

# ***SCHNEIDER, DAVIGNON & LEONE, INC.***

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS

MATTHEW C. LEONE, P.L.S.



DAVID M. DAVIGNON, P.E.  
JAY MCKINNON, E.I.T.

April 1, 2026

Town of Fairhaven  
Conservation Commission  
40 Center Street  
Fairhaven, MA 02719

Attn: Kelly Camara, Conservation & Sustainability Coordinator

***Re: RDA Application***

Project Type: Proposed Land Clearing  
Applicant/Owner: Cornguy Realty Trust  
Site Address: Alden Road  
Lots #22B & #22D on Assessors Map #28

Dear Kelly,

Schneider, Davignon & Leone, Inc., acting as agent for the Applicant hereby submits the enclosed information for the purposes of scheduling a Public Hearing.

Specifically, please find the following materials enclosed:

- \$150.00 - RDA Fee
- \$75.00 - Legal Ad Fee
- RDA Application
- Site Plan

If you have any questions or need additional information, please call me at (508) 758-7866 (ext. 203).

Sincerely,

*Schneider, Davignon & Leone, Inc.*



David M. Davignon, P.E.

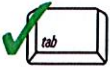
cc: DEP- SE Regional Office  
Cornguy Realty Trust  
File 3916

Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability** Fairhaven  
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:  
Cornguy Realty Trust  
First Name Last Name  
172 William Street  
Address  
New Bedford MA 02740  
City/Town State Zip Code  
(508) 801-5679  
Phone Number bagdadexpress@yahoo.com  
Email Address

2. Property Owner (if different from Applicant):  
same as applicant  
First Name Last Name  
Address  
City/Town State Zip Code  
Phone Number Email Address (if known)

3. Representative (if any)  
David M. Davignon, P.E.  
First Name Last Name  
Company Name  
Schneider, Davignon & Leone, Inc., P.O. Box 480, 81A County Road, Unit G  
Address  
Mattapoisett MA 02739  
City/Town State Zip Code  
(508) 758-7866  
Phone Number dsquared3368@yahoo.com  
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):  
Alden Road Fairhaven  
Street Address City/Town  
41.6384 70.8854  
Latitude (Decimal Degrees Format with 5 digits after decimal e.g. XX.XXXXX) Longitude (Decimal Degrees Format with 5 digits after decimal e.g. -XX.XXXXX)  
28 22B & 22D  
Assessors' Map Number Assessors' Lot/Parcel Number

b. Area Description (use additional paper, if necessary):  
Work within the 100 ft. Buffer Zone of an ORAD approved Bordering Vegetated Wetland.

c. Plan and/or Map Reference(s): (use additional paper if necessary)  
Site Plan 4-1-26  
Title Date  
USGS, NHESP, Assessors and FIRM Maps, ORAD Document n/a  
Title Date

[How to find Latitude and Longitude](#)

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

Massachusetts Department of Environmental Protection

Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability** Fairhaven

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

Municipality

**B. Project Description (cont.)**

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

The Applicant proposes to cut and remove trees and stumps for the purposes of the future development. Work to occur within the 100 ft. Buffer Zone of an ORAD approved Bordering Vegetated Wetland line. Erosion control will be deployed and maintained until all disturbed areas have been properly stabilized.

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- 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.)
-

Massachusetts Department of Environmental Protection  
Bureau of Water Resources - Wetlands

**WPA Form 1- Request for Determination of Applicability** Fairhaven  
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40 Municipality

**C. Determinations**

1. I request the Town of 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 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:

\_\_\_\_\_  
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



\_\_\_\_\_  
Date

4-01-20

\_\_\_\_\_  
Signature of Representative (if any)

\_\_\_\_\_  
Date

DENNIS A ARSENAULT  
KAREN M ARSENAULT  
28 BRANDT ISLAND RD  
MATTAPOISETT, MA 02739-1704

3/3/26  
Date

6483  
53-13/110 MA  
26738

Pay To The Order Of TOWN OF FAIRHAVEN | \$ 150.00  
ONE HUNDRED FIFTY & 00/100 Dollars

**BANK OF AMERICA**

ACH R/T 011000138

For RDA - ALDEN RD  MP

Harland Clarke

DENNIS A ARSENAULT  
KAREN M ARSENAULT  
28 BRANDT ISLAND RD  
MATTAPOISETT, MA 02739-1704


3/3/26  
Date

6484  
53-13/110 MA  
26738

Pay To The Order Of TOWN OF FAIRHAVEN | \$ 75.00  
SEVENTY FIVE & 00/100 Dollars

**BANK OF AMERICA**

ACH R/T 011000138

For LEGAL AD ALDEN RD  MP

Harland Clarke



**U.S.G.S. QUADRANGLE MAP**

SCALE: 1"=2,083'

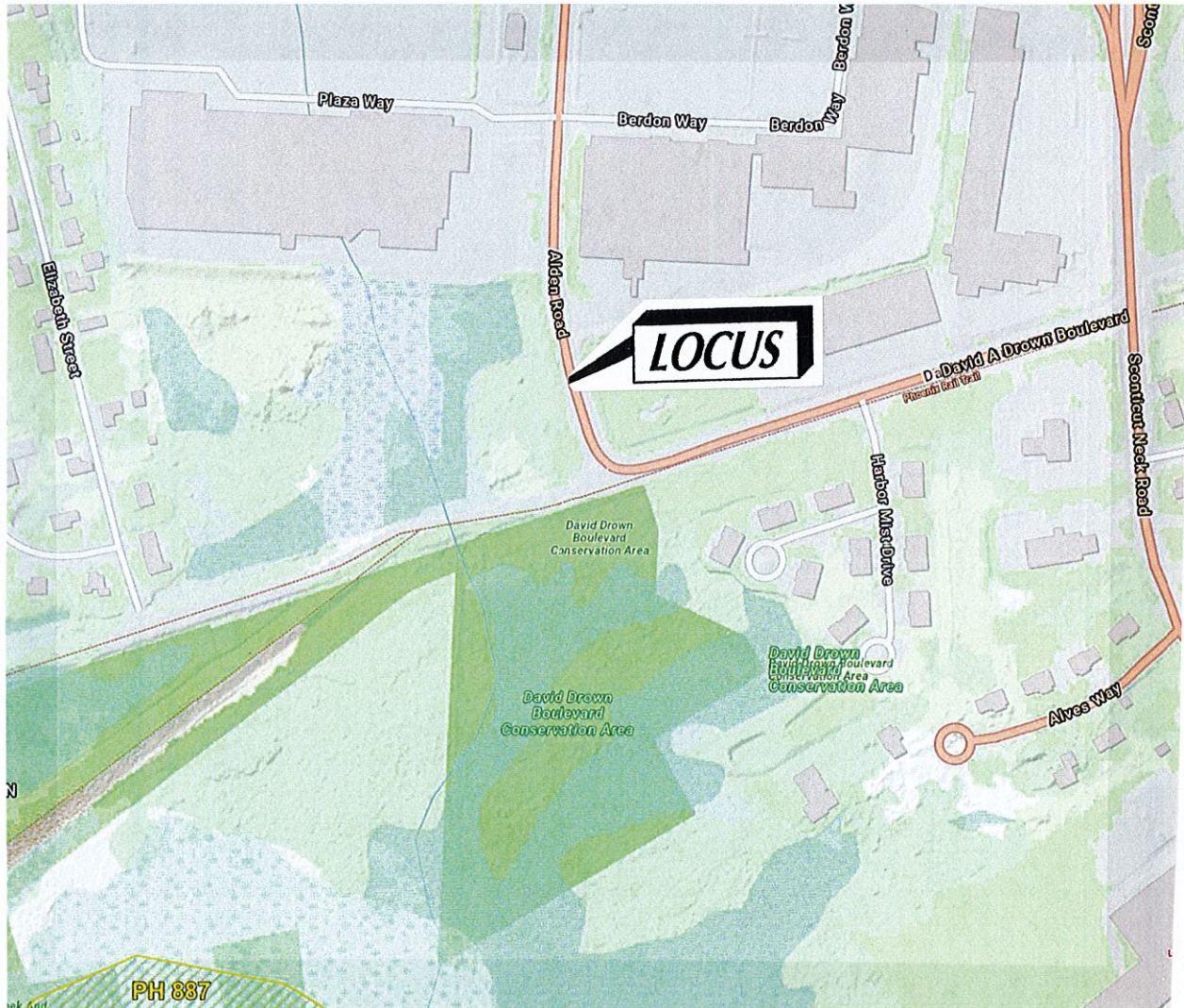
***SCHNEIDER, DAVIGNON & LEONE, INC.***

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
 P.O. Box 480, 81A COUNTY ROAD, UNIT G, MATTAPOISETT, MA 02739  
 1-508-758-7866



**RDA Application**  
**Applicant: Cornguy Realty Trust**  
**Town of: Fairhaven**  
**Site Address: Alden Road**  
**Locus = Assessors Lots #22B & #22D on Map #28**

**FIGURE 1**



## ESTIMATED HABITAT MAP

Not to Scale

### ***SCHNEIDER, DAVIGNON & LEONE, INC.***

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
 P.O. Box 480, 81A COUNTY ROAD, UNIT G, MATTAPOISETT, MA 02739  
 1-508-758-7866



### ***RDA Application***

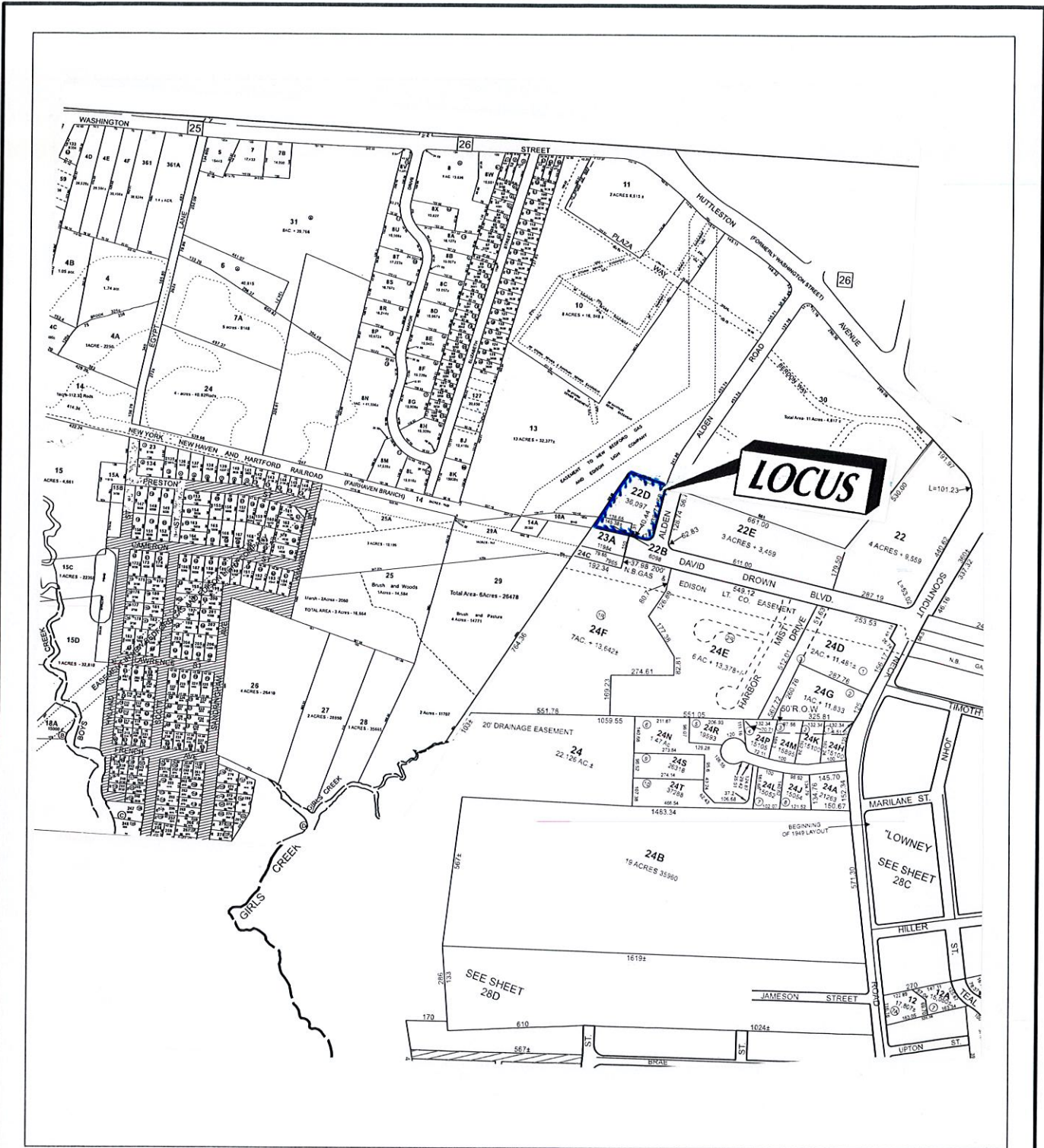
***Applicant: Cornguy Realty Trust***

***Town of: Fairhaven***

***Site Address: Alden Road***

***Locus = Assessors Lots #22B & #22D on Map #28***

**FIGURE 2**



## ASSESSORS MAP #28

Not to Scale

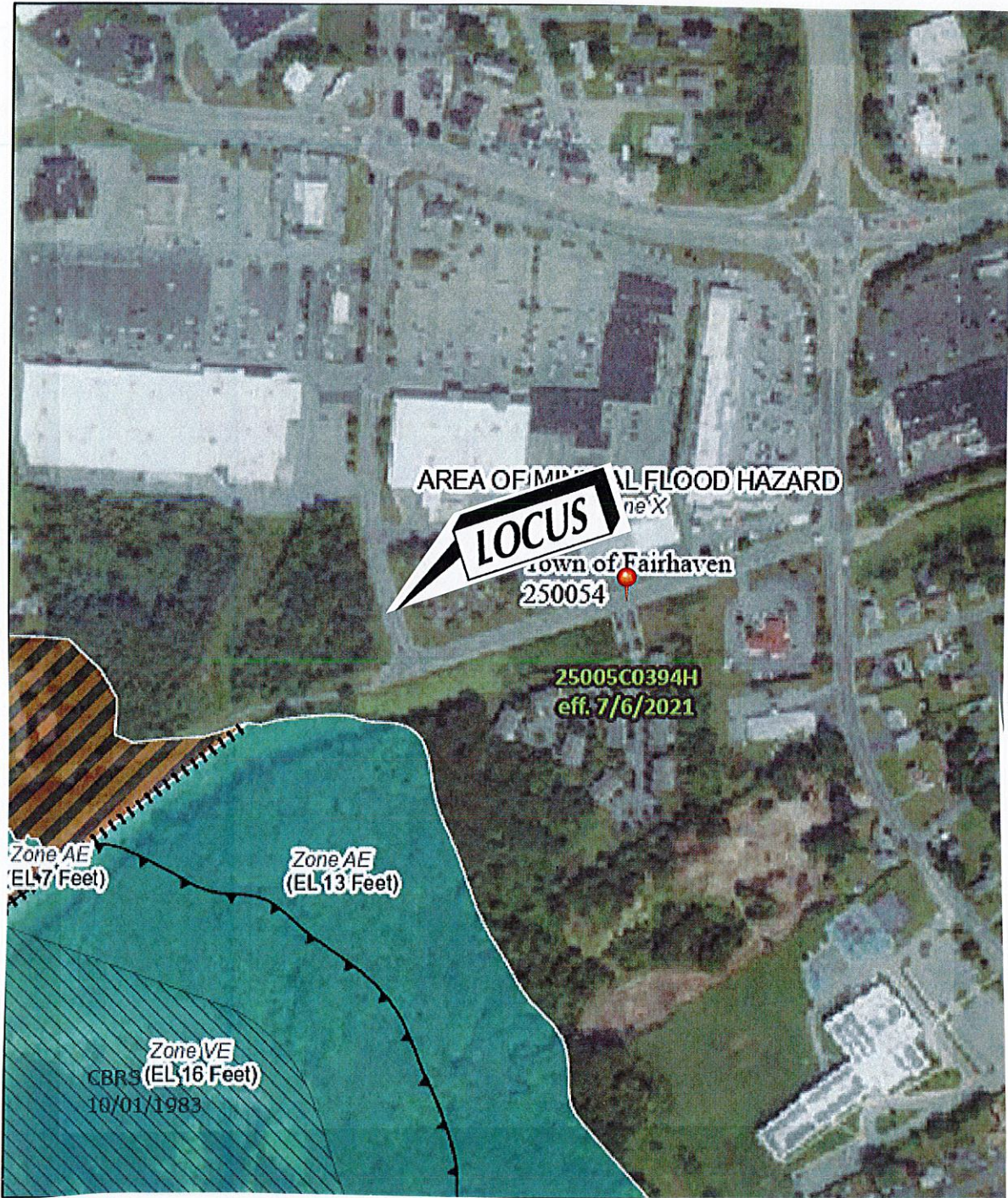
### **SCHNEIDER, DAVIGNON & LEONE, INC.**

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
 P.O. Box 480, 81A COUNTY ROAD, UNIT G, MATTAPOISETT, MA 02739  
 1-508-758-7866



**RDA Application**  
**Applicant: Cornguy Realty Trust**  
**Town of: Fairhaven**  
**Site Address: Alden Road**  
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**FIGURE 3**



PANEL NO.  
25005C0394H

**FAIRHAVEN F.I.R.M.**

Not to Scale

***SCHNEIDER, DAVIGNON & LEONE, INC.***

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
P.O. Box 480, 81A COUNTY ROAD, UNIT G, MATTAPOISETT, MA 02739  
1-508-758-7866



***RDA Application***

***Applicant: Cornguy Realty Trust***

***Town of: Fairhaven***

***Site Address: Alden Road***






***Locus = Assessors Lots #22B & #22D on Map #28***

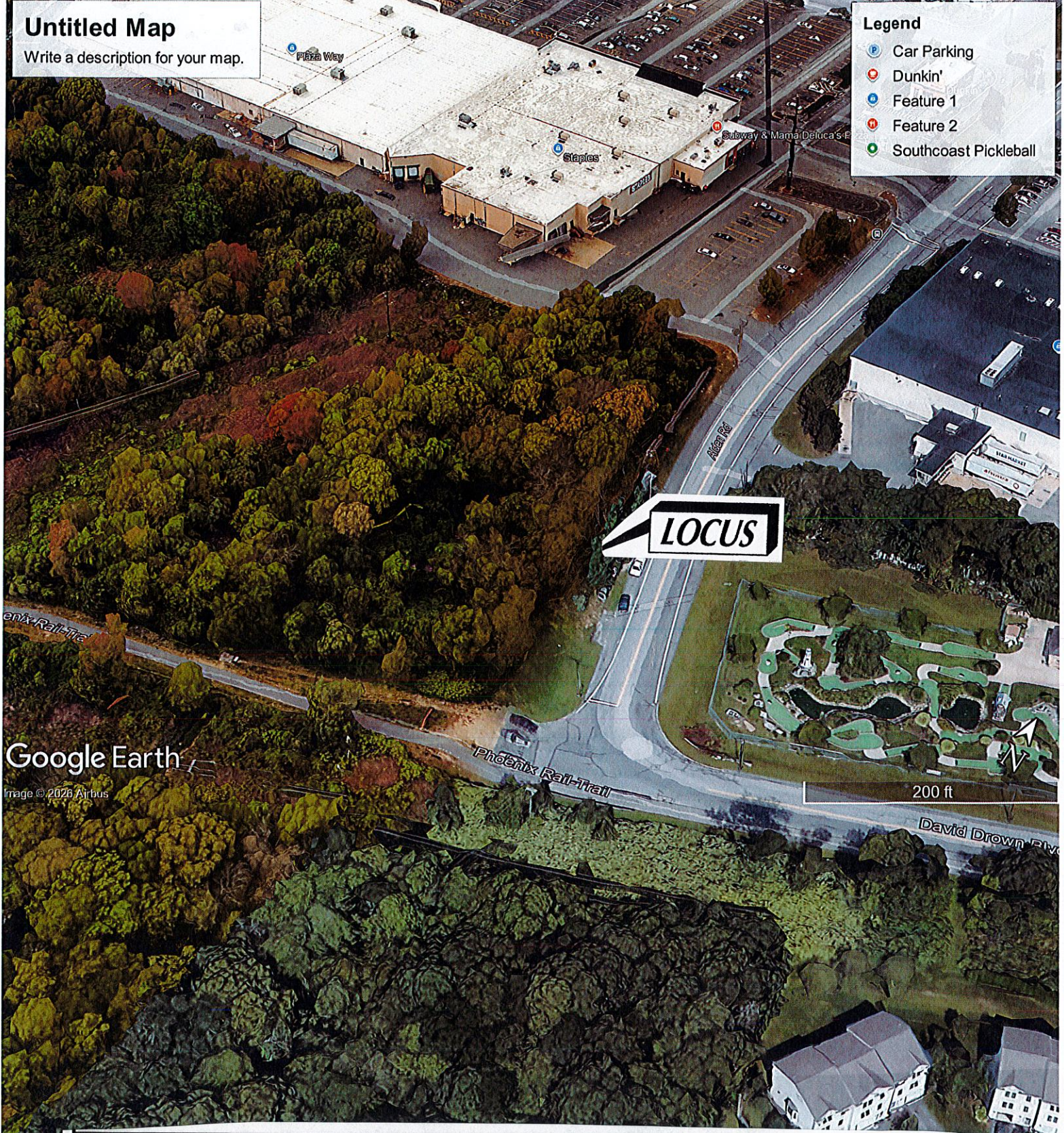
**FIGURE 4**

# Untitled Map

Write a description for your map.

## Legend

-  Car Parking
-  Dunkin'
-  Feature 1
-  Feature 2
-  Southcoast Pickleball



Google Earth

Image © 2026 Airbus

## GOOGLE EARTH AERIAL

### ***SCHNEIDER, DAVIGNON & LEONE, INC.***

PROFESSIONAL CIVIL ENGINEERS & LAND SURVEYORS  
P.O. Box 480, 81A COUNTY ROAD, UNIT G, MATTAPOISETT, MA 02739  
1-508-758-7866



### ***RDA Application***

***Applicant: Cornguy Realty Trust***

***Town of: Fairhaven***

***Site Address: Alden Road***

***Locus = Assessors Lots #22B & #22D on Map #28***

**FIGURE 5**

For Registry of Deeds Use



South Bristol County ROD  
Book 15399 Page 0502 Type: ORDER  
Recorded on 03/18/2026 at 12:59 PM Page 1/4  
TID: 232743 Doc # 202600043180



**Massachusetts Department of Environmental Protection**  
**Bureau of Resource Protection - Wetlands**  
**WPA Form 4B – Order of Resource Area**  
**Delineation**

Provided by MassDEP:  
SE 023-1482  
MassDEP File Number  
1863634  
eDEP Transaction Number  
Fairhaven  
City/Town

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.



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

**Schnedler, Davignon & Leone, Inc.**  
**Professional Civil Engineers & Land Surveyors**  
P.O. Box 480, 81A County Road, Unit G  
Mattapoisett, MA 02739

From: Fairhaven  
1. Conservation Commission

2. This Issuance is for (check one):  
 a.  Order of Resource Area Delineation  
 b.  Amended Order of Resource Area Delineation

3. Applicant:  
Dennis Arsenault  
 a. First Name b. Last Name  
 c. Organization  
28 Brandt Island Road  
 d. Mailing Address  
Mattapoisett MA 02739  
 e. City/Town f. State g. Zip Code

4. Property Owner (if different from applicant):  
Maurice & Betty Mendonca  
 a. First Name b. Last Name  
 c. Organization  
445 Bridge Street  
 d. Mailing Address  
Fairhaven MA 02719  
 e. City/Town f. State g. Zip Code

5. Project Location:  
Alden Road Fairhaven MA  
 a. Street Address b. City/Town c. Zip Code  
28 022B & 022D  
 d. Assessors Map/Plat Number e. Parcel/Lot Number  
 Latitude and Longitude (in degrees, minutes, seconds):  
41d39m11s 70d53m35s  
 f. Latitude g. Longitude

6. Dates:  
10/15/2024 1/6/2025 1/13/2025  
 a. Date ANRAD filed b. Date Public Hearing Closed c. Date of Issuance



Massachusetts Department of Environmental Protection  
 Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Order of Resource Area  
 Delineation**

Provided by MassDEP:  
 SE 023-1482  
 MassDEP File Number  
 1863634  
 eDEP Transaction Number  
 Fairhaven  
 City/Town

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

**A. General Information (cont.)**

7. Title and Date (or Revised Date if applicable) of Final Plans and Other Documents:

Wetland Delineation Plan	September 27, 2024
a. Title	b. Date
_____	_____
c. Title	d. Date
_____	_____

**B. Order of Delineation**

1. The Conservation Commission has determined the following (check whichever is applicable):

a.  **Accurate:** The boundaries described on the referenced plan(s) above and in the Abbreviated Notice of Resource Area Delineation are accurately drawn for the following resource area(s):

- 1.  Bordering Vegetated Wetlands
- 2.  Other resource area(s), specifically:

a. \_\_\_\_\_  
 \_\_\_\_\_

b.  **Modified:** The boundaries described on the plan(s) referenced above, as modified by the Conservation Commission from the plans contained in the Abbreviated Notice of Resource Area Delineation, are accurately drawn from the following resource area(s):

- 1.  Bordering Vegetated Wetlands
- 2.  Other resource area(s), specifically:

a. \_\_\_\_\_  
 \_\_\_\_\_

c.  **Inaccurate:** The boundaries described on the referenced plan(s) and in the Abbreviated Notice of Resource Area Delineation were found to be inaccurate and cannot be confirmed for the following resource area(s):

- 1.  Bordering Vegetated Wetlands
- 2.  Other resource area(s), specifically:

\_\_\_\_\_  
 \_\_\_\_\_



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

# WPA Form 4B – Order of Resource Area Delineation

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

Provided by MassDEP:  
SE 023-1482  
MassDEP File Number  
1863634  
eDEP Transaction Number  
Fairhaven  
City/Town

## B. Order of Delineation (cont.)

- 3.  The boundaries were determined to be inaccurate because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## C. Findings

This Order of Resource Area Delineation determines that the boundaries of those resource areas noted above, have been delineated and approved by the Commission and are binding as to all decisions rendered pursuant to the Massachusetts Wetlands Protection Act (M.G.L. c.131, § 40) and its regulations (310 CMR 10.00). This Order does not, however, determine the boundaries of any resource area or Buffer Zone to any resource area not specifically noted above, regardless of whether such boundaries are contained on the plans attached to this Order or to the Abbreviated Notice of Resource Area Delineation.

This Order must be signed by a majority of the Conservation Commission. The Order must be sent by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate DEP Regional Office (see <https://www.mass.gov/service-details/massdep-regional-offices-by-community>).

## D. Appeals

The applicant, the owner, any person aggrieved by this Order, any owner of land abutting the land subject to this Order, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the appropriate DEP Regional Office to issue a Superseding Order of Resource Area Delineation. When requested to issue a Superseding Order of Resource Area Delineation, the Department's review is limited to the objections to the resource area delineation(s) stated in the appeal request. The request must be made by certified mail or hand delivery to the Department, with the appropriate filing fee and a completed Request for Departmental Action Fee Transmittal Form, as provided in 310 CMR 10.03(7) within ten business days from the date of issuance of this Order. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and to the applicant, if he/she is not the appellant.

Any appellants seeking to appeal the Department's Superseding Order of Resource Area Delineation will be required to demonstrate prior participation in the review of this project. Previous participation in the permit proceeding means the submission of written information to the Conservation Commission prior to the close of the public hearing, requesting a Superseding Order or Determination, or providing written information to the Department prior to issuance of a Superseding Order or Determination.

The request shall state clearly and concisely the objections to the Order which is being appealed and how the Order does not contribute to the protection of the interests identified in the Massachusetts Wetlands Protection Act, (M.G.L. c. 131, § 40) and is inconsistent with the wetlands regulations (310 CMR 10.00). To the extent that the Order is based on a municipal bylaw or ordinance, and not on the Massachusetts Wetlands Protection Act or regulations, the Department of Environmental Protection has no appellate jurisdiction.



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands  
**WPA Form 4B – Order of Resource Area Delineation**

Provided by MassDEP:  
SE 023-1482  
MassDEP File Number  
1863634  
eDEP Transaction Number  
Fairhaven  
City/Town

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

**E. Signatures**

1-13-2025  
Date of Issuance  
4  
1. Number of Signers

Please indicate the number of members who will sign this form.

*[Handwritten Signature]*  
Signature of Conservation Commission Member  
*[Handwritten Signature: Karen F. Isherwood]*  
Signature of Conservation Commission Member  
*[Handwritten Signature]*  
Signature of Conservation Commission Member  
Signature of Conservation Commission Member

*[Handwritten Signature]*  
Signature of Conservation Commission Member  
Signature of Conservation Commission Member  
Signature of Conservation Commission Member

**This Order is valid for three years from the date of issuance.**

If this Order constitutes an Amended Order of Resource Area Delineation, this Order does not extend the issuance date of the original Final Order, which expires on \_\_\_\_\_ unless extended in writing by the issuing authority.

This Order is issued to the applicant and the property owner (if different) as follows:

2.  By hand delivery on \_\_\_\_\_

3.  By certified mail, return receipt requested on \_\_\_\_\_

a. Date

a. Date



Town of Fairhaven  
Massachusetts  
BOARD OF ASSESSORS  
40 Center Street  
Fairhaven, MA 02719

Ronnie Manzone, Chair  
Pamela K. Davis, MAA, Member  
Daniel Lane, Member

Joanne Correia, Principal Assessor  
Phone: (508) 979-4023, x-8111  
Facsimile: (508) 979-4079  
Email: jcorreia@fairhaven-ma.gov

### ABUTTERS LIST REQUEST FORM

A \$25.00 Fee per request is required for preparation of the list. Payment is due at the time of submission of this form. Please allow 10 days from the submission of the form for the Assessors' office to complete the processing of your request. In conformance with MGL c40A §11, this information is needed so that an official abutters list as required, is used in notifying the abutters.

Date of Request: 1 / 20 / 26

Assessors Parcel ID: MAP 28 LOT 22B & 22D

Property Address: 0 Alden Rd.

Distance Required from Parcel # listed above (Circle One):  500  300  100  
(Note: if a distance is not circled, we cannot process your request)

Property Owner: Cornuguy Realty Trust

Property Owner's Mailing Address: 172 Williams St.

Town/City: New Bedford State: MA Zip: 02740

Property Owner's Telephone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Requestor's Name (if different from Owner): SDL Engineering

Requestor's Mailing Address: PO Box 480

Town/City: Mattapoisett State: MA Zip: 02739

Requestor's Telephone # 508 - 758 - 7826

Requestor's Email: Heather@SDLengineering.com

Office Use Only: Date Fee Paid    /    /    Paid in Cash \$   

Paid by Check \$    Check #    Town Receipt #

AJAR HOLDINGS LLC  
92 PINE ST  
ROCHESTER, MA 02770

FAIRHAVEN TOWN OF  
40 CENTER STREET  
FAIRHAVEN, MA 02719

FAIRHAVEN TOWN OF  
CONSERVATION COMMISSION  
40 CENTER ST  
FAIRHAVEN, MA 02719

FAIRHAVEN TOWN OF  
TOWN POSSESSIONS  
40 CENTER STREET  
FAIRHAVEN, MA 02719

MCZ REALTY LLC  
PO BOX 241  
MANHASSET, NY 11030

OSJ OF FAIRHAVEN LLC  
ATTN PAT ROSE LEGAL DEPT  
375 COMMERCE PARK ROAD  
NORTH KINGSTOWN, RI 02852

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**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  
to all abutters within 100 feet of the site of the project)*

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: Cornguy Realty Trust
  
2. The applicant has filed the following type of permit application 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:  
Alden Road, Lots 22B & 22D, Map 28
  
4. The proposed work includes the cutting and removal of trees and stumps for the purpose of a future development. Work to occur within the 100 ft. Buffer Zone of an ORAD approved Bordering Vegetated Wetland line.  
\_\_\_\_\_  
\_\_\_\_\_
  
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.