



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:

Ronald Labelle, Commissioner of New Bedford- DPI
Name
1105 Shawmut Ave
Mailing Address
New Bedford
City/Town
508-979-1550
Phone Number
Ronald.Labelle@newbedford-ma.gov
MA
State
02746
Zip Code
508-961-3054
Fax Number (if applicable)

2. Representative (if any):

City of New Bedford- DPI
Firm
Stephanie Dupras
Contact Name
1105 Shawmut Ave
Mailing Address
New Bedford
City/Town
508-979-1550 ext.107
Phone Number
Stephanie.Dupras@newbedford-ma.gov
MA
State
02746
Zip Code
508-961-3054
Fax Number (if applicable)

B. Determinations

1. I request the New Bedford 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).



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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):

<u>North Side of Nash Road</u> Street Address	<u>New Bedford</u> City/Town
<u>Nash Road ROW & Assessors Map -123</u> Assessors Map/Plat Number	<u>Parcel - 42</u> Parcel/Lot Number

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

Location is where the Nash Rd Pond's south edge meets with retaining wall of sidewalk and railing on the north side of Nash Rd. Pond is located between Mount Pleasant Street and King Street.

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

<u>Proposed Maintenance Plan</u> Title	<u>December 2013</u> Date
<u>Google Map</u> Title	<u>December 2013</u> Date
<u>Right of Entry Form</u> Title	<u>January 2014</u> Date

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

- DPI will trim all brush and trees (diameters less than 4 inches) that have overgrown along retaining wall of pond's edge.
- DPI will repair various sections of railing as needed.
- Work will extend entire length of retaining wall on the pond's south side.



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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).

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:

<u>City of New Bedford - Department of Public Infrastructure - Ronald H. Labelle</u>	
Name	
<u>1105 Shawmut Ave</u>	
Mailing Address	
<u>New Bedford</u>	
City/Town	
<u>MA</u>	<u>02746</u>
State	Zip Code

Signatures:

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

Signature of Applicant

Date

Signature of Representative (if any)

Date