



CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

September 5, 2019

Ms. Francine Alphonse  
29 Rosa Drive  
New Bedford, MA 02745

Re: Installation of hot tub in the 100' Buffer Zone  
29 Rosa Drive (Map 136, Lot 23)

Dear Ms. Alphonse,

This letter is to notify you that the hot tub in your backyard is located within the 100' Buffer Zone to Bordering Vegetated Wetlands (BVW). BVW's are protected under the MA Wetlands Protection Act (M.G.L. c.131 S40) and Regulations (310 CMR 10.00 et seq.) and the City of New Bedford Wetlands Ordinance.

As required by the Conservation Commission, you have a post & rail fence to establish a No Disturb Zone in perpetuity to protect the BVW on your property. However, the 100' Buffer Zone extends into the upland from the BVW boundary and, in your case, the entire developed portion of your lot (house, garage, lawn, deck etc.) is located within the 100' Buffer Zone. This means prior to constructing or installing any amenities to your house, such as a hot tub, pool, house addition etc. you should inquire of the Conservation Commission if a permit is required **prior to** conducting the work. Conservation Commission review of projects in the developed portion of the 100' Buffer Zone is required to ensure that the work does not impact the adjacent BVW. Please see enclosed as-built plan of your lot prepared by SITEC.

The Conservation Commission determined at their August 27<sup>th</sup> meeting, that the hot tub was a minor project and they are not requesting that you file for a permit. However, you should immediately seed the disturbed ground surrounding the hot tub to prevent erosion of soil towards the BVW. Please contact me if you should have any questions regarding this correspondence.

Sincerely,

Sarah E. Porter  
Conservation Agent

cc: Conservation Commissioners  
encl.