

Massachusetts Department of Environmental ProtectionBureau 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 1. forms on the computer, use only the tab key to move your cursor - do not use the return





1.	Applicant:					
	DPM Development Corp. Name	F-Mail Δddress	E-Mail Address			
	70 Lambeth Street	L-Iviali Addiess	1			
	Mailing Address					
	New Bedford	MA	02745			
	City/Town	State	Zip Code			
	508-294-7974	- Clair	p			
	Phone Number	Fax Number (if	applicable)			
2.	Representative (if any):	,	,			
	Zenith Consulting Engineers, LLC.					
	Firm					
	Jamie Bissonnette	Jamie@zcel	llc com			
	Contact Name	E-Mail Address				
	3 Main Street					
	Mailing Address					
	Lakeville	MA	02347			
	City/Town	State	Zip Code			
	508-947-4208					
	Phone Number	Fax Number (if	applicable)			
В.	. Determinations					
1.	I request the New Bedford make the follow	wing determination(s	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.	jurisdiction of the Wetlands Protection Act.				
	M h whether the houndaries of recourse area(s) depicted on plan(s) and/or man(s) referenced					
	b. whether the boundaries of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.					
	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					
	5					
	 e. whether the following scope of alternatives is addepicted on referenced plan(s). 	equate for work in the	e Riverfront Area as			



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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):				
	Seth Daniel Drive and Acushnet Ave	New Bedford			
	Street Address	City/Town			
	136	Lots 251, 252 and 487			
	Assessors Map/Plat Number	Parcel/Lot Number			
	b. Area Description (use additional paper, if necessary):				
	The property is comprised of three (3) parcels of land. The lots fall to the east of Acushnet Ave and west and south westerly side of Seth Daniel Dr. The wetland resource area is located				
	Discount Handbard D. Conservato				
	c. Plan and/or Map Reference(s):				
	Plan to Accompany an RDA Filing	3/2/2023			
	Title	Date			
	Title	Date			
	Title	Date			
2.	a. Work Description (use additional paper and/or provide plan(s) of work, if necessary):				
tab	Removal of loam pile and test pit excavation with a ple purposes.	certified soil evaluator for drainage and water			



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C. Project Description (cont.)

	 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 deer 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.)



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

Name and address of the property owner:

New Bedford City/Town

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

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.

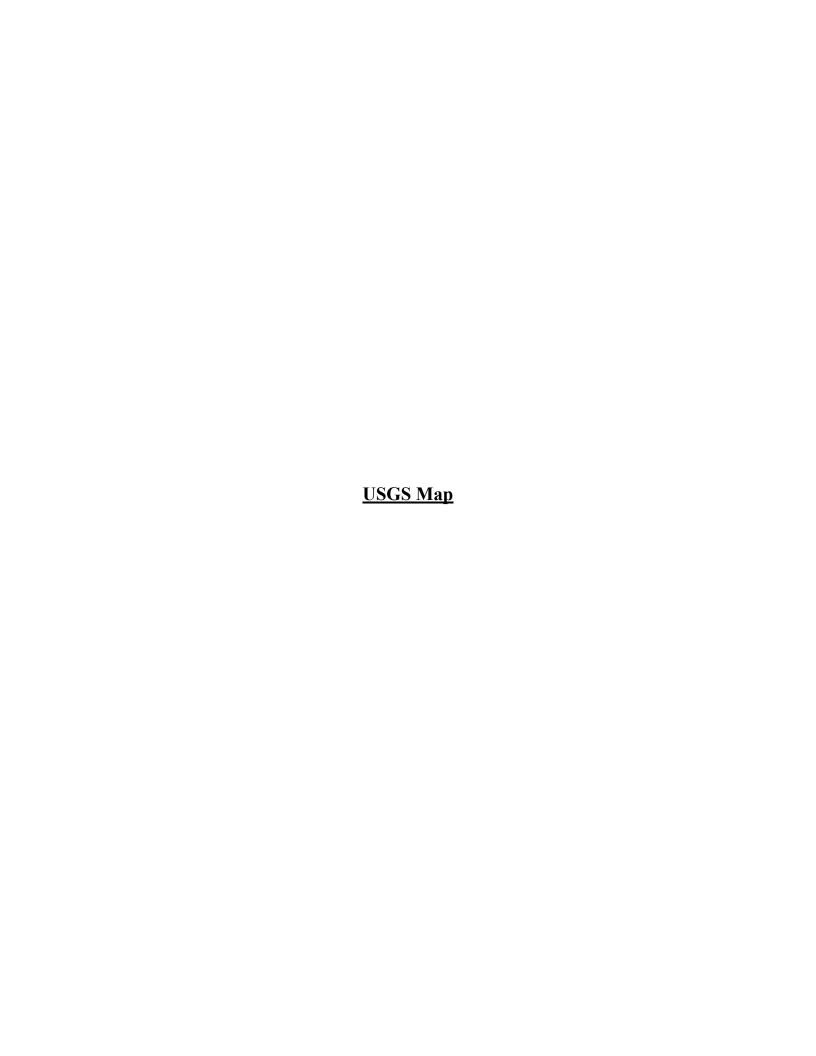
Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

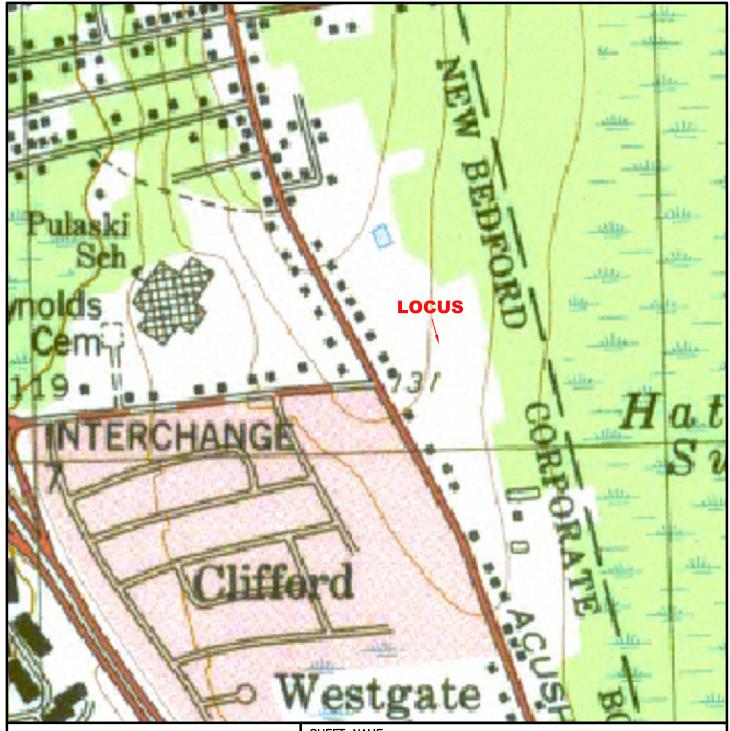
Name	
70 Lambeth Street	
Mailing Address	
New Bedford	
City/Town	
MA	02745
State	Zip Code
	will be placed in a local newspaper at my expense Wetlands Protection Act regulations.
	Wetlands Protection Act regulations.
also understand that notification of this Request	
also understand that notification of this Request accordance with Section 10.05(3)(b)(1) of the N	Wetlands Protection Act regulations. 3(9/2023
accordance with Section 10.05(3)(b)(1) of the	Wetlands Protection Act regulations. 3(9/2003
also understand that notification of this Request accordance with Section 10.05(3)(b)(1) of the N	Wetlands Protection Act regulations. 3(9/2003

Locus: Assessors Map 136 Lots 251, 252 and 487 Seth Daniel Drive and Acushnet Ave. New Bedford, MA

Request for Determination Attachments

- USGS Map
- Firm Map
- Certified Abutters List
- Notification to Abutters
- Deeds
- Copies of Checks





ZCE

SHEET NAME:

USGS MAP

PROJECT SITE:

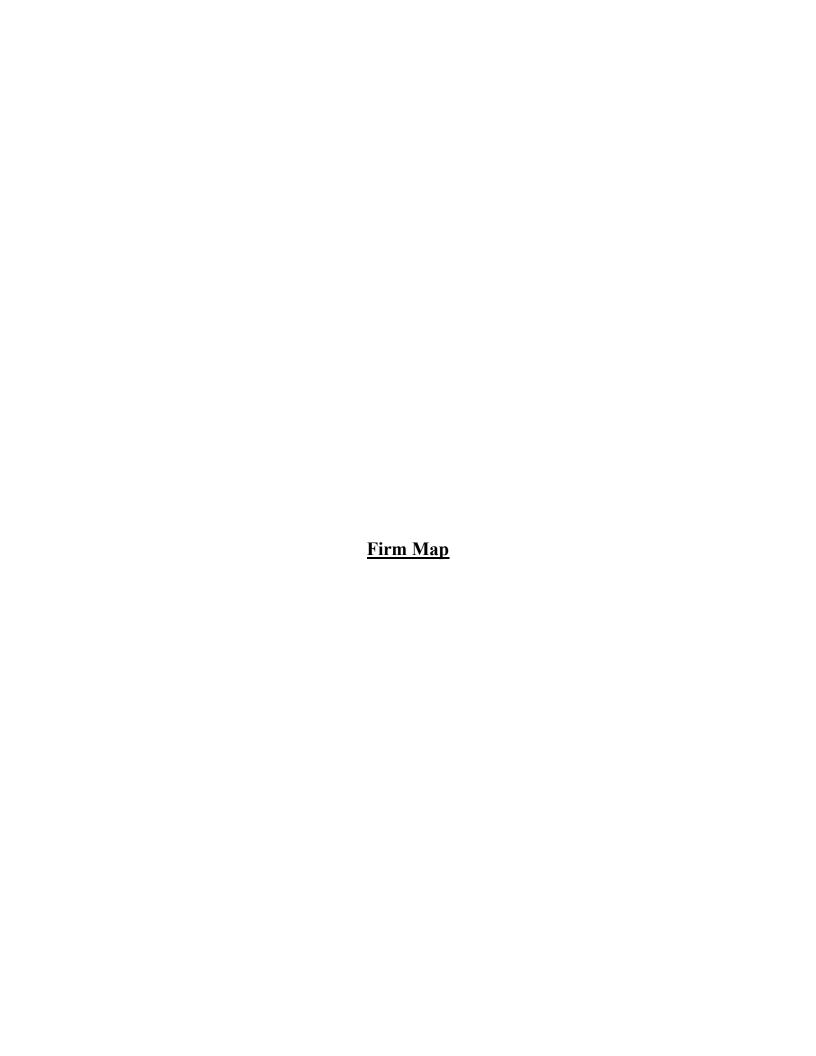
ASSESSORS MAP 136 LOTS 251, 252 AND 487 SETH DANIEL DRIVE AND ACUSHNET AVE NEW BEDFORD, MASSACHUSETTS

CLIENT INFO:

DPM DEVELOPMENT CORP. NEW BEDFORD, MASSACHUSETTS

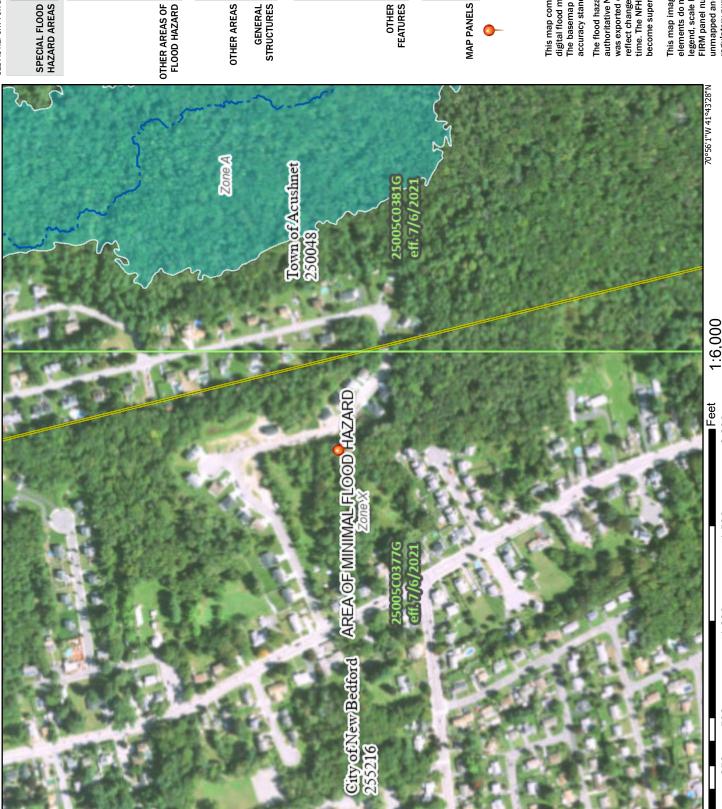
ZENITH CONSULTING ENGINEERS, LLC

3 MAIN STREET LAKEVILLE, MA 02347 PHONE: (508) 947-4208



National Flood Hazard Layer FIRMette





Legend

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

SPECIAL FLOOD HAZARD AREAS

With BFE or Depth Zone AE, AO, AH, VE, AR Without Base Flood Elevation (BFE)

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

Area with Reduced Flood Risk due to Future Conditions 1% Annual Chance Flood Hazard Zone X

Area with Flood Risk due to Levee Zone D Levee. See Notes. Zone X

NO SCREEN Area of Minimal Flood Hazard Zone X **Effective LOMRs**

Area of Undetermined Flood Hazard Zone D

OTHER AREAS

Channel, Culvert, or Storm Sewer GENERAL | ---- Channel, Culvert, or Storn STRUCTURES | 1111111 Levee, Dike, or Floodwall

Cross Sections with 1% Annual Chance Water Surface Elevation

Base Flood Elevation Line (BFE) Coastal Transect mm 513 mm

Jurisdiction Boundary Limit of Study

Coastal Transect Baseline

Hydrographic Feature

OTHER FEATURES

Digital Data Available

No Digital Data Available

Unmapped

MAP PANELS

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

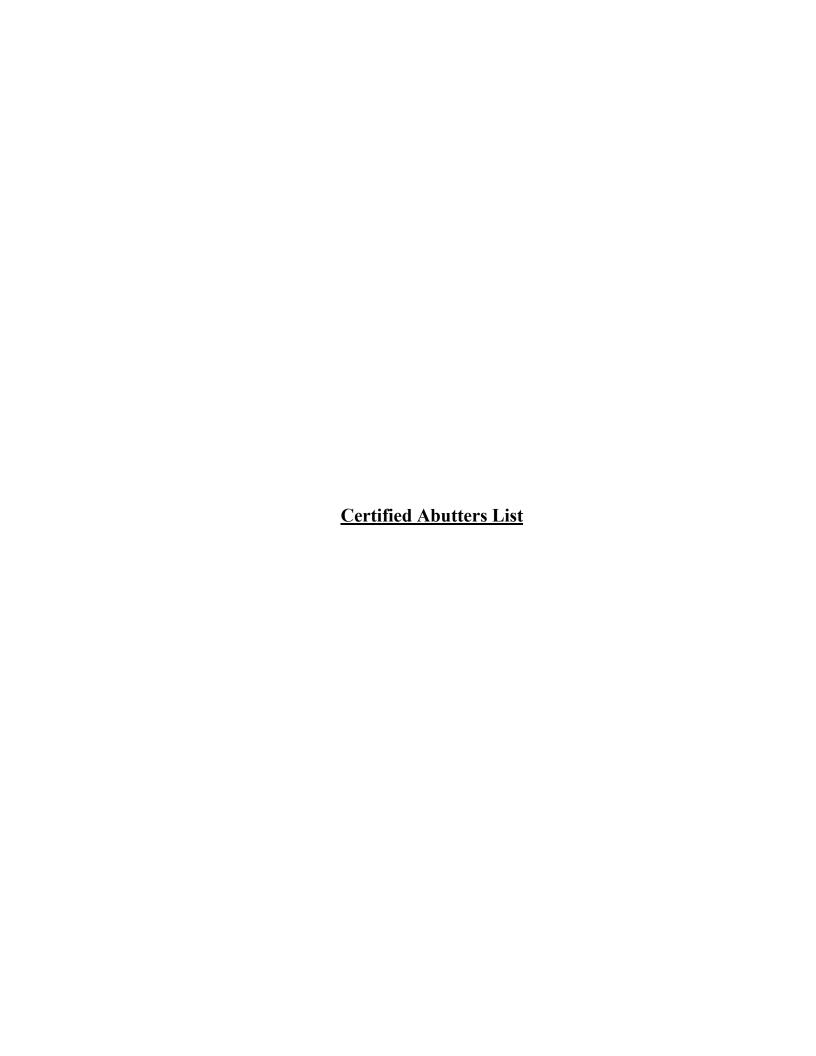
This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap

authoritative NFHL web services provided by FEMA. This map reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or The flood hazard information is derived directly from the was exported on 7/28/2022 at 9:22 AM and does not 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.

2,000 Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

1,500

200





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 New Bedford, Massachusetts seeking permission to remove, fill, dredge, 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: <u>Assessors Map 136 Lots 251, 252 and 487 Seth Daniel Drive and Acushnet Ave. New Bedford, MA</u>
Assessor's <u>Map 136; Lots 251, 252 and 487</u>

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.

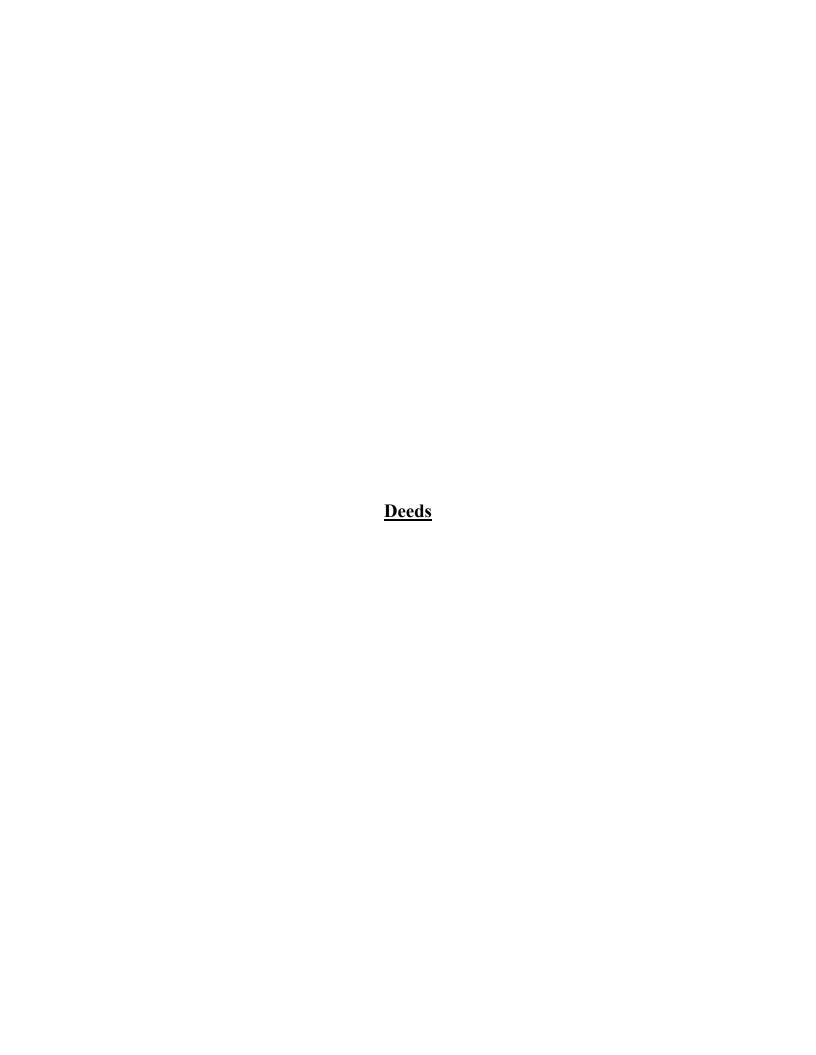
Copies of the Request for Determination of Applicability may be obtained from either (check one) the applicant ____ or the applicant's representative XX by calling this telephone number 508-947-4208 between the hours of 8:00 AM and 4:00 PM on the following days of the week: Monday through Friday.

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





MASSACHUSETTS REAL ESTATE MORTGAGE

DANIEL P. MONIZ

of New Bedford, Bristol County, Commonwealth of Massachusetts

for consideration naid, grant to

CONRAD P. RICHARD, TRUSTEE of FORESTDALE NOMINEE TRUST widt dated July 20, 1993 and CONRAD P. RICHARD, TRUSTEE of ELDERBERRY NOMINEE TRUST widt dated July 20, 1993, both of 28 Lake Street, Acushnet, Bristol County, Commonwealth of Massachusers 07743.

with martgage covenants to accure the payment of Two Hundred Thousand and 00/100 (\$203,000.00) Dollars

as provided in a note of even date

the land, with any buildings thereon, in Acushnet, Bristol County, Commonwealth of Massachusetts described as follows:

AND INCORPORATED HEREIN BY REFERENCE

For title see deed of even date recorded herewith.

This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale.

SEE EXHIBIT "A" ATTACHED HERETO

Witness my hand and seal this 15th day of September 2005

La San

Commonwealth of Massachusetts

Bristol, ss. September 15, 2005

Then personally appeared the above-named Daniel P. Moniz, 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 Jesurument to be his free act and deed, before me

Notary Public

My Commission Expires: 3 4 08



EXHIBIT "A"

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

CONTAINING 18,557 s.f. and being shown as Lot 63 as shown on a plan entitled "FORESTDALE" Definitive Subdivision of Land in Acushnet, Massachusetts, prepared for R.J. Realty Trust, Scale 1" = 40°, dated Aug. 17, 1977, revised 8.18 -18, 78, 19.18, Flegineering Corporation and recorded in the Bristol County (S.D.) Registry of Deeds in Plan Book 115, Page 8.

FOR TITLE see deed of even date recorded herewith.

Subject to an outstanding Quitchim Easement to New England Telephone and Telegraph Company dated December 9, 1993 and recorded in the Bristol County (S.D.) Registry of Deeds at Book 3198, Page 348.

Subject to an outstanding Zoning Variance from the Town of Acushnet, Board of Appeals dated October 8, 1996 and recorded in the Bristol County (S.D.) Registry of Deeds at Book 3749, Page 50.

DEED

I, Veronica Croffut, of 4026 Acushnet Avenue, New Bodford, Massachusetts, for

consideration paid, and in full consideration of One Hundred Seventy Thousand (\$170,000.00)

Dollars grants to DPM Development Corporation, a Massachusetts Corporation, of 70 Lambeth

Street, New Bedford, Massachusetts, with QUITCLAIM COVENANTS, the land in said New

Bedford, Massachusetts, with all buildings and improvements thereon, bounded and described as follows:

BEGINNING at the northwesterly corner of the premises herein mortgaged at a point in the northeasterly line of Acushnet Avenue, formerly known as Coentry Road, and at the southwesterly corner of Lot 6% as shown on a plan of land hereinather mentioned; thence NORTHEASTERLY in line of last-named lot, six hundred twenty-seven (627)

feet to a corner;

thence SOUTHERLY, one hundred forty-four and 20/100 (144.20) feet, more or less, to land now or formerly of Leo R. Duval, et ali; thence SOUTHWESTERLY in line of last-named land, five hundred security two and

20/100 (572.20) feet, more or less, to the said line of Acustnet Avenue, and
frames NORTHWESTERLY in the said line of Acustnet Avenue, two hundred nine and

6/10 (290.06) feet to eaid Lot #3 and the point of beginning.

Being a portion of Lot #4 on a plan entitled "Farm of F. J. Gurney, New Bedford, Mass.,

dated July 1921, and filled with Beistol County (Southern District) Registry of Deeds in Plan Book 25, Page 32.

Being the same premises conveyed to Don W. Croffist and Veronica Croffist by doed of Franklin, J. Gurney, et ux dated August 3, 1977 and recorded in Bristol County (Southern District) Registry of Doeds in Book 1744, Page 501.

Said Veronica Croffut is the surviving Joint tenant, Don W. Croffut passed away on September 9, 2009 in New Bedford, Massachusetts.

DEEDS 77 FL S	E	\$115.23	7775.20
# # E	100		*2.5
REG BREG BRES	00/25/14 000000 B	23/	80

BK 11019 PG 281

WITNESS my hand and seal this 25th day of February 2014.

Verories Croffet

COMMONWEALTH OF MASSACHUSETTS

BRISTOL, SS. FEBRUARY 25, 2014

On this 23° day of February, 2014, before me, the understand notes a policie personally appeared Veronica Northia, who proved to me though satisfactory evidence of identification, which was 10.05° and 10.05°

stated purpose.

Notary Public - Kenneth G. Littman My commission expires: 04-25-2014 Bk: 14275 Pg: 239



Bk: 14275 Pg: 239 Pg: 1 of 2 BS Doc: DEED 03/25/2022 10:16 AN

MASSACHUSETTS EXCISE TAX Bristol ROD South 001 Date: 03/25/2022 to:16 AM

Ctrl# 036059 01203 Doc# 00006971 Fee: \$912:00 Cons: \$200.000.00

QUITCLAIM DEED

We, STEVEN E. KOCUR and NANCY A. KOCUR, husband and wife, of 1 Woodcart Drive, Dartmouth, Massachusetts 02747

for consideration paid, and in full consideration of Two Hundred Thousand Dollars (\$200,000.00)

grant to DPM DEVELOPMENT CORP., a Massachusetts corporation, with a principal place of business at 70 Lambeth Street, New Bedford, Massachusetts 02745

with QUITCLAIM COVENANTS

the land, with any building(s) thereon, located in New Bedford, Bristol County, Massachusetts, more particularly bounded and described as follows:

PARCEL ONE:

BEGINNING at a point in the Easterly line of Acushnet Avenue and at the Southwest corner of the land herein to be conveyed;

Thence NORTHERLY in the said Easterly line of Acushnet Avenue twenty and 0/100 (20.00) feet to land now or formerly of Albert Lopes;

Thence EASTERLY in line of last named land One Hundred Seventy-five and 0/100 (175.00) feet to land of David Ashley;

Thence SOUTHERLY in line of last named land twenty and 0/100 (20.00) feet to land now or formerly of Franklin J. Gurney, Jr.; and

Thence WESTERLY in line of last named land One Hundred Seventy-Five and 0/100 (175.00) feet to the said Easterly line of Acushnet Avenue and to the point of beginning.

Said parcel is shown as Parcel One on a plan of land recorded at the Bristol County (S.D.) Registry of Deeds in Plan Book 92, Page 84.

PARCEL TWO:

BEGINNING at a point in the Southwesterly corner of the land herein to be conveyed at and the southeasterly corner of Parcel One hereinabove conveyed;

Thence NORTHERLY in line of Parcel One and in line of land now or formerly of Albert Lopes One Hundred Eight and 0/100 (108.00) feet to land now or formerly of Stanley Supczak;

Thence EASTERLY in line of last named land Four Hundred Ninety and 0/100 (490.00) feet to land now or formerly of Andre Fournier Realty Trust;

Thence SOUTHERLY in line of last named land One Hundred Eight and 0/100 (108.00) feet to land now or formerly of Franklin J. Gurney, Jr.; and

Thence WESTERLY in line of last named land Four Hundred Fifty-Two and 0/100 (452.00) feet to the point of beginning.

Property Address: vacant land, Acushnet Avenue, New Bedford, Massachusetts 02745.

Bk: 14275 Pg: 240

The grantors herein hereby release any and all homestead rights that they may have in the abovedescribed property and certify that no other person is entitled to claim the benefit of an existing estate of homestead.

Being the same premises described in a deed to the grantors herein dated March 17, 1988, and recorded at the Bristol County (S.D.) Registry of Deeds in Book 2114, Page 269.

WITNESS our hands and seals this 25th day of March, 2022.

THYENE KOCKE

Witness

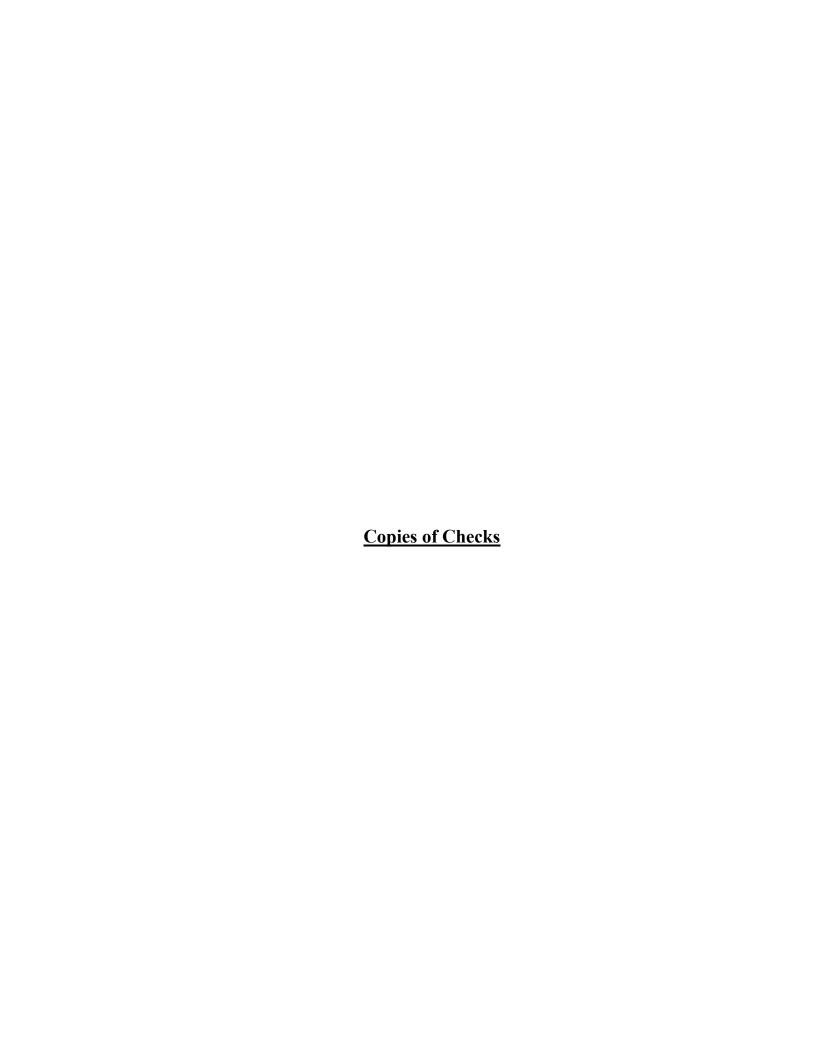
COMMONWEALTH OF MASSACHUSETTS

BRISTOL, ss.

March 7; 7, 2022

Then personally appeared the above-named STEVEN E. KOCUR and NANCY A. KOCUR, who proved to me through satisfactory evidence of identification which was MA CIC to be the persons whose names are signed on this document, and acknowledged to me that they signed it voluntarily for its stated purpose before me,

Notary Public THOMAS J. Mathred My commission expires: 2/11/2029



Zenith Consulting Engineers, LLC.

3 Main Strest
Lakeville, MA 02347-1617

PAY TO THE City of New Bedford

Seven hundred fifty and 60/100

City of New Bedford

City of New Bedford

Seth Daniel Drive

MEMO Seth Daniel Drive



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

CITY OF NEW BEDFORD, MASSACHUSETTS

CONSERVATION COMMISSION 2023 FILING FEE CALCULATION WORKSHEET*

PROJECT LOCATION: _		
MAP(S)	LOT(S)	
APPLICANT:		
CONSERVATION COMI	MISSION APPLICATION TYPE:	
() REQUEST FOR D () NOTICE OF INTE () AMENDED ORDI () EXTENSION PER () CERTIFICATE OF	ER OF CONDITIONS MIT	
• •	EES: eview of a project proposed in a Wetland Resource Area cable alteration fee as follows:	a or its Buffer Zone is AMOUNT DUE:
• Application an	d Field Review Fee (\$200.00)	\$ 200.00
	SF Wetland Resource Area	\$ <u>200.00</u> \$
	xceed \$2000.00 per project	Υ
 \$0.05 X Bordering Land Storm Flowage 	SF of Isolated Land Subject to Flooding, d Subject to Flooding or Land Subject to Coastal	\$
Fee shall not e	•	
	SF of altered 25' Riverfront Area	\$
	xceed \$1,500.00	A
	SF of undeveloped 25' Riverfront Area	\$
	xceed \$2000.00	.
	LF of Coastal or Inland Bank xceed \$750.00	۶



•	\$0.10 X	SF of Buffer Zone altered	\$
	Fee shall not exceed	I \$6,500.00	
•	\$10.00 X	LF of dock	\$
•	\$10.00 X	acres of aquaculture	\$ \$
(B) E	XTENSION OF AN	ORDER OF CONDITIONS:	
•	Single family dwelling dock etc.) = \$200.0	ng, or minor project (house addition, in ground pool 10	\$
•	Subdivision, comme	rcial or industrial project = \$400.00	\$
(C) A	MENDING A PERM	ИТ	
•		ng or minor project (house addition, in ground pool) + new alteration fee – refer to (A) above	\$
•	Subdivision, comme fee – refer to (A) ab	rcial or industrial project = \$500.00 + new alteration ove	n \$
(D) W	ETLAND DELINEA ½ acre or less	ATION VERIFICATION (with or without propose	d alteration)
•		\$500.00 (\$100/acre thereafter) not to exceed \$3,50	0 \$
(E) LE	EGAL AD FEE (fee s	eet by local newspaper, subject to market price)	\$250.00
(F) CE	ERTIFICATES OF (COMPLIANCE	
•	One new house = \$2	250.00	\$
•	One activity at an ex	kisting house = \$150.00	\$
•	Residential or Comn	nercial docks = \$200.00	\$
•	Commercial & Indus	strial Facilities = \$1,500.00	\$
•	New Roadways & As	ssociated Stormwater Mgt. Systems = \$1,500.00	\$
But yo		once (you do not pay double to obtain a full Cert	
(G) Al	FTER THE FACT F	ILING FEE	
•	Notice of Intent or A	Amended Order of Conditions = \$500.00	\$
•	Request for a Deter	mination of Applicability = \$250.00	\$
тот			
IOIA	AL AMOUNT DUE	E:	\$

Notes:

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

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



