



**Massachusetts Department of Environmental Protection**  
 Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Fairhaven  
 City/Town

**Important:**

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

**A. General Information**

1. Project Location (**Note:** electronic filers will click on button to locate project site):

24 Kane Street Fairhaven 02719  
 a. Street Address b. City/Town c. Zip Code  
 Latitude and Longitude: 41.65008 70.85176  
 d. Latitude e. Longitude  
31A 321  
 f. Assessors Map/Plat Number g. Parcel /Lot Number

2. Applicant:

Jermaine Hurley  
 a. First Name b. Last Name  
Hurley Homes LLC  
 c. Organization  
697 Greenville Ave  
 d. Street Address  
Johnston RI 02919  
 e. City/Town f. State g. Zip Code  
774-930-5694 jermainehurley@gmail.com  
 h. Phone Number i. Fax Number j. Email Address

3. Property owner (required if different from applicant):  Check if more than one owner

\_\_\_\_\_  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
 \_\_\_\_\_  
 d. Street Address  
 \_\_\_\_\_  
 e. City/Town f. State g. Zip Code  
 \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email address

4. Representative (if any):

Nyles Zager  
 a. First Name b. Last Name  
Zenith Consulting Engineers, LLC  
 c. Company  
3 Main Street  
 d. Street Address  
Lakeville MA 02347  
 e. City/Town f. State g. Zip Code  
508-947-4208 nyles@zcellc.com  
 h. Phone Number i. Fax Number j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$500.00 \$237.50 \$262.50 (\$200 local)  
 a. Total Fee Paid b. State Fee Paid c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

Re-construction of a single family dwelling with associated utilities, driveway and landscaping within 100' of a bordering vegetated wetland.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1.  Single Family Home
- 2.  Residential Subdivision
- 3.  Commercial/Industrial
- 4.  Dock/Pier
- 5.  Utilities
- 6.  Coastal engineering Structure
- 7.  Agriculture (e.g., cranberries, forestry)
- 8.  Transportation
- 9.  Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

- 1.  Yes  No      If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Bristol

a. County

15221

c. Book

b. Certificate # (if registered land)

278

d. Page Number

**B. Buffer Zone & Resource Area Impacts (temporary & permanent)**

- 1.  Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2.  Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.
----------------------	-------------------------------	--

5. Has an alternatives analysis been done and is it attached to this NOI?  Yes  No

6. Was the lot where the activity is proposed created prior to August 1, 1996?  Yes  No

3.  Coastal Resource Areas: (See 310 CMR 10.25-10.35)

**Note:** for coastal riverfront areas, please complete **Section B.2.f.** above.



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**B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)**

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	_____	_____
	1. square feet	2. cubic yards beach nourishment
e. <input type="checkbox"/> Coastal Dunes	_____	_____
	1. square feet	2. cubic yards dune nourishment

	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	_____	
	1. linear feet	
g. <input type="checkbox"/> Rocky Intertidal Shores	_____	
	1. square feet	
h. <input type="checkbox"/> Salt Marshes	_____	_____
	1. square feet	2. sq ft restoration, rehab., creation
i. <input type="checkbox"/> Land Under Salt Ponds	_____	
	1. square feet	
	_____	
	2. cubic yards dredged	
j. <input type="checkbox"/> Land Containing Shellfish	_____	
	1. square feet	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	_____	
	1. cubic yards dredged	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	_____	
	1. square feet	

4.  Restoration/Enhancement  
If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.

\_\_\_\_\_

a. square feet of BVW

\_\_\_\_\_

b. square feet of Salt Marsh

5.  Project Involves Stream Crossings

\_\_\_\_\_

a. number of new stream crossings

\_\_\_\_\_

b. number of replacement stream crossings



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## C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

### Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

- Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to [http://maps.massgis.state.ma.us/PRI\\_EST\\_HAB/viewer.htm](http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm).

- a.  Yes  No **If yes, include proof of mailing or hand delivery of NOI to:**

**Natural Heritage and Endangered Species Program  
Division of Fisheries and Wildlife  
1 Rabbit Hill Road  
Westborough, MA 01581**

- 8/2021  
b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review\*

- Percentage/acreage of property to be altered:
  - (a) within wetland Resource Area \_\_\_\_\_ percentage/acreage
  - (b) outside Resource Area \_\_\_\_\_ percentage/acreage

2.  Assessor's Map or right-of-way plan of site

- Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work \*\*
  - (a)  Project description (including description of impacts outside of wetland resource area & buffer zone)
  - (b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-regulatory-review>).

Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

\*\* MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



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### C. Other Applicable Standards and Requirements (cont'd)

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

Make check payable to “Commonwealth of Massachusetts - NHESP” and **mail to NHESP** at above address

*Projects altering 10 or more acres of land, also submit:*

- (d)  Vegetation cover type map of site

- (e)  Project plans showing Priority & Estimated Habitat boundaries

- (f) OR Check One of the Following

1.  Project is exempt from MESA review.  
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2.  Separate MESA review ongoing.                      a. NHESP Tracking #                      b. Date submitted to NHESP

3.  Separate MESA review completed.  
Include copy of NHESP “no Take” determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

- a.  Not applicable – project is in inland resource area only      b.  Yes     No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Bourne to Rhode Island border, and  
the Cape & Islands:

North Shore - Plymouth to New Hampshire border:

Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP’s Boston Office. For coastal towns in the Southeast Region, please contact MassDEP’s Southeast Regional Office.

- c.  Is this an aquaculture project?                      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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**C. Other Applicable Standards and Requirements (cont'd)**

**Online Users:**  
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

- 4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?  
 a.  Yes  No      If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.  
 b. ACEC

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- 5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?  
 a.  Yes  No
- 6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?  
 a.  Yes  No
- 7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?  
 a.  Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
  - 1.  Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
  - 2.  A portion of the site constitutes redevelopment
  - 3.  Proprietary BMPs are included in the Stormwater Management System.
 b.  No. Check why the project is exempt:
  - 1.  Single-family house
  - 2.  Emergency road repair
  - 3.  Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

**D. Additional Information**

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

**Online Users:** Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

- 1.  USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
- 2.  Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



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## D. Additional Information (cont'd)

3.  Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4.  List the titles and dates for all plans and other materials submitted with this NOI.

Plan to accompany notice of intent

a. Plan Title

Zenith Consulting Engineers, LLC

Nyles Zager, P.E.

b. Prepared By

c. Signed and Stamped by

1-19-2026

As noted

d. Final Revision Date

e. Scale

f. Additional Plan or Document Title

g. Date

5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.

6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8.  Attach NOI Wetland Fee Transmittal Form

9.  Attach Stormwater Report, if needed.

## E. Fees

1.  Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

8549

2. Municipal Check Number

2-2-26

3. Check date

8550

4. State Check Number

2-2-26

5. Check date

Zenith Consulting Engineers, LLC

6. Payor name on check: First Name

7. Payor name on check: Last Name



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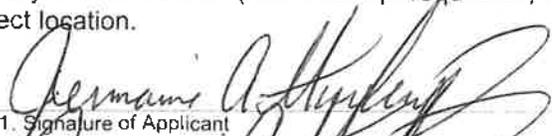
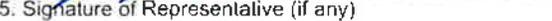
Fairhaven

City/Town

## F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

	2-2-26
1. Signature of Applicant	2. Date
	2-2-26
3. Signature of Property Owner (if different)	4. Date
	2-2-26
5. Signature of Representative (if any)	6. Date

### For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

### For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

### Other:

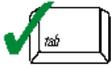
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.



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 Bureau of Resource Protection - Wetlands  
**NOI Wetland Fee Transmittal Form**  
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

**Important:** When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



**A. Applicant Information**

1. Location of Project:

24 Kane Street \_\_\_\_\_ Fairhaven \_\_\_\_\_  
 a. Street Address b. City/Town  
 8550 \_\_\_\_\_ \$237.50 \_\_\_\_\_  
 c. Check number d. Fee amount

2. Applicant Mailing Address:

Jermaine \_\_\_\_\_ Hurley \_\_\_\_\_  
 a. First Name b. Last Name  
 Hurley Homes LLC \_\_\_\_\_  
 c. Organization  
 697 Greenville Ave \_\_\_\_\_  
 d. Mailing Address  
 Johnston \_\_\_\_\_ RI \_\_\_\_\_ 02919 \_\_\_\_\_  
 e. City/Town f. State g. Zip Code  
 774-930-5694 \_\_\_\_\_ jermainehurley@gmail.com \_\_\_\_\_  
 h. Phone Number i. Fax Number j. Email Address

3. Property Owner (if different):

\_\_\_\_\_  
 a. First Name b. Last Name  
 \_\_\_\_\_  
 c. Organization  
 \_\_\_\_\_  
 d. Mailing Address  
 \_\_\_\_\_ f. State \_\_\_\_\_ g. Zip Code  
 e. City/Town  
 \_\_\_\_\_ h. Phone Number \_\_\_\_\_ i. Fax Number \_\_\_\_\_ j. Email Address

**B. Fees**

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

**Step 1/Type of Activity:** Describe each type of activity that will occur in wetland resource area and buffer zone.

**Step 2/Number of Activities:** Identify the number of each type of activity.

**Step 3/Individual Activity Fee:** Identify each activity fee from the six project categories listed in the instructions.

**Step 4/Subtotal Activity Fee:** Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

**Step 5/Total Project Fee:** Determine the total project fee by adding the subtotal amounts from Step 4.

**Step 6/Fee Payments:** To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



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**B. Fees** (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Cat. 2a. single family house	1	\$500.00	\$500.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
<b>Step 5/Total Project Fee:</b>			\$500.00
<b>Step 6/Fee Payments:</b>			
Total Project Fee:			\$500.00
			a. Total Fee from Step 5
State share of filing Fee:			\$237.50
			b. 1/2 Total Fee <b>less</b> \$12.50
City/Town share of filing Fee:			\$262.50 (\$200 local)
			c. 1/2 Total Fee <b>plus</b> \$12.50

**C. Submittal Requirements**

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection  
 Box 4062  
 Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

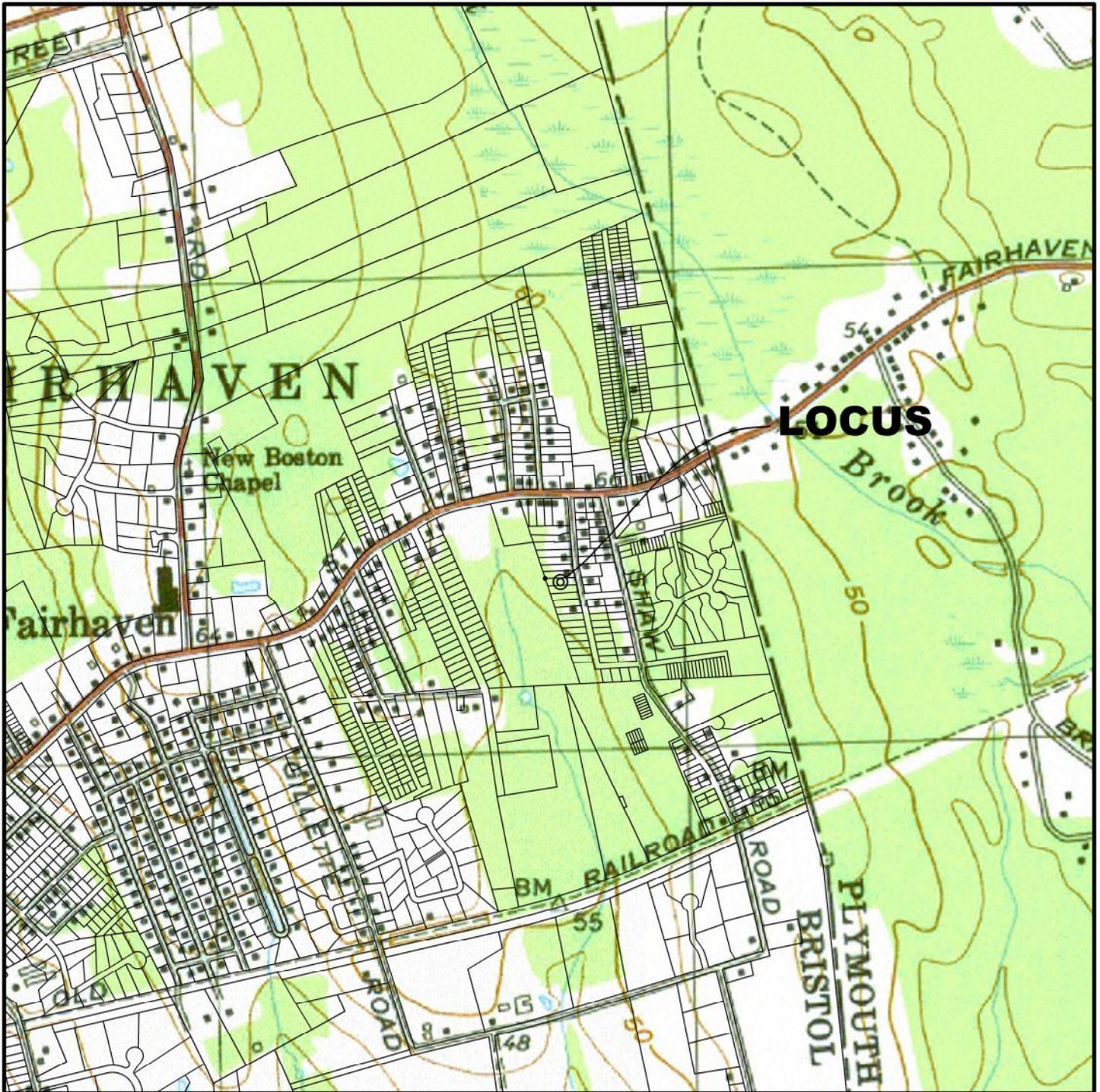
**To MassDEP Regional Office** (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

**Locus: 24 Kane Street Fairhaven, MA**  
**Assessors Map 31A Lot 321**

**Notice of Intent Attachments**

- **USGS Map**
- **Certified Abutters List**
- **Notification to Abutters**
- **Massachusetts Natural Heritage Map**
- **Outstanding Resource Water Map**
- **Area of Critical Environmental Concern Map**
- **Firm Map**
- **DEP Data Sheets**
- **Copies of Checks**

**USGS Map**



SHEET NAME:

**USGS MAP**

PROJECT SITE:

**24 KANE STREET  
FAIRHAVEN, MASSACHUSETTS**

CLIENT INFO:

**JERMAINE HURLEY  
697 GREENVILLE AVE JOHNSTON, RI**



**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

**Certified Abutters List**

BEAUREGARD CHRISTOPHER M  
23 KANE STREET  
FAIRHAVEN, MA 02719

HORNE DAVID C  
19 KANE STREET  
FAIRHAVEN, MA 02719

LAMBERT JEAN P & GAYLE H  
15 KANE STREET  
FAIRHAVEN, MA 02719

LOPEZ DEVELOPMENT LLC  
129 HUTTLESTON AVE  
FAIRHAVEN, MA 02719

MERCER ROBERT H & CAROL A  
18 KANE STREET  
FAIRHAVEN, MA 02719

MONIZ BRETT W  
20 KANE ST  
FAIRHAVEN, MA 02719

SIMMONS SHARON TRUSTEE OF  
5 BILLYS WAY  
FAIRHAVEN, MA 02719

**Notification to Abutters**

**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)*

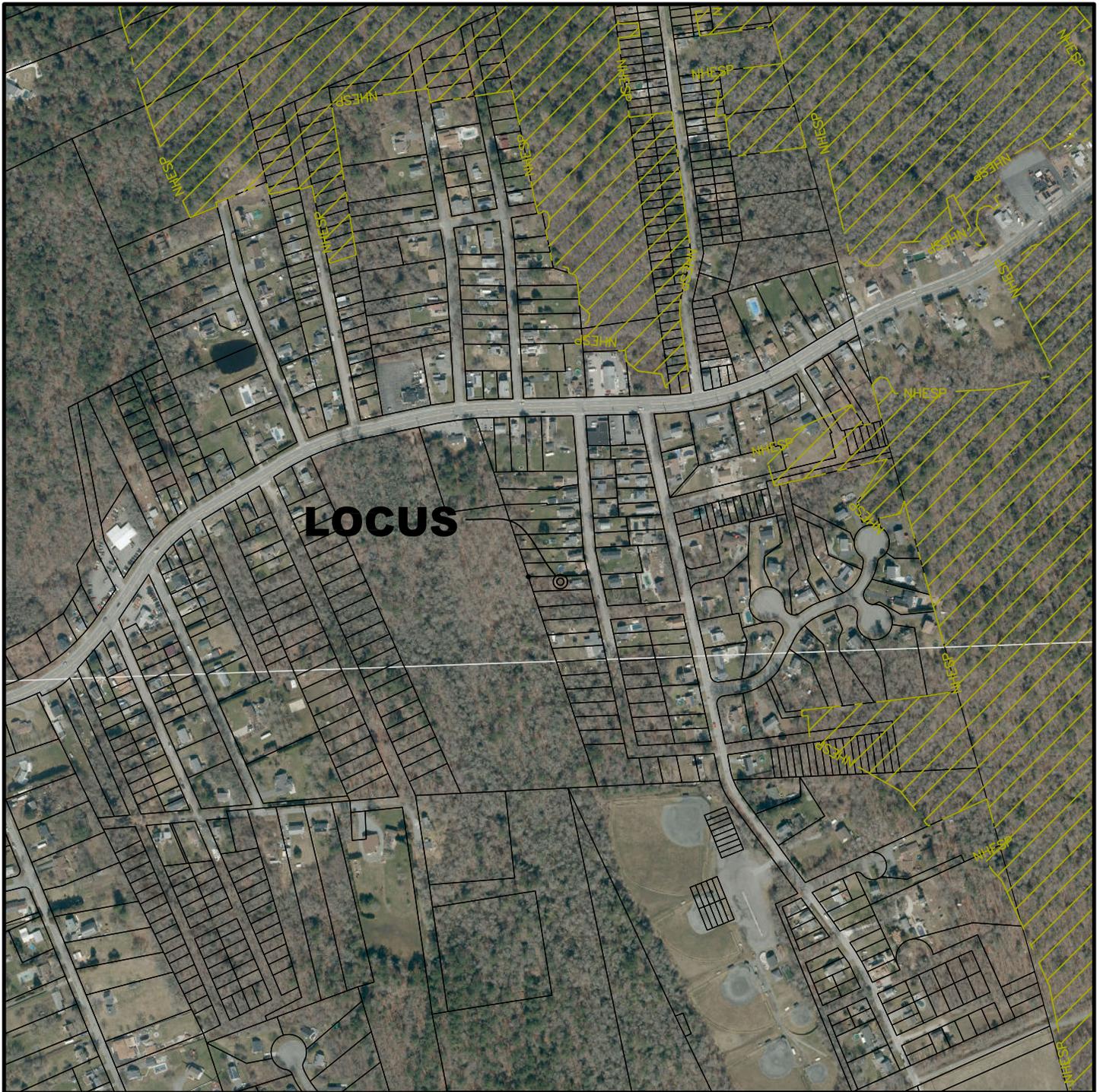
In accordance with the Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and the Fairhaven Wetlands Bylaw (Chapter 192), you are hereby notified of the following:

1. The applicant's name is Jermaine Hurley
  
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 Delineation
  
3. The address or location of the site where the activity, project, or delineation is proposed is: 24 Kane Street, Fairhaven, MA.
  
4. The proposed work includes construction of a single family dwelling with associated utilities, driveway and landscaping.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
5. Copies of the above application may be examined at the Conservation Office, located in Town Hall, 40 Center Street, Fairhaven, MA 02719, between 9:00 AM and 4:00 PM, Monday through Friday. Copies may be obtained at the office if notified in advance or from the applicant.
  
6. Applications will also be uploaded to [www.fairhaven-ma.gov/conservation-commission/pages/current-filings](http://www.fairhaven-ma.gov/conservation-commission/pages/current-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.

**Massachusetts Natural Heritage Map**



SHEET NAME:

**NHESP MAP**

PROJECT SITE:

**24 KANE STREET  
FAIRHAVEN, MASSACHUSETTS**

CLIENT INFO:

**JERMAINE HURLEY  
697 GREENVILLE AVE JOHNSTON, RI**

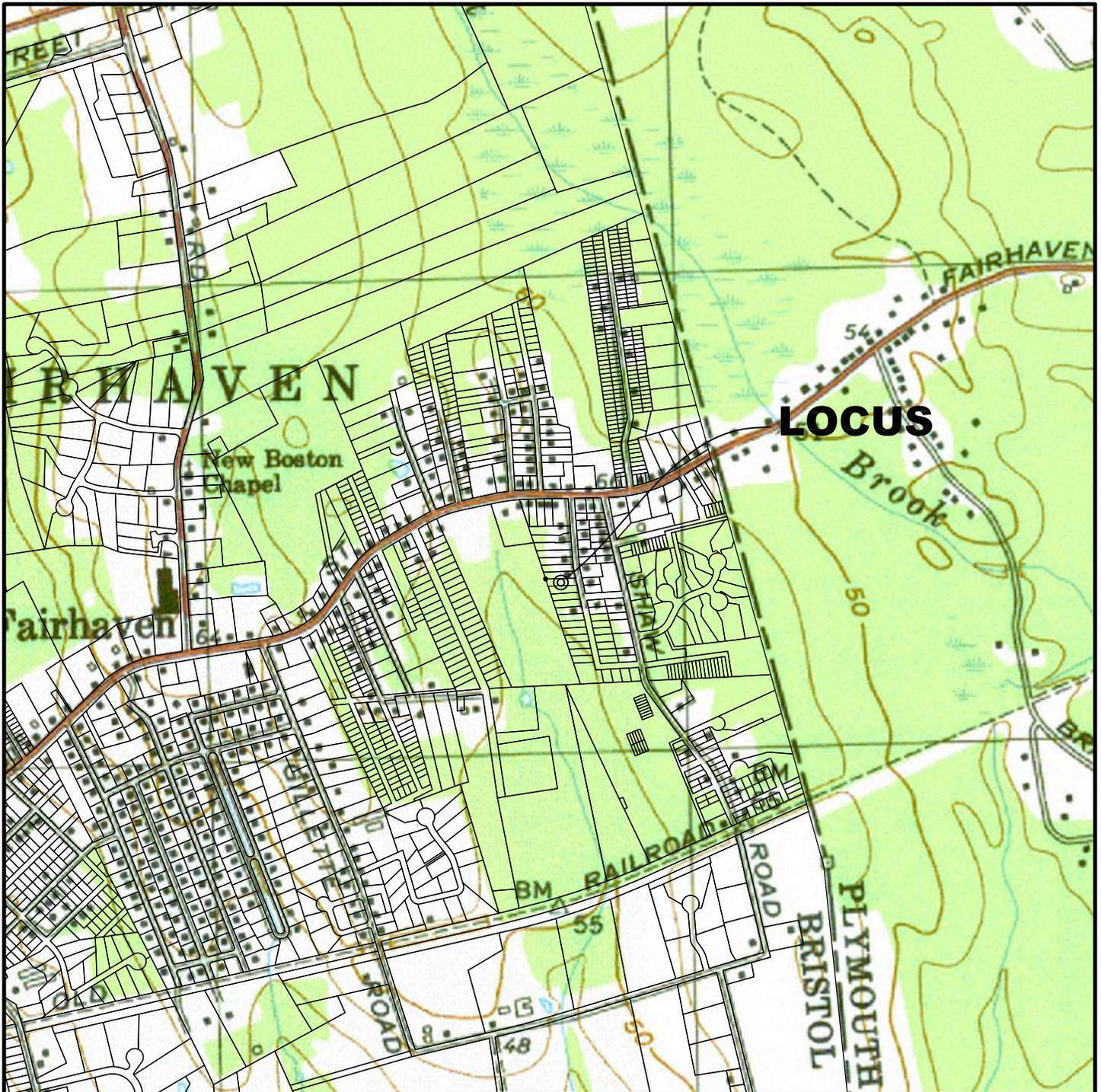


**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

**Outstanding Resource Water Map**



SHEET NAME:

**ORW MAP**

PROJECT SITE:

**24 KANE STREET  
FAIRHAVEN, MASSACHUSETTS**

CLIENT INFO:

**JERMAINE HURLEY  
697 GREENVILLE AVE JOHNSTON, RI**

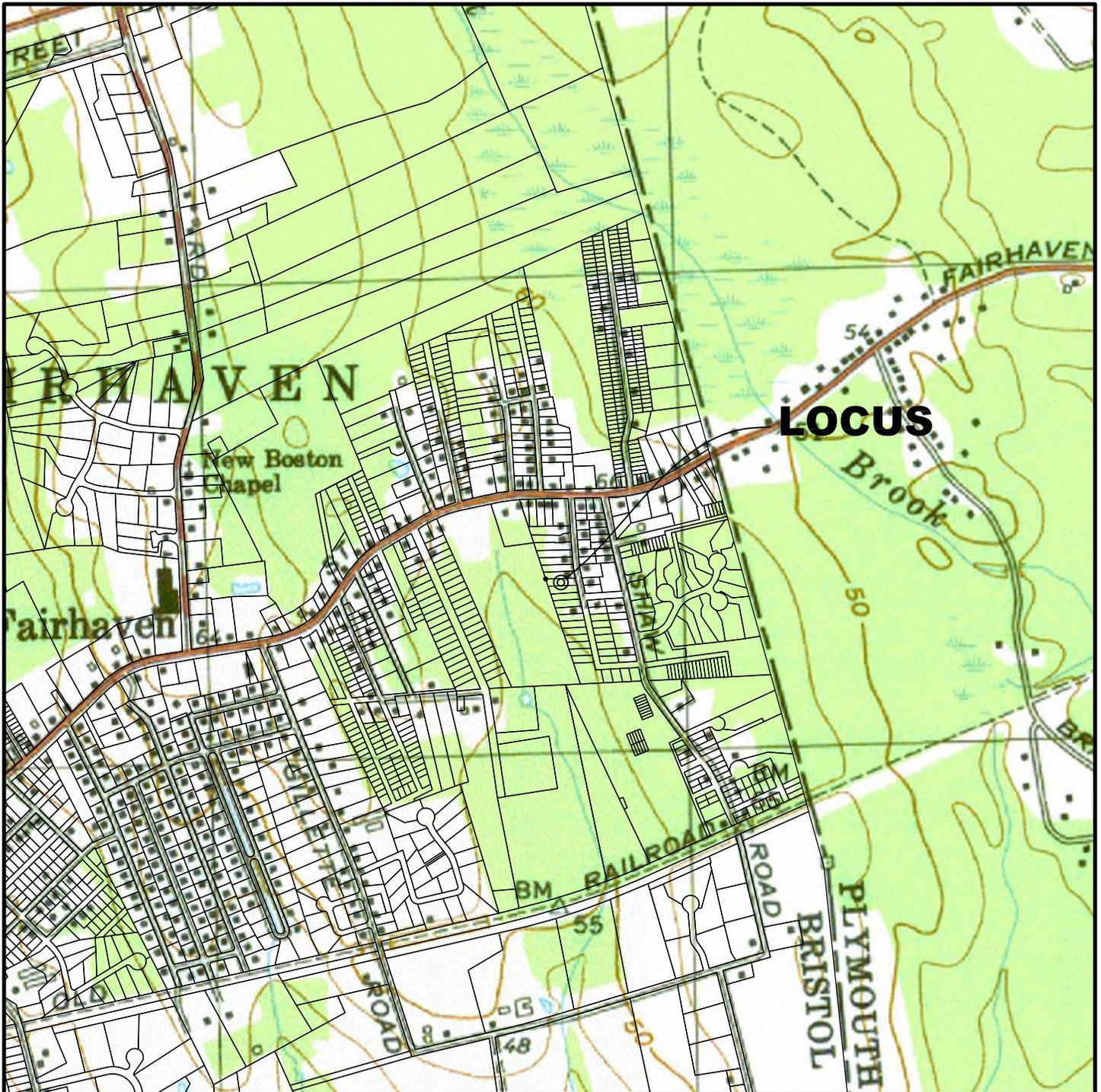


**ZENITH CONSULTING ENGINEERS, LLC**

3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

**Area of Critical Environmental Concern Map**



SHEET NAME:

**ACEC MAP**

PROJECT SITE:

**24 KANE STREET  
FAIRHAVEN, MASSACHUSETTS**

CLIENT INFO:

**JERMAINE HURLEY  
697 GREENVILLE AVE JOHNSTON, RI**



**ZENITH CONSULTING ENGINEERS, LLC**

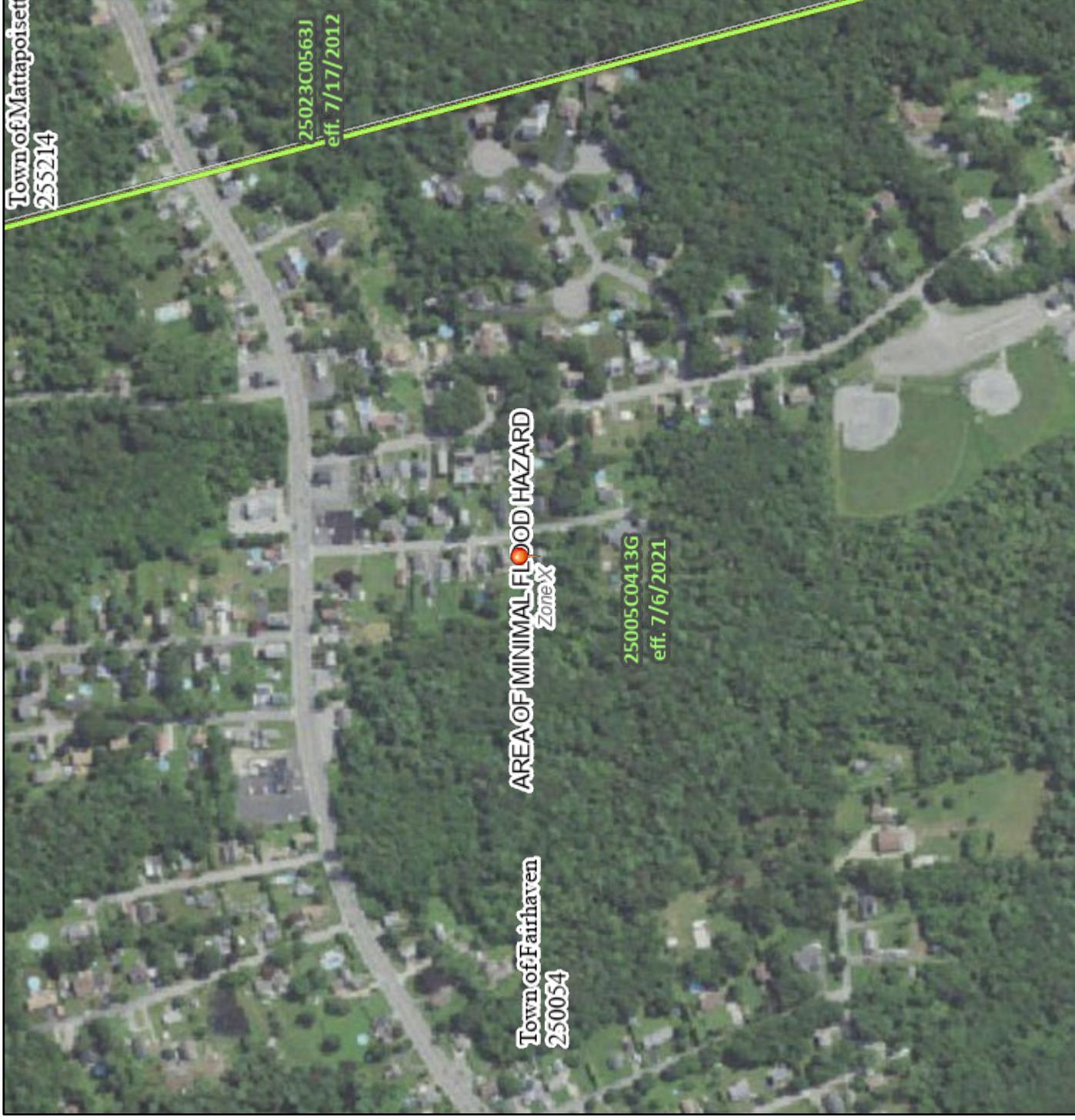
3 MAIN STREET LAKEVILLE, MA 02347

PHONE: (508) 947-4208

## **Firm Map**

# National Flood Hazard Layer FIRMette

70°51'24"W 41°39'14"N



Basemap Imagery Source: USGS National Map 2023

## Legend

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

**SPECIAL FLOOD HAZARD AREAS**



Without Base Flood Elevation (BFE)  
Zone A, V, A99  
With BFE or Depth Zone AE, AO, AH, VE, AR  
Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**



0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X  
Future Conditions 1% Annual Chance Flood Hazard Zone X  
Area with Reduced Flood Risk due to Levee. See Notes. Zone X  
Area with Flood Risk due to Levee Zone D

**OTHER AREAS**



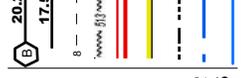
NO SCREEN  
Area of Minimal Flood Hazard Zone X  
Effective LOMR  
Area of Undetermined Flood Hazard Zone D

**GENERAL STRUCTURES**



Channel, Culvert, or Storm Sewer  
Levee, Dike, or Floodwall

**OTHER FEATURES**



Cross Sections with 1% Annual Chance Water Surface Elevation  
20.2  
17.5  
Coastal Transect  
Base Flood Elevation Line (BFE)  
Limit of Study  
Jurisdiction Boundary  
Coastal Transect Baseline  
Profile Baseline  
Hydrographic Feature

**MAP PANELS**



Digital Data Available  
No Digital Data Available  
Unmapped



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 accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/19/2026 at 3:02 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or 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.

**DEP Data Sheets**

**BORDERING VEGETATED WETLAND DETERMINATION FORM**

Project/Site: 24 Kane Street City/Town: Fairhaven Sampling Date: 12/29/25  
 Applicant/Owner: Zenith Consulting Engineers Sampling Point or Zone: Upland  
 Investigator(s): Steve Chmiel, Wetlands Consultant Latitude / Longitude: 41.650023/-70.851525  
 Soil Map Unit Name: Ridgebury (70A) NWI or DEP Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks)  
 Are Vegetation , Soil , or Hydrology  significantly disturbed? (If yes, explain in Remarks)  
 Are Vegetation , Soil , or Hydrology  naturally problematic? (If yes, explain in Remarks)

**SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.**

Wetland vegetation criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	<b>Is the Sampled Area within a Wetland?</b> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydic Soils criterion met?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Wetlands hydrology present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Remarks, Photo Details, Flagging, etc.:			
Observations recorded adjacent to WF W1-104, see associated plan set for location. Ancient fill soils over native material. Fill associated with development of a single family home unit constructed circa 1920.			

**HYDROLOGY**

<b>Field Observations:</b>		
Surface Water Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/> Depth (inches) _____
<b>Wetland Hydrology Indicators</b>		
Reliable Indicators of Wetlands Hydrology <input type="checkbox"/> Water-stained leaves <input type="checkbox"/> Evidence of aquatic fauna <input type="checkbox"/> Iron deposits <input type="checkbox"/> Algal mats or crusts <input type="checkbox"/> Oxidized rhizospheres/pore linings <input type="checkbox"/> Thin muck surfaces <input type="checkbox"/> Plants with air-filled tissue (aerenchyma) <input type="checkbox"/> Plants with polymorphic leaves <input type="checkbox"/> Plants with floating leaves <input type="checkbox"/> Hydrogen sulfide odor	Indicators that can be Reliable with Proper Interpretation <input type="checkbox"/> Hydrological records <input type="checkbox"/> Free water in a soil test hole <input type="checkbox"/> Saturated soil <input type="checkbox"/> Water marks <input type="checkbox"/> Moss trim lines  <input type="checkbox"/> Presence of reduced iron <input type="checkbox"/> Woody plants with adventitious roots <input type="checkbox"/> Trees with shallow root systems <input type="checkbox"/> Woody plants with enlarged lenticels	Indicators of the Influence of Water <input type="checkbox"/> Direct observation of inundation <input type="checkbox"/> Drainage patterns <input type="checkbox"/> Drift lines <input type="checkbox"/> Scoured areas <input type="checkbox"/> Sediment deposits  <input type="checkbox"/> Surface soil cracks <input type="checkbox"/> Sparsely vegetated concave surface <input type="checkbox"/> Microtopographic relief <input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available): N/A Data recorded in an upland.		

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

**VEGETATION** – Use both common and scientific names of plants.

<u>Tree Stratum</u>		Plot size <u>30 feet</u>					
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)		
Common name		Scientific name					
1.							
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
0.0 = Total Cover							
<u>Shrub/Sapling Stratum</u>		Plot size <u>15 feet</u>					
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)		
Common name		Scientific name					
1.	Border privet	Ligustrum obtusifolium	NI	38.0	Yes	No	
2.	Multiflora Rose	Rosa multiflora	FACU	20.5	Yes	No	
3.							
4.							
5.							
6.							
7.							
8.							
9.							
58.5 = Total Cover							
<u>Herb Stratum</u>		Plot size <u>5 feet</u>					
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)		
Common name		Scientific name					
1.	Curly Dock	Rumex crispus	FAC	20.5	Yes	Yes	
2.							
3.							
4.							
5.							
6.							
7.							
8.							
9.							
10.							
11.							
12.							
20.5 = Total Cover							

**VEGETATION** – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name		Scientific name					
1.	Asian Bittersweet	Celastrus orbiculatus		UPL <input type="checkbox"/>	20.5	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
2.				<input type="checkbox"/>			
3.							
4.							
				<u>20.5</u> = Total Cover			

<b>Rapid Test:</b> Do all dominant species have an indicator status of OBL or FACW?			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species?
	4	1	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:
	OBL species		X 1 = 0.00
	FACW species		X 2 = 0.00
	FAC species		X 3 = 0.00
	FACU species		X 4 = 0.00
	UPL species		X 5 = 0.00
	Column Totals	(A) 0	(B) 0
Prevalence Index		B/A = <b>0.00</b>	
<b>Wetland vegetation criterion met?</b>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

**Definitions of Vegetation Strata**

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %



**BORDERING VEGETATED WETLAND DETERMINATION FORM**

Project/Site: 24 Kane Street City/Town: Fairhaven Sampling Date: 12/29/25

Applicant/Owner: Zenith Consulting Engineers Sampling Point or Zone: Upland

Investigator(s): Steve Chmiel, Wetlands Consultant Latitude / Longitude: 41.650023/-70.851525

Soil Map Unit Name: Ridgebury (70A) NWI or DEP Classification: N/A

Are climatic/hydrologic conditions on the site typical for this time of year? Yes  No  (If no, explain in Remarks)

Are Vegetation , Soil , or Hydrology  significantly disturbed? (If yes, explain in Remarks)

Are Vegetation , Soil , or Hydrology  naturally problematic? (If yes, explain in Remarks)

**SUMMARY OF FINDINGS – Attach site map and photograph log showing sampling locations, transects, etc.**

Wetland vegetation criterion met?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydic Soils criterion met?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Wetlands hydrology present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		

Remarks, Photo Details, Flagging, etc.:

Observations recorded adjacent to WF W1-104, see associated plan set for location. Ancient fill soils over native material. Fill associated with development of a single family home unit constructed circa 1920.

**HYDROLOGY**

**Field Observations:**

Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Water Table Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____
Saturation Present (including capillary fringe)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches) _____

**Wetland Hydrology Indicators**

Reliable Indicators of Wetlands Hydrology	Indicators that can be Reliable with Proper Interpretation	Indicators of the Influence of Water
<input type="checkbox"/> Water-stained leaves	<input type="checkbox"/> Hydrological records	<input type="checkbox"/> Direct observation of inundation
<input type="checkbox"/> Evidence of aquatic fauna	<input type="checkbox"/> Free water in a soil test hole	<input type="checkbox"/> Drainage patterns
<input type="checkbox"/> Iron deposits	<input type="checkbox"/> Saturated soil	<input type="checkbox"/> Drift lines
<input type="checkbox"/> Algal mats or crusts	<input type="checkbox"/> Water marks	<input type="checkbox"/> Scoured areas
<input type="checkbox"/> Oxidized rhizospheres/pore linings	<input type="checkbox"/> Moss trim lines	<input type="checkbox"/> Sediment deposits
<input type="checkbox"/> Thin muck surfaces	<input type="checkbox"/> Presence of reduced iron	<input type="checkbox"/> Surface soil cracks
<input type="checkbox"/> Plants with air-filled tissue (aerenchyma)	<input type="checkbox"/> Woody plants with adventitious roots	<input type="checkbox"/> Sparsely vegetated concave surface
<input type="checkbox"/> Plants with polymorphic leaves	<input type="checkbox"/> Trees with shallow root systems	<input type="checkbox"/> Microtopographic relief
<input type="checkbox"/> Plants with floating leaves	<input type="checkbox"/> Woody plants with enlarged lenticels	<input type="checkbox"/> Geographic position (depression, toe of slope, fringing lowland)
<input type="checkbox"/> Hydrogen sulfide odor		

Remarks (describe recorded data from stream gauge, monitoring well, aerial photos, previous inspections, if available):  
 N/A Data recorded in an upland.

This form is only for BVW delineations. Other wetland resource areas may be present and should be delineated according to the applicable regulatory provisions.

**VEGETATION** – Use both common and scientific names of plants.

<u>Tree Stratum</u>		Plot size <u>30 feet</u>			
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name		Scientific name			
1.	Red Maple		38		
2.	Bebb Willow		20.5		
3.					
4.					
5.					
6.					
7.					
8.					
9.					
0.0 = Total Cover					
<u>Shrub/Sapling Stratum</u>		Plot size <u>15 feet</u>			
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name		Scientific name			
1.	Border privet		38.0	Yes	No
2.	Multiflora Rose	FACU	20.5	Yes	No
3.					
4.					
5.					
6.					
7.					
8.					
9.					
58.5 = Total Cover					
<u>Herb Stratum</u>		Plot size <u>5 feet</u>			
		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name		Scientific name			
1.	Curly Dock	FAC	20.5	Yes	Yes
2.	Cinnamon fern		20.5		
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
20.5 = Total Cover					

**VEGETATION** – continued.

<u>Woody Vine Stratum</u>		Plot size <u>30</u>		Indicator Status	Absolute % Cover	Dominant? (yes/no)	Wetland Indicator? (yes/no)
Common name		Scientific name					
1.	Asian Bittersweet	Celastrus orbiculatus		UPL	20.5	Yes	No
2.							
3.							
4.							
				<u>20.5</u> = Total Cover			

<b>Rapid Test:</b> Do all dominant species have an indicator status of OBL or FACW?			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
<b>Dominance Test:</b>	Number of dominant species	Number of dominant species that are wetland indicator plants	Do wetland indicator plants make up ≥ 50% of dominant plant species?	
	4	1	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
<b>Prevalence Index:</b>		Total % Cover (all strata)	Multiply by:	Result
	OBL species		X 1	= 0.00
	FACW species		X 2	= 0.00
	FAC species		X 3	= 0.00
	FACU species		X 4	= 0.00
	UPL species		X 5	= 0.00
	Column Totals	(A) 0		(B) 0
Prevalence Index		B/A = <b>0.00</b>		Is the Prevalence Index ≤ 3.0?
				Yes <input type="checkbox"/> No <input type="checkbox"/>
<b>Wetland vegetation criterion met?</b>			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

**Definitions of Vegetation Strata**

- Tree - Woody plants 3 in. (7.62 cm) or more in diameter at breast height (DBH), regardless of height
- Shrub / Sapling - Woody plants less than 3 in. (7.62 cm) DBH and greater than or equal to 3.3 ft. (1 m) tall
- Herb - All herbaceous (non-woody plants, regardless of size, and woody plants less than 3.3 ft. (1 m) tall
- Woody vines - All woody vines greater than 3.3 ft. (1 m) in height

Cover Ranges	
Range	Midpoint
1-5 %	3.0 %
6-15 %	10.5 %
15-25 %	20.5 %
26-50 %	38.0 %
51-75 %	63.0 %
76-95 %	85.5 %
96-100 %	98.0 %



**Copies of Checks**

8549

Zenith Consulting Engineers, LLC.

3 Main Street  
Lakeville, MA 02347-1617

Rockland Trust Company  
53-447/113

02/02/2026

PAY TO THE ORDER OF Town of Fairhaven

\$\*\*262.50

Two hundred sixty-two and 50/100\*\*\*\*\* DOLLARS

PROTECTED AGAINST FRAUD

Town of Fairhaven

MEMO 24 Kane St.



*[Handwritten Signature]*



8550

Zenith Consulting Engineers, LLC.

3 Main Street  
Lakeville, MA 02347-1617

Rockland Trust Company  
53-447/113

02/02/2026

PAY TO THE ORDER OF Commonwealth of Massachusetts

\$\*\*237.50

Two hundred thirty-seven and 50/100\*\*\*\*\* DOLLARS

PROTECTED AGAINST FRAUD

Commonwealth of Massachusetts

MEMO 24 Kane St., Fairhaven



*[Handwritten Signature]*



8551

Zenith Consulting Engineers, LLC.

3 Main Street  
Lakeville, MA 02347-1617

Rockland Trust Company  
53-447/113

02/02/2026

PAY TO THE ORDER OF Town of Fairhaven

\$\*\*200.00

Two hundred and 00/100\*\*\*\*\* DOLLARS

PROTECTED AGAINST FRAUD

Town of Fairhaven

MEMO 24 Kane St.



*[Handwritten Signature]*



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Details on Back Intuite CheckLock™ Secure Check

8552

Zenith Consulting Engineers, LLC.

3 Main Street  
Lakeville, MA 02347-1617

Rockland Trust Company  
53-447/113

02/02/2026

PAY TO THE ORDER OF Town of Fairhaven

\$\*\*75.00

Seventy-five and 00/100\*\*\*\*\* DOLLARS

PROTECTED AGAINST FRAUD

Town of Fairhaven

MEMO  
24 Kane St.



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Details on Back Intuit® CheckLock™ Secure Check

