



Massachusetts Department of Environmental Protection
Bureau of Water Resources - Wetlands

WPA Form 1- Request for Determination of Applicability

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

Municipality

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:

Louise

Merrick

First Name

Last Name

180 Balsam Street

Address

Fairhaven

MA

02719

City/Town

State

Zip Code

508-717-5635

westisle@aol.com

Phone Number

Email Address

2. Property Owner (if different from Applicant):

Same as above

First Name

Last Name

Address

City/Town

State

Zip Code

Phone Number

Email Address (if known)

3. Representative (if any)

Michael

Quirk

First Name

Last Name

Greener Horizon Landscape Services

Company Name

1 Mill Street

Address

Middleboro

MA

02346

City/Town

State

Zip Code

508-441-8215

michael.quirk@greenerhorizon.com

Phone Number

Email Address (if known)

B. Project Description

1. a. Project Location (use maps and plans to identify the location of the area subject to this request):

180 Balsam Street

Fairhaven

Street Address

City/Town

41.600045

-70.836193

Latitude (Decimal Degrees Format with 5 digits after decimal

Longitude (Decimal Degrees Format with 5 digits after

e.g. XX.XXXXX)

decimal e.g. -XX.XXXXX)

Unknown 43B

39

Assessors' Map Number

Assessors' Lot/Parcel Number

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

Backyard, within fenced-in area.

c. Plan and/or Map Reference(s): (use additional paper if necessary)

180 Balsam St. ODL Design 1.0

08/15/26

Title

Date

Title

Date

[How to find Latitude and Longitude](#)

[and how to convert to decimal degrees](#)



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B. Project Description (cont.)

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

Patio installation - Goshen Stone natural flagging with permeable joints. Work will be only performed within the limits of the backyard fencing. See landscape plan attached.

- 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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C. Determinations

1. I request the Conservation Commission make the following determination(s). Check any that apply:

- ☒ a. whether the **area** depicted on plan(s) and/or map(s) referenced above 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 above are accurately delineated.
- ☒ c. whether the **Activities** depicted on plan(s) referenced above is subject to the Wetlands Protection Act and its regulations.
- ☒ d. whether the area and/or Activities depicted on plan(s) referenced above is subject to the jurisdiction of any **municipal wetlands' ordinance or bylaw** of:

Fairhaven, MA

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for Activities in the Riverfront Area as depicted on referenced plan(s).

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.

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

9/10/2026

Date

Signature of Representative (if any)

Date

9/1/26



**GREENER
HORIZON**
Landscape Services

ROOTED IN **QUALITY**

PROJECT NARRATIVE

Date: 09/01/26

Location: 180 Balsam Street Fairhaven, MA 02719

Description of Work: A permeable, natural stone paver patio area to be installed in the backyard of the single family residence. Patio will be installed on a crushed aggregate base, with permeable joints.

There will be some equipment used to move aggregate, stones will be installed by hand. The majority of this project will be installed by hand.

Access to the work area will be contained to the limits of the owner's property. No areas outside the limits work will be disturbed.



**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
and the Fairhaven Wetlands Bylaw**

(this form must be completed and copies sent by *certified mail or hand delivery*
to all abutters within 100 feet of the property where the project is located)

In accordance with the Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and the Fairhaven Wetlands Bylaw (Chapter 192), you are hereby notified of the following:

1. Applicants Name: Louise Merrick
2. The Applicant has filed the following with the Fairhaven Conservation Commission:
 - ☒ Request for Determination of Applicability
 - ☐ Notice of Intent
 - ☐ Request to Amend an Existing Order of Conditions
 - ☐ Notice of Resource Area Deliniation
3. Conservation Commission Public Hearing Date: 10/13/26
4. The proposed work includes
Permeable natural stone patio within the fenced-in area of the backyard.

5. Copies of the above application may be examined at the Conservation Office, located in Town Hall, 40 Center Street, Fairhaven, MA 02719, Office Hours Monday 8:00AM - 6:00 PM, Tuesday through Thursday 8:00AM – 4:30PM and Friday 8:00AM-11:30AM. Copies may be obtained at the office if notified in advance or from the applicant.
6. Applications will also be uploaded to <https://fairhaven-ma.gov/document/conservation-new-filings/> If you are unable to access or view the application electronically, please contact the Conservation Office at 508-979-4023, ext. 128.
7. Notice of the public hearing including its date, time, and place will be published at least five business days in advance in the Fairhaven Neighborhood News, and will be posted on the Fairhaven Town Website and at the Fairhaven Town Hall not less than 48 hours in advance.

Please Note: Since you are receiving this notice, you may have wetland resource areas or wetland buffers on your property. Therefore, construction, cutting, clearing, or grading may require a permit. For clarification or for more information, call the Conservation Agent at 508-979-4082 or visit our website.