



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

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:

Brian/Ann Kelly

Name

E-Mail Address

7 SILVER SHELL BEACH DRIVE

Mailing Address

Fairhaven MA

MA

02719

City/Town

State

Zip Code

781 801-8764

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Firm

Contact Name

E-Mail Address

Mailing Address

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

B. Determinations

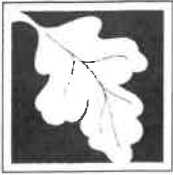
1. I request the Fairhaven make the following determination(s). Check any that apply:

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.
- ☒ 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):

Front of house in existing lawn.

Street Address

City/Town

Assessors Map/Plat Number

Parcel/Lot Number

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

existing lawn

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

Plot Plan for Brian Kelly

Title

8-1-2025

Date

7 Silver Shell Beach Drive

Title

7-29-2025

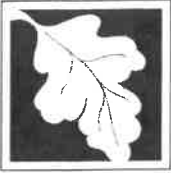
Deck sketch

Title

Date

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

Proposed 6' x 22' Deck with Sonotubes.



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C. Project Description (cont.)

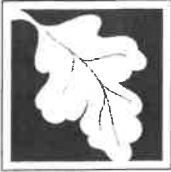
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

ADD A SMALL SITTING DECK (18' wide - 6' deep)
TO FRONT OF OUR HOUSE.

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:

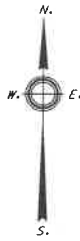
Name Brown / Ann Kelly
Mailing Address 7 SILVERSHILL BEACH DRIVE
City/Town FAIRHAVEN
State MASS Zip Code 01719

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 Brian Kelly Date 7/29/25
Signature of Representative (if any) _____ Date _____

Owner:
 Brian and Ann F. Kelly
 7 Silver Shell Beach Drive
 Fairhaven, MA 02719
 Deed Bk. 15250, Pg. 253
 Plan Book 33, Page 54
 Parcel ID: 41-047



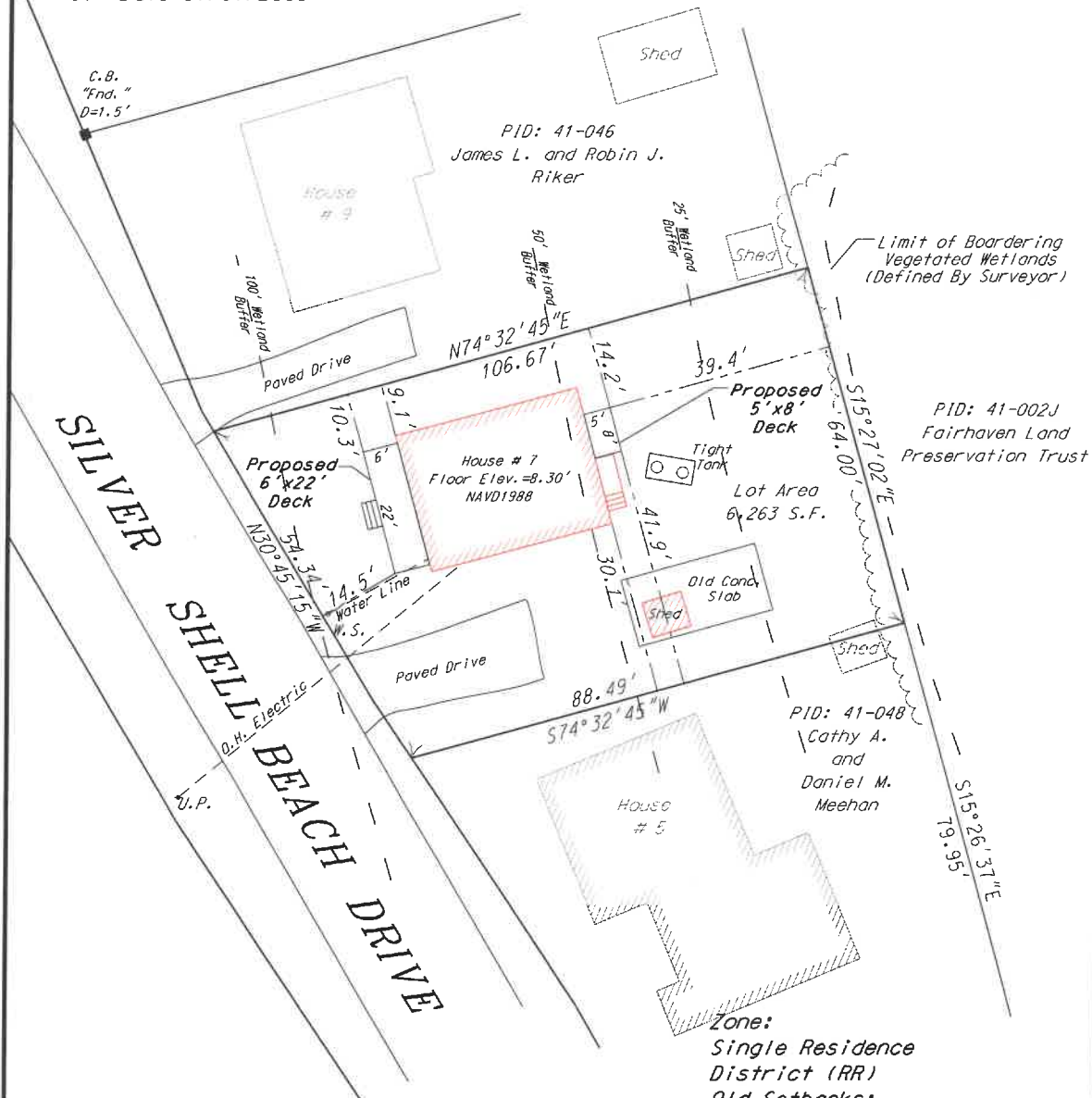
I hereby certify that the lot corners,
 dimensions and setbacks to the existing
 structures on this plan are correct.



NOTE:
 Locus located within
 Flood Zone VE
 Elev. = 20' on Flood
 Panel 25005C0501F
 Rev. Date 07/07/2009.

08/01/2025
 Date

Professional Land Surveyor



PLOT PLAN
 IN
FAIRHAVEN, MASSACHUSETTS

PREPARED FOR
Brian Kelly

SCALE: 20 feet to an inch August 1, 2025
 American Land Surveys
 3 Sunset Lane
 Fairhaven, Massachusetts

Zone:
 Single Residence
 District (RR)
 Old Setbacks:
 Front 15'
 Side 7.5'
 Rear 7.5'
 Height=35'
 Coverage:
 Lot=25%, Proposed=27%
 Building=15%, Proposed=16%
 Accessory
 Structure 5' Setback

