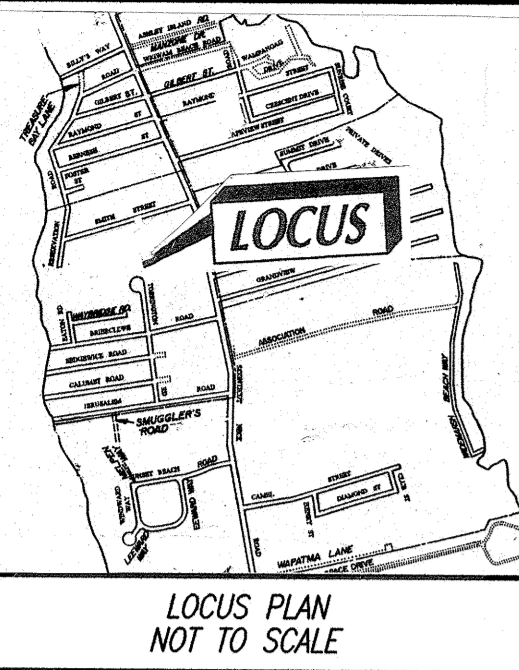
\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

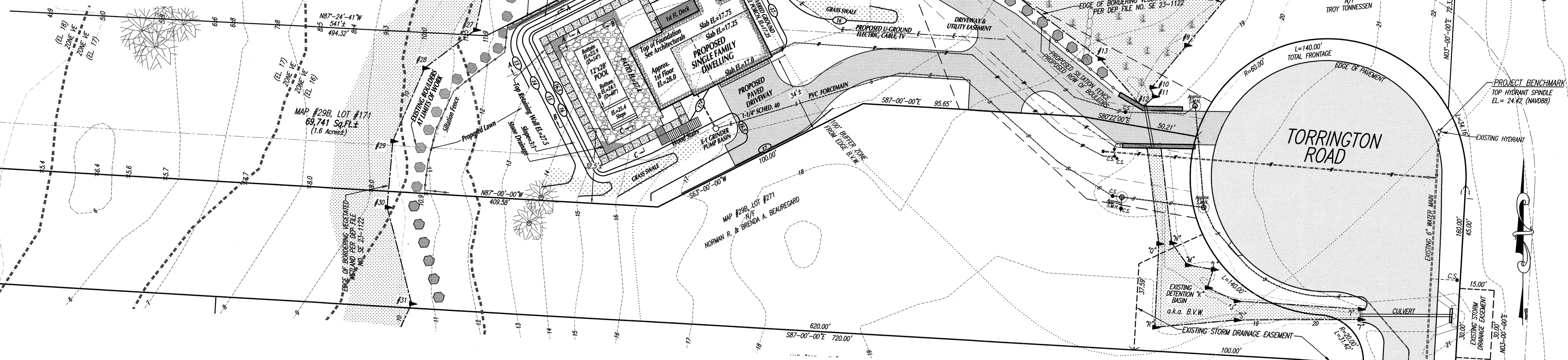
# SITEPLAN

2/27/2020

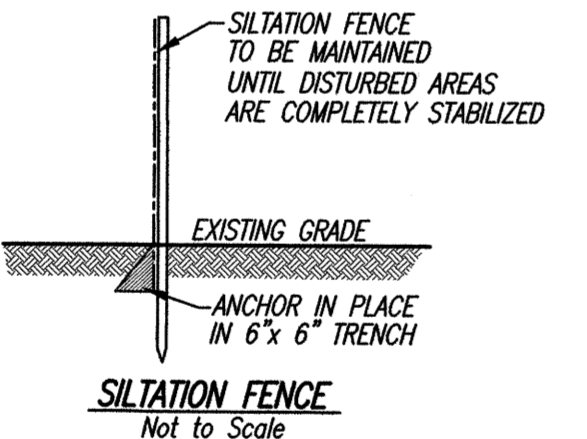




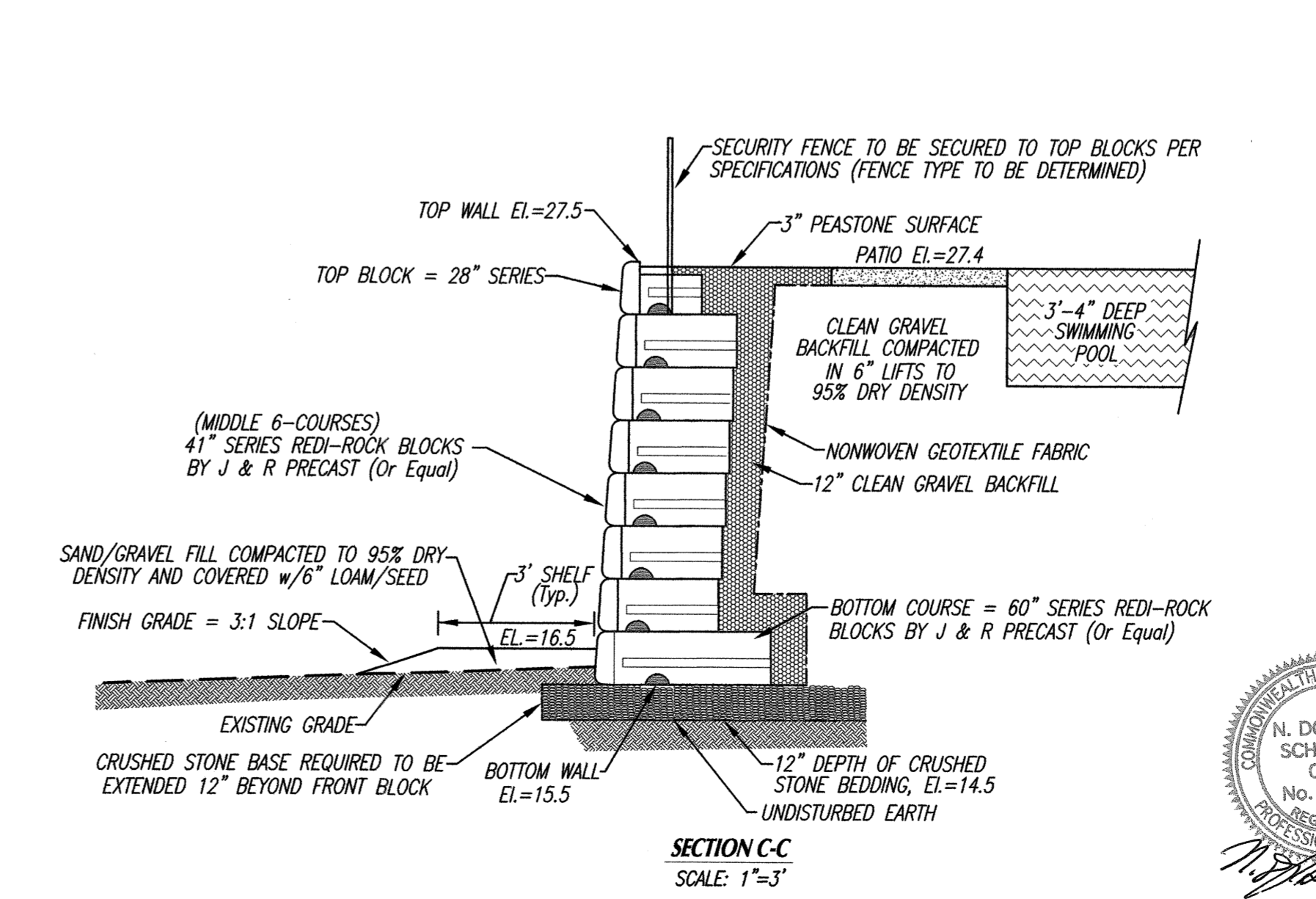
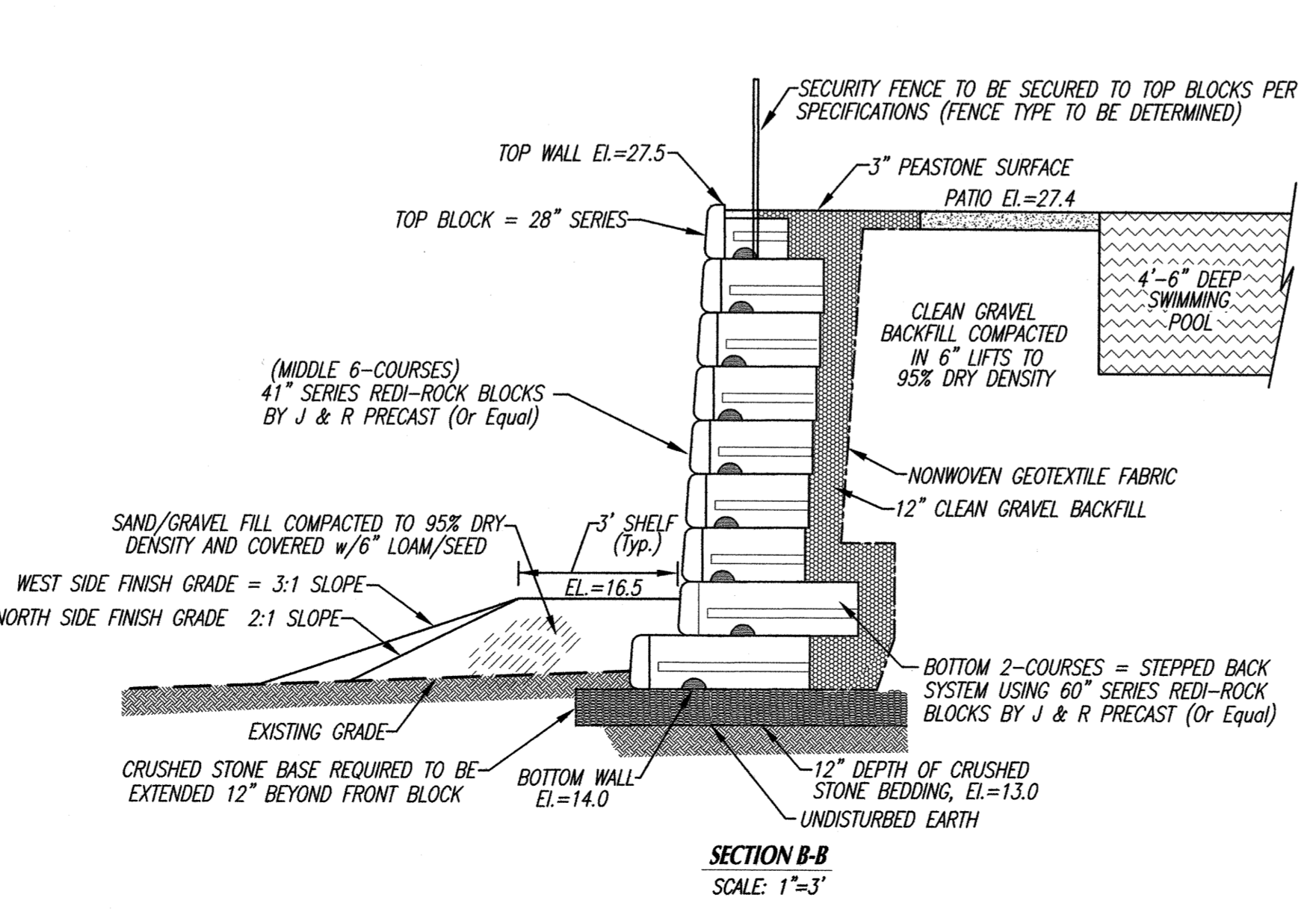
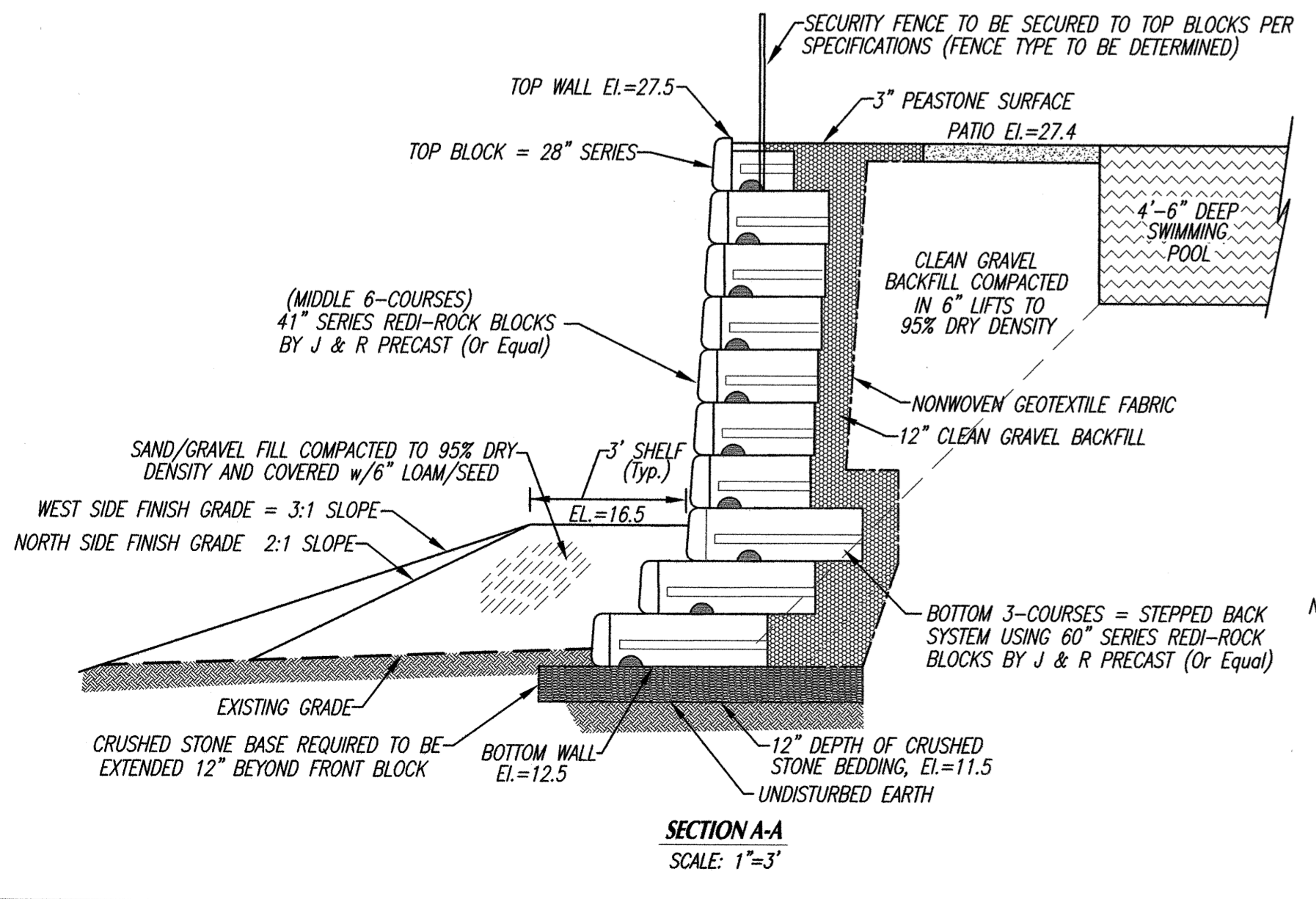
**LEGEND**  
 ○ PROPOSED CONTOURS  
 - - - EXISTING CONTOURS  
 - - - EDGE OF WETLAND  
 - - - 100 FT. BUFFER ZONE  
 - - - ZONING SETBACK LINES



- GENERAL NOTES:**
- 1.) CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION THROUGH "DIG SAFE" AND OTHER APPROPRIATE AGENCIES, AND REPORT ANY DISCREPANCIES TO THIS OFFICE.
  - 2.) PRIOR TO ANY CONSTRUCTION, CONTRACTOR SHALL INSTALL SITUATION MEASURES WHICH SHALL BE INSPECTED BY THE CONSERVATION COMMISSION AGENT BEFORE CONTINUATION OF WORK.
  - 3.) CONTRACTOR SHALL NOTIFY THIS OFFICE OF ANY AND ALL DISCREPANCIES FOUND BETWEEN THE SITE CONDITIONS AND THOSE SHOWN ON THIS PLAN PRIOR TO THE CONTINUATION OF WORK.
  - 4.) ANY AND ALL CHANGES FROM THE SITE DESIGN LAYOUT SHOWN MUST BE APPROVED BY THIS OFFICE, THE CONSERVATION COMMISSION AND OTHER APPROPRIATE LOCAL OFFICIALS.
  - 5.) ALL SEWER AND WATER TIE-IN CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM TO THE TOWN OF FAIRHAVEN B.P.W. - SEWER DEPARTMENT REQUIREMENTS.
  - 6.) PRIOR TO BACKFILLING THE SEWER AND WATER TRENCHES, THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE TOWN OF FAIRHAVEN B.P.W. - SEWER AND WATER DEPARTMENTS FOR INSPECTIONS.
  - 7.) ALL CONCRETE WASHOUT FROM CEMENT TRUCKS SHALL OCCUR WITHIN THE BUILDING FOOTPRINTS.



**SITE INFORMATION:**  
 ASSESSORS MAP # 29B  
 ASSESSORS LOTS # 171  
 SITE ADDRESS: TORRINGTON ROAD  
 ZONING DISTRICT: RURAL RESIDENCE  
 CURRENT BUILDING SETBACKS:  
 FRONT: 30'  
 REAR: 30' SIDE: 20'  
 FEMA FLOOD ZONE: X ELEV. N/A  
 FIRM COMMUNITY PANEL NO. 2500SC 0501F  
 OWNERS/APPLICANTS:  
 EDWARD & LISA LAVALETTE  
 21 IVY LANE  
 MILFORD, MA 01757  
 DEED BOOK 12202, PAGE 312



NOTES:  
 THE PURPOSE OF THIS PLAN IS TO SUPERSEDE THE PREVIOUS 9-02-11 SITE PLAN OF RECORD PREPARED FOR TROY TENNESSEN AND APPROVED UNDER DEP FILE NO. SE 23-1122 FOR THE DEVELOPMENT OF THE SUBJECT HOUSE SITE UNDER A NEW ORDER OF CONDITIONS. WORK COMPLETED TO DATE INCLUDES THE INSTALLATION OF THE COMMON DRIVEWAY ENTRANCE AND WATER AND SEWER SVC. CONNECTION LINES.

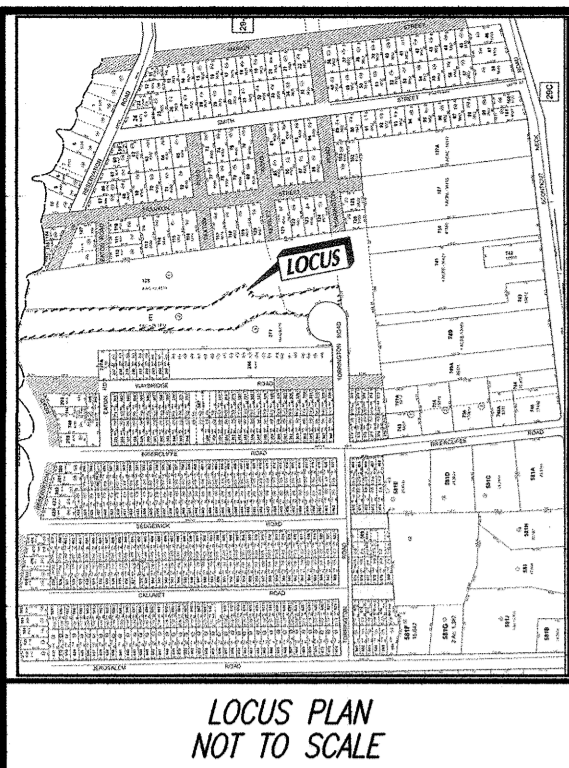
1	Rev. #	DATE	BY	DESCRIPTION

**SITE PLAN**  
 SHOWING A PROPOSED HOUSE  
 PREPARED FOR  
**on TORRINGTON ROAD in FAIRHAVEN, MA.**  
 PREPARED FOR  
**EDWARD & LISA LAVALETTE**

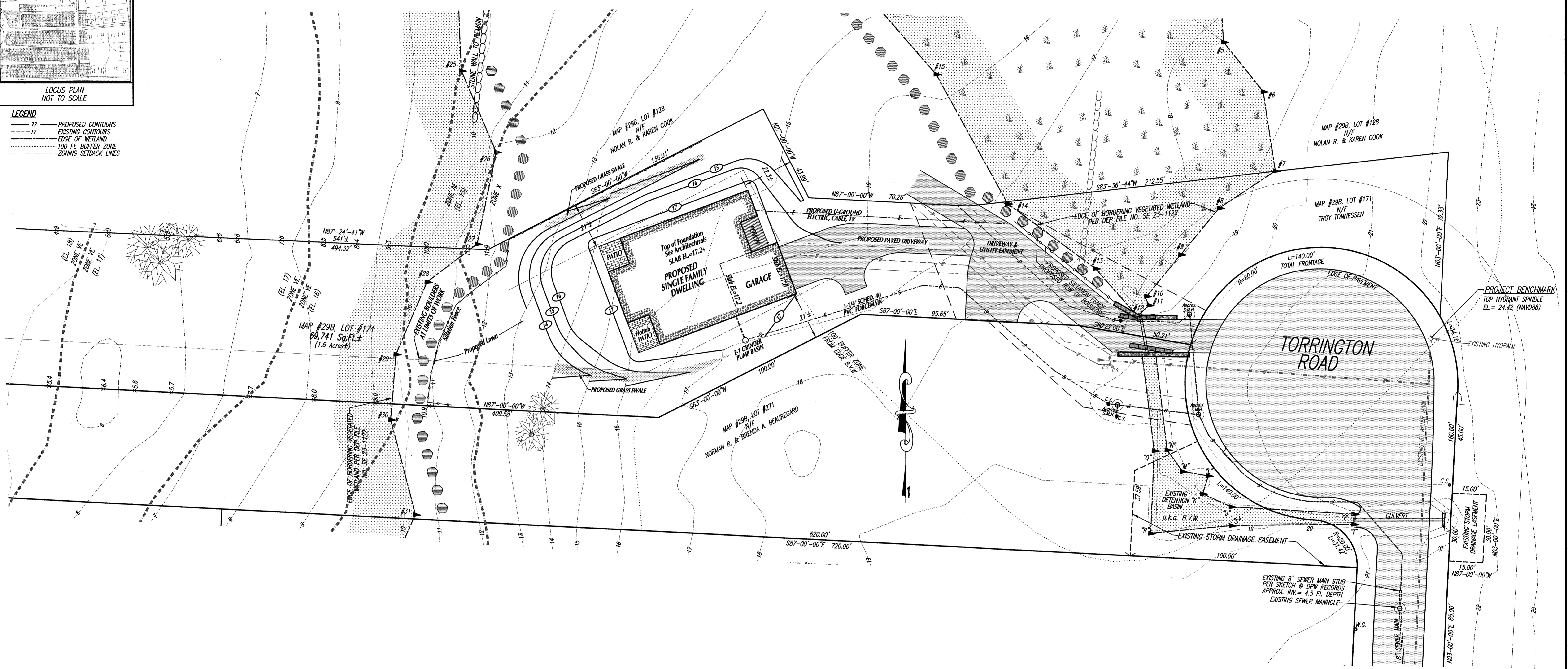
SCALE: 1"=20' DATE: JANUARY 25, 2019

**N. Douglas Schneider & Associates, Inc.**  
 PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
 1 COUNTRY RD. P.O. BOX 480, MATTAPOISETT, MA 02739  
 1-508-758-7866

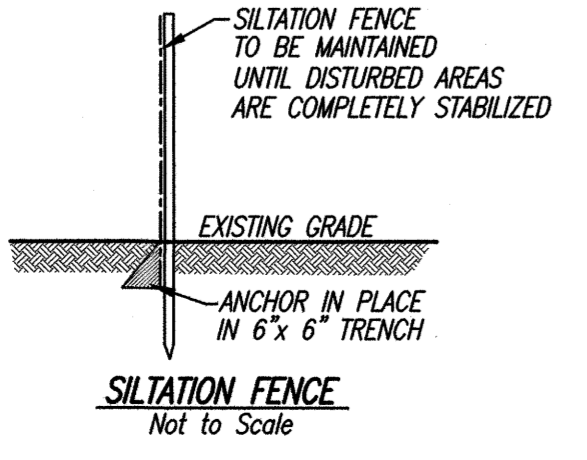
Drawn By: D.M.D. Check By: N.D.S. Job No. 2957



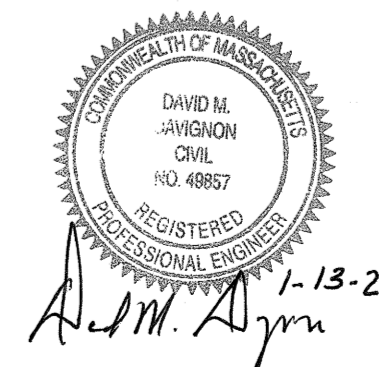
**LEGEND**  
 - - - 17 PROPOSED CONTOURS  
 - - - 17 EXISTING CONTOURS  
 - - - EDGE OF WETLAND  
 - - - 100 FT. BUFFER ZONE  
 - - - ZONING SETBACK LINES



- GENERAL NOTES:**
- 1.) CONTRACTOR SHALL VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION THROUGH "DIG SAFE" AND OTHER APPROPRIATE AGENCIES, AND REPORT ANY DISCREPANCIES TO THIS OFFICE.
  - 2.) PRIOR TO ANY CONSTRUCTION, CONTRACTOR SHALL INSTALL SILTATION MEASURES WHICH SHALL BE INSPECTED BY THE CONSERVATION COMMISSION AGENT BEFORE CONTINUATION OF WORK.
  - 3.) CONTRACTOR SHALL NOTIFY THIS OFFICE OF ANY AND ALL DISCREPANCIES FOUND BETWEEN THE SITE CONDITIONS AND THOSE SHOWN ON THIS PLAN PRIOR TO THE CONTINUATION OF WORK.
  - 4.) ANY AND ALL CHANGES FROM THE SITE DESIGN LAYOUT SHOWN MUST BE APPROVED BY THIS OFFICE, THE CONSERVATION COMMISSION AND OTHER APPROPRIATE LOCAL OFFICIALS.
  - 5.) ALL SEWER AND WATER TIE-IN CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM TO THE TOWN OF FAIRHAVEN B.P.W. - SEWER DEPARTMENT REQUIREMENTS.
  - 6.) PRIOR TO BACKFILLING THE SEWER AND WATER TRENCHES, THE CONTRACTOR SHALL NOTIFY THE APPROPRIATE TOWN OF FAIRHAVEN B.P.W. - SEWER AND WATER DEPARTMENTS FOR INSPECTIONS.
  - 7.) ALL CONCRETE WASHOUT FROM CEMENT TRUCKS SHALL OCCUR WITHIN THE BUILDING FOOTPRINTS.



**SITE INFORMATION:**  
 ASSESSORS MAP # 298  
 ASSESSORS LOTS # 171  
 SITE ADDRESS: TORRINGTON ROAD  
 ZONING DISTRICT: RURAL RESIDENCE  
 CURRENT BUILDING SETBACKS:  
 FRONT: 30' SIDE: 20'  
 REAR: 30' SIDE: 20'  
 FEMA FLOOD ZONE: X ELEV. N/A  
 FIRM COMMUNITY PANEL NO. 25025C 0501E  
 OWNERS/APPLICANTS:  
 EDWARD & LISA LAVALETTE  
 21 IVY LANE  
 MILFORD, MA 01757  
 DEED BOOK 12202, PAGE 312.



NOTES:  
 THE PURPOSE OF THIS PLAN IS TO SUPERSEDE THE PREVIOUS 9-02-11 SITE PLAN OF RECORD PREPARED FOR TROY TENNESSEN AND APPROVED UNDER DEP FILE NO. SE 23-1122 FOR THE DEVELOPMENT OF THE SUBJECT HOUSE SITE UNDER A NEW ORDER OF CONDITIONS. WORK COMPLETED TO DATE INCLUDES THE INSTALLATION OF THE COMMON DRIVEWAY ENTRANCE AND WATER AND SEWER SVC. CONNECTION LINES.

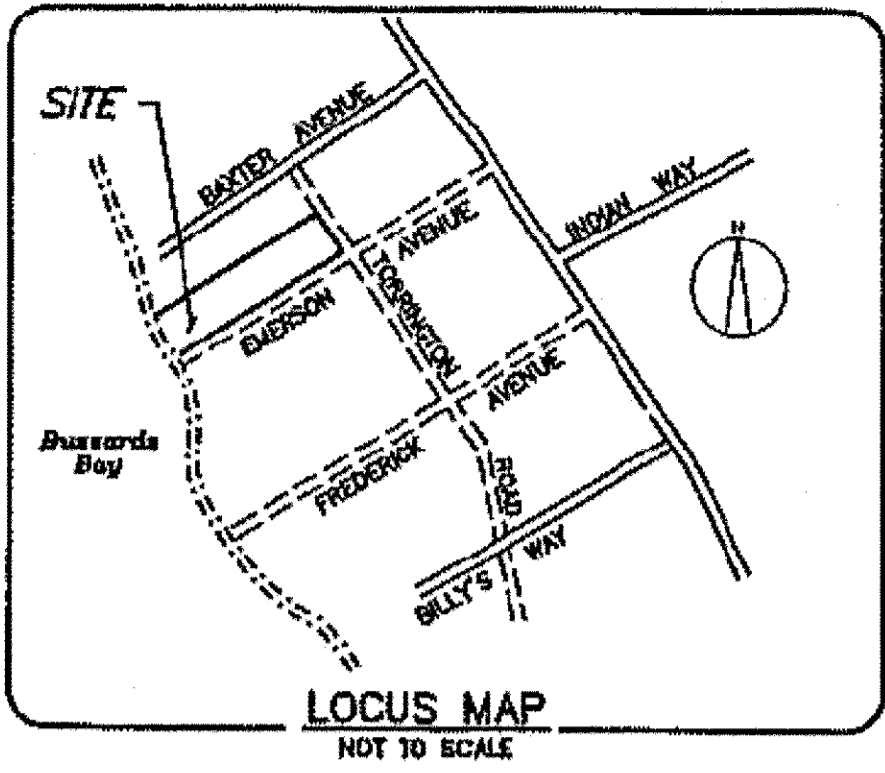
Rev. #	DATE	BY	DESCRIPTION
2	1-13-20	D.M.D.	CHANGE HOUSE FOOTPRINT, OMIT INGROUND POOL
1	5-28-19	D.M.D.	REDUCE RET. WALL & POOL PATIO HEIGHT BY 6 FT. + AND CHANGE ENGINEERING COMPANY NAME

**SITE PLAN**  
 SHOWING A PROPOSED HOUSE  
 ON TORRINGTON ROAD IN  
 FAIRHAVEN, MA.  
 PREPARED FOR  
**EDWARD & LISA LAVALETTE**

SCALE: 1"=20' DATE: JANUARY 25, 2019

**SCHNEIDER, DAVIGNON & LEONE, INC.**  
 PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
 1 COUNTY RD, P.O. BOX 480, MATTAPOISETT, MA 02739  
 1-508-758-7866

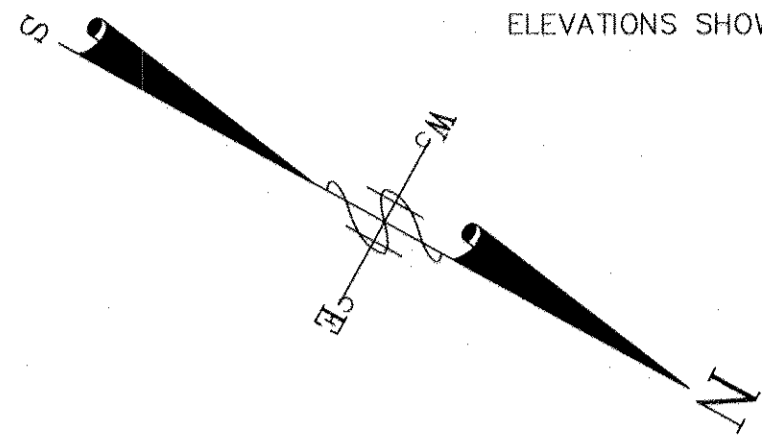
Drawn By: D.M.D. Check By: N.D.S. Job No. 2957



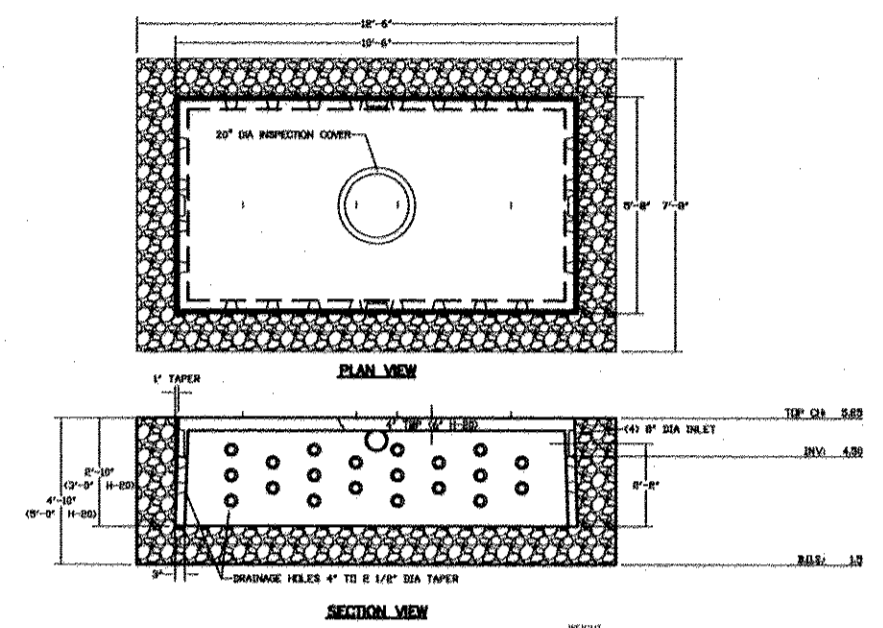
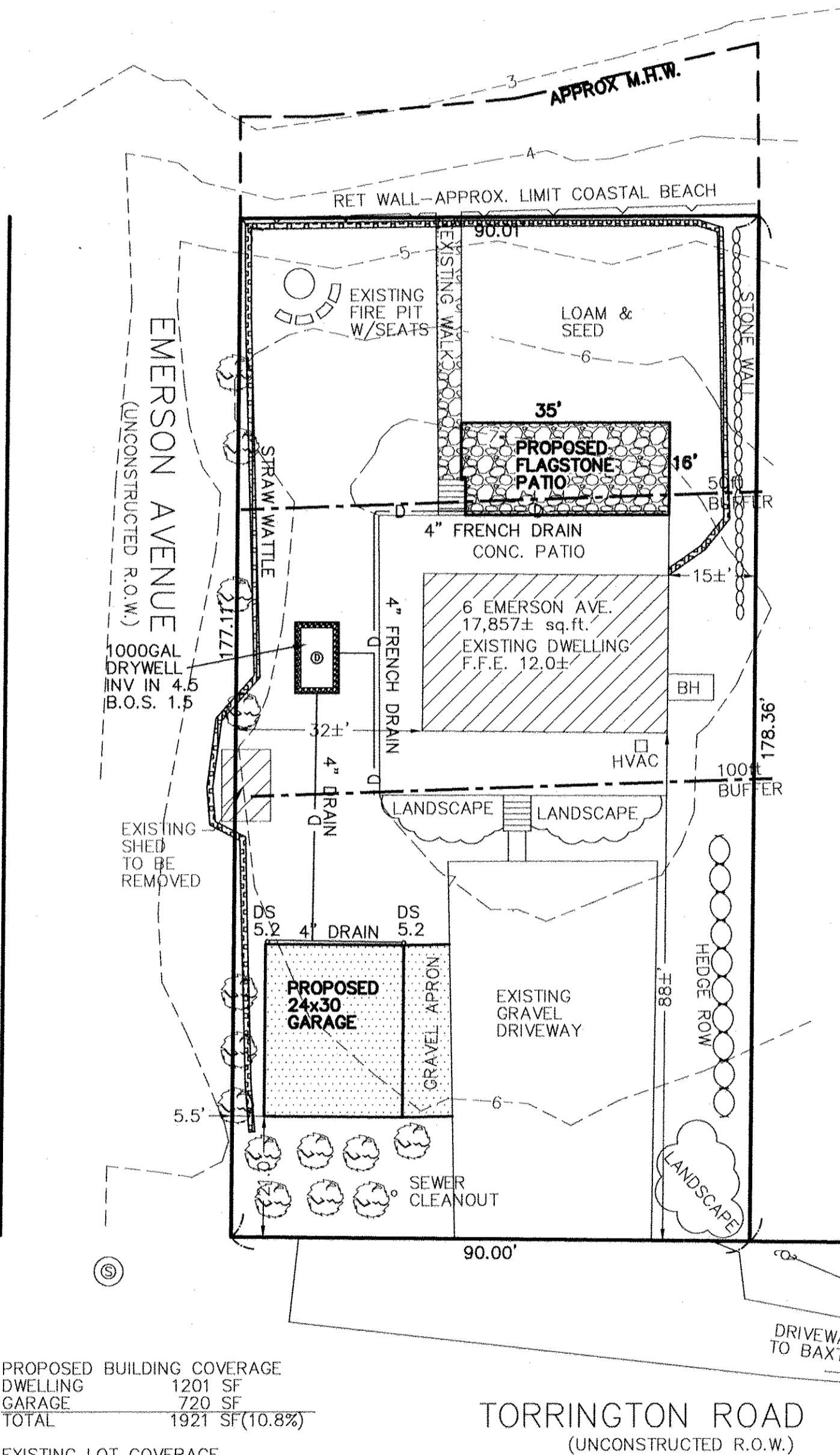
OWNER:  
 NATALIE RELA  
 6 EMERSON AVENUE  
 FAIRHAVEN MA 02719  
 ASSESSORS MAP 29A LOT 119-122  
 DEED BOOK 11365 PAGE 66

ENTIRE SITE IS WITHIN FEMA VE16 ZONE  
 PER PANEL 25005C00501F DATED 7/7/2009

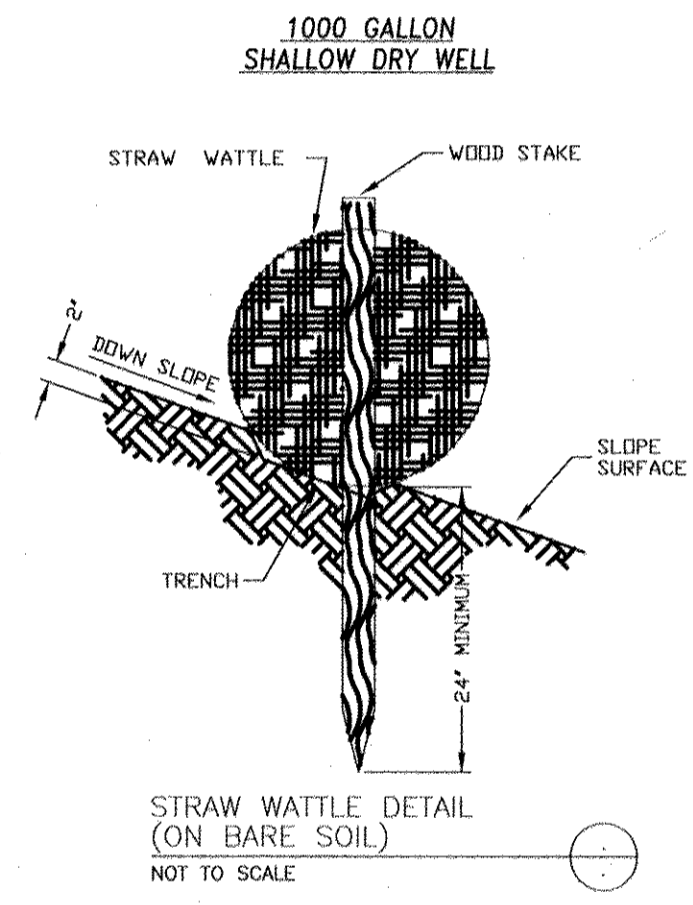
ELEVATIONS SHOWN HEREON BASED ON NAVD88 DATUM



# BUZZARDS BAY



NOTES:  
 1. CONCRETE: 4000 PSI MINIMUM AFTER 28 DAYS.  
 2. ALL WORK AVAILABLE BY 11:00 AM.



N/F  
 MICHAEL HURLEY  
 5 BAXTER AVE

EXISTING BUILDING COVERAGE	
DWELLING	1201 SF
SHED	81 SF
<b>TOTAL</b>	<b>1282 SF(7.2%)</b>

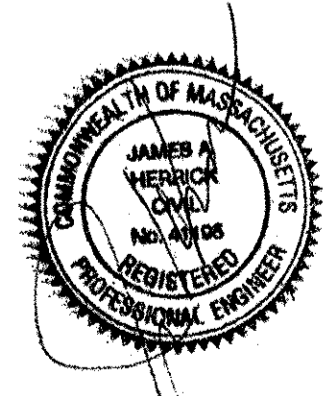
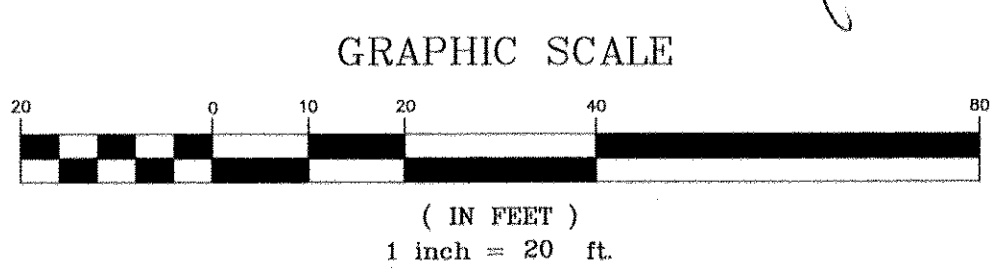
PROPOSED BUILDING COVERAGE	
DWELLING	1201 SF
GARAGE	720 SF
<b>TOTAL</b>	<b>1921 SF(10.8%)</b>

EXISTING LOT COVERAGE	
DWELLING	1201 SF
SHED	81 SF
PATIO & WALK	1667 SF
RET WALLS	324 SF
<b>TOTAL</b>	<b>3273 SF(18.3%)</b>

EXISTING LOT COVERAGE	
DWELLING	1201 SF
GARAGE	720 SF
PATIO & WALK	1667 SF
FLAGSTONE PATIO	555 SF
RET WALLS	324 SF
<b>TOTAL</b>	<b>4467 SF(25.0%)</b>

**ZONING**

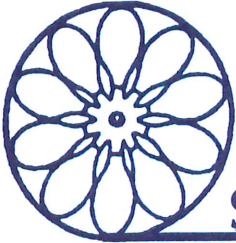
ZONE	RR
LOT AREA	30,000 SF
FRONTAGE	140 FT.
BUILDING HEIGHT	35 FT.
LOT COVERAGE	25% MAX
BUILDING COVERAGE	15% MAX
FRONT YARD	30 FT.
SIDE YARD	20 FT.
REAR YARD	30 FT.



**PROPOSED SITE PLAN**  
 6 EMERSON AVENUE  
 FAIRHAVEN, MA  
 FOR  
 NATLIE RELA

**CIVIL ENVIRONMENTAL CONSULTANTS LLC**  
 8 OAK STREET PEABODY, MA 01960 (978)531-1191

SHEET NO: 1 OF 1	DATE 3/16/2020 JOB NO:
	DRAWN BY: L.J.B.



March 4, 2020 (**revised March 17, 2020**)

Mr. Jay Simmons, Chairman  
Commissioners  
Fairhaven Conservation Commission  
Town Hall  
40 Center Street  
Fairhaven, MA 02719

**RE: Letter of Findings, Site Assessment, 44 Torrington Road, Fairhaven, Mr. Jack Fournier, Wetland Violation/Enforcement Order, Map 29B, Parcel 246**

Dear Mr. Simmons & Commissioners:

On February 18, 2020, Sabatia, Inc. conducted a site assessment with Ms. Whitney McClees (Conservation Agent) and Mr. Peter Therrien, Project Engineer (Field Engineering Co. Inc.) of unpermitted work at 44 Torrington Road. The purpose of the site assessment was to evaluate the extent of the unpermitted work subject to the jurisdiction of MGL Chapter 131, section 40 (The Massachusetts Wetlands Protection Act) and its regulations at 310 CMR 10.00 et seq. and the Town of Fairhaven Wetlands Protection Bylaw (Chapter 192) and to develop a Wetland Restoration Plan (WRP) for the impacted **wetland** area.

**1.0 Wetland Resource Areas:**

The site assessment revealed that a bordering vegetated wetland (BVW-310 CMR 10.55)/wooded swamp extends landward and covers a portion of 44 Torrington Road. Seaward and off-site are a mapped freshwater marsh (310 CMR 10.55) which borders a barrier beach (310 CMR 10.29). Only a portion of the wooded swamp was impacted from the unpermitted work. The area is likely also land subject to coastal storm flowage {310 CMR 10.02 (1d)}/coastal flood zone.

**2.0 Plan of Record (POR):**

The original Plan of Record (POR) entitled "*Stonewall Relocation Plan, Lot 246-270 Map 29B, Waybridge Road, Fairhaven, MA prepared for Jack & Lorraine Fournier*", dated September 2, 1997, with a scale of 1" = 30', was prepared by N. Douglas Schneider & Associates. This POR depicts a delineated wetland boundary on the parcel wetland flags (WF-1 to WF-7 just below the proposed "relocated stonewall".



The new Plan of Record (nPOR) is titled “*Site Plan, Proposed Wetland Restoration, Jack Fournier, 44 Torrington Road, Fairhaven, Massachusetts*”, dated 3/7/2020 (**revised 3/17/2020**) and has a scale of 1” = 10’. This plan depicts the 1997 “wetland boundary”, WF-1 to WF-7, and the area of the unpermitted work labelled as “area of tree cutting” and calculated to be approximately 1,800 SF. This nPOR was prepared in response to the Enforcement Order (EO 023-010) issued in late 2019 or early 2020. The violation was first notice by the FCC on October 8, 2019. The EO requires submittal of a Wetland Restoration Plan by March 9, 2020. **NOTE: the revised plan also delimits the extent of the fill.**

### 3.0 Unauthorized Cutting of Trees/Shrubs as addressed in the Enforcement Order:

The site assessment (2-18-2020) revealed that 21 trees had been cut within the “area of tree cutting” as noted on the nPOR prepared by Field Engineering Co. Inc. These trees ranged in the 9”-20” diameter at cut height (near the ground). Most of the cut trees were black gum tupelo (*Nyssa sylvatica*), several red maples (*Acer rubrum*), several white oaks (*Quercus alba*) and 1 red oak (*Quercus rubra*). Understory shrub vegetation was NOT cut. No tree stumps have been “pulled” and thus minimal disturbance to the soil surface has occurred.

This violation did not include the placement of new fill and/or in any excavation of the BVW or buffer zone (1800 SF).

### 4.0 Wetland Restoration Plan (WRP):

#### 4.1 Tree and shrub replacements:

Based on the guidance on plant spacing in the *Massachusetts Inland Wetland Replication Guidelines*, DEP 2002, an area of 1800 SF could theoretically accommodate 18 tree saplings planted at 10’ on center (o.c.) or 8 tree saplings planted at 15’ o.c. If the 21 cut tree stumps are left in the ground the actual spacing will be unable to follow the DEP recommendation of 10’-15’ o.c. Field Engineering Co. Inc. has depicted on the nPOR proposed locations of tree saplings. The actual placement of the tree saplings will need to be discussed further with the FCC. It is planned to plant 21 tree saplings as noted on the nPOR. The nPOR also depicts the stump locations of the 21 trees that were cut. **Additionally, two (2) trees will be planted @ 7 Waybridge Road (directly across the street from the wetland restoration area).**

It is important for the FCC to realize that the replacement tree species will be saplings & not mature trees. These tree saplings would have a height of 8’ to 10’ (**3-3.5” caliper/root ball size 34”/weight 800 lbs.**). Mature tree species would not survive the stress of transplantation especially in a coastal setting with the added stress from salt spray. **NOTE: a 6” caliper tree would have a root ball of 66-72”/weight of 5000-6000 lbs. and a height of 18-20’. This would most certainly result in plant failure. I DO NOT recommend this at all.**

Although the shrub layer was minimally impacted from the tree cutting, the 1800 SF impact area could accommodate some shrubs @ 8-10’ o.c. However, the fact that cut tree stumps will not be removed would limit the actual number of shrubs.

**4.2 Suitable Tree Saplings:**

Tree saplings should be planted according to the nPOR prepared by Field Engineering Co. Inc. and/or at the discretion of the FCC. Each tree should be no smaller than 8'-10' in height and approximately **3-3.5" caliper (root ball 32-36" and a weight of 850 lbs.)**. It is proposed to plant 7 saplings of each species.

Common Name	Scientific Name	USFWS Wetland Indicator Status
Red maple	<i>Acer rubrum</i>	FAC
Black gum tupelo	<i>Nyssa sylvatica</i>	FAC
Yellow birch	<i>Betula alleghaniensis</i>	FAC

**4.3 Suitable Woody Shrubs:**

Woody shrubs should be planted according to the nPOR prepared by Field Engineering Co. Inc. and/or at the discretion of the FCC. Each shrub should be no smaller than 3-4' in height and **planted in clusters of 3-5 shrubs**.

Common Name	Scientific Name	USFWS Wetland Indicator Status
High bush blueberry	<i>Vaccinium corymbosum</i>	FACW
Sweet pepperbush	<i>Clethra alnifolia</i>	FAC
Inkberry	<i>Ilex glabra</i>	<b>FACW (FAC)</b>
Bayberry	<i>Morella caroliniensis</i>	FAC
<b>Winged sumac</b>	<b><i>Rhus copallinum</i></b>	<b>UPL (not recommended to be used in this planting)</b>

**4.4 Existing Conditions within the 1800 SF Impact Area:**

Despite the 1997 wetland delineation identifying the area seaward of the “relocated wall” as wetland (WF-1 to WF-7), some of this area within 20-30’ seaward of the

wall is not wetland. This is supported by the DEP Wetland Change Map that depicts some of this area landward of the mapped wooded swamp (WS1) as upland and the on-line Soil Map which indicates this area to be underlain by an upland soil (mapped 305B).

During the site assessment (2/18/20), I observed that this upper area 20-30' seaward of the stone wall appeared to be old fill material. As one moves seaward (about 30-40') from the wall the fill tapers to the natural wetland grade. At this point the vegetative community is predominantly wetland with wetland ferns {sensitive fern (*Onoclea sensibilis*) & cinnamon fern (*Osmunda cinnamomea*)} and soft rush (*Juncus effusus*) occupying the ground layer. These are absent from the ground layer in the area 20-30' seaward of the stone wall. **The removal of the old fill 20-30' seaward of the stone wall will occur as recommended in the 3/13/2020 email from Conservation Agent McClees.**

While most of the cut trees were wetland species (black gum tupelo & red maple), the understory (shrubs/vines) in this area (1800 SF altered area) are primarily invasive and non-native species: bittersweet vine (*Celastrus scandens*), multiflora rose (*Rosa multiflora*), Japanese knotweed (*Polygonum cuspidatum*) and common privet (*Ligustrum vulgare*). There are very few wetland shrub species in the area 20-30' seaward of the stone wall. I would highly recommend the removal of most of the invasive species prior to implementation of the Wetland Restoration Plan (WRP) and a backhoe would be recommended.

The tree stumps should remain to lessen soil disturbance and to allow production of manageable stump sprouts, which can be managed during the monitoring period by selecting 1-2 "terminal buds" per stump and pruning out the rest. This would likely ensure that most of the 21 tree species that were cut will regenerate functioning healthy saplings and eventually trees.

Prior to removing the invasive species, all cut trees, branches and other brush/slash should be removed from the altered area (1800 SF). The use of heavy equipment in the filled area will not further destroy or disturb the wetland but would facilitate cut tree/branch removal and allow this project to move forward faster.

The removal of the cut trees/brush should occur in March or very early April 2020. **Removal of invasive species and the fill could occur in early to mid-May 2020.** Once the invasive species are removed, the planting of saplings & shrubs can occur.

I would highly recommend that this be done prior to May 31, 2020 (not June 30, 2020). A late June planting is not recommended as the July-August period can be brutally hot and dry. Heat stress is one of the greatest causes of transplanted plant death. One other recommendation is that the WRA will need to be frequently watered during the summer of 2020. The FCC might wish to require some type of sprinkler system be installed just seaward of the wall to permit timed watering.

#### 4.5 Monitoring and Compliance:

The Wetland Restoration Plan (WRP) will need to comply with 310 CMR 10.55 (4)(b) (1-6) which necessitates monitoring over at least a two-year period to achieve at least a 75% surface replacement within two growing seasons. Assuming the WRP is implemented on or before June 30, 2020 it shall be monitored through June 20, 2022 prior to requesting the FCC to rule on compliance.

Monitoring should include written correspondence to the FCC indicating the progress of the WRP. This should be done twice per year, late spring & late fall. Invasive species should be pruned to the ground during each monitoring visit. Pictures should be submitted with the written documentation.

#### 4.6 Wetland Restoration Area Monitoring Implementation Schedule:

March 2020	Submit the initial Wetland Restoration Plan (WRP) to the Fairhaven Conservation Commission (FCC) for its review on March 9, 2020. Attend the FCC public meeting on March 23, 2020 to present the WRP and to answer questions from commissioners/public.
April 2020 to early/mid-May	All cut trees/brush/slash to be removed from the altered 1800 SF area followed by the removal of the invasive species. Area to be inspected by the wetland scientist. FCC and/or its Conservation Agent inspects the area prior to implementation of the planting plan. <b>Invasive species to be removed. All FILL within 20-30 seaward of the stone wall to be removed.</b>
Late May 2020	The planting within the altered 1800 SF area (WRA) should be completed no later than May 31, 2020, earlier if possible. The planted WRA will be inspected by the wetland scientist & the Conservation Agent after the plantings have been installed.
June 2020	Prior to June 30, 2020 the wetland scientist will conduct a site assessment and provide the FCC with an Email report.
Fall 2020	On or about October 31, 2020, the wetland scientist will conduct a fall assessment. Any plants that have not survived the transplantation process and/or the summer heat stress will need to be replaced at this time. A Letter of Findings with pictures will be submitted to the FCC.

Spring 2021	Wetland scientist conducts the 2021 spring assessment on or about April 30, 2021. Plants that have not survived must be replanted at this time. A Letter of Findings with pictures will be submitted to the FCC. <i>This will represent year one of the monitoring.</i>
Fall 2021	Wetland scientist conducts the 2021 fall assessment on or about October 31, 2020. Plants that have not survived must be replanted at this time. A Letter of Findings with pictures will be submitted to the FCC.
Spring 2022	Wetland scientist conducts the 2022 spring assessment on or about April 30, 2022. Plants that have not survived must be replanted at this time. A Letter of Findings with pictures will be submitted to the FCC. <i>This will represent year two of the monitoring. At this time, the property owner will request the FCC to determine if compliance with 310 CMR 10.55 (4)(b) (1, 2 &amp; 6) have been complied with. If FCC concurs then the monitoring will be terminated.</i>

**4.7 ADDITIONAL MONITORING FOR INVASIVE SPECIES:**

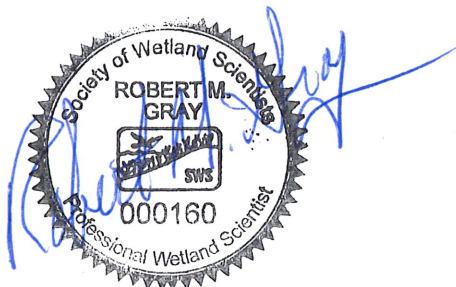
**In the 3/13/2020 email from the Conservation agent, she indicated the FCC would like a 5-year monitoring period due to the presence of the invasive species. We are happy to discuss this further with the FCC on Monday March 23, 2020. We can also discuss the spring versus fall planting.**

**5.0 Final Comments:**

Mr. and Mrs. Fournier pledge to work with the FCC to remediate the problems identified in the Enforcement Order (EO). They intend to comply fully with the EO. Please consider this a fluid “working document” for discussion at the FCC meeting of **March 23, 2020.**

I am available to conduct an on-site with members of the Commission and/or you. Please feel free to contact me at 1-508-563-5349 or by email at [sabatia@comcast.net](mailto:sabatia@comcast.net).

Sincerely yours,  
 Robert M. Gray, PWS, RS, SE  
 Professional Wetland Scientist, #160  
 Registered Sanitarian (RT), #669  
 DEP Certified Soil Evaluator (RT), #936





### Root Ball Size & Weight Information

#### Plants sold by caliper

Caliper Size	Root Ball Size	Weight
2-2.5"	24-28"	400
2.5-3"	28-32"	650
3-3.5"	32-36"	850
3.5-4"	36-40"	1200
4-4.5"	40-45"	1500
4.5-5"	50-55"	2500
5-5.5"	55-62"	3000
5.5-6"	62-66"	4000
6-7"	66-72"	5000-6000
7-8"	72-76"	6000
8-10"	84-90"	7000-8000
10"	90"	8000

#### Plants sold by height

Plant Height	Root Ball Size	Weight
6-7'	24"	400
7-8'	28"	650
8-10'	34"	850
10-12'	38"	1200
12-14'	44"	1500
14-16'	52"	2500
16-18'	60"	3000
18-20'	72"	6000

### General Standards for Nursery Stock Sizes:

- Specifications must include plant size by caliper, height or width appropriate to the plant type.
- Certain plants may be specified by container size (see below). ALL others should be specified with caliper, height or width.
- Typically, plant size specifications should include only the minimum allowable plant size in that interval. In other words, if you specify a 2.5 in. caliper Type 1 shade tree you may get a tree anywhere up to a 3 in caliper because it references the 2.5 to 3 inch range for that type of tree. As long as you specify the minimum, you know you will not get a SMALLER tree.
- Caliper is always measured six inches above ground or soil level for trees less than 4.5" caliper, and 12 inches above the ground for 4.5" or larger.

### General Standards for Containers:

- These are generally the only plants to specify by container size
  - Herbaceous perennials
  - Non-winter-hardy shrubs
  - Ornamental grasses
  - Groundcovers
  - Vines
- Containers marketed and sold with a # designation must have volumes within the ranges shown in the ANSI standard in order to comply
- Container classes #1 through #100 include the volume of a container that, if such a container were manufactured, would hold the equivalent number of gallons as the container class number. #1 = one gallon; #5 = five gallon and so on.
- Nursery stock specifications that reference only an imperial volume measurement, such as "quarts" or "gallons," are not in accordance with the Standard. *I can tell you that our plant lists have gotten that WRONG for years!*
- The SP designation refers to 'small plant' containers. #SP4, for example, is a 4 inch container, or "quart" container. This designation goes from #SP1 – #SP5 and should reference square or round.
- Container grown nursery stock shall have a well-established root system reaching the sides of the container to maintain a firm ball, but shall not have excessive root growth encircling the inside of the container (the same holds true for roots in ball and burlap!).



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## New England Distribution

Adapted from [BONAP](#) data

### Native

■ county documented

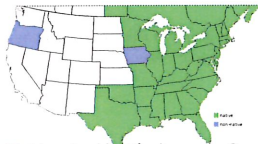


[about the labels on this map](#)

Found this plant? Take a photo and [post a sighting](#).

## North America Distribution

Adapted from [BONAP](#) data



### Native to North America?

enlarge  
Yes

## Sometimes Confused With

### *Acer ginnala*:

leaf blades green on the abaxial surface, the [terminal lobe](#) substantially longer than the adjacent [lateral lobes](#) (vs. *A. rubrum*, with leaf blades thinly [glaucous](#) on [abaxial](#) surface, the [terminal lobe](#) as long as or somewhat longer than the adjacent [lateral lobes](#)).

### *Acer saccharinum*:

leaf blades with teeth mainly concentrated on the upper half of the lobes and fruit hairy over the seed (vs. *A. rubrum*, with leaf blades with teeth distributed over the entire [margin](#) and fruit without hairs over the seed).

## Synonyms

*Acer carolinianum* Walt.

# *Acer rubrum* L.

## red maple



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## Facts About

Red maple takes its common name from its reddish buds that swell in spring, its red leaf petioles in summer, and its brilliant red foliage in fall. Although it grows largest in and near swamps, it abounds in New England forests and is becoming more common as sugar maple begins to succumb to climatic change. It grows rapidly and stump-sprouts readily. Although the wood can be used for veneer and a variety of small products such as boxes and clothespins, it is weaker and harder to work than sugar maple. Red maple also yields a sugary syrup, but in smaller quantities than sugar maple. As an early-successional forest tree, however, it provides browse for moose and many other mammals.

## Habitat

Forest edges, forests, meadows and fields, shores of rivers or lakes, swamps, wetland margins (edges of wetlands), woodlands

## Characteristics

### Habitat

terrestrial, wetlands

### New England state

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

### Growth form

the plant is a tree

### Leaf type

the leaf blade is [simple](#) (i.e., lobed or unlobed but not separated into [leaflets](#))

### Leaves per node

there are two leaves per [node](#) along the stem

### Leaf blade edges

the edge of the leaf blade has lobes, or it has both teeth and lobes

### Leaf duration

the leaves drop off in winter (or they wither but persist on the plant)

### armature on plant

the plant does not have [spines](#), [prickles](#), or [thorns](#)

### Leaf blade length

60–100 mm

### Leaf blade width

60–150 mm

### Leaf stalk

the leaves have leaf [stalks](#)

### Fruit type (general)

the fruit is dry and splits open when ripe

### Bark texture

- the bark of an adult plant is ridged or plated
- the bark of an adult plant is thin and smooth

### Twig winter color

- gray
- red

### Bud scale number

there are three or more [scales](#) on the winter bud, and they overlap like shingles, with one edge covered and the other edge exposed

[Show All Characteristics](#)

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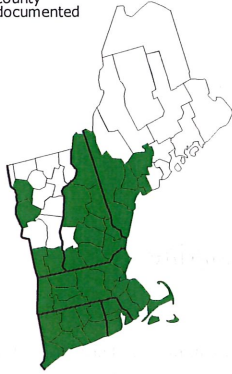
You are here: [Simple Key](#) > [Woody plants](#) > [Broad-leaved woody plants](#) > [Nyssa sylvatica](#)

### New England Distribution

Adapted from [BONAP](#) data

#### Native

■ county documented



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Found this plant? Take a photo and [post a sighting](#).

### North America Distribution

Adapted from [BONAP](#) data



#### Native to North America?

[enlarge](#)

Yes

#### Synonyms

*Nyssa sylvatica* var. *caroliniana* (Poir.) Fern.

*Nyssa sylvatica* var. *dilatata* Fern.

*Nyssa sylvatica* var. *typica* Fern.

#### Family

[Cornaceae](#)

#### Genus

[Nyssa](#)

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## Nyssa sylvatica Marsh.

### black-gum, black tupelo



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### Facts About

The common name of this wetland tree, tupelo, comes from the Creek Indian word for swamp. With distinctive stout and many-branched trunks, black tupelo is easily recognized in wet forests. The trunks often die from the top, giving its crown a scraggly appearance. Tupelo wood is highly cross-grained, making it difficult to work. However, this same structure makes the wood almost impossible to split and damage, so it is used for handles of heavy tools and chopping bowls.

### Habitat

Fens, forest edges, forests, meadows and fields, shores of rivers or lakes, swamps

### Characteristics

<b>Habitat</b>	terrestrial, wetlands
<b>New England state</b>	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
<b>Growth form</b>	the plant is a tree
<b>Leaf type</b>	the leaf blade is <a href="#">simple</a> (i.e., lobed or unlobed but not separated into <a href="#">leaflets</a> )
<b>Leaves per node</b>	there is one leaf per <a href="#">node</a> along the stem
<b>Leaf blade edges</b>	the edge of the leaf blade has no teeth or lobes
<b>Leaf duration</b>	the leaves drop off in winter (or they wither but persist on the plant)
<b>armature on plant</b>	the plant does not have <a href="#">spines</a> , <a href="#">prickles</a> , or <a href="#">thorns</a>
<b>Leaf blade length</b>	30–150 mm
<b>Leaf blade width</b>	20–60 mm
<b>Leaf stalk</b>	the leaves have leaf <a href="#">stalks</a>
<b>Fruit type (general)</b>	the fruit is <a href="#">fleshy</a>
<b>Bark texture</b>	the <a href="#">bark</a> of an adult plant is ridged or plated
<b>Twig winter color</b>	<ul style="list-style-type: none"> <li>• brown</li> <li>• gray</li> <li>• red</li> </ul>
<b>Bud scale number</b>	there are three or more <a href="#">scales</a> on the <a href="#">winter bud</a> , and they overlap like shingles, with one edge covered and the other edge exposed

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You are here: [Simple Key](#) > [Woody plants](#) > [Broad-leaved woody plants](#) > [Betula alleghaniensis](#)

## New England Distribution

Adapted from [BONAP](#) data

### Native

■ county documented



[about the labels on this map](#)

Found this plant? Take a photo and [post a sighting](#).

## North America Distribution

Adapted from [BONAP](#) data



### Native to North America?

[enlarge](#)

Yes

## Sometimes Confused With

### ***Betula lenta*:**

bark brown, not exfoliating, and leaf blades finely and regularly serrate with usually more than 6 teeth per cm (vs. *B. alleghaniensis*, with bark yellow to silver, exfoliating, and leaf blades coarsely and often irregularly serrate with fewer than 6 teeth per cm).

## Synonyms

*Betula alleghaniensis* var. *fallax* (Fassett) Brayshaw

*Betula alleghaniensis* var. *macrolepis* (Fern.) Brayshaw

*Betula lutea* Michx. f.

*Betula lutea* Michx. f. var. *fallax* Fassett

*Betula lutea* Michx. f. var. *macrolepis* Fern.

## Family

# *Betula alleghaniensis* Britton

## yellow birch



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## Facts About

Yellow birch is named for its characteristic shiny-golden, peeling bark. Trees in the northeast, which typically grow in cool ravines but are common throughout woodlands, can reach prodigious sizes. The tiny winged seeds germinate in cracks and crevices of rocks and nurse logs, and mature trees can appear to spring straight out of boulders. Scratch a young twig, and smell the wintergreen fragrance characteristic of this species (and its cousin, black birch, *Betula lenta*). Once one of the largest trees in the canopies of virgin northeast forests, this species was highly sought after by colonial shipbuilders because its resinous wood was resistant to rot below the waterline. Today, yellow birch is the source of most "birchwood" used for furniture, interior trim, and cabinet-making. Its wood is light, strong, lustrous, and takes stain easily.

## Habitat

Forest edges, forests, swamps

## Characteristics

### Habitat

terrestrial, wetlands

### New England state

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

### Growth form

the plant is a tree

### Leaf type

the leaf blade is simple (i.e., lobed or unlobed but not separated into leaflets)

### Leaves per node

there is one leaf per node along the stem

### Leaf blade edges

the edge of the leaf blade has teeth

### Leaf duration

the leaves drop off in winter (or they wither but persist on the plant)

### armature on plant

the plant does not have spines, prickles, or thorns

### Leaf blade length

60–100 mm

### Leaf blade width

30–55 mm

### Leaf stalk

the leaves have leaf stalks

### Fruit type (general)

the fruit is dry but does not split open when ripe

### Bark texture

- the bark of an adult plant is thin and smooth
- the bark of an adult plant peels off easily or hangs off

### Twig winter color

- brown
- gray
- purple
- red
- yellow

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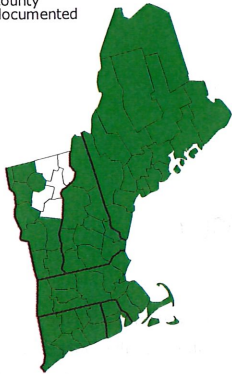
You are here: [Simple Key](#) > [Woody plants](#) > [Broad-leaved woody plants](#) > [Vaccinium corymbosum](#)

### New England Distribution

Adapted from [BONAP](#) data

#### Native

■ county documented



[about the labels on this map](#)

Found this plant? Take a photo and [post a sighting](#).

### North America Distribution

Adapted from [BONAP](#) data



#### Native to North America?

[enlarge](#)

Yes

### Sometimes Confused With

#### ***Vaccinium fuscatum*:**

leaf blades darkening in drying, moderately to densely pubescent abaxially with brown-gray to brown hairs, berry black, not glaucous, and flowers precocious (vs. *V. corymbosum*, with leaf blades not darkening in drying, glabrous or sparsely pubescent abaxially with white to gray-white hairs, berry blue to dark blue, glaucous, and flowers coetaneous).

#### ***Vaccinium caesariense*:**

# Vaccinium corymbosum L.

## highbush blueberry



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## Facts About

Look for high-bush blueberry primarily on wetland margins and keep an eye out for the large, juicy blueberries to mature in August, when they are a delight to eat. Second only to low-bush blueberry in economic importance, high-bush blueberry has long been cultivated for its delicious fruit. Bears and many birds, including catbirds, scarlet tanagers, and thrushes, relish the berries. Many ornamental cultivars also exist; old shrubs can take on an interesting, gnarled appearance with a spreading crown.

## Habitat

Bogs, fens, forests, shores of rivers or lakes, swamps, woodlands

## Characteristics

### Habitat

terrestrial, wetlands

### New England state

Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont

### Growth form

the plant is a shrub (i.e., a woody plant with several stems growing from the base)

### Leaf type

the leaf blade is simple (i.e., lobed or unlobed but not separated into leaflets)

### Leaves per node

there is one leaf per node along the stem

### Leaf blade edges

- the edge of the leaf blade has no teeth or lobes
- the edge of the leaf blade has teeth

### Leaf duration

the leaves drop off in winter (or they wither but persist on the plant)

### armature on plant

the plant does not have spines, prickles, or thorns

### Leaf blade length

38–80 mm

### Leaf blade width

20–30 mm

### Leaf stalk

the leaves have leaf stalks

### Fruit type (general)

the fruit is fleshy

### Bark texture

the bark of an adult plant peels off easily or hangs off

### Twig winter color

- green
- red
- yellow

### Bud scale number

there are three or more scales on the winter bud, and they overlap like shingles, with one edge covered and the other edge exposed

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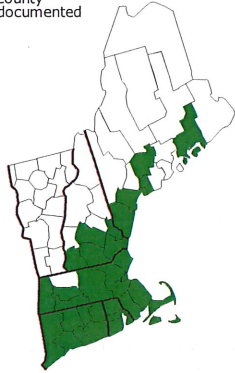
You are here: [Simple Key](#) > [Woody plants](#) > [Broad-leaved woody plants](#) > *Clethra alnifolia*

## New England Distribution

Adapted from [BONAP](#) data

### Native

■ county documented



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Found this plant? Take a photo and [post a sighting](#).

## North America Distribution

Adapted from [BONAP](#) data



### Native to North America?

enlarge

Yes

## Synonyms

*Clethra alnifolia* var. *tomentosa* (Lam.) Michx.

*Clethra tomentosa* Lam.

## Family

[Clethraceae](#)

## Genus

[Clethra](#)

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# *Clethra alnifolia* L.

## coastal sweet-pepperbush



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## Facts About

Coastal sweet pepperbush is primarily a member of the tall shrub layer of coastal swamps, where it can attain moderate densities as it proliferates from [stolons](#). Lauded for its fragrant, bottle-brush [blooms](#) of white flowers that attract many [pollinators](#), as well as its easy growth and pleasing shape, this shrub is a good choice for moister garden borders.

## Habitat

Ridges or ledges, shores of rivers or lakes, swamps, woodlands

## Characteristics

<b>Habitat</b>	terrestrial, wetlands
<b>New England state</b>	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island
<b>Growth form</b>	the plant is a shrub (i.e., a woody plant with several stems growing from the base)
<b>Leaf type</b>	the leaf blade is <a href="#">simple</a> (i.e., lobed or unlobed but not separated into <a href="#">leaflets</a> )
<b>Leaves per node</b>	there is one leaf per <a href="#">node</a> along the stem
<b>Leaf blade edges</b>	the edge of the leaf blade has teeth
<b>Leaf duration</b>	the leaves drop off in winter (or they wither but persist on the plant)
<b>armature on plant</b>	the plant does not have <a href="#">spines</a> , <a href="#">prickles</a> , or <a href="#">thorns</a>
<b>Leaf blade length</b>	35–100 mm
<b>Leaf blade width</b>	20–55 mm
<b>Leaf stalk</b>	the leaves have leaf stalks
<b>Fruit type (general)</b>	the fruit is dry and splits open when ripe
<b>Bark texture</b>	the <a href="#">bark</a> of an adult plant is thin and smooth
<b>Twig winter color</b>	<ul style="list-style-type: none"> <li>• brown</li> <li>• gray</li> </ul>
<b>Bud scale number</b>	there are no <a href="#">scales</a> on the <a href="#">winter buds</a>

Show All Characteristics

## Wetland Status

Occurs in [wetlands](#) or [non-wetlands](#). (Wetland indicator code: FAC)

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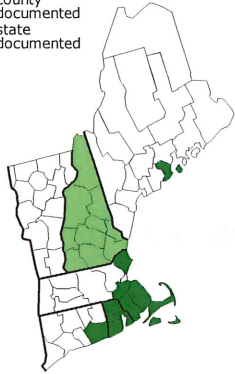
You are here: [Simple Key](#) > [Woody plants](#) > [Broad-leaved woody plants](#) > [Ilex glabra](#)

### New England Distribution

Adapted from [BONAP](#) data

**Native**

- county documented
- state documented



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Found this plant? Take a photo and [post a sighting](#).

### North America Distribution

Adapted from [BONAP](#) data



**Native to North America?**

enlarge  
Yes

### Sometimes Confused With

***Ilex crenata*:**

leaf blades with mostly 4–10 teeth per margin, the teeth usually not restricted to the apical portion of the blade, and flowers 4-merous (vs. *I. glabra*, with leaf blades with 1–3 teeth per margin, the teeth usually restricted to the apical 1/3 of the blade, and flowers 6- to 8-merous).

**Family**

[Aquifoliaceae](#)

**Genus**

[Ilex](#)

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# *Ilex glabra* (L.) Gray

## evergreen winterberry, inkberry



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### Facts About

Inkberry is a widely planted shrub with glossy dark green leaves and a rounded growth form. Its dark black, "inky" berries persist well into winter; birds disperse the seeds. Although it ranges broadly throughout the Atlantic coastal plain, native populations are uncommon in New England. This species grows well in a variety of conditions, from wetlands (where it is sometimes used to mitigate or replicate these habitats) to dunes. It is a popular choice for screen-plantings in the garden.

### Habitat

Bogs, shores of rivers or lakes, swamps

### Characteristics

<b>Habitat</b>	terrestrial, wetlands
<b>New England state</b>	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island
<b>Growth form</b>	the plant is a shrub (i.e., a woody plant with several stems growing from the base)
<b>Leaf type</b>	the leaf blade is simple (i.e., lobed or unlobed but not separated into leaflets)
<b>Leaves per node</b>	there is one leaf per node along the stem
<b>Leaf blade edges</b>	the edge of the leaf blade has teeth
<b>Leaf duration</b>	the leaves remain green all winter
<b>armature on plant</b>	the plant does not have spines, prickles, or thorns
<b>Leaf blade length</b>	15–50 mm
<b>Leaf blade width</b>	7–20 mm
<b>Leaf stalk</b>	the leaves have leaf stalks
<b>Fruit type (general)</b>	the fruit is fleshy
<b>Bark texture</b>	the bark of an adult plant is thin and smooth
<b>Twig winter color</b>	<ul style="list-style-type: none"> <li>• brown</li> <li>• gray</li> </ul>
<b>Bud scale number</b>	there are three or more scales on the winter bud, and they overlap like shingles, with one edge covered and the other edge exposed

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### Wetland Status

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## New England Distribution

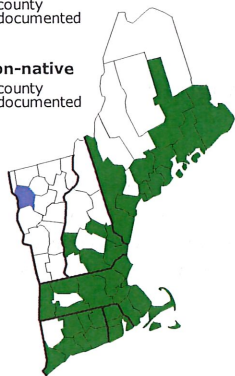
Adapted from [BONAP](#) data

### Native

■ county documented

### Non-native

■ county documented



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## North America Distribution

Adapted from [BONAP](#) data



### Native to North America?

[enlarge](#)

Yes and no (some introduced)

## Sometimes Confused With

### ***Myrica gale*:**

fruit not encrusted with wax, leaf blades toothed only in the upper 1/3, and winter buds dark brown and acute at the apex (vs. *M. caroliniensis*, with fruit encrusted with light blue-gray wax, leaf blades toothed on the upper half, and winter buds reddish and obtuse at the apex).

## Synonyms

*Cerothamnus caroliniensis* (P. Mill.) Tidestrom

*Morella pensylvanica* (Mirbel in Duhamel) Kartesz

*Myrica caroliniensis* P. Mill.

*Myrica heterophylla* Raf.

*Myrica pensylvanica* Mirbel in Duhamel

# Morella caroliniensis (Mill.) Small

## small bayberry



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## Facts About

Small bayberry's waxy leaves are aromatic when crushed. Its waxy yellow-green fruits occur all along the stem, interspersed among the leaves. Look for this common shrub along shores and dunes. The fruits are attractive to birds, and their waxy coatings have been used traditionally to make candles.

## Habitat

Anthropogenic (man-made or disturbed habitats), dunes, forest edges, meadows and fields, ridges or ledges

## Characteristics

<b>Habitat</b>	terrestrial
<b>New England state</b>	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
<b>Growth form</b>	the plant is a shrub (i.e., a woody plant with several stems growing from the base)
<b>Leaf type</b>	the leaf blade is simple (i.e., lobed or unlobed but not separated into leaflets)
<b>Leaves per node</b>	there is one leaf per node along the stem
<b>Leaf blade edges</b>	the edge of the leaf blade has teeth
<b>Leaf duration</b>	the leaves drop off in winter (or they wither but persist on the plant)
<b>armature on plant</b>	the plant does not have spines, prickles, or thorns
<b>Leaf blade length</b>	15–80 mm
<b>Leaf blade width</b>	6–30 mm
<b>Leaf stalk</b>	the leaves have leaf stalks
<b>Fruit type (general)</b>	the fruit is dry but does not split open when ripe
<b>Bark texture</b>	the bark of an adult plant is thin and smooth
<b>Twig winter color</b>	<ul style="list-style-type: none"> <li>• gray</li> <li>• white</li> </ul>
<b>Bud scale number</b>	there are three or more scales on the winter bud, and they overlap like shingles, with one edge covered and the other edge exposed

[Show All Characteristics](#)

## Wetland Status

Occurs in wetlands or non-wetlands. (Wetland indicator code: FAC)

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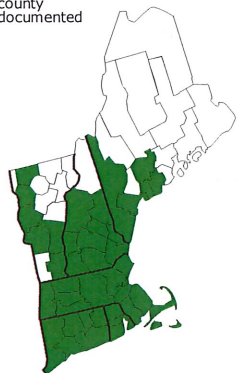
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### New England Distribution

Adapted from [BONAP](#) data

#### Native

■ county documented



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Found this plant? Take a photo and [post a sighting](#).

### North America Distribution

Adapted from [BONAP](#) data



#### Native to North America?

[enlarge](#)  
Yes

#### Family

[Anacardiaceae](#)

#### Genus

[Rhus](#)

#### Notes on Subspecies and Varieties in New England

Our variety is *Rhus copallinum* L. var. *latifolia* Engl.

Need Help?

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# Rhus copallinum L.

## winged sumac



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### Facts About

Winged sumac is tall and forms dense thickets, topped by clusters of astringent berries that remain on the plant through the winter. It thrives on poor, dry soils. Chock-full of tannins, the bark and leaves have been used in the tanning industry. With attractive red fall foliage, the species is sometimes planted as an ornamental. Thickets of winged sumac provide cover and can function as deer yards.

### Habitat

Anthropogenic (man-made or disturbed habitats), forest edges, meadows and fields, woodlands

### Characteristics

<b>Habitat</b>	terrestrial
<b>New England state</b>	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont
<b>Growth form</b>	the plant is a shrub (i.e., a woody plant with several stems growing from the base)
<b>Leaf type</b>	the leaf blade is compound (i.e., made up of two or more discrete leaflets)
<b>Leaves per node</b>	there is one leaf per node along the stem
<b>Leaf blade edges</b>	<ul style="list-style-type: none"> <li>• the edge of the leaf blade has no teeth or lobes</li> <li>• the edge of the leaf blade has teeth</li> </ul>
<b>Leaf duration</b>	the leaves drop off in winter (or they wither but persist on the plant)
<b>armature on plant</b>	the plant does not have spines, prickles, or thorns
<b>Leaf blade length</b>	150–350 mm
<b>Leaf stalk</b>	the leaves have leaf stalks
<b>Fruit type (general)</b>	the fruit is dry but does not split open when ripe
<b>Bark texture</b>	the bark of an adult plant is thin and smooth
<b>Twig winter color</b>	<ul style="list-style-type: none"> <li>• brown</li> <li>• purple</li> <li>• red</li> </ul>
<b>Bud scale number</b>	there are no scales on the winter buds

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### Wetland Status



Revisions

No.	Description	Date	Appvd.
1	REV. PER CONCOM REVIEW	3/17/20	RMF

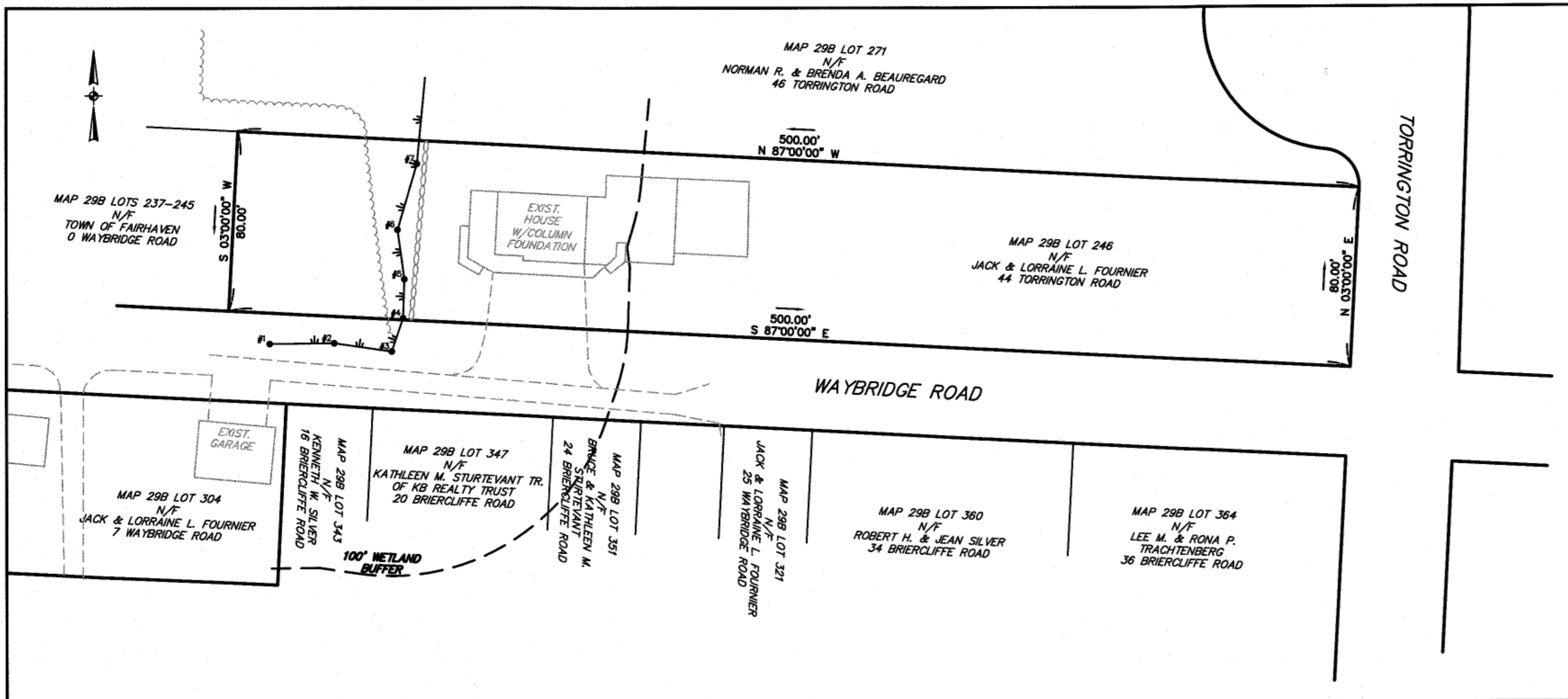
Date: 3/7/2020

Scale: AS NOTED

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Designed By: PGT  
Checked By: RMF

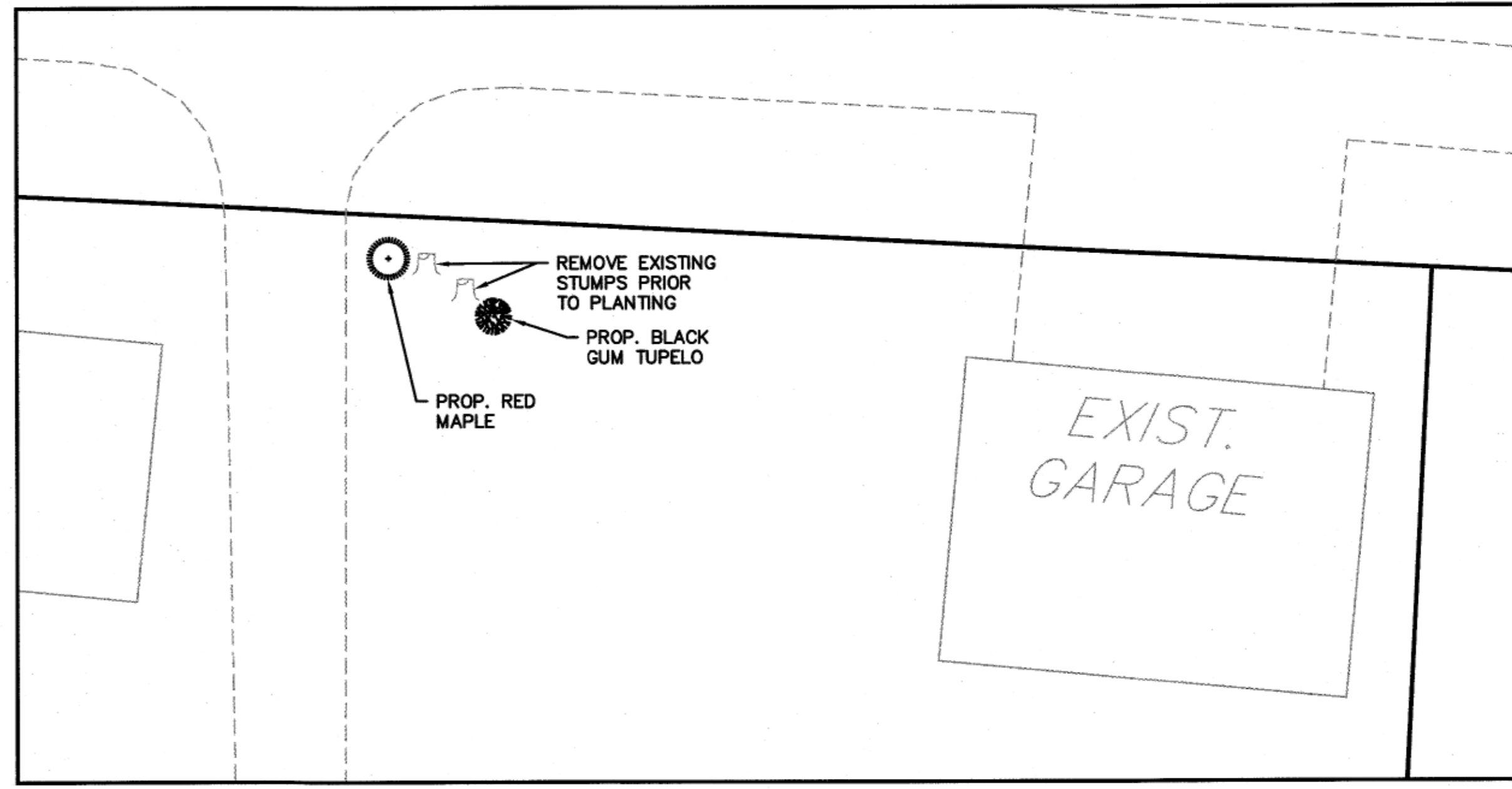
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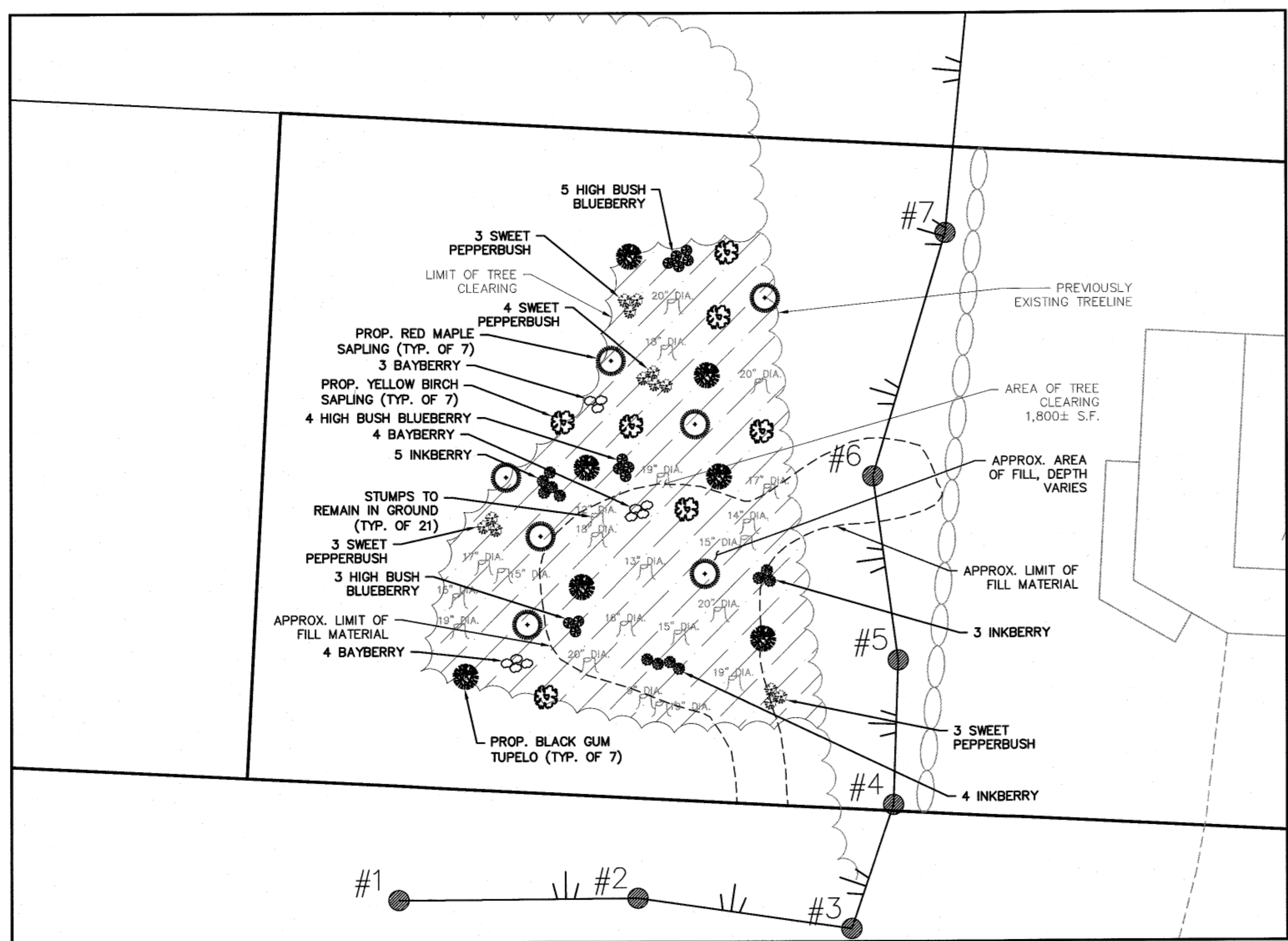


**SITE LOCUS PLAN**  
SCALE: 1 INCH = 40 FEET

- NOTES:**
- EXISTING CONDITIONS AND PROPERTY LINE INFORMATION SHOWN ON THIS PLAN WERE TAKEN FROM A PLAN ENTITLED "STONEWALL RELOCATION PLAN, LOT 246-270 MAP 29B, WEYBRIDGE ROAD FAIRHAVEN, MA PREPARED FOR JACK & LORRAINE FOURNIER" PREPARED BY DOUGLAS SCHNEIDER & ASSOCIATES AND DATED SEPT. 2, 1997.
  - THE SUBJECT PARCEL IS SHOWN AS TOWN OF FAIRHAVEN ASSESSORS MAP 29B1 LOTS 246-270, N/F JACK & LORRAINE FOURNIER.
  - TREE STUMPS SHOWN ON THIS PLAN WERE LOCATED BY FIELD ENGINEERING CO., INC. ON 2/25/2020. STUMP DIAMETERS SHOWN ON THIS PLAN WERE MEASURED AT CUT HEIGHT AND RANGE FROM 9"-20".



**SITE DETAIL PLAN - 7 WAYBRIDGE ROAD**  
SCALE: 1 INCH = 10 FEET



**SITE DETAIL PLAN - 44 TORRINGTON ROAD**  
SCALE: 1 INCH = 10 FEET

- NOTE:**
- MAINTAIN 8"-10" SPACING BETWEEN ALL PROPOSED TREE SAPLINGS AND REMAINING TREE STUMPS.
  - REMOVAL OF INVASIVE SPECIES, CUT TREES/SLASH, AND FILL MATERIAL WITHIN THE WETLAND AREA SHALL BE PERFORMED EARLY TO MID MAY, 2020. PLANTING OF PROPOSED TREES AND SHRUBS SHALL BE PERFORMED PRIOR TO MAY 31, 2020.

- LEGEND**
- RED MAPLE
  - BLACK GUM TUPELO
  - YELLOW BIRCH
  - HIGH BUSH BLUEBERRY
  - SWEET PEPPERBUSH
  - INKBERRY
  - BAYBERRY

QTY.	BOTANICAL NAME	COMMON NAME	SIZE
7	ACER RUBRUM	RED MAPLE	3" CAL.
7	NYSSA SYLVATICA	BLACK GUM TUPELO	3" CAL.
7	BETULA ALLEGANIENSIS	YELLOW BIRCH	3" CAL.
12	VACCINIUM CORYMBOSUM	HIGH BUSH BLUEBERRY	24"-36" HT.
13	CLETHRA ALNIFOLIA	SWEET PEPPERBUSH	24"-36" HT.
12	ILEX GLABRA	INKBERRY	24"-36" HT.
11	MORELLA CAROLINIENSIS	BAYBERRY	24"-36" HT.

**PROPOSED WETLAND RESTORATION**  
**JACK FOURNIER**  
 44 TORRINGTON ROAD  
 FAIRHAVEN, MASSACHUSETTS

Drawing Title: **SITE PLAN**

Project No. 2329 Sheet 1 OF 1

**SP-1**