



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

New Bedford
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:

D.P.M. Development, Inc.

Name

E-Mail Address

70 Lambeth Street

Mailing Address

New Bedford

MA

02745

City/Town

State

Zip Code

508-993-0381

508-995-4342

Phone Number

Fax Number (if applicable)

2. Representative (if any):

SITEC, Inc.

Firm

Jeffrey Tallman

jtallman@sitec-engineering.com

Contact Name

E-Mail Address

449 Faunce Corner Road

Mailing Address

Dartmouth

MA

02747

City/Town

State

Zip Code

508-998-2125

508-998-7554

Phone Number

Fax Number (if applicable)

B. Determinations

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

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☒ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

New Bedford

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):

Rosa Drive

Street Address

136

Assessors Map/Plat Number

New Bedford

City/Town

533

Parcel/Lot Number

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

Vacant land

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

Plot Plan - Assessors Map 136 Lot

Title

5-22-17

Date

Title

Date

Title

Date

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

Construction of a single family dwelling and associated driveway, site grading, and utility installation.



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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).

All the proposed buffer zone work, which includes a portion of the proposed dwelling and the proposed deck, is located a minimum of 65' from the bordering vegetated wetland (BVW). Additionally, while the applicant is not proposing to alter the BVW as part of this application, all the proposed buffer zone work is located in the buffer zone of a 163 sq. ft., "finger-like" wetland that could be filled without replication per 310 CMR 10.55 (4)(c). A hay bale barrier will be placed down gradient of all proposed work and shall remain in place until construction is complete and all disturbed areas are stabilized.

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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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:

D.P.M. Development, Inc.

Name

70 Lambeth Street

Mailing Address

New Bedford

City/Town

Massachusetts

State

02745

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

5-24-17

Date

Signature of Representative (if any)

5-24-17

Date



CITY OF NEW BEDFORD
MASSACHUSETTS

CONSERVATION COMMISSION
2009 FILING FEE CALCULATION WORKSHEET*

PROJECT LOCATION:

ROSA DRIVE MAP 136 LOT(S) 533

APPLICANT: DPM DEVELOPMENT CORP.

CONSERVATION COMMISSION FEES (check all that apply):

- ☒ REQUEST FOR DETERMINATION OF APPLICABILITY
- ☐ NOTICE OF INTENT
- ☐ INQUIRY AS TO NEED FOR AN AMENDED ORDER**
- ☐ AMENDED ORDER OF CONDITIONS
- ☐ ANRAD (Abbreviated Notice of Resource Area Delineation)
- ☐ EXTENSION PERMIT
- ☐ CERTIFICATE OF COMPLIANCE
- ☐ AFTER THE FACT FILING
- ☐ RESTORATION PLAN FEE (no NOI filing required)
- ☐ LIFTING AN ENFORCEMENT ORDER
- ☐ PENALTIES

(A.) ALTERATION FEES:

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$150.00 plus the applicable alteration fee as follows

	AMOUNT DUE
• Application and Field Review Fee (\$150.00)	\$ <u>150.-</u>
• \$0.50 X _____ SF Wetland Resource Area	\$ _____
• \$0.05 X _____ SF Land Subject Coastal Flooding	\$ _____
• \$0.20 X _____ SF Developed Riverfront Area	\$ _____
• \$1.00 X _____ SF Undeveloped Riverfront Area	\$ _____
• \$5.00 X _____ LF Coastal Bank	\$ _____
• \$0.10 X <u>2360</u> SF Buffer Zone	\$ <u>236.-</u>

(B.) EXTENSION of an Order of Conditions:

- Minor Project ... \$100.00 + _____ (¼ local fee from NOI) \$ _____
- Other Projects ... \$200.00 + _____ (¼ local fee from NOI) \$ _____

(C.) AMENDING A PERMIT:

- Written inquiry or request to appear to determine the need for an Amended Order:** (\$50.00 fee) \$ _____
- Amending OOC: \$150.00 + _____ (applicable alteration fee) \$ _____

(D.) RESOURCE BOUNDARY DELINEATION VERIFICATION USING AN RDA APPLICATION:

- \$150.00 + \$2.00 X _____ LF Wetland boundary \$ _____

(E.) ABBREVIATED RESOURCE AREA DELINEATION VERIFICATION (ANRAD)

- \$150.00 + \$1.00 X _____ LF Resource Area boundary \$ _____

(F.) RESOURCE BOUNDARY DELINEATION VERIFICATION CONDUCTED DURING A NOTICE OF INTENT REVIEW

- \$150.00 + \$3.00 X _____ LF Resource Area boundary \$ _____

(G.) DOCKS:

- \$100.00 + \$4.00 X _____ LF of dock \$ _____
- Add 150% to total fee if in significant shellfish habitat \$ _____

(H.) AFTER THE FACT FILING:

- All Total Fees are doubled \$ _____

(I.) RESTORATION PLAN FEE:

- (\$150.00 + _____ Alteration Fee) Multiplied by 2 \$ _____

(J.) LIFTING ON ENFORCEMENT ORDER:

- \$150.00 fee \$ _____

(K.) CERTIFICATE OF COMPLIANCE:

- refer to "K" of the Fee schedule \$ _____

(L.) PENALTIES:

- refer to "L" of the Fee schedule \$ _____

TOTAL AMOUNT DUE (including after-the-fact fee if applicable): \$ 386.00

Notes:

* Please refer to the Conservation Commission Fee Schedule - Revised April 2009

** This is not required, but available for anyone who would like to appear to discuss the need to Amend.

Please make check or Money Order payable to: THE CITY OF NEW BEDFORD.
Cash is not Accepted.

7036

WEBSTER BANK
SEASTON, MA 02375

DPM DEVELOPMENT CORP.
70 LAMBETH STREET
NEW BEDFORD, MA 02745

53-7023/113
678

5/24/2017

PAY TO THE
ORDER OF CITY OF NEW BEDFORD

\$ **386.00

Three Hundred Eighty-Six and 00/100***** DOLLARS

CITY OF NEW BEDFORD

MEMO

Lot #2 Rosa Dr.

Rosa Mary
AUTHORIZED SIGNATURE

⑈007036⑈ ⑆21137023⑈10 0133001164⑈

DPM DEVELOPMENT CORP.

CITY OF NEW BEDFORD

5/24/2017

386.00

7036

Cash-checking Lot #2 Rosa Dr.

386.00

Notification to Abutters under the City of New Bedford
Wetlands Ordinance

In Accordance with the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112) you are hereby notified of the following.

The name of the applicant is: DPM DEVELOPMENT CORP.

The applicant has filed a Request for Determination of Applicability for the municipality of New Bedford, Massachusetts seeking permission to remove, fill, dredge or alter an area subject to protection under the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112).

The address of the lot where the activity is proposed is: ROSA DRIVE
Assessor's Map 136; Lot 533

Copies of the Request for Determination of Applicability may be examined at the New Bedford Conservation Commission, City Hall, 133 William St. Room 304 New Bedford, MA 02740 between the hours of 8:00 AM and 4:00 PM, Monday through Friday. For more information call (508) 991-6188.

Copies of the Request for Determination of Applicability may be obtained from either (check one) the applicant _____ or the applicant's representative ☒ by calling this telephone number 508-998-2125 between the hours of 8:00 AM and 4:00 PM on the following days of the week: Monday through Friday.

Information regarding the date, time and place of the public hearing may be obtained from New Bedford Conservation Commission by calling 508-991-6188 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

Note: Notice of the Public hearing, including its date, time and place, will be posted in the City Hall not less than forty eight (48) hours in advance of the meeting.

Note: Notice of the Public Hearing including its date, time and place, will be published at least five (5) days in advance in the Standard Times.

Note: You may also contact the New Bedford Conservation Commission at 508-991-6188 for more information about this publication or the City of New Bedford Wetlands Ordinance



City of New Bedford

REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY			
MAP #	136	LOT(S)#	532
ADDRESS: NS Rosa Dr			
OWNER INFORMATION			
NAME: DPM Development			
MAILING ADDRESS: 70 Lambeth Street, New Bedford, MA 02745			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Jeff @ SITEC Engineering			
MAILING ADDRESS (IF DIFFERENT): 449 Faunce Corner Rd, Dartmouth, MA 02747			
TELEPHONE #	508 998.2125		
EMAIL ADDRESS:	jtallman@sitec-engineering.com		
REASON FOR THIS REQUEST: Check appropriate			
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input type="checkbox"/>	PLANNING BOARD APPLICATION		
<input checked="" type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (Please explain):		

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Carlos Amado

Printed Name

Carlos Amado

Signature

5/26/2017

Date

PLANNING
MAY 22 2017
DEPARTMENT

May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as NS Rosa Dr (136-532). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
136-334	4102 ACUSHNET AVE	BONNEAU PAUL, BONNEAU GRACE T 4102 ACUSHNET AVE NEW BEDFORD, MA 02745
136-283 RES	ACUSHNET AVE	LEBLANC J LOUIS, LEBLANC CLAUDETTE 4090 ACUSHNET AVE NEW BEDFORD, MA 02745
136-474 NS	ROSA DR	MONIZ PROPERTIES INC, 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-276	4045 ACUSHNET AVE	DANDURAND HELEN, 4045 ACUSHNET AVENUE H Kacy Lane NEW BEDFORD, MA 02745 Fairhaven, MA 02719
136-330	4077 ACUSHNET AVE	4077 ACUSHNET AVENUE, LLC, 867 MIDDLE ROAD ACUSHNET, MA 02743
136-24	4060 ACUSHNET AVE	LECOMTE MARK A, LECOMTE LORI A 4060 ACUSHNET AVENUE NEW BEDFORD, MA 02745
136-250	4052 ACUSHNET AVE	BEATRIZ DANIEL, BEATRIZ JOANNE 4052 ACUSHNET AVE NEW BEDFORD, MA 02745
136-272	4085 ACUSHNET AVE	KROUZEK RONALD A, SANTOS PAULINE D 4085 ACUSHNET AVE NEW BEDFORD, MA 02745
136-402 ES	ACUSHNET AVE	LECOMTE MARK A, ASHLEY LORI A 4060 ACUSHNET AVE NEW BEDFORD, MA 02745
136-470 SS	ROSA DR	DPM DEVELOPMENT CORP, 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-532 NS	ROSA DR	DPM DEVELOPMENT CORP, 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-469 SS	ROSA DR	MONIZ PROPERTIES INC, 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-245 ES	ACUSHNET AVE	LEBLANC J LOUIS, LEBLANC CLAUDETTE 4090 ACUSHNET AVE NEW BEDFORD, MA 02745

May 22, 2017
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 1669 Acushnet Ave (103-292). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
136-23 NS	ROSA DR	DPM DEVELOPMENT CORP, 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-248	4080 ACUSHNET AVE	DECOSTA ALEX R, 4080 ACUSHNET AVENUE NEW BEDFORD, MA 02745
136-249	4090 ACUSHNET AVE	LEBLANC J LOUIS, LEBLANC CLAUDETTE 4090 ACUSHNET AVE NEW BEDFORD, MA 02745



EXHIBIT "A"

RE: 4080 Acushnet Avenue, New Bedford, MA 02745

The land, with any buildings thereon, situated in New Bedford, Bristol County, Commonwealth of Massachusetts, bounded and described as follows:

BEGINNING at a point in the easterly line of Acushnet Avenue, formerly called Old County Road, at the northwesterly corner of the premises to be conveyed, and at the southwesterly corner of land now or formerly of John E. Luby; thence running

EAST 13 3/4° North by said last-named land, three hundred eighty-nine and 7/10 (389.7) feet for a corner; thence

SOUTH 11 3/4° East by a wall and land now or formerly of Susan A. Ashley, one hundred forty and 8/10 (140.8) feet for a corner thence

WEST 10° South by said last-named land, three hundred eighty-seven and 8/10 (387.8) feet to said east line of Acushnet Avenue; and thence

NORTHERLY by said Acushnet Avenue, one hundred fourteen and 3/10 (114.3) feet to the point of beginning.

CONTAINING one (1) acre and twenty-one and 9/10 (21.9) square rods, more or less.

FOR TITLE see deed August 24, 2007 and recorded in the Bristol County (S.D.) Registry of Deeds in Book 8767, Page 121.

RE: 4080 Acushnet Avenue
New Bedford, MA 02740

REG. CLERK
DEEDS
REG. 407
BRISTOL
12/03/13 11:47AM
12/03/13 11:47AM
12/03/13 11:47AM

BK 10964 PG 243
12/03/13 11:47AM
Bristol Co. S.D.

MASSACHUSETTS OUTCLAIM DEED
INDIVIDUAL

I, JUDITH A. ROWSON, of New Bedford, Massachusetts,
being unmarried, for consideration paid, and in full consideration of TWO HUNDRED FORTY THOUSAND and 00/100 (\$240,000.00) DOLLARS
grant to DPM DEVELOPMENT CORP., a Massachusetts Corporation having a principal place of business at 70 Lambeth Street, New Bedford, Massachusetts 02745

with Quietclaim Covenants
the land and buildings located at 4080 Acushnet Avenue, New Bedford, Massachusetts 02745,
bounded and described as follows:

(Description and encumbrances, if any)

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED
HEREIN BY REFERENCE

WITNESS my hand and seal this 3rd day of December 2013.

Witness
JUDITH A. ROWSON

COMMONWEALTH OF MASSACHUSETTS

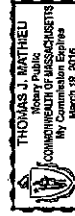
BRISTOL, SS.

December 3, 2013

Then personally appeared the above-named Judith A. Rowson, proved to me through satisfactory evidence of identification, which was a Massachusetts Drivers License, to be the person whose name is signed on the within document, and acknowledged the foregoing instrument to be her free act and deed, before me

Notary Public

My Commission Expires: 3/19/15



Notary
THOMAS J. MATHIEU
150 North Street
New Bedford, MA 02740

