



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

RECEIVED

**A. General Information**

AUG 13 2023

**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: **CONSERVATION & SUSTAINABILITY DEPARTMENT**

Name: Joyce E. Lopes E-Mail Address: jlopes5959@gmail.com

Mailing Address: 29 Silver Shell Beach Dr

City/Town: Fairhaven State: MA Zip Code: 02719

Phone Number: 508-965-9989 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:

\_\_\_\_\_  
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):

29 Silver Shell Beach Dr

Fairhaven

Street Address

City/Town

41

53

Assessors Map/Plat Number

Parcel/Lot Number

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

Land subject to Coastal Storm Flowage (LSCSF) Zone VE

Proposed work does not take place in or border vegetated wetlands

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

Survey Plan Adjudicated by the Bristol County Superior Court

07/01/2022

Title

Date

Title

Date

Title

Date

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

Install 120 ft of FEMA-Compliant shadow box fence on the south property line, consisting of approx 15 cemented posts and 6" off the gr



## WPA Form 1- Request for Determination of Applicability

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

### C. Project Description (cont.)

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

---

---

---

---

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

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

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

---

---

---



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

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

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

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

**D. Signatures and Submittal Requirements**

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

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

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

Name and address of the property owner:

Joyce E. Lopes

Name

29 Silver Shell Beach Dr

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.

Signature of Applicant

08/17/2023

Date

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

\_\_\_\_\_  
Date





08/15/2023

3:17:38 PM

# Fairhaven

## GIS - Abutters- 29 Silver Shell Beach Dr. - 100 Ft.

Sorted By: Parcel ID

<b>Parcel ID - Map/Block/Lot</b>	<b>Location</b>	<b>Owner/Mailing Address</b>
29-004H	1 PAVILLION WAY Fairhaven, MA 02719	COLLINS JOHN B & SYLVA H 1 PAVILLION WAY FAIRHAVEN, MA 02719
41-052	26 SILVER SHELL BEACH DR Fairhaven, MA 02719	STEBE THOMAS J & BETH A STEBE FAMILY TRUST 117 PURITAN LN SUDBURY, MA 01776
41-054, 50	27 SILVER SHELL BEACH DR Fairhaven, MA 02719	BLOUIN BARRY L & NANCY 27 SILVER SHELL BEACH DRIVE FAIRHAVEN, MA 02719
41-058, 59	8 CHAMBERS ST Fairhaven, MA 02719	AUGENTI CHRISTOPHER A & TERESA M 8 CHAMBERS STREET FAIRHAVEN, MA 02719