



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 H. Labelle Name	Ronald.Labelle@newbedford-ma.gov	
1105 Shawmut Avenue Mailing Address		
New Bedford City/Town	MA State	02746 Zip Code
508 979-1550 Phone Number	508 991-6152 Fax Number (if applicable)	

2. Representative (if any):

Department of Public Infrastructure Firm	David.Fredette@newbedford-ma.gov	
David Fredette Contact Name		
1105 Shawmut Avenue Mailing Address		
New Bedford City/Town	MA State	02746 Zip Code
508 979-1550 x 128 Phone Number	508 991-6152 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:

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):

<u>Beach @ Sassaquin Ave Sewerage Pump Station</u>	<u>New Bedford</u>
Street Address	City/Town
<u>Map 138</u>	<u>Lot 438</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

This project encompasses the immediate water's edge area in front of the Sassaquin Pond Sewer Pump Station located on the south side of Sassaquin Avenue from the 21" stormwater outfall located at the south east corner of the subject parcel west approximately 180 feet to the boat pier located at the west end of the subject lot. The proposed dredging area limits have filled in over the past decades largely due to debris borne runoff that covered the former beach area and promoted growth of phragmites and other vegetation that eventually encroached and displaced the former water's edge zone to the point that it is nearly nonexistent at the former location and also buried nearly the entire opening of an existing stormwater discharge pipe creating intermittent street flooding and dangerous conditions. See the attached April 2013 Google image and proposed dredge area plan for more detailed description.

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

<u>Dredging Area Detail Approximately 5250 SF</u>	<u>July 1, 2015</u>
Title	Date
_____	_____
Title	Date
_____	_____
Title	Date

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

This project in general consists of using a tracked excavator to dredge approximately 5250 SF of existing beach area down generally 12"- 24" deep and up to 36" along the north limit where the vegetation layer is thickest. The dredging is proposed to be performed during a drought period that will allow removal of the offending established vegetation when the water's edge is a minimum of ten (10) feet away from the proposed dredging area limit of removal along the water side. DPI will utilize approximately 210 LF of polyethelyene mesh silt fence placed at the water's edge and set with 1" X 1" stakes at nominal five (5) foot spacing to minimize the migration of silt and mud into the pond. Upon removal of the sufficient vegetation and debris to preclude re-establishment of the phragmites, the water will be allowed to return to the former water's edge and the silt barrier will be removed.



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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:

Name

Mailing Address

City/Town

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