



Dropped
@ Con. Comm.
10/6 @
12:45pm

Notice of Intent – New Bedford Conservation Commission

After the Fact Notice of Intent Filing – Paved Driveway,
Clearing, Volleyball court
2044-2046 Shawmut Avenue

Applicant: Ian Yates

September 19, 2022

Zenith Land Surveyors, LLC
1162 Rockdale Avenue
New Bedford, MA 02740
(508) 995-0100 (office)

Table of Contents:

Application Checklist Notice of Intent.....3

Project Narrative.....4-5

WPA Form 3 Notice of Intent.....6-13

Notice of Intent Filing Fees.....14-15

Local Fee Calculation Sheet.....16-17

Copies of filing checks.....18

Appendix A

FEMA F.I.R.M Map.....20

NHESP Habitat Polygon Excerpt from Mass Mapper GIS.....21

U.S.G.S Quad Map Excerpt from Mass Mapper GIS.....22

D.E.P. Wetlands and Wetlands Change Map.....23

New Bedford Assessor’s Map.....24

Appendix B

Request For Certified Abutter’s List.....26

Abutter Notification Letter.....27

Certified Abutter’s List.....28

Appendix C

Proof of Ownership30

Copy of Record Deed.....31-32

Copy of Record Plan.....,33

Attachments:

Existing Conditions and As Built Site Plan Parcel 128-24 2044-2046 Shawmut Avenue New Bedford, Massachusetts 02746 . Drawn for Allison Vigna and Ian Yates

Mitigation Plan Showing Proposed Plantings Parcel 128-24 2044-2046 Shawmut Avenue New Bedford, Massachusetts 02746 . Drawn for Allison Vigna and Ian Yates



MAYOR
TERY MITCHELL

City of New Bedford Conservation Commission •
Department of Environmental Stewardship
133 William Street • Room 304 • New Bedford, Massachusetts 02740
Telephone: (508) 991-6188
Conservation • Environmental Stewardship • Resilience

Notice of Intent (NOI) Applicant Checklist

*This checklist is for your convenience in assembling your application. In addition to the checklist below, be sure to refer to the specific instructions provided by the Department of Environmental Protection (DEP) for each specific application type. *Note: NOI applications require filing the WPA Form 3 to both the New Bedford Conservation Office and DEP office at the same time.*

All the below materials must be included and/ or processed before your project is put on the Hearing agenda. Please allow yourself ample time to complete/ provide these items.

Notice of Intent (NOI) or Abbreviated Notice of Resource Area Delineation (ANRAD)

- One (1) original signed application '**WPA Form 3**' and one (1) copy.
- Two (2) hard copy sets of **full-size (24"x36") plans**, drawings, and other supporting documents; delivered/ mailed to Conservation Office (address in header).
- One (1) hard copy **Proof of property ownership/ Deed**. Signatures of owners, representatives, and applicants required on all application forms. If the applicant is NOT the owner, they must comply with the 11/26/2006 memo from the City Solicitor's Office, (copy of memo can be found on Conservation webpage).
- One (1) filled out **Local Fee Calculation Worksheet** with check(s) or money order(s) made payable to the City of New Bedford.
- One (1) '**Certified Abutters List**' (follow directions on the form)
 - All the abutters on the list must be sent via Certified Mail the '**Abutters Notice**' – this notice template is available on the NB Conservation Commission webpage
 - Return the **Certified Mail Receipt(s)** (PS Form 3800) from the U.S. Postal Service as proof of the *Abutters Notice* mailing sent out on time (scan and send or deliver).
- Email this entire packet as a PDF to the Conservation Agent – Chance Perks (<mailto:chancery.perks@newbedford-ma.gov>) as well as the Office Administrator - Teresa Alves (<mailto:teresa.alves@newbedford-ma.gov>). Please do not include scans of checks or personally identifiable information in these files.
- The **Legal Ad** must be posted a minimum of 5 business days before the date of your application hearing. The Legal Ad is provided to the local newspaper (The Standard Times) and you are given instructions on how to make payment to them directly.

NOTE:

If your Hearing was CONTINUED, any new material submitted for your next scheduled Hearing must be received no later than 12:00pm (noon) the Wednesday before the next Hearing.

For any work proposed to the north of the southerly terminus of the Hurricane Barrier, and within 100 feet of a coastal resource area protected under the Massachusetts Wetlands Protection Act shall dually send a copy of their Notice of Intent (NOI) to the U.S. Environmental Protection Agency (EPA) at this email address:
newbedfordharbor@epa.gov



133 William Street-Room 304, New Bedford, MA 02740 - Telephone 508-991-6188

After the fact Notice of Intent Filing – Paved Driveway, Patio, Volleyball Court
2044-2046 Shawmut Avenue, Parcel 128-24

Project Narrative:

This filing is an After the Fact Notice of Intent under the Massachusetts Wetlands Protection Act (Ch. 131 §40) and Article VII – Wetlands Protection of the City of New Bedford Code of Ordinances for the construction of a paved driveway, sand volleyball court and patio at 2-44-2046 Shawmut Avenue, Assessor's Parcel 128-24.

Resource Areas:

The site contains the following inland Resource Areas subject to jurisdiction under the local and state bylaws and regulations.

1. Bordering Vegetated Wetlands – edge of Turner Pond
2. Buffer Zone and No Disturb Zone associated with the Bordering Vegetated Wetlands/Pond
3. Flood Zone A – Area of 100 year flooding no base flood elevation
4. NHESP Priority Habitat Area

Existing Conditions:

The site lies on the northerly side of Shawmut Avenue and abuts Turner Pond. It contains approximately 58,190 square feet of land area that has been mostly cleared since construction of the house. The rear portion of the property contained a gravel driveway, lawn and garden area and was recently altered by the paving of the driveway area, installation of a sand volleyball court and concrete patio. Approximately 1,640 feet of the paved driveway falls within the 100 foot Buffer Zone and 703 feet of the concrete patio. All of the volleyball area is in the Buffer Zone, but it is an elevated sand surface that replaced a sand and sparse lawn area.

The overall rear yard area generally drains towards the pond and also slightly northeast. As such, impact from the paved driveway by an increase on runoff and potential pollutants would be a concern.

Proposed Scope of Mitigation:

The proposed mitigation consists of best management practices designed to mitigate and slow runoff from the driveway and trap potential pollutants. To that end, it is proposed to construct a grassed swale along the driveway to capture, slow and filter runoff from the paved driveway.

The swale is proposed to be approximately 80 feet long, 5 feet wide and contain stone check dams to both slow and filter runoff.

The swale will discharge to a 460 square foot Rain Garden to further slow and filter runoff before it reaches the pond. With the existing soil conditions being sand, infiltration will take place however the area is fairly flat and groundwater is presumed to be shallow as the site is directly next to the pond.

In addition, it is proposed to plant a combination of trees and shrubs adjacent to the pond to mitigate clearing which has taken place over the years. A planting schedule is shown on Sheet 2 of the plan set along with construction details of the swale and rain garden.

Summary:

The proposed mitigation is in compliance with Ch. 131, Sec. 40 to the extent that for a single family home with a driveway it will buffer smaller rainfall events and provide both protection from erosion and surface runoff from the paved driveway.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

City/Town

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



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

2044 Shawmut Avenue	New Bedford	02746
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	41d-40'-58.4"	-70d-58'-19.9"
128	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	24	g. Parcel /Lot Number

2. Applicant:

Ian	Yates	
a. First Name	b. Last Name	
c. Organization		
2044-2046 Shawmut Avenue		
d. Street Address		
New Bedford	MA.	02746
e. City/Town	f. State	g. Zip Code
774-955-7686	t	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

Ian	Yates	
a. First Name	b. Last Name	
c. Organization		
2044-2046		
d. Street Address		
New Bedford	MA.	02746
e. City/Town	f. State	g. Zip Code
774-955-7686		
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

William	McGovern	
a. First Name	b. Last Name	
Zenith Land Surveyors, LLC		
c. Company		
1162 Rockdale Avenue		
d. Street Address		
New Bedford	MA.	02740
e. City/Town	f. State	g. Zip Code
1 (508) 995-0100	tmcgovern@zlsllc.com	
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$110.00	\$42.50	\$67.50 + 1,550.00=\$1,617.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
WPA Form 3 – Notice of Intent
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

City/Town

A. General Information (continued)

6. General Project Description:

This filing is an after the fact Notice of Intent for paving a driveway and constructing a sand volleyball court and clearing within the 100 foot Buffer Zone to a Bordering Vegetated Wetland and in an area of Bordering Land Subject to Flooding (Zone A - No Elevation Designated)

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Bristol County South Registry of Deeds

a. County

12760

c. Book

b. Certificate # (if registered land)

244

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands

Provided by MassDEP

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

City/Town _____

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet _____	2. linear feet _____
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input checked="" type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
e. <input type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
	1. square feet _____	
f. <input type="checkbox"/> Riverfront Area	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
	1. Name of Waterway (if available) - specify coastal or inland _____	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

City/Town _____

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	

4. Restoration/Enhancement
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

a. square feet of BVW _____ b. square feet of Salt Marsh _____

5. Project Involves Stream Crossings

a. number of new stream crossings _____ b. number of replacement stream crossings _____



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP

WPA Form 3 – Notice of Intent

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

MassDEP File Number _____

Document Transaction Number _____

City/Town _____

C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

2022 MASS GIS

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area

_____ percentage/acreage

(b) outside Resource Area

_____ percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/mas-endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

- (c) MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) Vegetation cover type map of site

- (e) Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1. Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NHESP

3. Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: dmf.envreview-north@mass.gov

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.

- c. Is this an aquaculture project? d. Yes No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP:

WPA Form 3 – Notice of Intent

MassDEP File Number

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

Document Transaction Number

City/Town

C. Other Applicable Standards and Requirements (cont'd)

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No **If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). Note: electronic filers click on Website.**
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

City/Town

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Existing Conditions & As-Built Site Plan

a. Plan Title

Zenith Land Surveyors, LLC

William J. McGovern

b. Prepared By

c. Signed and Stamped by

9/16/2022

1" = 20'

d. Final Revision Date

e. Scale

Mitigation Plan Showing Proposed Plantings

9/16/2022

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1144 & 1145

2. Municipal Check Number

10/7/2022 1146

3. Check date

1146

4. State Check Number

10/7/2022

5. Check date

Anthony V.

Vigna, Jr.

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

Provided by MassDEP

WPA Form 3 – Notice of Intent

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

MassDEP File Number

Document Transaction Number

City/Town

F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

10/15/2022
2. Date

3. Signature of Property Owner (if different)

9-19-22
4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

2044-2046 Shawmut Avenue

a. Street Address

1146

c. Check number

New Bedford, MA.

b. City/Town

\$42.50

d. Fee amount

2. Applicant Mailing Address:

Ian

a. First Name

Yates

b. Last Name

c. Organization

2044-2046 Shawmut Avenue

d. Mailing Address

New Bedford

e. City/Town

774-955-7686

h. Phone Number

i. Fax Number

j. Email Address

MA.

f. State

02746

g. Zip Code

3. Property Owner (if different):

same as applicant

a. First Name

b. Last Name

c. Organization

d. Mailing Address

e. City/Town

f. State

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
1b) Site work without a house	1	\$110.00	\$110.00

Step 5/Total Project Fee: \$110.00

Step 6/Fee Payments:

Total Project Fee:	\$110.00
State share of filing Fee:	\$42.50
City/Town share of filling Fee:	\$67.50+1,550.00=
	\$1,617.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
 Box 4062
 Boston, MA 02211
- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.
- To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)



City of New Bedford Conservation Commission •
Department of Environmental Stewardship
133 William Street • Room 304 • New Bedford, Massachusetts 02740
Telephone: 508-991-6133
Conservation • Environmental Stewardship • Resilience

CITY OF NEW BEDFORD, MASSACHUSETTS

CONSERVATION COMMISSION 2022 FILING FEE CALCULATION WORKSHEET*

PROJECT LOCATION: 2044-2046 Shawmut Avenue

MAP(S) 128 LOT(S) 24

APPLICANT: Ian Yates

CONSERVATION COMMISSION APPLICATION TYPE:

- REQUEST FOR DETERMINATION OF APPLICABILITY
 NOTICE OF INTENT
 AMENDED ORDER OF CONDITIONS
 EXTENSION PERMIT
 CERTIFICATE OF COMPLIANCE

(A) ALTERATION FEES:

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$200.00 plus the applicable alteration fee as follows:

	AMOUNT DUE:
• Application and Field Review Fee (\$200.00)	\$ <u>200.00</u>
• \$0.50 X _____ SF Wetland Resource Area Fee shall not exceed \$2000.00 per project	\$ _____
• \$0.05 X _____ SF of Isolated Land Subject to Flooding, Bordering Land Subject to Flooding or Land Subject to Coastal Storm Flowage Fee shall not exceed \$500.00	\$ _____
• \$0.50 X _____ SF of altered 25' Riverfront Area Fee shall not exceed \$1,500.00	\$ _____
• \$1.00 X _____ SF of undeveloped 25' Riverfront Area Fee shall not exceed \$2000.00	\$ _____
• \$5.00 X _____ LF of Coastal or Inland Bank Fee shall not exceed \$750.00	\$ _____



- \$0.10 X 6000 SF of Buffer Zone altered \$ 600.00
 Fee shall not exceed \$6,500.00
- \$10.00 X _____ LF of dock \$ _____
- \$10.00 X _____ acres of aquaculture \$ _____

(B) EXTENSION OF AN ORDER OF CONDITIONS:

- Single family dwelling, or minor project (house addition, in ground pool dock etc.) = \$200.00 \$ _____
- Subdivision, commercial or industrial project = \$400.00 \$ _____

(C) AMENDING A PERMIT

- Single family dwelling or minor project (house addition, in ground pool dock etc.) = \$200.00 + new alteration fee – refer to (A) above \$ _____
- Subdivision, commercial or industrial project = \$500.00 + new alteration fee – refer to (A) above \$ _____

(D) WETLAND DELINEATION VERIFICATION (with or without proposed alteration)

- ½ acre or less
- ½ acre to 2 acres = \$500.00 (\$100/acre thereafter) not to exceed \$3,500 \$ _____

(E) LEGAL AD FEE (fee set by local newspaper, subject to market price) \$ 250.00

(F) CERTIFICATES OF COMPLIANCE

- One new house = \$250.00 \$ _____
- One activity at an existing house = \$150.00 \$ _____
- Residential or Commercial docks = \$200.00 \$ _____
- Commercial & Industrial Facilities = \$1,500.00 \$ _____
- New Roadways & Associated Stormwater Mgt. Systems = \$1,500.00 \$ _____

Partial Certificates of Compliance have the same fee as a Certificate of Compliance, But you only pay the fee once (you do not pay double to obtain a full Certificate of Compliance).

(G) AFTER THE FACT FILING FEE

- Notice of Intent or Amended Order of Conditions = \$500.00 \$ 500.00
- Request for a Determination of Applicability = \$250.00 \$ _____

TOTAL AMOUNT DUE: \$ 1,550.00

Notes:

*Please refer to the Conservation Commission fee schedule – dated 02/2020

Please make check or Money Order payable to the City of New Bedford
 Cash is not accepted.





MASSACHUSETTS PROJECT REVIEW CHECKLIST

Massachusetts Endangered Species Act M.G.L. c.131A and Regulations (321 CMR 10.00)

Project Details

*Project or Site Name: Two Family Residence Yates - Vigna

*Street Address/Location: 2044-2046 Shawmut Avenue

*Town(s): New Bedford, MA, 02745

*Total Site Acreage: 1.33 Acres

*Acreage of Disturbance¹: 0.13 Ac. (Existing disturbance)

Parcel/lot number: 128

Assessors map/plat number: 24

Project Description (if necessary, a project/site description can also be provided as an attachment): _____

Paved driveway over existing gravel drive, sand volleyball court, proposed drainage swale/raingarden for driveway.

Registry of deeds information²

Registry: Bristol County South

Certificate # (if registered land): _____

Book: 12760

Page Number: 244

Do you have a previous NHESP Tracking number? (Yes / No) If yes, please provide: No

Will this project require a filing with the Conservation Commission and/or DEP pursuant to the Wetlands Protection Act (WPA)? (Yes / No)

Map

*Required: Enclose a map with the site location clearly marked and centered on the page.

Landowner Info

*Are you the Record Owner³ of the property? (Yes / No)

*If No, are you a representative of the Record Owner or do you have permission from the Record Owner to submit this request or filing?⁴ (Yes / No)

Ian Yates - Alison Vigna

*Landowner Name

2044-2046 Shawmut Avenue

New Bedford

MA.

02746

*Street Address/Location

*City/Town

*State

*Zip Code

774-955-7686

Email

Telephone

Comments/Purpose of request⁵:

¹ Please disclose the full acreage of disturbance associated with the project, including areas outside of Priority Habitat.

² If your project contains more than one registered property please attach a document listing the Registry information for each

³ Record Owner means any person or entity holding a legal or equitable interest, right or title to real property, as reflected in a written instrument or recorded deed, or any person authorized in writing by such person.

⁴ If you are not the record owner, a statement or proof that you are authorized by the record owner must be attached.

⁵ Provide the authorization you have to submit this request if you are not the record owner and not a representative of the record owner

Ian Yates / Anson Vigna

Applicant Name (if different from Landowner)

2044-2046 Shawmut Avenue

New Bedford

MA

02746

Street Address/Location

City/Town

State

Zip Code

Email (if available)

Telephone

Representative Info

William McGovern - Zenith Land Surveyors, LLC

Applicant Name (if different from Landowner)

1152 Rockdale Avenue

New Bedford

MA

02740

Street Address/Location

City/Town

State

Zip Code

tmcgovern@zslc.com

(508) 995-0100

Email (if available)

Telephone

*Required Documents

- USGS map (1:24,000 or 1:25,000) with property boundary clearly outlined
- Project plans for entire site (including wetland Resource Areas, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work)
- Assessor's map or right-of-way plan of site
- Statement/proof that applicant is the Record Owner or that applicant is a person authorized in writing by the record owner to submit this filing
- Photographs representative of the site

Projects altering 10 or more acres, must also submit:

- A vegetation cover type map of the site
- Project plans showing Priority Habitat boundaries

The Division will notify you within 30 days if the materials submitted do not satisfy the filing requirements under 321 CMR 10.20. The Division may request additional information, such as, but not limited to, species and habitat surveys. A request for additional information would come within 30 days of receiving a complete filing.

*Filing Fee

Fee schedule is available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>

***Total MESA Fee Enclosed:** \$300.00 Payable via check to **Comm. of MA - NHESP**

*Required Signatures

I hereby certify under the pains and penalties of perjury that the information contained is true and complete to the best of my knowledge

Signature of Property Owner/Record Owner of Property

Date

Signature of Applicant (if different from Owner)

Date

Please mail this completed form, with the required document and fee to:
NHESP Regulatory Review | MassWildlife Field Headquarters | 1 Rabbit Hill Road | Westborough, MA 01581

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

For delivery information, visit our website at www.usps.com™.

WESTBOROUGH MA 01581

7022 0410 0000 4146 0379

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee as appropriate)	\$7.35
<input type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$3.60

Total Postage and Fees \$10.95

0745
76

Postmark
Here

10/06/2021

Sent To **Natural Heritage Endangered Species**
Division of Fisheries & Wildlife
Street and Apt. No., or PO Box No.
1 Rabbit Hill Road
City, State, ZIP+4®
Westborough, MA 01581

Shawmut No 1

Appendix A

FEMA F.I.R.M Map 25005C-0386G

NHESP Habitat Polygon Mass GIS

U.S.G.S. Quad Map Excerpt Mass GIS

D.E.P. Wetlands & Wetlands Change Map

New Bedford Assessor's Map Excerpt

National Flood Hazard Layer FIRMette



70°58'39"W 41°41'11"N



70°58'2"W 41°40'44"N

1:6,000

Feet

2,000

1,500

1,000

500

0

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS

- Without Base Flood Elevation (BFE)
Zone A, V, AE, AH, VE, AR
- With BFE or Depth Zone AE, AD, AH, VE, AR
Regulatory Floodway

0.2% Annual Chance Flood Hazard. Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile

Future Conditions 1% Annual Chance Flood Hazard

Area with Reduced Flood Risk due to Levee. See Notes.

Area with Flood Risk due to Levee

OTHER AREAS OF FLOOD HAZARD

- NO SCREEN
- Area of Minimal Flood Hazard
- Effective LOMRs
- Area of Undetermined Flood Hazard

GENERAL STRUCTURES

- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES

- Cross Sections with 1% Annual Chance Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS

- Digital Data Available
- No Digital Data Available
- Unmapped

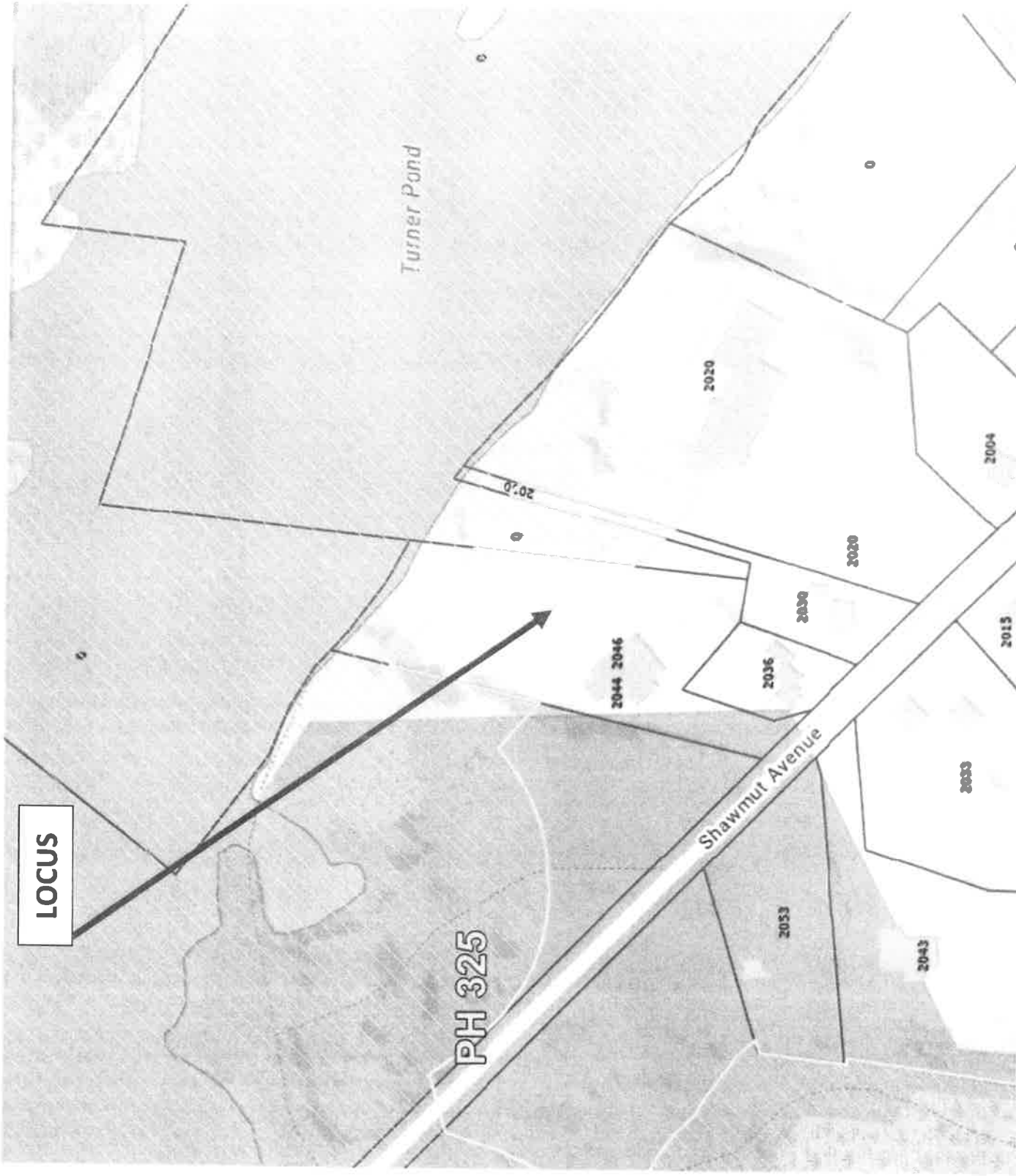
The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

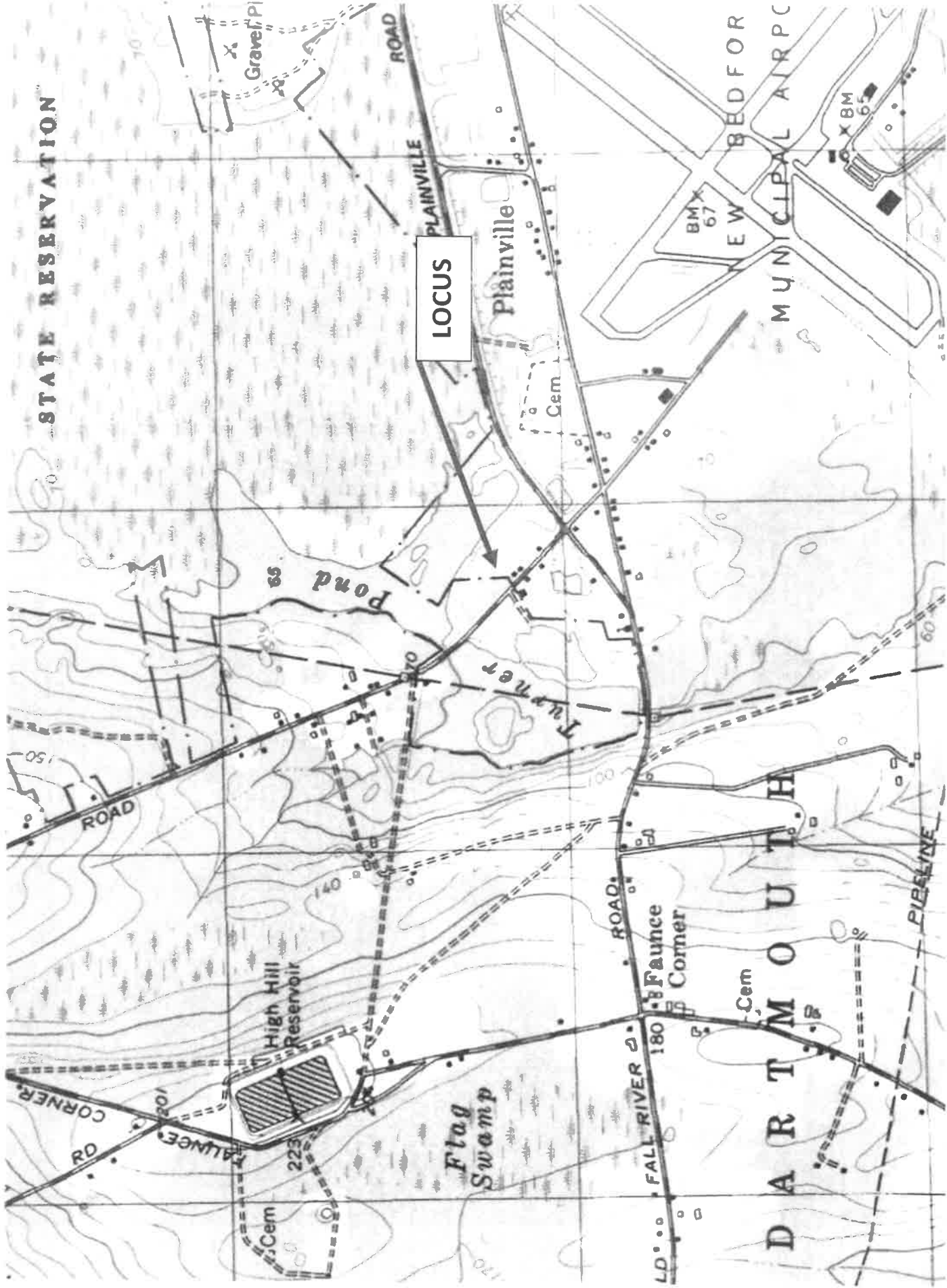
The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 7/11/2022 at 1:28 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

2044-2046 SHAWMUT AVENUE NEW BEDFORD
NHESP HABITAT MAPPING FROM MASSGIS



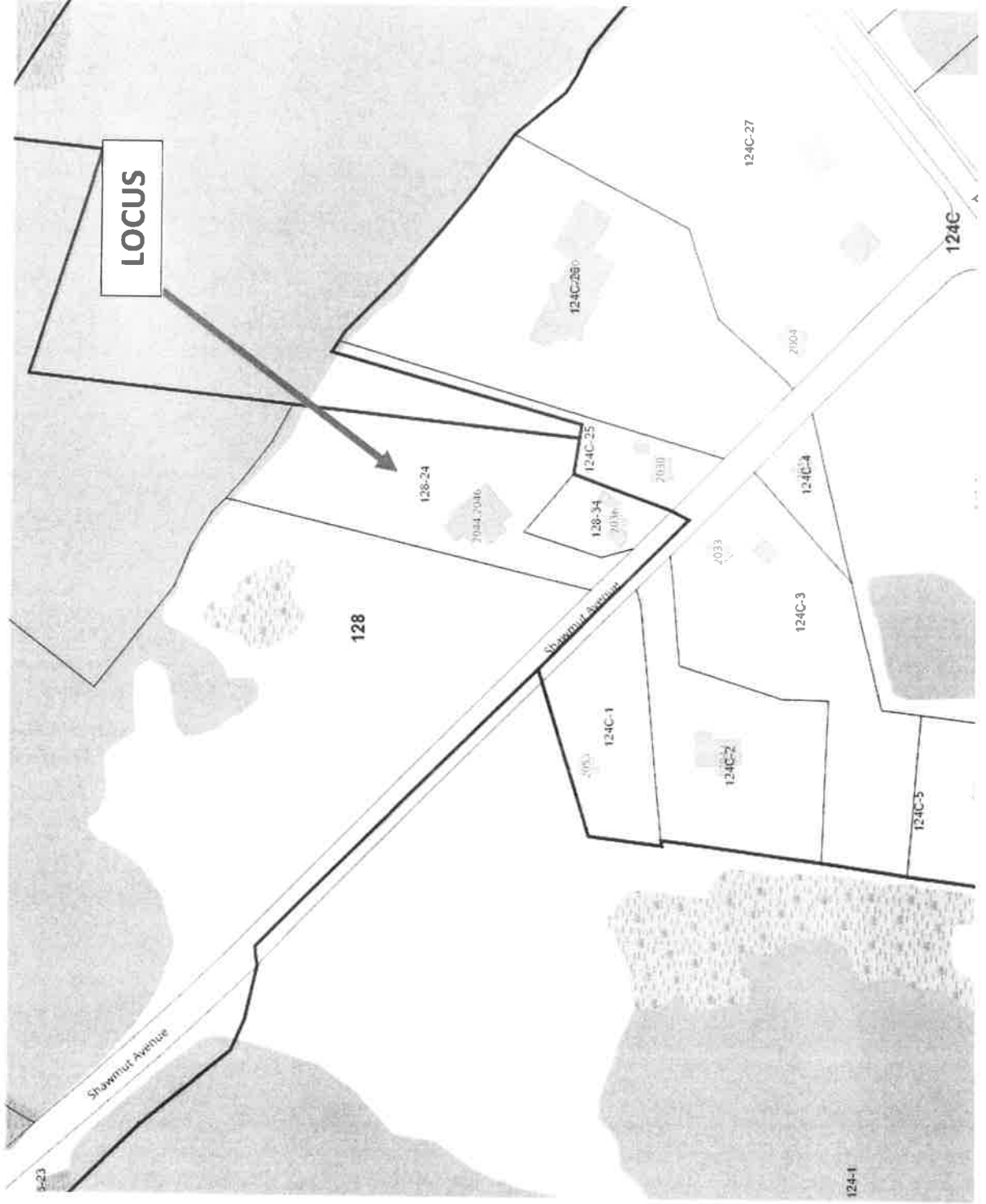
2044-2046 SHAWMUT AVENUE NEW BEDFORD
USGS TOPO FROM MASSGIS



2044-2046 SHAWMUT AVENUE NEW BEDFORD
MASSDEP WETLAND CHANGE AREA MAP FROM MASSGIS



2044-2046 SHAWMUT AVENUE
NEW BEDFORD MA. ASSESSOR MAPPING



Appendix B

Request for Certified Abutter's List

Abutter Notification Letter

Certified Abutter's List



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 #	128	LOT(S)#	24
ADDRESS: 2044-2046 Shawmut Avenue			
OWNER INFORMATION			
NAME: Ian Yates			
MAILING ADDRESS: 2044-2046 Shawmut Avenue			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Rachel Saraceno - Zenith Land Surveyors (Contact)			
MAILING ADDRESS (IF DIFFERENT): 1162 Rockdale Avenue New Bedford, MA. 02740			
TELEPHONE #	(508)-995-0100		
EMAIL ADDRESS:	rsaraceno@zlsllc.com		
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<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 (<i>Please explain</i>):		

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.
 Submit this form to the Department of City Planning, Room 303 in City Hall, 133 William Street, or Email to
 Angela.Goncalves@newbedford-ma.gov. The applicant is 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.

Printed Name
Signature
Date

Amount Due

Date Paid

Confirmation Number

**NOTIFICATION TO ABUTTERS UNDER THE CITY OF NEW BEDFORD WETLANDS
ORDINANCE AND THE MA WETLANDS PROTECTION ACT**

In accordance with the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112) and the MA Wetlands Protection Act (M.G.L. c. 131 S.40) you are hereby notified of the following:

The name of the applicant is: Ian Yates

The applicant has filed a Notice of Intent 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 and MA Wetlands Protection Act.

The address of the lot where the activity is proposed is: 2044-2046 Shawmut Avenue
Assessors Map 128; Lot 24

Copies of the Notice of Intent may be examined at the New Bedford Conservation Commission, Room 304 – City Hall, 133 William St. New Bedford, MA 02740 between the hours of 8:00 AM and 4:00 PM, Monday through Friday. For more information contact the New Bedford Conservation Commission at 508-991-6188.

Copies of the Notice of Intent may be obtained from either (check one) the applicant _____ or the applicant's representative X by calling this telephone number (508) 995-0100 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

Information regarding the date, time and place of the Public Hearing may be obtained from the 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 of the Public Hearing in the Standard Times newspaper.

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



City of New Bedford
REQUEST for a CERTIFIED ABUTTERS LIST

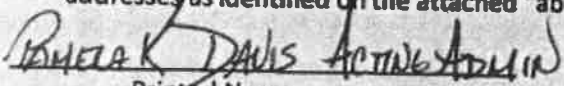

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY	
MAP #	128
LOT(S)#	24
ADDRESS: 2044-2046 Shawmut Avenue	
OWNER INFORMATION	
NAME: Ian Yates & Allison Vigna	
MAILING ADDRESS: 2044-2046 Shawmut Avenue	
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT): Rachel Saraceno- Zenith Land Surveyors (Contact)	
MAILING ADDRESS (IF DIFFERENT): 1162 Rockdale Avenue New Bedford, MA 02740	
TELEPHONE #	(508) 995-0100
EMAIL ADDRESS:	rsaraceno@zslc.com
REASON FOR THIS REQUEST: <i>Check appropriate</i>	
<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 Department of City Planning, Room 303 in City Hall, 133 William Street, or Email to Angela.Goncalves@newbedford-ma.gov. The applicant is 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.



9/23/2022

Printed Name Signature Date

Amount Due	\$5.00
Date Paid	9/28/2022
Confirmation Number	Check-2668

CITY OF NEW BEDFORD
 Schedule of Departmental Payments to Treasurer
 Single Charge Code

Paid 9/28/22

Department/Contact: ASSESSORS
 GL String: 01411160-439020
 Treasury: TW06-101010

Date: 9/23/2022
 Charge Code: ASSFEE

From Whom	Source (cash, check, etc)	Amount	Total
DEPARTMENTAL RECEIPT	CC	\$ 5.00	
ABUTTERS LIST	<i>check # 2668</i>		
128-24			
2044-2046 Shawmut Avenue			
Rachel Saraceno			

To the City Treasurer:
 The above is a detailed list of revenue collected by me, amounting in the aggregate of _____ Dollars
 Receipt# 4089355 Signature: *Zyella Jones*
 Title: PRINCIPAL CLERK

CITY OF NEW BEDFORD
 Schedule of Departmental Payments to Treasurer
 Single Charge Code

Department/Contact: ASSESSORS
 GL String: 01411160-439020
 Treasury: TW06-101010

Date: 9/23/2022
 Charge Code: ASSFEE

From Whom	Source (cash, check, etc)	Amount	Total
DEPARTMENTAL RECEIPT	CC	\$ 5.00	
ABUTTERS LIST	<i>check # 2668</i>		
128-24			
2044-2046 Shawmut Avenue			
Rachel Saraceno			

To the Departmental Officer making the Payment
 Received in Treasurer's Office _____, the sum of _____ Dollars
 for collections, as per schedule of this date, filed in my office
 Receipt# 4089355 City Treasurer
 By _____

September 23, 2022

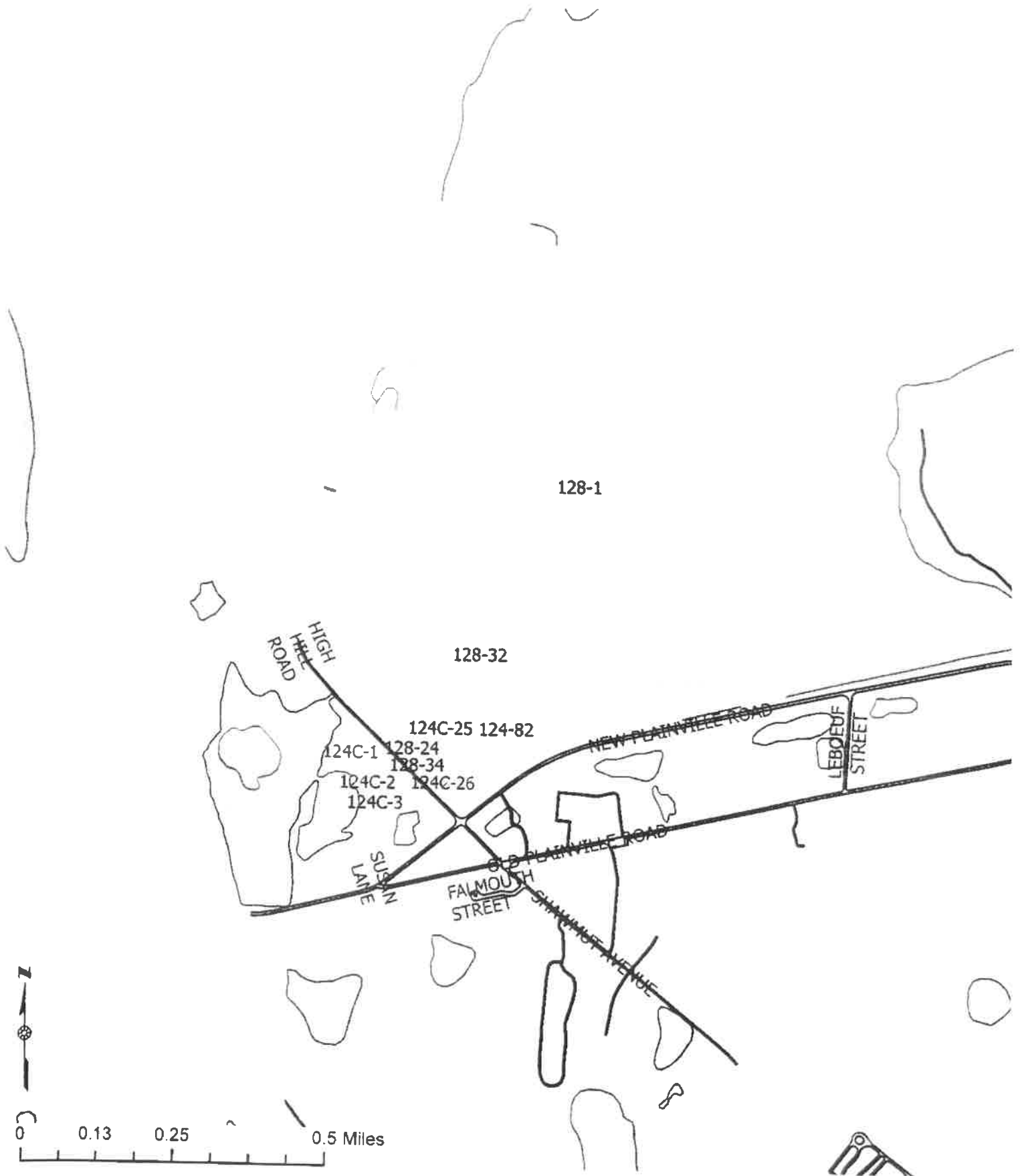
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 2044-2046 Shawmut Avenue (Map: 128, Lot: 24). 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
124-82	NS NEW PLAINVILLE RD	CITY OF NEW BEDFORD, AIRPORT COMMISSION 131 WILLIAM ST NEW BEDFORD, MA 02740
128-24	2044-2046 SHAWMUT AVE	YATES IAN, VIGNA ALLISON, VIGNA ANTHONY, 2044-2046 SHAWMUT AVENUE NEW BEDFORD, MA 02746
124C-2	2043 SHAWMUT AVE	BOOKER BRIAN, BOOKER SHERRIE 2043 SHAWMUT AVE NEW BEDFORD, MA 02745
124C-1	2053 SHAWMUT AVE	BOOKER BRIAN, BOOKER SHERRIE 2043 SHAWMUT AVE NEW BEDFORD, MA 02745
124C-3	2033 SHAWMUT AVE	BOOKER BRUCE E, 2033 SHAWMUT AVENUE NEW BEDFORD, MA 02746
128-34	2036 SHAWMUT AVE	COELHO JUSTIN, CYR JOSEPH, ALANDER-CYR JANICE MAE, 2036 SHAWMUT AVE NORTH DARTMOUTH, MA 02747
124C-26	2020 SHAWMUT AVE	PELLETIER ERIC PAUL, PELLETIER BETH A 875 STATE ROAD STE 11-323 WESTPORT, MA 02790
124C-25	2030 SHAWMUT AVE	BOOKER BRUCE E, BOOKER KIM P 2033 SHAWMUT AVE NEW BEDFORD, MA 02746
128-32	NS NEW PLAINVILLE RD	CITY OF NEW BEDFORD, AIRPORT COMMISSION 131 WILLIAM ST NEW BEDFORD, MA 02740
128-1	NS NEW PLAINVILLE RD	COMMONWEALTH OF MASS DEPT, DEPT OF ENVIRONMENTAL MGT OFFICE OF THE COMMISSIONER 100 CAMBRIDGE ST BOSTON, MA 02202

Note: This map was developed using the best available data and serves as a guide rather than a determination. Data should be confirmed in the field to ensure accuracy.



City of New Bedford, Massachusetts
Department of City Planning

Parcels within 100FT

- Road Edge
- Water
- Street Names

7022 0410 0000 4146 0362

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

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.25
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$4.75

Sent to: **DEP**
 Street and Apt. No., or PO Box No.
Box 4062
 City, State, ZIP+4®
Boston, MA 02211

Postmark Here: 10/06/2022 Shawmut NO1

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

7022 0410 0000 4146 0317

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

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.25
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$4.75

Sent to: **Eric Paul & Beth A. Pelletier**
 Street and Apt. No., or PO Box No.
875 Stak Rd. Ste 11-323
 City, State, ZIP+4®
Westport MA 02790

Postmark Here: 10/06/2022 Shawmut NO1

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

7022 0410 0000 4146 0379

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

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.25
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$4.75

Sent to: **Natural Heritage & Endangered Spc**
Division of Fisheries & Wildlife
 Street and Apt. No., or PO Box No.
1 Rabbit Hill Road
 City, State, ZIP+4®
Westborough, MA 01581

Postmark Here: 10/03/2022 Shawmut N

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

7022 0410 0000 4146 0355

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

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.25
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$4.75

Sent to: **City of New Bedford - Airport Comm.**
 Street and Apt. No., or PO Box No.
131 William Street
 City, State, ZIP+4®
New Bedford, MA 02740

Postmark Here: 10/06/2022 Shawmut NO

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

7022 0410 0000 4146 0324

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

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.25
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$4.75

Sent to: **Comm. of MA**
Dept. of Environ. Mgmt. - Office of Com.
 Street and Apt. No., or PO Box No.
100 Cambridge Street
 City, State, ZIP+4®
Boston MA 02202

Postmark Here: 10/06/2022 Shawmut N

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

7022 0410 0000 4146 0294

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

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee \$4.00

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$0.25
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00

Postage \$0.50

Total Postage and Fees \$4.75

Sent to: **Brian & Sherrie Booker**
 Street and Apt. No., or PO Box No.
2043 Shawmut Avenue
 City, State, ZIP+4®
New Bedford, MA 02745

Postmark Here: 10/06/2022 Shawmut NO1

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

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 0000

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

For delivery information, visit our website at www.usps.com®

North Dartmouth MA 02747 USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee if appropriate)	\$7.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$3.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.00
Total Postage and Fees	\$11.75

Postmark here

10/06/2022

Sent To: **Bruce E. Booker**
 Street and Apt. No., or PO Box No. **2033 Shawmut Avenue**
 City, State, ZIP+4® **New Bedford MA 02746**

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

7022 0410 0000 4146 0331

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

For delivery information, visit our website at www.usps.com®

North Dartmouth MA 02747 USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee if appropriate)	\$7.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$3.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.00
Total Postage and Fees	\$11.75

Postmark here

10/06/2022

Sent To: **Bruce E. & Kim P. Booker**
 Street and Apt. No., or PO Box No. **2033 Shawmut Avenue**
 City, State, ZIP+4® **New Bedford MA 02746**

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

7022 0410 0000 4146 0348

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

For delivery information, visit our website at www.usps.com®

North Dartmouth MA 02747 USE

Certified Mail Fee	\$4.00
Extra Services & Fees (check box, add fee if appropriate)	\$7.75
<input type="checkbox"/> Return Receipt (hardcopy)	\$3.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.60
Total Postage and Fees	\$12.35

Postmark here

10/06/2022

Sent To: **Justin Coelho, Joseph Cyr, Janie Mac Alexander**
 Street and Apt. No., or PO Box No. **2036 Shawmut Avenue**
 City, State, ZIP+4® **Dartmouth MA 02747**

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

Appendix C

Proof of Ownership Form

Copy of Record Deed

Copy of Record Plan

Appendix

- (1) Owner's/Landlord's Name: IAN YATES, ALISSA VIGNA, ANTHONY VIGNA
- (2) Title Reference to Property: Bk. 12760, Pg. 244

(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

- (3) If the Applicant is Not the Owner:

Provide:

1. Notarized authorization letter from owner to tenant or buyer for application for this permit (on letterhead);
2. Copy of Purchase & Sale agreement or lease, where applicable;

(In addition, for ZBA only)

3. Copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.



Bk: 12760 Pg: 244 Pg: 1 of 3 BS
Doc: DEED 04/11/2019 12:54 PM

QUITCLAIM DEED

We, IAN YATES, ALLISON VIGNA and ANTHONY VIGNA,

For consideration paid, and in consideration of love and affection,

GRANT an undivided one-half (1/2) interest to IAN YATES and an undivided one-half (1/2) interest to ALLISON VIGNA and ANTHONY VIGNA for the term of ALLISON VIGNA's and ANTHONY VIGNA's joint lives and to the survivor for life, now of 2044-2046 Shawmut Ave, New Bedford, MA, with no power to mortgage, sell or convey, with the remainder of ALLISON VIGNA's and ANTHONY VIGNA's one-half 1/2 interest to DEREK YATES, IAN YATES, GINA A. VIGNA, MELISSA L. VIGNA and TABITHA A. VIGNA, as tenants in common, *ALL OF 206 SHAWMUT AVE, NEW BEDFORD, MASS*

With QUITCLAIM COVENANTS,

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

BEGINNING at the southwest corner of the land herein described at a point in the northeasterly line of Shawmut Avenue, and at the southeast corner of land now or formerly of the Commonwealth of Massachusetts as shown on plan of land hereinafter mentioned;

thence SOUTH 45 DEGREES 52' 10" EAST in said line of Shawmut Avenue, sixty-five and 00/100 (65.00) feet to Lot #1 as shown on said plan;

thence NORTH 08 DEGREES 30' 36" WEST in line of last-named lot, thirty-two and 96/100 (32.96) feet to a point for a corner;

thence NORTH 17 DEGREES 48' 33" EAST still in line of last-named lot, one hundred seven and 06/100 (107.06) feet to a point for a corner;

thence SOUTH 47 DEGREES 48' 32" EAST still in line of last-named lot, ninety-six and 93/100 (96.93) feet to land now or formerly of Mary Walega as shown on said plan;

thence SOUTH 79 DEGREES 41' 35" EAST in line of last-named land, forty-four and 30/100 (44.30) feet to a point for a corner;

Property Address: 2044-2046 Shawmut Avenue, New Bedford, Massachusetts 02747

Offices
LMB,
& SULLARD
and Street
Massachusetts
740

Please return to:

thence NORTH 05 DEGREES 19' 04" EAST still in line of last-named land, three hundred twenty-five and 15/100 (325.15) feet to land now or formerly of the City of New Bedford;

thence NORTH 43 DEGREES 07' 07" WEST in line of last-named land, one hundred sixty and 00/100 (160.00) feet to said land now or formerly of the Commonwealth of Massachusetts; and

thence SOUTH 13 DEGREES 37' 22" WEST in line of last-named land, four hundred seventy and 00/100 (470.00) feet to the said northeasterly line of Shawmut Avenue and the point of beginning.

CONTAINING 58,190 square feet, more or less.

BEING shown as Lot #2 on "Plan of Land of 2036 Shawmut Avenue in New Bedford, MA, prepared by Aaberg Associates, Inc., 4480 Acushnet Avenue, New Bedford, MA 02745" dated May 13, 2005 and filed with the Bristol County (S.D.) Registry of Deeds in Plan Book 156, Page 13.

The Grantors herein release any and all rights of homestead they may have acquired in and to the subject property by statute or otherwise and further state under the pains and penalties of perjury, no other person has the right to claim homestead benefits in said property.

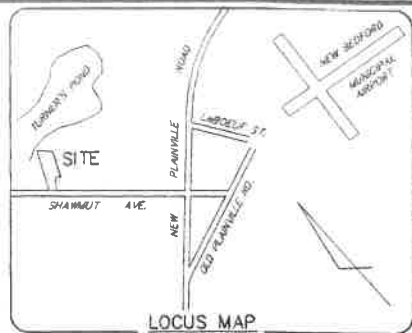
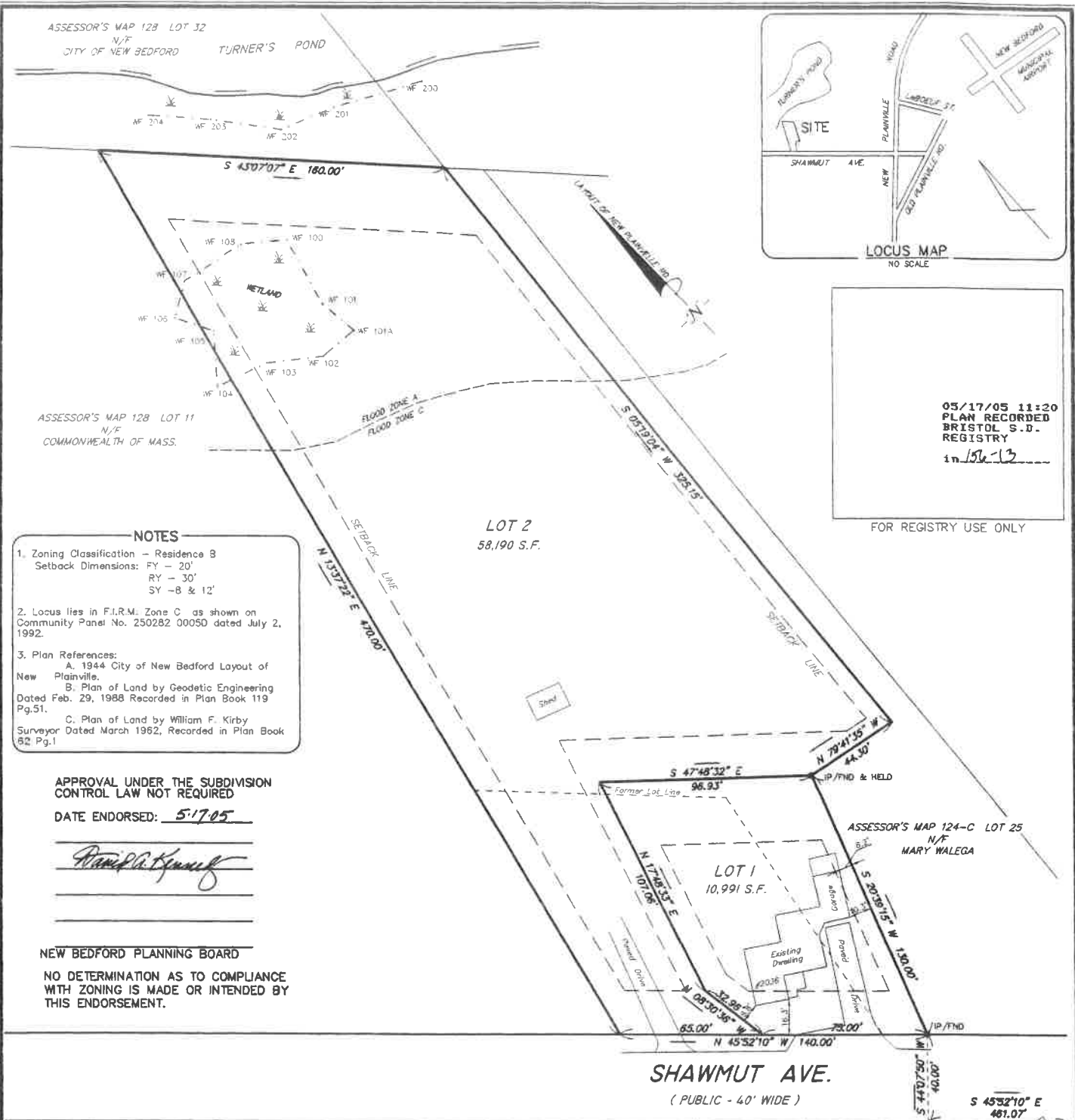
For Grantor's Title, see deed dated October 25, 2018 and recorded in the Bristol County (S.D.) Registry of Deeds in Book 12615, Page 1.

Reserving unto ALLISON VIGNA and ANTHONY VIGNA during their lifetimes and the lifetime of the survivor, the right, privilege and power to change or appoint additional, alternate, or substitute remaindermen so long as such appointment is not made to ALLISON VIGNA and ANTHONY VIGNA. The exercise of this special power of appointment shall be made in writing and recorded in the Registry of Deeds in which title to the locus contained herein is recorded and shall expire upon the death of the last to survive of ALLISON VIGNA and ANTHONY VIGNA, or if it is specifically released in writing and recorded in said Registry of Deeds.

No notice to, or assent by, the remaindermen in this deed shall be necessary in connection with the exercise of the right reserved by ALLISON VIGNA and ANTHONY VIGNA in this deed.

TITLE NOT EXAMINED.

156-13



05/17/05 11:20
 PLAN RECORDED
 BRISTOL S.D.
 REGISTRY
 in 156-13

FOR REGISTRY USE ONLY

NOTES

- Zoning Classification - Residence B
 Setback Dimensions: FY - 20'
 RY - 30'
 SY - B & 12'
- Locus lies in F.I.R.M. Zone C as shown on Community Panel No. 250282 0005D dated July 2, 1992.
- Plan References:
 A. 1944 City of New Bedford Layout of New Plainville.
 B. Plan of Land by Geodetic Engineering Dated Feb. 29, 1988 Recorded in Plan Book 119 Pg.51.
 C. Plan of Land by William F. Kirby Surveyor Dated March 1962, Recorded in Plan Book 52 Pg.1

APPROVAL UNDER THE SUBDIVISION CONTROL LAW NOT REQUIRED

DATE ENDORSED: 5/17/05

Handwritten signature

NEW BEDFORD PLANNING BOARD
 NO DETERMINATION AS TO COMPLIANCE WITH ZONING IS MADE OR INTENDED BY THIS ENDORSEMENT.

SHAWMUT AVE.
 (PUBLIC - 40' WIDE)

S 45°32'10" E 461.07'

NOTE:
 LOTS 1 & 2 SUBJECT TO ZONING VARIANCES GRANTED BY THE CITY OF NEW BEDFORD BOARD OF APPEALS ON FEBRUARY 3, 2005 RECORDED AS DOC.#12515 IN DEED BOOK 7516 PAGE 149 ON 4/25/05.

OWNER
 Richard & Joanne Chagnon
 8 Faunce Corner Road
 N. Dartmouth, MA
 Deed Book : 7286 Pg.262
 Assessor's Map: 128 Parcels: 24, 34



DOUGLAS L. ABERG
 No 35382
Douglas L. Aberg

PLAN OF LAND

2036 SHAWMUT AVE

IN
NEW BEDFORD, MA

SCALE: 1" = 30' DATE: MAY 13, 2005

AABERG ASSOCIATES INC.
 Professional Land Surveyors

40 W. Washington St. Unit C-17 4480 Acushnet Avenue
 Norwell, MA 02061 New Bedford, MA 02745
 Phone: (781) 378-6151 Phone: (508) 995-6678
 Fax: (781) 878-3383 Fax: (508) 995-6617

Drawn By:	Checked By:
JJR	DLA
File Name:	Job No.:
159.DWG	2004.159

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS

Douglas L. Aberg
 PROFESSIONAL LAND SURVEYOR

5/13/05
 DATE

156-13