



# Haverhill

Economic Development and Planning  
Conservation Department  
Phone: 978-374-2334 Fax: 978-374-2337  
[rmoores@cityofhaverhill.com](mailto:rmoores@cityofhaverhill.com)  
[conservation@cityofhaverhill.com](mailto:conservation@cityofhaverhill.com)

## MUNICIPAL ORDINANCE - CHAPTER 253 REQUEST FOR DETERMINATION OF APPLICABILITY (RDA) APPLICATION CHECKLIST

APPLICANT Alan K. Porter & Lois A. Porter  
PROPERTY OWNER Alan K. Porter & Lois A. Porter  
REPRESENTATIVE \_\_\_\_\_  
LOCATION (STREET ADDRESS) 481 East Broadway  
ASSESSOR'S MAP(S) 461 BLOCK(S) 3 LOT(S) 5

- A completed Form 1
- An 8½" x 11" section of the USGS quadrangle with property clearly identified
- An appropriately sized section of the Assessor's map clearly identifying the property and all other properties within 100' of the property
- Plans and calculations clearly describing the location and nature of the work
- Application Agreement
- Other: \_\_\_\_\_

I, Alan K. Porter, hereby certify that eleven (11) copies (except as noted)  
(NAME OF APPLICANT)  
of the above information and the City's share of the filing fee have been submitted to the Haverhill  
Conservation Commission. (Checks should be made out to the City of Haverhill).

Signed: \_\_\_\_\_ (APPLICANT) \_\_\_\_\_ (DATE)



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## MUNICIPAL ORDINANCE-CHAPTER 253 REQUEST FOR DETERMINATION OF APPLICABILITY (RDA) APPLICATION AGREEMENT

I, Alan K. Porter, have read the Department of Environmental Protection's  
(NAME OF APPLICANT)

"Instructions for Completing Application" and the City's Municipal Ordinance under Chapter 253, with all applicable regulations and policies, for the filing of an Request For Determination of Applicability with the Haverhill Conservation Commission and agree to its terms and conditions, as amended. As required by the Commission, the wetland resource area(s) are flagged, the corners of proposed structures and leaching systems are staked, and the centerlines of proposed roadway(s) and/or driveway(s) are marked, as appropriate, to facilitate site inspections by Commissioners and Conservation Staff.

Signed: \_\_\_\_\_  
(APPLICANT) (DATE)

I, Alan K. Porter, hereby grant the Haverhill Conservation Commission and its  
(NAME OF PROPERTY OWNER)

officials permission to enter upon my property at 481 East Broadway (Map 461, Block 3, Lot 5) to  
(STREET ADDRESS AND ASSESSOR'S MAP,BLOCK,LOT)

review the filed Request For Determination of Applicability and future site conditions for compliance with the issued Order of Conditions. The sole purpose of this document is to allow Commissioners and their officials to perform their duties under the Wetlands Protection Act (M.G.L. c. 131 s. 40) and the City's Municipal Ordinance under Chapter 253.

Signed: \_\_\_\_\_  
(PROPERTY OWNER) (DATE)



# 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:

Alan K. Porter	alan@merrimactool.com	
Name	E-Mail Address	
479 East Broadway		
Mailing Address		
Haverhill	MA	01830
City/Town	State	Zip Code
978-618-6559		
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 Haverhill Conservation Commission make the following determination(s). Check any that apply:

- 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:

City of Haverhill  
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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# WPA Form 1- Request for Determination of Applicability

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

## C. Project Description

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

<u>481 East Broadway</u>	<u>Haverhill</u>
Street Address	City/Town
<u>461</u>	<u>Block 3 Lot 5</u>
Assessors Map/Plat Number	Parcel/Lot Number

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

The project is located on a 2.73 acre single family residential property consisting of a house and gravel driveway at the front of the lot. The rear of the lot is almost entirely wooded and slopes down to access the Merrimack River. Located along the southern property line of the lot there is dirt access drive to the rear of the property. The upper portion of the access drive descends along a narrow valley adjacent to property also owned by the applicant. The lower section of the access drive traverses a flat cleared area towards the Merrimack River.

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

<u>Section of USGS Topo Quad Map</u>	<u>10/27/16</u>
Title	Date
<u>Abutters to 481 East Broadway</u>	<u>10/27/16</u>
Title	Date
<u>Aerial Photo Plans (1990's, 2001, 2013, 2014)</u>	<u>10/27/16</u>
<u>Dock Installation Sketch</u>	<u>11/01/16</u>

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

The project consists of the maintenance and rehabilitation of an existing dirt drive that accesses the rear of the applicant's property. Several trees have fallen across the drive in recent years causing the drive to fall into disrepair. The applicant would like to remove the downed trees and overgrown vegetation to restore access. The work may require minor stabilization as needed to repair eroded areas. The intent is to minimize disturbance and impact as little area as possible.

The access drive is anticipated to be approximately 6-8' wide and will be surfaced with mowed grass for the lower section of the access drive and gravel/dirt for the upper section. There is an existing wetland crossing at the lower section where a small wooden bridge spans across the wetland. The project proposes to review the structural integrity of the bridge and, if needed, to construct a new wooden bridge in its place. The goal of the project is to achieve wheelchair access to the river to allow the applicants to bring their son, who is in a wheelchair, out for a day of boating on the Merrimack River.

In addition, the applicant is requesting to receive a permit for a seasonal residential dock installation. The dock will be no bigger than 400 square feet total, most likely a Tee or L-shaped sectional floating dock connected to the land with a ramp (gangway) and concrete footer approximately 6' by 6' and anchored into the ground with rebar pins at each corner. A hinge pin set into the footer will attach to the gangway on land and wheels under the gangway and above the dock will compensate for tidal shifts. The dock will be anchored with concrete blocks and chains.



## WPA Form 1- Request for Determination of Applicability

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

### 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).

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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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# WPA Form 1- Request for Determination of Applicability

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 and address of the property owner:

Alan K. Porter and Lois A. Porter

Name

479 East Broadway

Mailing Address

Haverhill

City/Town

MA

State

01830

Zip Code

Signatures:

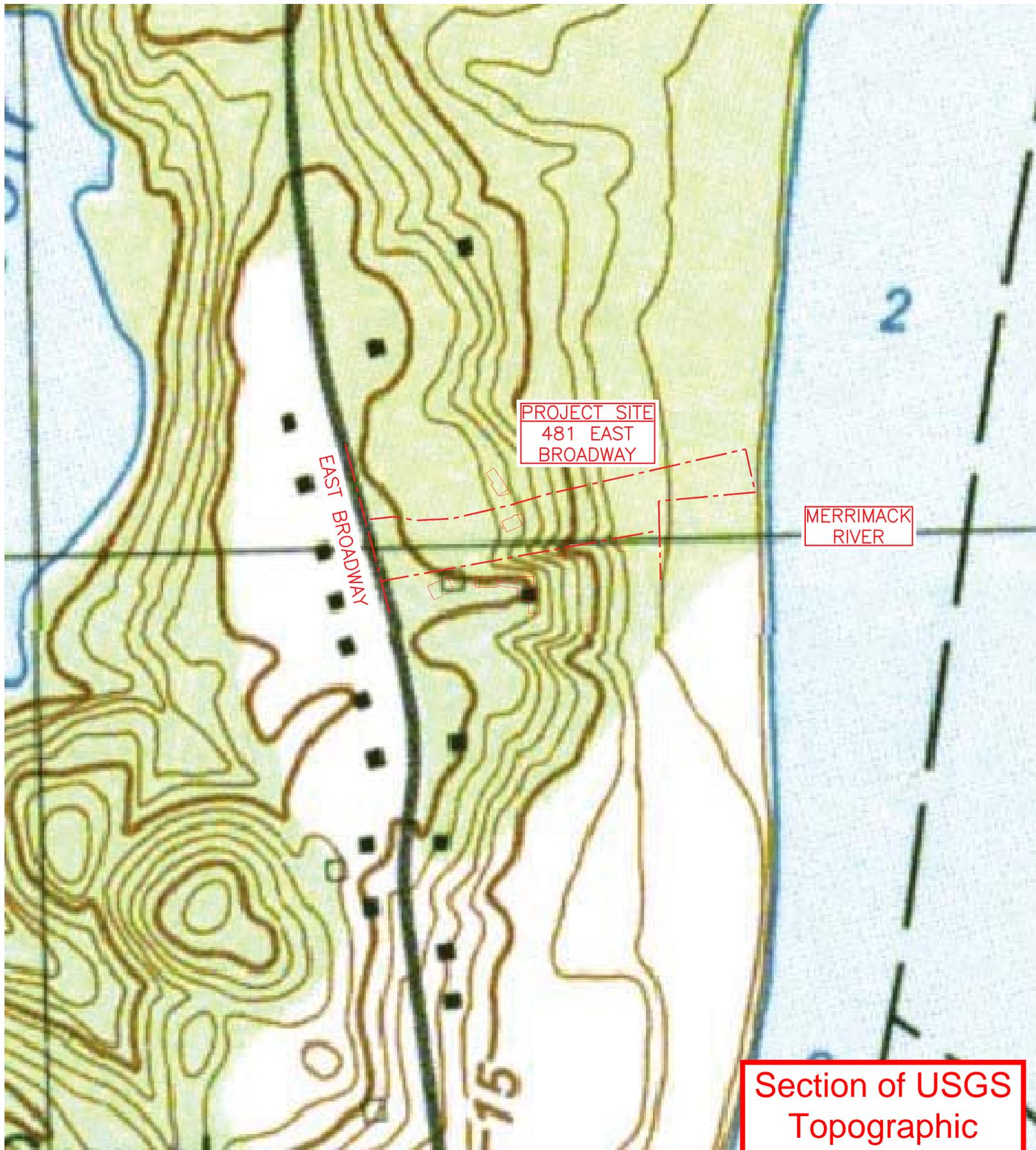
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Date

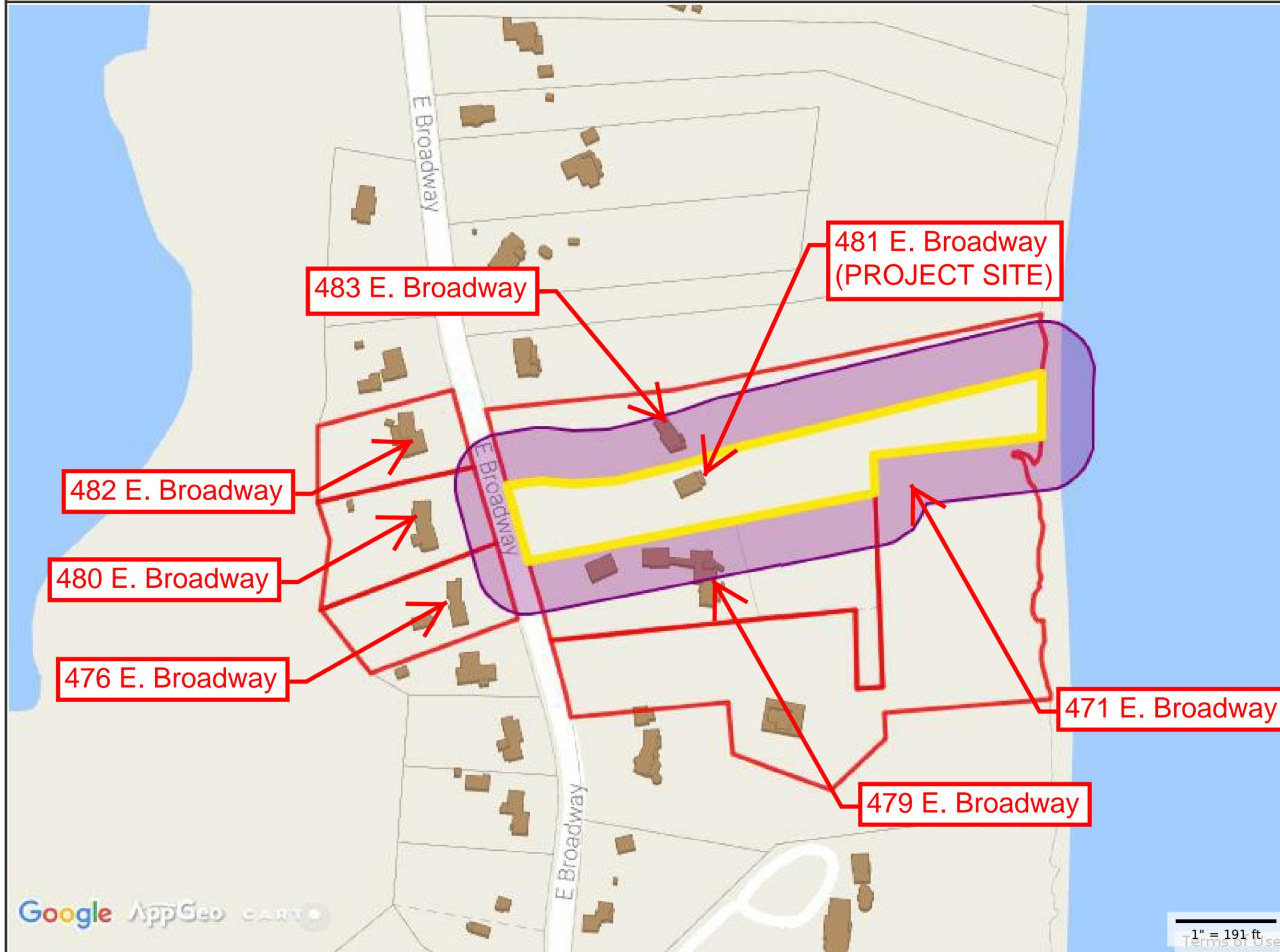


Section of USGS  
Topographic  
Quad Map  
10/27/16

**LIST OF ABUTTERS WITHIN 100' OF 481 EAST BROADWAY****(INFORMATION OBTAINED FROM CITY OF HAVERHILL GIS)**

<b>Property ID</b>	<b>Site Address</b>	<b>Owner</b>	<b>Owner 2</b>	<b>Owner Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
461-1-106	476 EAST BROADWAY	SMITH JOHN F ETAL	COPPOLA BENJAMIN C	144 CORLISS HILL ROAD	HAVERHILL	MA	01830
461-1-107	480 EAST BROADWAY	BEAL RICHARD A ETUX	BEAL MAUREEN C	480 EAST BROADWAY	HAVERHILL	MA	01830
461-1-108	482 EAST BROADWAY	ALM REALTY TRUST	PAUL A. MAGLIOCCHETTI, TRUSTEE	70 BAILEY BLVD	HAVERHILL	MA	01830
461-3-5A	479 EAST BROADWAY	PORTER LOIS A		479 EAST BROADWAY	HAVERHILL	MA	01830
461-3-5DD	471 EAST BROADWAY	RYAN FAMILY IRREVOCABLE TRUST	KLEPPE REBECCA-TRUSTEE	471 EAST BROADWAY	HAVERHILL	MA	01830
461-3-5G	483 EAST BROADWAY	SOTIRAKOPOULOS ADAM-ETUX	SOTIRAKOPOULOS KARA G	483 EAST BROADWAY	HAVERHILL	MA	01830

### Abutters to 481 East Broadway



#### Property Information

**Property ID** 461-3-5  
**Location** 481 EAST BROADWAY  
**Owner** GLEASON EAST BROADWAY TRUST OF 2014

Current Owners: Alan K. Porter & Lois A. Porter  
 Owners Address: 479 E. Broadway  
 Haverhill, MA  
 Deed Book: 34969 Page: 398  
 Recorded: 06/01/2016



MAP FOR REFERENCE ONLY  
 NOT A LEGAL DOCUMENT

City of Haverhill, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated March 1, 2016  
 Properties updated March 1, 2016

**SEE ATTACHED ABUTTERS LIST FOR NAMES AND ADDRESS OF ABUTTERS WITHIN 100' OF PROJECT SITE**



**NOTES:**

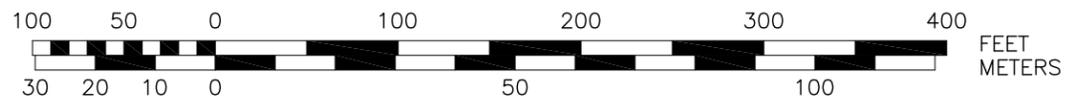
1) PARCEL IS SHOWN ON THE CITY OF HAVERHILL ASSESSOR'S MAP 461 AS LOT 5.

2) OWNERS OF RECORD:  
 ALAN K. PORTER & LOIS A. PORTER  
 479 EAST BROADWAY  
 HAVERHILL, MA 01830  
 BOOK: 34969 PAGE: 398

3) PROPERTY LINE INFORMATION AND AERIAL PHOTOGRAPHY OBTAINED FROM STATE GIS DATABASE. INFORMATION SHOWN HAS NOT BEEN FIELD VERIFIED AND IS FOR REFERENCE PURPOSES ONLY.

4) THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE APPROXIMATE CONDITIONS OF THE PROJECT SITE AT THE TIME OF THE AERIAL PHOTOGRAPH.

**GRAPHIC SCALE**



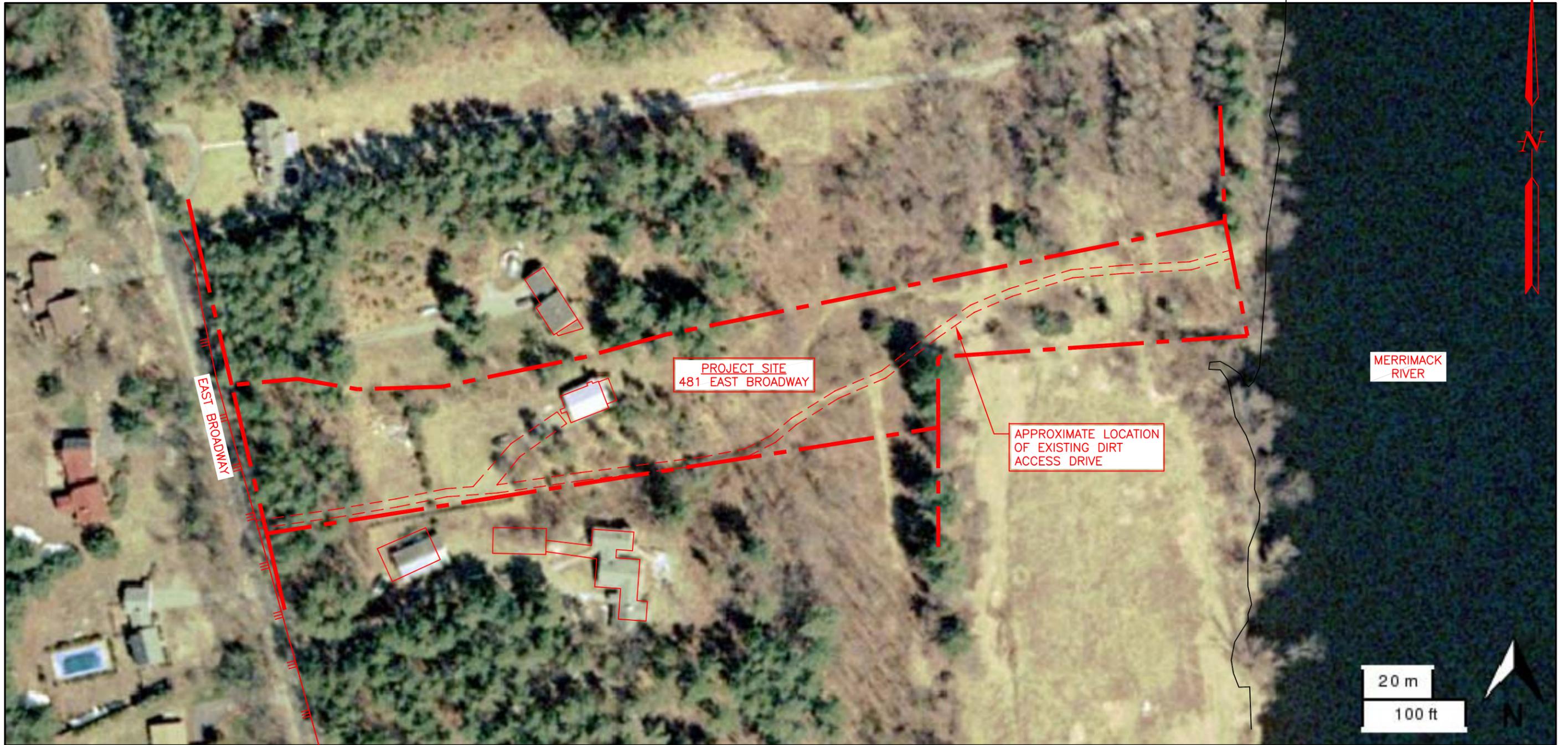
**1990'S AERIAL PHOTO PLAN**

LAND LOCATED AT:  
**MAP 461 – LOT 5**  
**481 EAST BROADWAY**

OWNED BY:  
**ALAN K. PORTER & LOIS A. PORTER**  
 479 EAST BROADWAY  
 CITY OF HAVERHILL  
 COUNTY OF ESSEX  
 STATE OF MASSACHUSETTS

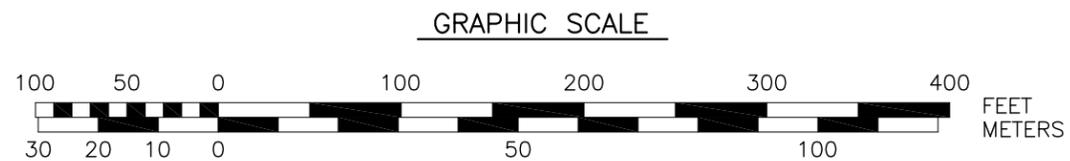
SCALE: 1"=100'

DATE: 10/27/16



**NOTES:**

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ALAN K. PORTER & LOIS A. PORTER  
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**2001 AERIAL PHOTO PLAN**

LAND LOCATED AT:  
**MAP 461 – LOT 5**  
**481 EAST BROADWAY**

OWNED BY:  
**ALAN K. PORTER & LOIS A. PORTER**  
 479 EAST BROADWAY  
 CITY OF HAVERHILL  
 COUNTY OF ESSEX  
 STATE OF MASSACHUSETTS

SCALE: 1"=100'

DATE: 10/27/16



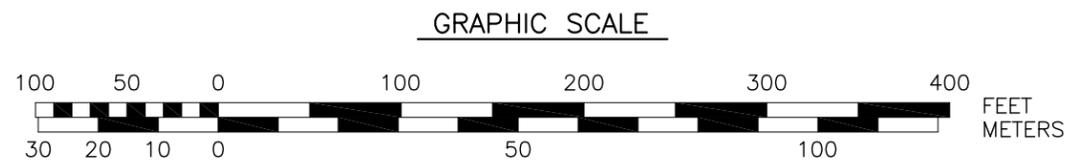
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4) THE PURPOSE OF THIS PLAN IS TO ILLUSTRATE THE APPROXIMATE CONDITIONS OF THE PROJECT SITE AT THE TIME OF THE AERIAL PHOTOGRAPH.



**2013 AERIAL PHOTO PLAN**

LAND LOCATED AT:  
**MAP 461 – LOT 5**  
**481 EAST BROADWAY**

OWNED BY:  
**ALAN K. PORTER & LOIS A. PORTER**  
 479 EAST BROADWAY  
 CITY OF HAVERHILL  
 COUNTY OF ESSEX  
 STATE OF MASSACHUSETTS

SCALE: 1"=100' DATE: 10/27/16

2014 Aerial Photo



Project Site

Approximate Location of Proposed Seasonal Residential Dock Installation

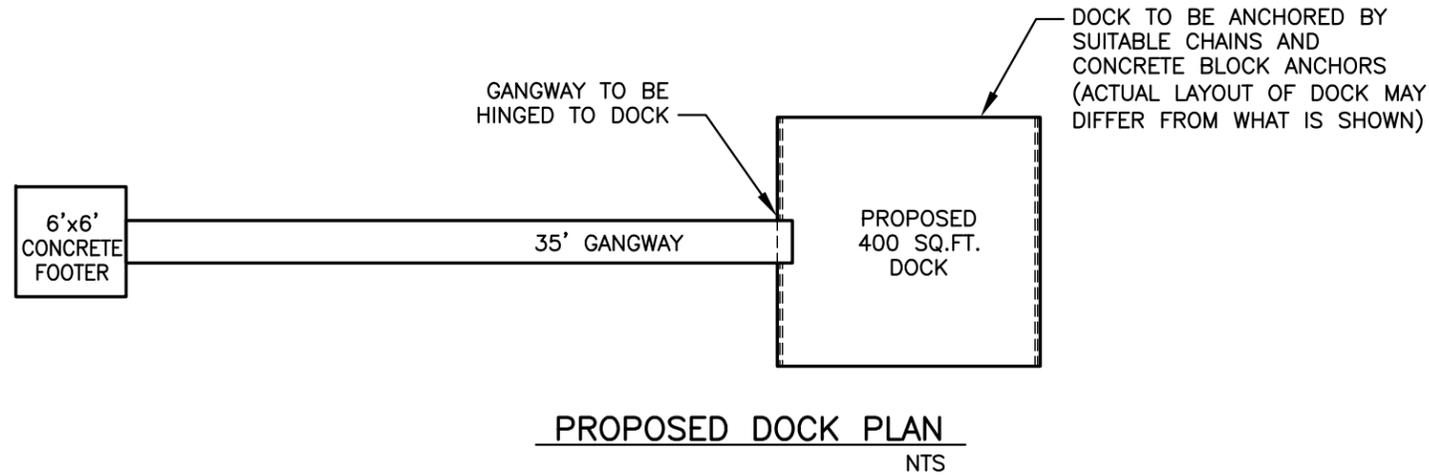
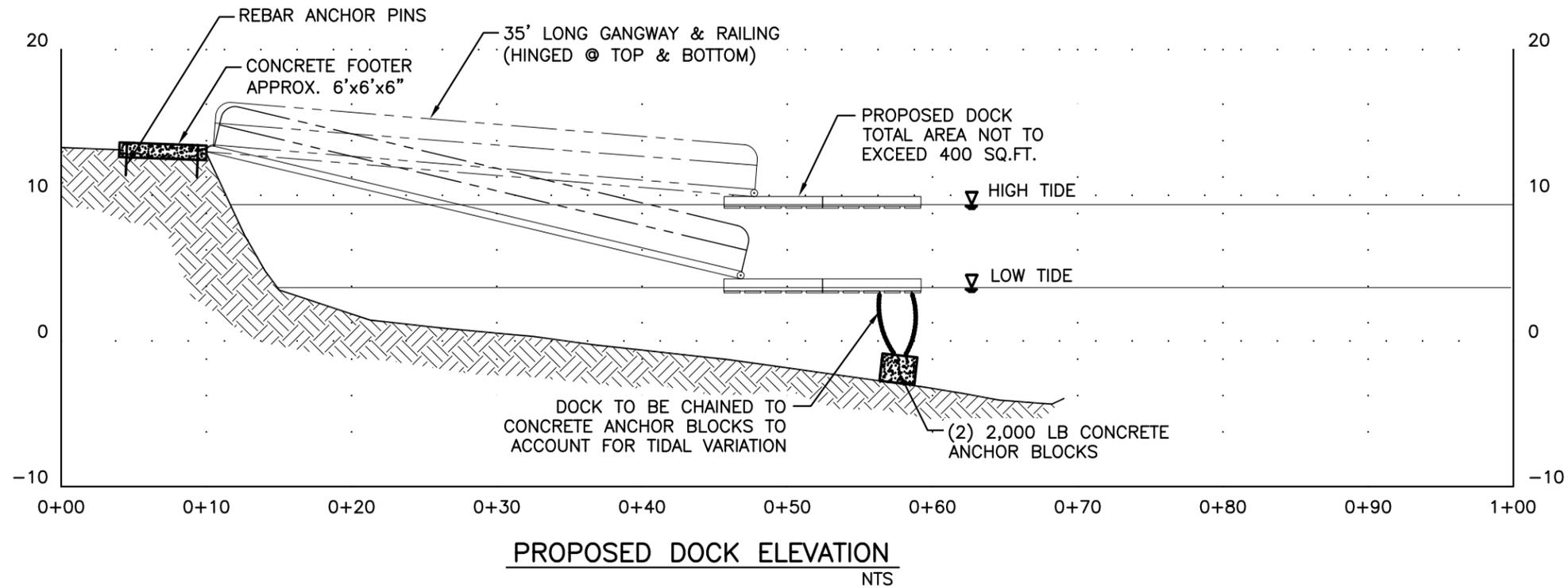
Approximate Location of Existing Dirt Access Drive



MAP FOR REFERENCE ONLY  
NOT A LEGAL DOCUMENT

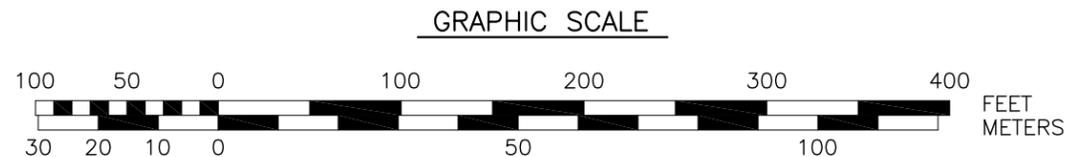
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Parcels updated March 1, 2016  
Properties updated March 1, 2016



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- 4) THE PURPOSE OF THIS PLAN IS TO SHOW A TYPICAL DOCK INSTALLATION. ACTUAL LAYOUT OF THE DOCK IS SUBJECT TO CHANGE, HOWEVER THE AREA OF THE DOCK IS NOT TO EXCEED 400 SQ.FT.



**DOCK INSTALLATION SKETCH**

LAND LOCATED AT:  
**MAP 461 - LOT 5**  
**481 EAST BROADWAY**

OWNED BY:

**ALAN K. PORTER & LOIS A. PORTER**  
479 EAST BROADWAY  
CITY OF HAVERHILL  
COUNTY OF ESSEX  
STATE OF MASSACHUSETTS

SCALE: 1"=100'

DATE: 11/01/16