

NOTICE OF INTENT

PROPOSED BARGE, GANGWAY, REVTMENT, & PIER IMPROVEMENTS

2 WASHBURN ST.
ACUSHNET RIVER, NEW BEDFORD, MA



Prepared for:

North Wharf Trust
2 Washburn Street
New Bedford, MA 02740

Submitted To:

New Bedford Conservation Commission
133 William St. Rm 304
New Bedford, MA 02740

November 2018



15 Creek Road | Marion, MA 02738
800.668.3220 | cleengineering.com



15 Creek Road • Marion, MA 02738
(508) 748-0937 • (800) 668-3220
www.foth.com

November 15, 2018

Ms. Sarah Porter
New Bedford Conservation Commission
133 William St.
New Bedford, MA 02740

**RE: Proposed Barge, Gangway, Revetment, & Pier Improvements
2 Washburn St.
New Bedford, MA 02740**

Dear Ms. Porter,

On behalf of North Wharf Trust, CLE Engineering, Inc./Foth Infrastructure and Environment, LLC (Foth), is pleased to submit the enclosed Notice of Intent and supporting documentation for proposed barge, gangway, revetment and pier improvements at the above-referenced site. If you have any questions, or require any additional information, please do not hesitate to contact me at this office at 508-749-0937.

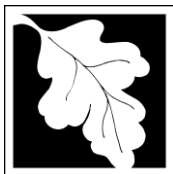
Sincerely,

Foth Infrastructure & Environment, LLC

A handwritten signature in black ink, appearing to read "Susan E. Nilson".

Susan E. Nilson, P.E.
Director, Ports and Harbors

cc: Ralph Packer
MA Department of Environmental Protection
MA Department of Marine Fisheries



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

New Bedford

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):

2 Washburn St

a. Street Address

New Bedford

b. City/Town

02740

c. Zip Code

Latitude and Longitude:

41°39'13.42"N

d. Latitude

70°55'15.21"W

e. Longitude

086

f. Assessors Map/Plat Number

3

g. Parcel /Lot Number

2. Applicant:

a. First Name

North Wharf Trust

b. Last Name

c. Organization

2 Washburn Street

d. Street Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

(508) 889 - 4949

h. Phone Number

i. Fax Number

rmpacker@vineyard.net

j. Email Address

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

Ralph

a. First Name

Packer, Trustee

b. Last Name

North Wharf Trust

c. Organization

223 W Spring Street

d. Street Address

Tisbury

e. City/Town

MA

f. State

02568

g. Zip Code

(508) 889 - 4949

h. Phone Number

i. Fax Number

rmpacker@vineyard.net

j. Email address

4. Representative (if any):

Susan

a. First Name

Nilson

b. Last Name

Foth Infrastructure & Environment, LLC (Foth-CLE)

c. Company

15 Creek Road

d. Street Address

Marion

e. City/Town

MA

f. State

02738

g. Zip Code

(508) 748 - 0937

h. Phone Number

i. Fax Number

Susan.Nilson@Foth.com

j. Email address

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

\$2,000 + 2,144.10 (city bylaw) =

\$4144.10

\$987.50

b. State Fee Paid

\$1,012.50+ \$2,144.10 (city
bylaw)=\$3,156.60



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A. General Information (continued)

6. General Project Description:

The proposed project consists of maintenance to the ex. solid filled pier, improvements to the ex. revetment, and a barge, which will provide berthing for commercial vessels. Typically the barge is considered a vessel and does not require authorization from the Conservation Commission; however, it is included in this NOI to allow for a Chpt 91 license for the permanent installation of the spud piles.

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

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> 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 CMR 10.24(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

1923

c. Book

b. Certificate # (if registered land)

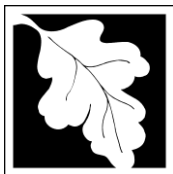
0322

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) - specify coastal or inland	

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.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input checked="" type="checkbox"/> Land Under the Ocean	114 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
	Size of Proposed Alteration	Proposed Replacement (if any)
f. <input checked="" type="checkbox"/> Coastal Banks	360 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 checked="" type="checkbox"/> Land Containing Shellfish	4,107 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 checked="" type="checkbox"/> Land Subject to Coastal Storm Flowage	9,124 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

1. 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.

- 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

09-18-2017

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*

1. ☒ Percentage/acreage of property to be altered:

(a) within wetland Resource Area .018
percentage/acreage

(b) outside Resource Area _____
percentage/acreage

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

2. ☒ 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 <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/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 http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/menta/menta_fee_schedule.htm).
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, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/menta/menta_exemptions.htm; 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 - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

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.



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Online Users:

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

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

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
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.

Proposed Barge, Gangway, Revetment, and Pier Improvements

a. Plan Title

Foth-CLE

b. Prepared By

03/14/2018

d. Final Revision Date

John DeRuggeris

c. Signed and Stamped by

as noted

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:

1531

2. Municipal Check Number

1532

4. State Check Number

Dorothy P.

6. Payor name on check: First Name

07/23/18

3. Check date

07/23/18

5. Check date

Packer

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
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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.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

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.

Table of Attachments

Exhibit A	Project Narrative
Exhibit B	USGS Locus Map
Exhibit C	FEMA (FIRM) Map
Exhibit D	Site Photographs
Exhibit E	Project Drawings "Proposed Barge, Gangway, Revetment, & Pier Improvements", prepared for Ralph Packer by CLE Engineering, Inc., dated 03/14/2018, 1 Sheet
Exhibit F	Deed for Subject Property
Exhibit G	Notice to Abutters & Certified Abutter List
Exhibit H	Transmittal Form & Check Copy

Exhibit A

Project Narrative

The project site is located at 2 Washburn St, New Bedford, MA (Assessor's Map 86, Lot 03) (see **Exhibit B**) and within New Bedford Harbor/the Acushnet River. The entirety of the project is located within FEMA Flood Zone AE (EL. 6' NAVD88), Map #25005C0393G dated July 16, 2014 for Bristol County (**Exhibit C**). The proposed project includes a barge, gangway, revetment, and pier improvements. The proposed gangway and barge will provide vessel berths for commercial use, which are in considerable demand within the harbor. The revetment aims to replace the existing rubble currently on site and protect the eroding shoreline.

The proposed barge is 40' x 290' and 10.5' deep. The barge will be secured in place with two (2) 30in diameter pile spuds with a 5/8" in steel wall thickness. In addition, the barge will be held in place by two (2) 14"x 88" H-piles onshore and three (3) 5000 lb Navy Anchors secured 50' from the near side of the barge. The Navy anchors are to be buried to a minimum depth of 5' into existing mud bottom and then proof tested to 60,000 lbs. using a tow boat and strange gauge. The onshore H-piles and Navy anchors will be secured with 1 7/8" chain, proof tested to 100,000 lbs. The barge was designed to withstand a maximum loading of two rows of vessels (94' Scallop profile) at a wind speed from the south of 45 knots. The proposed 12' x 45' gangway will span from shore to the barge and allow for small crane access for transfer of loads to/from vessels.

Along the shoreline of the property is a dilapidated revetment, photos shown in **Exhibit D**. The project proposes to rehabilitate the structure with new stone to protect the eroding shoreline. The revetment was designed to withstand the 100 year storm event based upon the water levels produced by the FEMA Flood Insurance Study of the area. The proposed revetment will be constructed using 12" to 8" diameter stone. The crest of the structure will be at the existing grade of $\pm 7.5'$ MLW and will be angled downward at 1.5:1 with approximately three feet of embedded stone at 0-2' (MLW).

The project proposes minor improvements and maintenance to the existing solid filled stone pier on site. The improvements aim to rehabilitate the pier to increase accessibility. These improvements include placing crushed stone to cover the top of the pier and a concrete curb around the perimeter. The concrete curb will be made up of 14"x14"x20' foot sections. At the entrance to the pier, jersey barriers are proposed. Maintenance includes resetting of existing stones around the perimeter. All proposed alterations, improvements, and maintenance is shown on the project drawings entitled: "Proposed Barge, Gangway, Revetment, & Pier Improvements", prepared for Ralph Packer by CLE Engineering, Inc., dated 03/14/2018, in **Exhibit E**.

Wetland Protection Act and Conservation Jurisdiction:

Typically the barge would be considered a vessel and not require authorization from the Conservation Commission for a spud anchored location in the harbor; however, this NOI is filed to include the spud anchored barges because the applicant may pursue a Chapter 91 license to allow for the permanent installation of the spud piles.

Coastal Resource Areas and Previously Authorized Filled Tidelands:

Coastal Resource Areas

The resource areas affected by the proposed project include:

- Land Subject to Coastal Storm Flowage (10.04)
- Land Under Ocean (10.25)
- Coastal Bank (10.30)
- Land Containing Shellfish (10.34)

Table 1: Summary of Impacts to Coastal Resource Areas

Unit	Amount	Impact Area			
		Land Subject to Coastal Storm Flowage (SF)	Land Under Ocean (SF)	Land Containing Shellfish (SF)	Coastal Bank (LF)
H-Pile	2	3	0	3	0
#5000 Navy Anchor	3	0	62	62	0
30"x5/8" Wall Spud	2	0	10	10	0
Gangway	1	216	0	216	0
Crushed Stone	1	2616	0	0	0
Concrete Curb	14	327	0	0	0
Revetment	1	5,962	42	3,816	4,479
Total (SF)		9,124	114	4,107	360

The following paragraphs presented below provide definitions of coastal resource areas that will be affected by the proposed project, a description of the proposed work to occur within each resource area and how the project meets performance standards.

- ❖ Pursuant to 310 CMR 10.04, **LAND SUBJECT TO COASTAL STORM FLOWAGE (LSCSF)** means land subject to any inundation caused by coastal storms up to and including that caused by the 100-year storm, surge of record or storm of record, whichever is greater. The areas mapped by the Federal Emergency Management Agency (FEMA) on community Flood Insurance Rate Maps (FIRM) as the 100-year flood plain within the coastal zone are included within LSCSF. LSCSF may be significant to the interests of storm damage prevention, flood control, pollution prevention and wildlife habitat. LSCSF in this area contains other jurisdictional resource areas which are important for storm damage prevention and flood control.

The project impact area located within LSCSF is approximately 9,124 sf; this includes:

- Installation of two (2) 14"x 88" H-piles
- Portion of gangway on the shoreline
- Crushed stone on top of pier
- Concrete curb surrounding pier
- Construction of Stone Revetment approximately 360 ft in length

There are currently no performance standards for work in LSCSF. *The construction of the proposed work will not alter the flood storage of eroded land and/or storm damage prevention capacity of the site or existing drainage patterns.*

- ❖ Pursuant to 310 CMR 10.25, **LAND UNDER OCEAN (LUO)** means land existing from the mean low water line seaward to the boundary of the municipalities' jurisdiction and includes land under estuaries. Land under ocean provides feeding areas, spawning and nursery grounds and shelter for many coastal organisms related to marine fisheries. nearshore areas of land under the ocean also provide important food for birds.

The proposed work includes the installation of two (2) 30" x 5/8" steel piles to support the proposed barge, installation of three (3) 5000# Navy Anchors, and reconstruction of a stone revetment, totaling to approximately 114 SF below the mean low water. The proposed project meets the performance standards for Land Under Ocean as follows:

- a) Water circulation: The new steel piles will have a minimal impact on water circulation in the area. The proposed revetment will be serving to replace the existing rubble and $\pm 98\%$ of the structure is above MLW such that water circulation is unaltered.
 - b) Distribution of sediment grain size: The new steel piles will have a minimal impact on sediment grain size distribution in the area. The revetment will serve to secure the shoreline from erosion. In addition, the coastline at 2 Washburn St. does not feed any downstream shorelines with sediment and is unlikely to alter any sediment distribution or circulation on site or at neighboring shorelines.
 - c) Water quality: Minor impacts may occur during pile driving. These impacts will be temporary.
 - d) Finfish habitat: The piles often attract benthic species which provide a source of food and habitat for young finfish.
- ❖ Pursuant to 310 CMR 10.30, **COASTAL BANK** means the seaward face or side of any elevated landform, other than a coastal dune, which lies at the landward edge of a coastal beach, land subject to tidal action, or other wetland.

The project impact to the coastal bank is a stone revetment approximately 360 feet in length covering approximately 4,479 square feet in area;

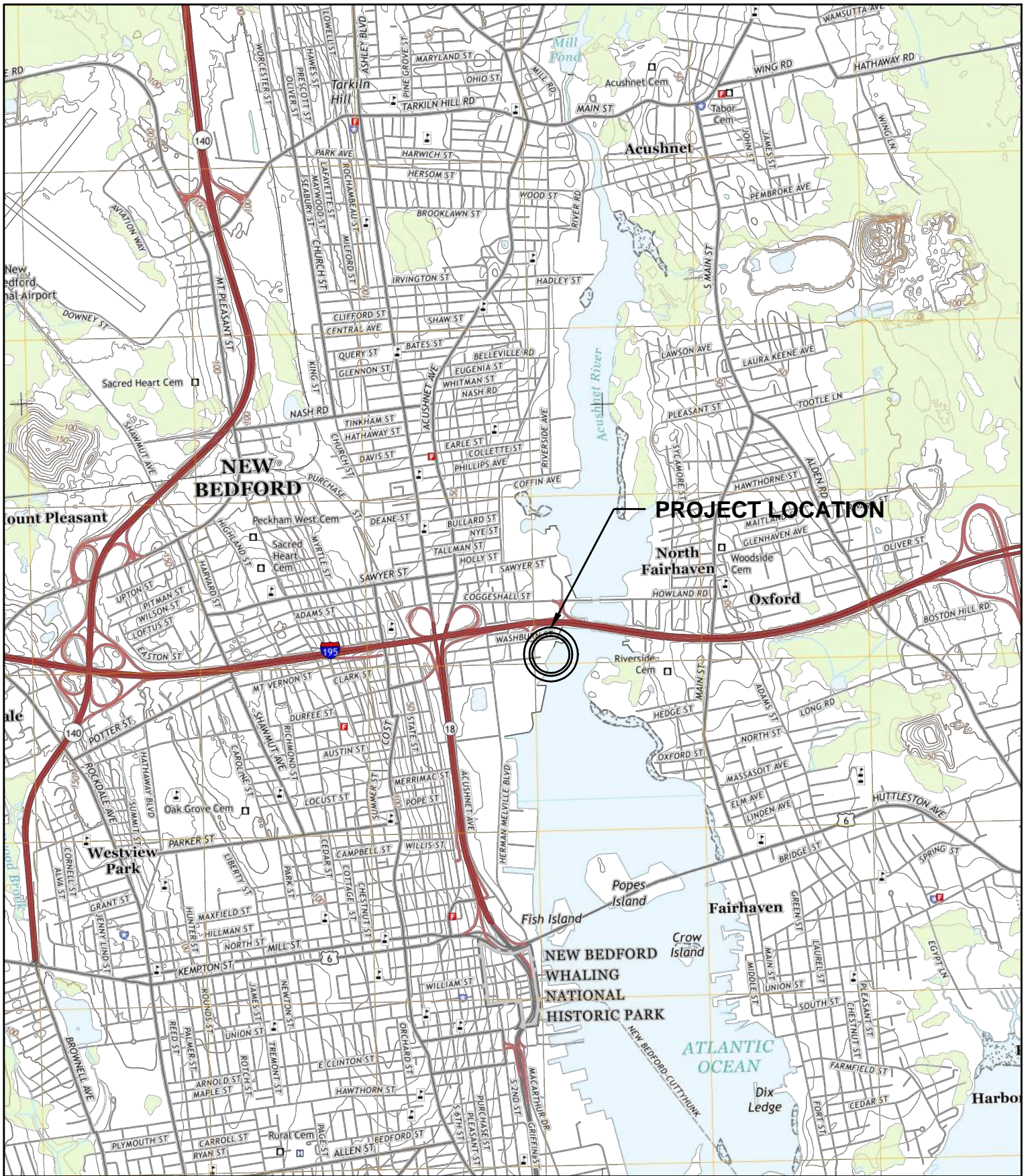
The coastal bank at the project location is deeply scoured and the existing revetment and debris provides minimal protection to the landward property. Reconstructing the armoring along the coastal bank will increase the endurance of the coastline at this location during high erosion events. The revetment was designed for the 100 year flood plain as designated by FEMA and it is unlikely the coast bank would survive this event in its current condition. The coastline at this location does not feed any downstream shorelines with sediment and maintaining/replacing existing stone will not adversely affect the neighboring properties.

- ❖ Pursuant to 310 CMR 10.34, **LAND CONTAINING SHELLFISH** means land under the ocean, tidal flats, rocky intertidal shores, salt marshes and land under salt ponds when any such land contains shellfish.

According to the most current available MA GIS data pertaining to MA DMF mapped suitable shellfish habitat, the proposed construction activities may be located within Land Containing Shellfish (LCS), of which may include the American Oyster and Quahogs. It is noted that areas mapped by MA DMF include sites where shellfish have historically been sighted, but may not currently support any shellfish. The shellfish suitability areas were not

verified in the field and the boundaries were not surveyed by CLE. According to MA GIS, the two (2) steel spud piles, three (3) 5000# Navy Anchors, two (2) onshore H-piles, the onshore portion of the gangway, and 2409 SF of the revetment are presently located within an area that has been designated by MA DMF as being prohibitive of shellfish harvesting for recreational or commercial purposes for a total impact of approximately 30 SF. Currently, the area is contaminated with PCBs and shell-fishing is prohibited (Mass. Regulation 105 CMR 260.005).

Exhibit B
USGS Locus Map



PROJECT LOCUS

U.S.G.S. QUADRANGLE:

APPROX. SCALE: 1:25,000

LOCATION

NEW BEDFORD, MASSACHUSETTS

CLIENT

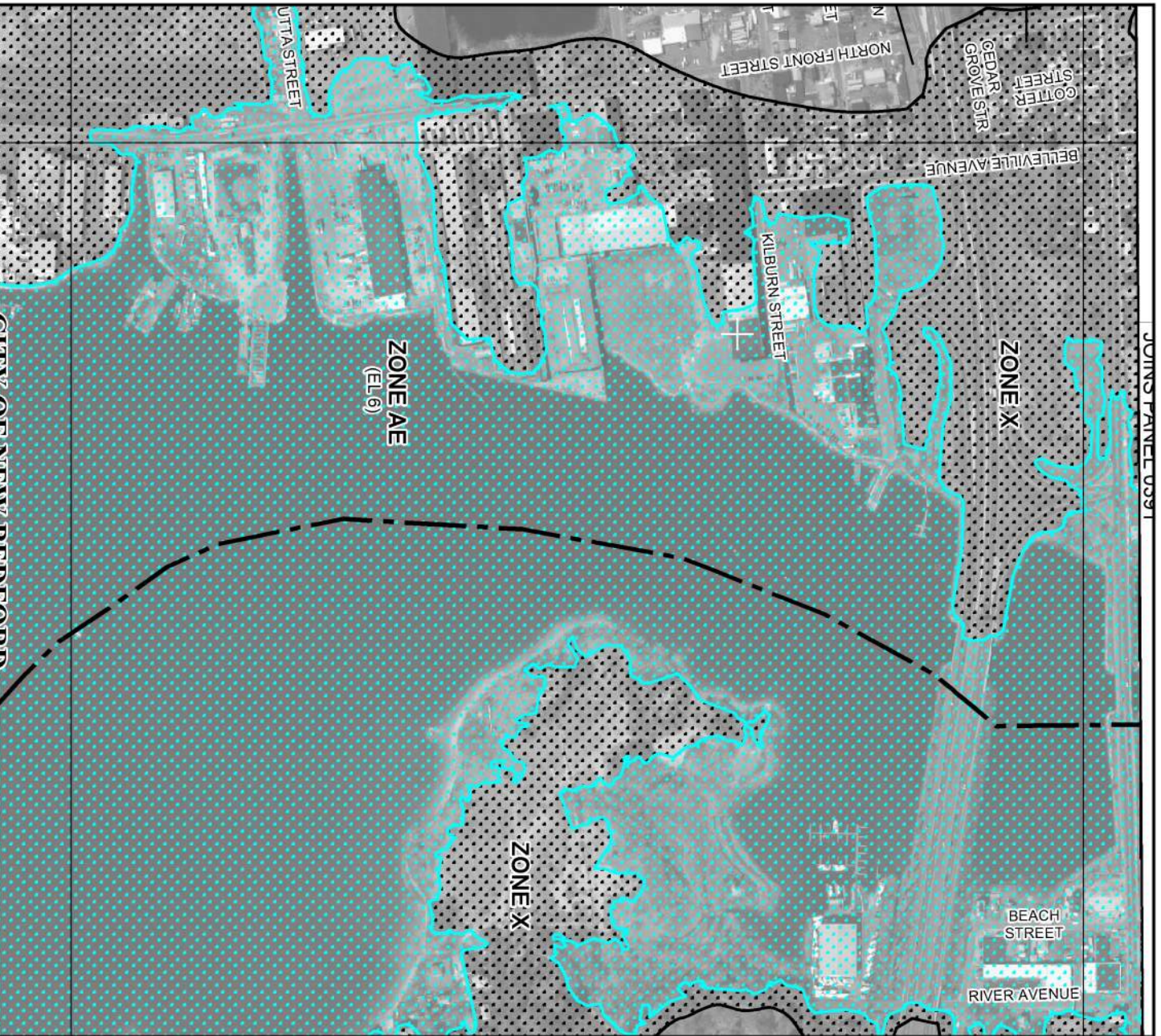
RALPH PACKER



cleengineering

15 Creek Road | Marion, Massachusetts 02738
t: 508.748.0937 | www.cleengineering.com

Exhibit C
FEMA (FIRM) Map



MAP SCALE 1" = 500'



NFIP

PANEL 0393G

FIRM

FLOOD INSURANCE RATE MAP
BRISTOL COUNTY,
MASSACHUSETTS
(ALL JURISDICTIONS)

PANEL 393 OF 550
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
FARHAVEN, TOWN OF	250034	0393	G
NEW BEDFORD, CITY OF	250216	0393	G

Notice to User: The **Map Number** shown below should be used when placing map orders; the **Community Number** shown above should be used on insurance applications for the subject community.



MAP NUMBER
25005C0393G
MAP REVISED
JULY 16, 2014
Federal Emergency Management Agency

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov

Exhibit D
Site Photographs



Aerial view of site



Shoreline Facing South



Shoreline Facing North



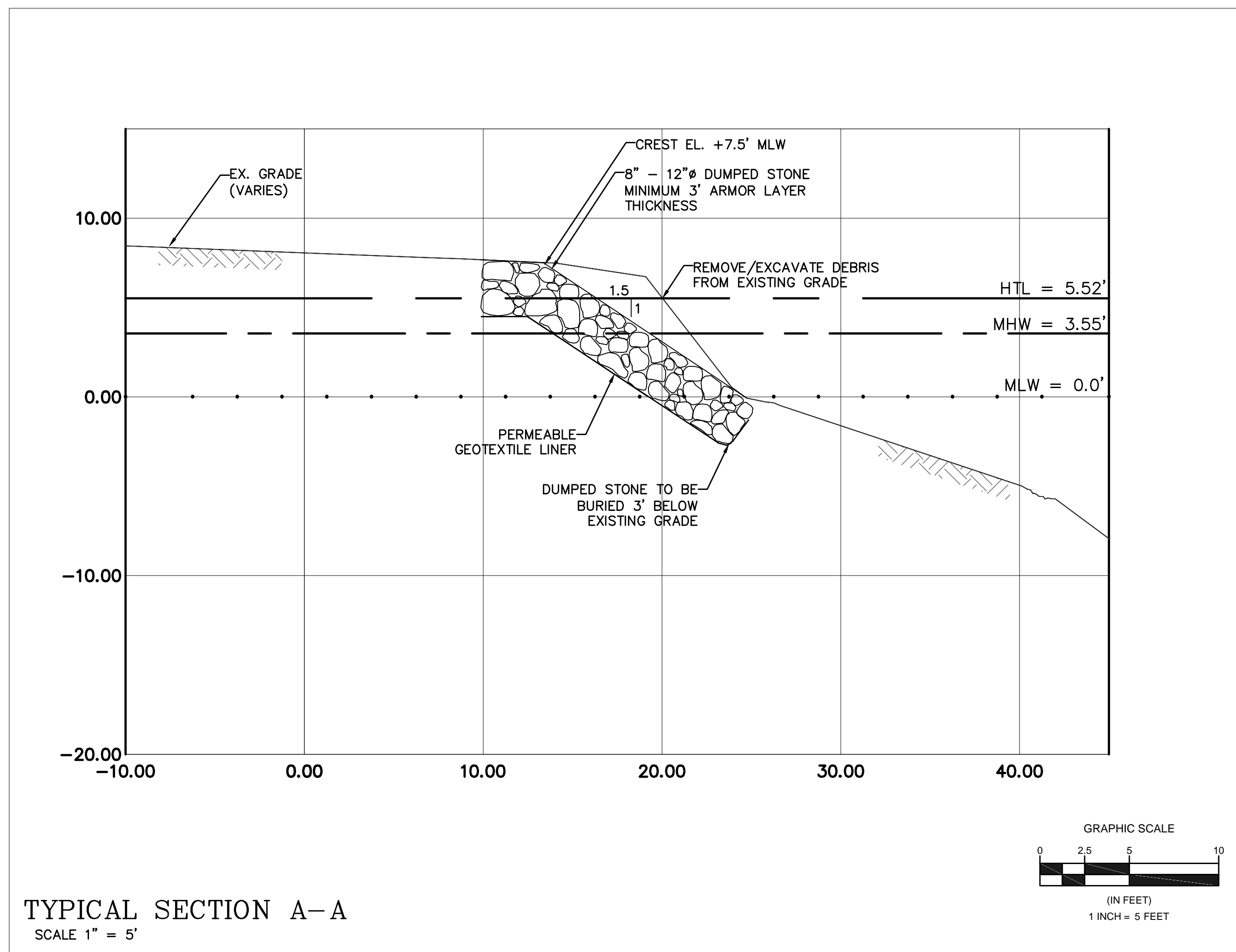
Existing Solid Filled Pier to be Maintained

Proposed Barge, Gangway, Revetment & Pier Improvements
Notice of Intent

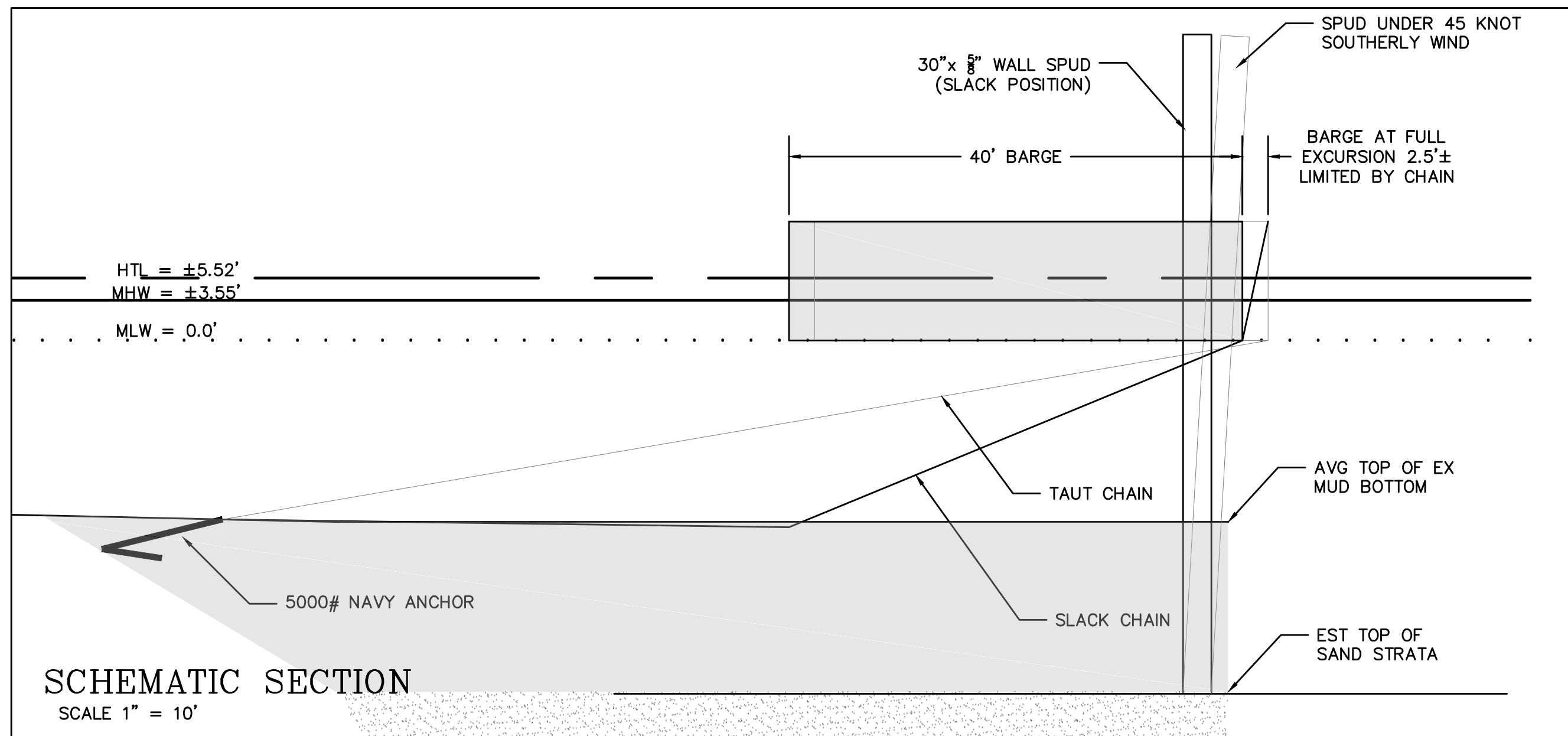
2 Washburn St.
New Bedford, MA 02740
November 2018

Exhibit E

Project Drawings "Proposed Barge, Gangway, Revetment & Pier Improvements", prepared
for Ralph Packer by Foth-CLE Engineering Group, dated 03/14/2018, 1 Sheet



TYPICAL SECTION A-A
SCALE 1" = 5'



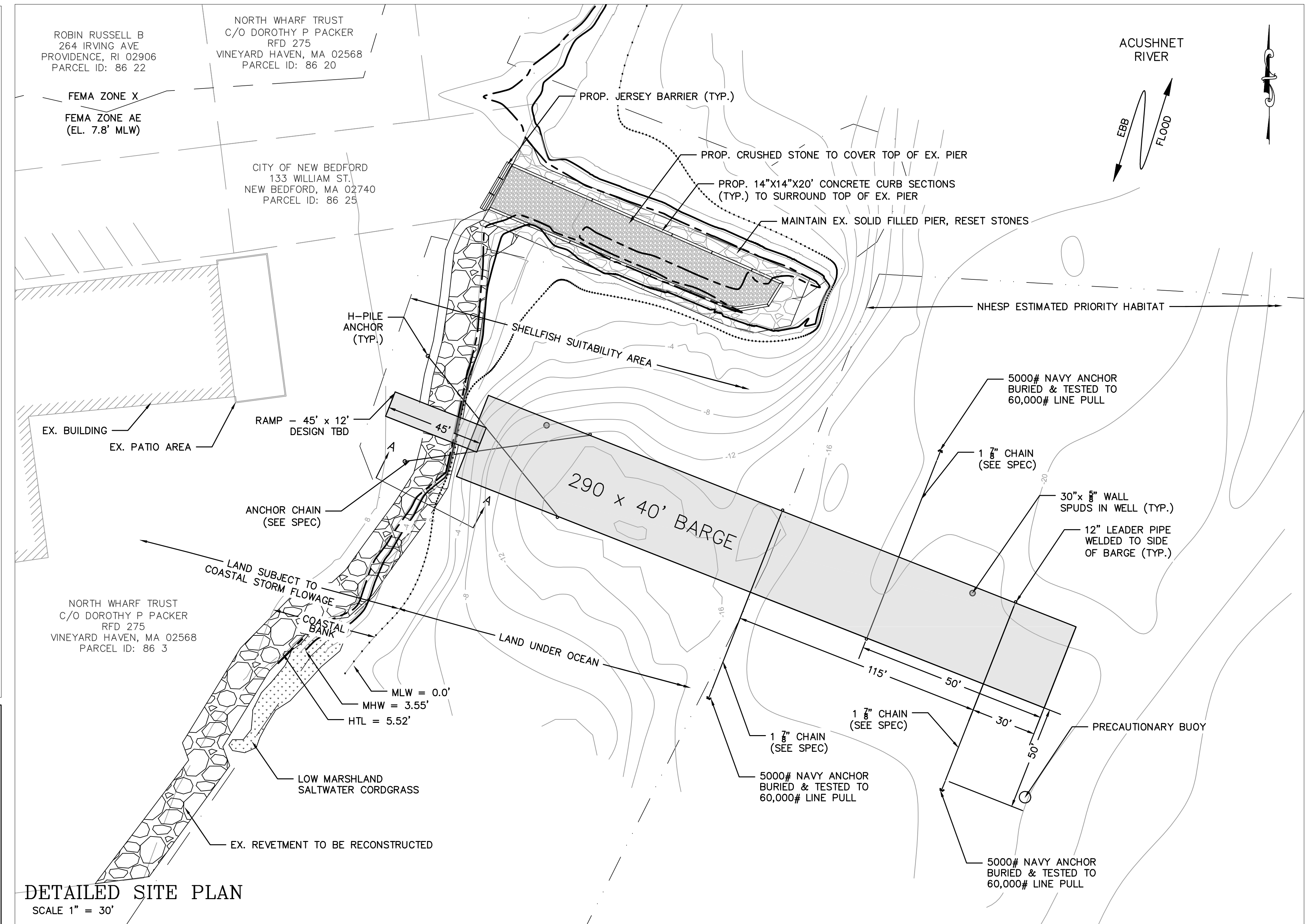
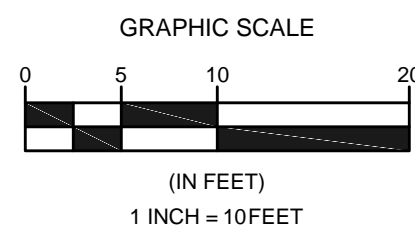
SCHEMATIC SECTION
SCALE 1" = 10'

NOTES:

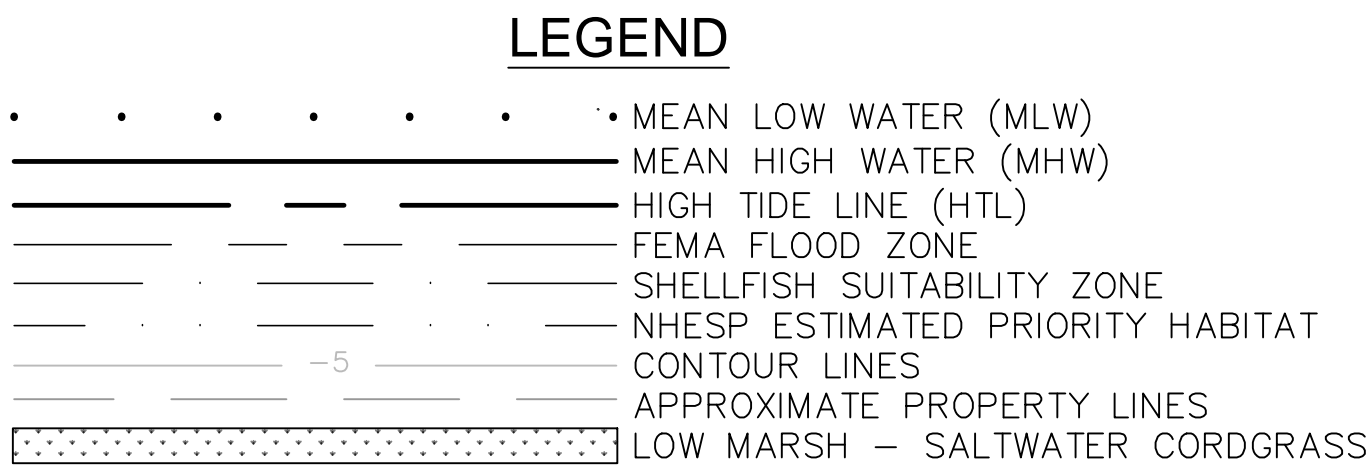
- THE BATHYMETRIC AND TOPOGRAPHIC DATA SHOWN ON THIS PLAN WAS GATHERED ON APRIL 12, 2017 BY CLE ENGINEERING INC., AND PROVIDED ON A PLAN TITLED "LOWER HARBOR DREDGE AREAS SHOWING BATHYMETRY" BY JACOBS, DATED APRIL 24, 2017.
- SOUNDINGS ARE IN FEET AND TENTHS AND REFER TO DEPTHS BELOW THE VERTICAL REFERENCE PLANE. THE VERTICAL REFERENCE PLANE FOR THIS PROJECT IS MEAN LOW WATER (MLW).
- SOUNDINGS SHOWN AS NEGATIVE ARE BELOW THE REFERENCE PLANE.
- NUMBERED TOPOGRAPHIC POINTS ARE SHOWN AS POSITIVE ABOVE THE REFERENCE PLANE.
- COORDINATES ARE BASED ON NAD 83 STATE PLANE MASSACHUSETTS MAINLAND COORDINATE GRID.
- CONTOURS ARE BASED ON THE UNSORTED DATA SET.
- BENCHMARK / RTK TIDES: TIDES ARE RECORDED USING RTK TIDES IN HYPACK. ELEVATIONS FROM ELLIPSOID TO ORTHOMETRIC NAVD88 USE GEOID 12A. THE OFFSET BETWEEN THE ORTHOMETRIC HEIGHT AND THE LOCAL TIDAL DATUM (NAVD88) (K) = 1.79'.
- RTK CORRECTIONS FOR THIS SURVEY PROVIDED BY KEYNET - VRS.
- THE SOUNDING INFORMATION SHOWN ON THIS PLAN REPRESENTS THE 5' SORTED SOUNDINGS OBTAINED FROM HYDROGRAPHIC SURVEYS.
- ORTHO-IMAGERY AND SCALED DATA IS APPROXIMATE UNLESS OTHERWISE NOTED AND SHOULD BE USED AS A GENERAL REFERENCE ONLY.
- THE INFORMATION DEPICTED ON THIS PLAN REPRESENTS THE RESULTS OF SURVEYS MADE ON THE DATES SHOWN, AND CAN ONLY BE CONSIDERED AS INDICATING THE GENERAL CONDITIONS AT THAT TIME. INTERPOLATED INFORMATION FROM BETWEEN SOUNDING RUNS IS NOT GUARANTEED. SHOALS, OBSTRUCTIONS OR OTHER DIFFERING CONDITIONS MAY EXIST BETWEEN THESE RUNS. CONSULT WITH CLE ENGINEERING FOR MORE DETAILED INFORMATION.
- POSSESSION AND USE OF THE MATERIAL CONTAINED ON THESE DRAWINGS IS GRANTED ONLY IN CONNECTION WITH ITS USE AS IT RELATES TO THE TITLED PROJECT. ANY OTHER USE, REPRODUCTION OR DISCLOSURE OF THE INFORMATION CONTAINED HEREON IS EXPRESSLY PROHIBITED WITHOUT THE WRITTEN CONSENT OF CLE ENGINEERING INC.
- COPYRIGHT 2017, CLE ENGINEERING INC.

SURVEY NOTES:

- PROJECT NAME: Packer, New Bedford
- PROJECT NUMBER: 17052.100
- PLOT SCALE: 1"=20'
- SURVEY DATE: APRIL 12, 2017
- SURVEYOR: M.CAMPAGNONE, J.BARANIELLO
- VESSEL: OLAF
- TRANS./PATH: 200KHZ, 3 DEGREE, QDOM CVM
- WEATHER COND: RTK KEYNET CORRECTIONS
- PROJECT DATUM: MOSTLY SUNNY 55 DEGREES, WIND 5-10, SEAS CALM
- COORD. SYSTEM: NAVD88 (GEOID 12A)
- DATA REDUCTION: NAD-83, MASSACHUSETTS MAINLAND
- BENCHMARK: DATA SORTED W/HYPACK SORT, 5' SHOALEST VALUE



- ANCHOR NOTES:
- ANCHORS ARE ASSUMED TO BE 5,000 POUND NAVY ANCHORS, DESIGNED FOR 100,000 POUNDS OF TENSION.
 - ANCHORS SHALL BE BURIED A MINIMUM OF 5 FEET INTO EXISTING MUD BOTTOM, AND REFILLED. THEN PROOF TESTED TO 60,000 POUNDS USING A TOW BOAT & STRAIN GAUGE, ANCHOR ATTACHMENT SHALL BE 50' FROM THE NEAR SIDE OF THE BARGE.
 - CHAIN SHALL 1 7/8" BUOY CHAIN, PROOF TESTED TO 100,000 POUNDS, WITH NO MORE THAN 10% CORROSION LOSS.
 - CHAIN LENGTH SHALL BE 95' FROM THE POINT WHERE THE CHAIN BREAKS EXISTING GRADE TO THE BOTTOM OF THE CHAIN SLEEVE ON THE BARGE.
 - ONCE INSTALLED, THE ANCHORS AND CHAINS SHOULD BE PRELOADED TO APPROXIMATELY 12,000 POUNDS OR TO A LOAD THAT WOULD TAKE ALL OF THE SLACK OUT OF THE CHAINS WITHIN NO MORE THAN FOUR FEET OF BARGE MOVEMENT.
 - ANY MODIFICATIONS TO THE ABOVE SHALL BE REVIEWED BY THE ENGINEER. MAXIMUM DESIGN LOADING FOR THIS CONFIGURATION IS TWO ROWS OF FISHING VESSELS, AT A WIND SPEED FROM THE SOUTH OF 45 KNOTS.
 - IF THE OWNER HAS A NEED TO STORE UP TO SIX VESSELS ABREAST (THREE ON EACH SIDE) AN ADDITIONAL ANCHOR, MEETING SAME SPECIFICATIONS, WOULD NEED TO BE INSTALLED MID-SHIP ON THE BARGE IN THE SOUTHERLY DIRECTION, BECAUSE THERE ARE NO WAVE LOADS FROM THE NORTH - NO ADDITIONAL ANCHOR WOULD BE NEEDED ON THE NORTH SIDE WITH THE SIX VESSEL ABREAST CONDITION.
 - SPUD WELL DESIGN SHOULD BE REVIEWED BY ENGINEER.



DATUM OFFSETS

MLW	NAVD88	HTL
5.52	3.73	HTL
3.55	1.76	MHW
1.79	0	NAVD88
0	-1.79	MLW
-0.22	-2.01	MLLW

OFFSETS TAKEN FROM
VDATUM V3.4
© 41 39 13 N, 70 55 06 W

PROJECT: BARGE MOORING PLAN, 2 WASHBURN ST. NEW BEDFORD, MA

CLIENT: RALPH PACKER RFD 275 VINEYARD HAVEN, MA

Foth 15 Creek Road, Marion, Massachusetts 02738
t: 508.748.0937
www.cleengineering.com

PROPOSED BARGE, GANGWAY, REVETMENT & PIER IMPROVEMENTS PLAN

SCALE: AS NOTED	CHECKED	DATE: 09-27-17	DRAWING No.
DRAWN BY: JD	BY:	REV. 11-10-17	COMP CODE 17052.100
REVISION No.	DATE	COMMENT	
1	12/13/17	REVIEMENT SECTION ADDED - REVISED BY: CLR	
2	03/14/18	ANCHOR SPECS. UPDATED	

Exhibit F
Deed for Subject Property

7172

DEED

LEWIS A. SASSOON, TRUSTEE OF COASTAL FISHERIES, INC., pursuant to 11 U.S.C. Section 363(b), in accordance with the Trustee's Notice of Intended Joint Public Auction Sale of Real and Personal Property dated and filed March 15, 1985 with the United States Bankruptcy Court for the District of Massachusetts in Chapter 7 Proceedings of Coastal Fisheries, Inc., Debtor, Case No. 84-1083-JG, FOR CONSIDERATION PAID of Six Hundred Twenty-Five Thousand (\$625,000.00) Dollars, receipt of which consideration is hereby acknowledged, hereby grants, free and clear of any and all liens or other encumbrances, to RALPH M. PACKER, JR. and DOROTHY PACKER, as Trustees of NORTH WHARF TRUST under Declaration of Trust dated May 24, 1985, recorded herewith in Bristol County South District Registry of Deeds of P. O. Box 201, Beach Road, Tisbury, Dukes County, Massachusetts, two certain contiguous parcels of land in New Bedford, Bristol County, Commonwealth of Massachusetts, together with the buildings now known as and numbered 17 Kilburn Street and 2 Washburn Street, respectively, more particularly bounded and described as follows:

First Parcel (17 Kilburn Street):

Beginning at the southwesterly corner of the property to be conveyed at the northeast corner of Belleville Avenue and Kilburn Street;

thence NORTH $6^{\circ} 06' 52''$ WEST by said Belleville Avenue, one hundred twenty-one and $86/100$ (121.86) feet to land now or formerly of New Bedford Fish Products Corp.;

thence NORTH $83^{\circ} 17' 48''$ EAST by last-named land, four hundred twenty and $65/100$ (420.65) feet;

thence SOUTH $71^{\circ} 04' 24''$ EAST by last-named land, fifty-seven and $11/100$ (57.11) feet;

thence SOUTH $3^{\circ} 39' 23''$ EAST by last-named land, ninety-seven and $41/100$ (97.41) feet to the northerly line of Kilburn Street;

thence SOUTH $83^{\circ} 18' 38''$ WEST by said Kilburn Street, four hundred sixty-eight and $21/100$ (468.21) feet to the point of beginning.

CONTAINING 56,751 square feet, more or less.

BEING shown as Parcels 1 and 2 on Subdivision of Land in New Bedford, Mass. for New Bedford Fish Products Corp. dated July 2, 1974, Tibbetts Engineering Corp., filed in Bristol County (S.D.) Registry of Deeds, Plan Book 94, Page 5.

Being the same premises conveyed to Coastal Fisheries, Inc. by deed of New Bedford Fish Products Corp. dated June 14, 1978 and recorded with said Registry at Book 1764, Page 1055.

Second Parcel (2 Washburn Street):

Beginning at a point in the southerly line of Washburn Street, four hundred forty-nine and 87/100 (449.87) feet from the easterly line of Belleville Avenue at the northeasterly corner of a 1.59 acre lot shown on a Subdivision Plan of Land for New Bedford Fish Products Corp. dated April 29, 1974, filed in Bristol County (S.D.) Registry of Deeds, Plan Book 93, Page 14;

thence easterly in the southerly line of Washburn Street to and into the Acushnet River as far as private rights extend;

thence commencing at the point of beginning SOUTH $70^{\circ} 50' 55''$ EAST by said 1.59 acre lot, one hundred five and 39/100 (105.39) feet;

thence SOUTH $24^{\circ} 46' 23''$ WEST by said lot, sixty-two and 85/100 (62.85) feet to the northerly line of Parcel 2 as shown on Subdivision Plan of Land for New Bedford Fish Products Corp. dated July 2, 1974, filed in said Registry, Plan Book 94, Page 5;

thence SOUTH $71^{\circ} 04' 24''$ EAST by said Parcel 2, fifty-seven and 11/100 (57.11) feet;

thence SOUTH $03^{\circ} 39' 23''$ EAST by said Parcel 2, ninety-seven and 41/100 (97.41) feet to a point in the northerly line of Kilburn Street;

thence EASTERLY in the northerly line of Kilburn Street to and into the Acushnet River as far as private rights extend.

Bounded Easterly by said Acushnet River.

Being the same premises conveyed to Coastal Fisheries, Inc. by deed of New Bedford Fish Products Corp. dated September 14, 1978 and recorded with said Registry at Book 1770, Page 944.

This conveyance of Parcels One and Two is made subject to and with the benefit of the following matters:

- (a) Provisions of License No. 2787 by the Commonwealth of Massachusetts, Department of Public Works, dated September 26, 1945, recorded with Bristol South District Deeds, Book 907, Page 331 (see Plan Book 36, Page 33).
- (b) Provisions of License No. 2800 by the Commonwealth of Massachusetts, Department of Public Works, dated October 30, 1945, recorded with Bristol South District Deeds, Book 907, Page 332 (see Plan Book 36, Page 34).
- (c) Provisions of a Party Wall Agreement dated May 24, 1974, recorded with Bristol South District Deeds, Book 1685, Page 474, as affected by a Party Wall Agreement dated June 7, 1982 recorded with Bristol County South District of Deeds, Book 1843, Page 374.
- (d) Provisions of a Variance granted by the New Bedford Zoning Board of

Appeals on May 26, 1983, as evidenced by a Notice of Zoning Variance recorded with Bristol South District Deeds, Book 1865, Page 835.

IN WITNESS WHEREOF, the said Lewis A. Sassoon, Trustee of Coastal Fisheries, Inc., has hereunto set his hand and seal, this 24th day of May, 1985.

By: *L. A. Sassoon*
LEWIS A. SASSOON, TRUSTEE OF
COASTAL FISHERIES, INC.

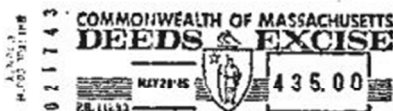
COMMONWEALTH OF MASSACHUSETTS

Suffolk, ss.

May 24, 1985.

Then personally appeared the above-named Lewis A. Sassoon, Trustee of Coastal Fisheries, Inc. as aforesaid, and acknowledged the foregoing instrument to be his free act and deed, before me:

John Spadum
NOTARY PUBLIC
My Commission Expires: 4/4/86



Received & Recorded May 28, 1985 at 4:15 PM P.M.

Attest: *John Gomes* Register

Exhibit G

Notice to Abutters & Certified Abutter List

**Notification to Abutters Under the
Massachusetts Wetlands Protection Act
And the City of New Bedford Wetlands Ordinance**

In accordance with the second paragraph of the Massachusetts General Laws Chapter 131, Section 40, and the City of New Bedford Wetlands Ordinance (Section 15-101 through 15-112) you are hereby notified of the following.

- A. The name of the applicant is: North Wharf Trust
- B. The applicant has filed a Notice of Intent with the Conservation Commission for the municipality of New Bedford, Massachusetts seeking permission to remove, fill dredge or alter an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40) and the City of New Bedford Wetlands Ordinance (Section 15-101 through 15-112).
- C. The address of the lot where the activity is proposed is: 2 Washburn St
Assessors Map 86; Lot 3
- D. Copies of the Notice of Intent may be examined at New Bedford Conservation Commission, 133 William St. Rm. # 304, New Bedford, MA 02740 between the hours of 8:00 AM – 4:00 PM, Monday – Friday. For more information, call (508) 991-6188.

Check one: This is the Applicant____, Representative____, or other X specify: *New Bedford Conservation Commission Office*

- E. Copies of the Notice of Intent may be obtained from either (check one) the applicant____ or the applicant's representative X, by calling this telephone number (508) 748-0937 between the hours of 9 and 5 on the following days of the week: Monday- Friday.
- F. Information regarding the date, time, and place of the public hearing may be obtained from New Bedford Conservation Commission by calling this telephone number (508) 991-6188 between the hours of 8:00 AM- 4:00 PM Monday- Friday.

Check one: This is the Applicant____, Representative____, or other X (specify):
New Bedford Conservation Commission.

Note: Notice of the Public hearing, including its date, time and place, will be published at least five (5) days in advance in The Standard-Times.

Note: Notice of the public hearing, including its date, time and place will be posted in the City Hall not less than forty-eight (48) hours in advance.

Note: You also may contact your local Conservation Commission or the Southeast Region of the Department of Environmental Protection for more information about this publication or the Wetlands Protection Act.
To Contact DEP Call: Southeast Region: (508) 946-2700
New Bedford Conservation Commission (508) 991-6188



City of New Bedford **REQUEST for a CERTIFIED ABUTTERS LIST**

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY			
MAP #	86	LOT(S)#	3
ADDRESS: 2 WASHBURN STREET, NEW BEDFORD, MA 02740			
OWNER INFORMATION			
NAME: RALPH PACKER			
MAILING ADDRESS: RFD 275, VINEYARD HAVEN, MA 02568			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): GABRIELA KURAN			
MAILING ADDRESS (IF DIFFERENT): 15 CREEK ROAD, MARION, MA 02738			
TELEPHONE #	(508) 748-0937		
EMAIL ADDRESS:	GABRIELA.KURAN@FOTH.COM		
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input type="checkbox"/>	PLANNING BOARD APPLICATION		
<input checked="" type="checkbox"/>	CONSERVATION COMMISSION APPLICATION		
<input type="checkbox"/>	LICENSING BOARD APPLICATION		
<input type="checkbox"/>	OTHER (Please explain):		

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Carlos Amado

Printed Name

Carlos Amado

Signature

11/1/2018

Date

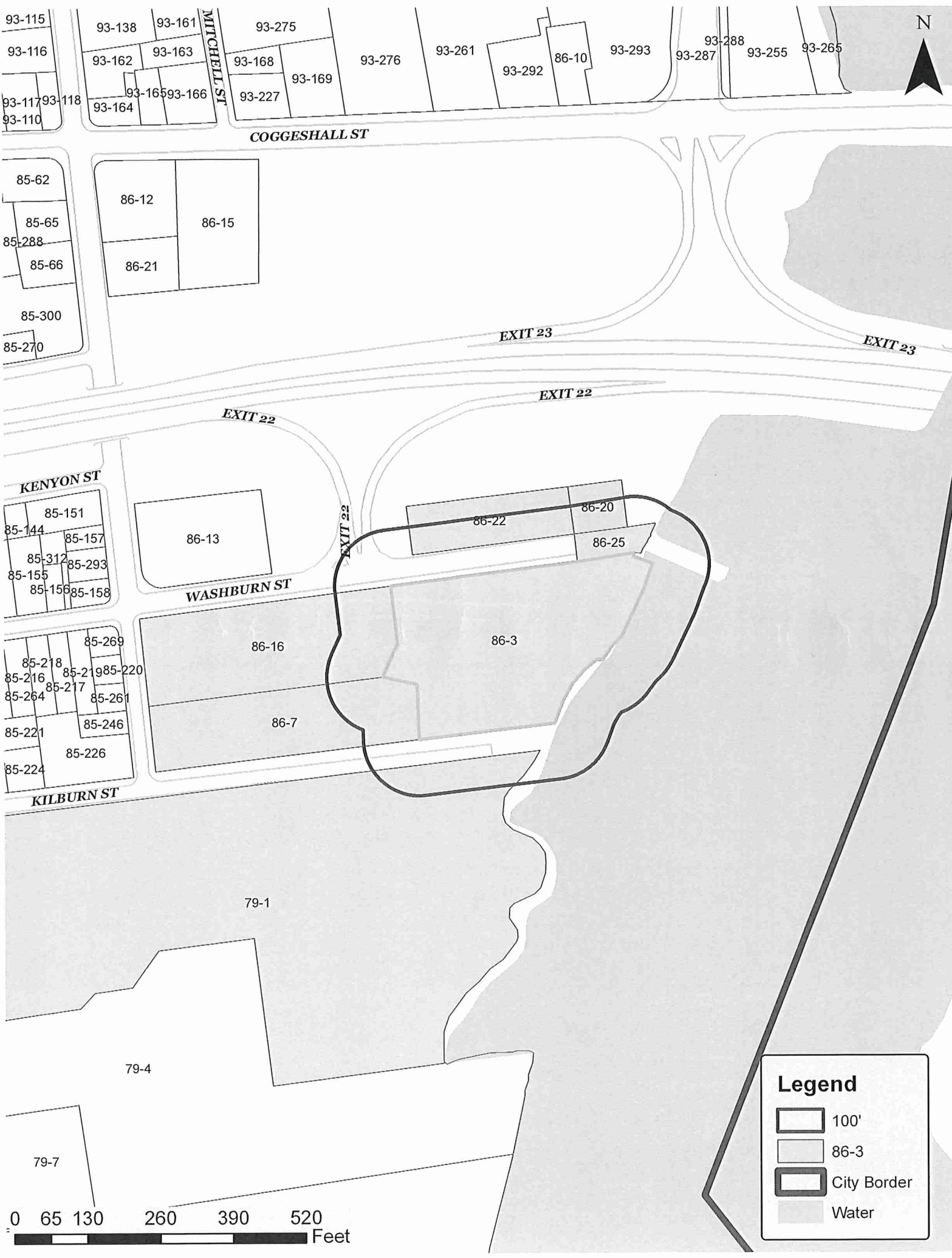
October 31, 2018

Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 2 Washburn Street (Map: 86, Lot: 3). The current ownership listed herein must be checked and verified by the City of New Bedford Assessor's Office. Following said verification, the list shall be considered a Certified List of Abutters.

Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates, and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

Parcel	Location	Owner and Mailing Address
86-7	17 KILBURN ST	NORTH WHARF TRUST, C/O DOROTHY P PACKER RFD 275 223 W. Spring St. VINEYARD HAVEN, MA 02568
86-22 NS	WASHBURN ST	ROBINSON RUSSELL B, 264 IRVING AVE PROVIDENCE, RI 02906
86-25 ES	WASHBURN ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740
79-1	92 KILBURN ST	B S REALTY LIMITED PARTNERSHIP, 92 KILBURN STREET NEW BEDFORD, MA 02740
86-3	2 WASHBURN ST	NORTH WHARF TRUST, C/O DOROTHY P PACKER RFD 275 223 W. Spring St. VINEYARD HAVEN, MA 02568
86-16	8 WASHBURN ST	8 WASHBURN STREET LLC, 72 N WATER STREET 3RD FLOOR PO Box 6346 NEW BEDFORD, MA 02740 Plymouth, MA 02362
86-20 NS	WASHBURN ST	PACKER RALPH M JR "TRS", C/O DOROTHY P PACKER RFD 275 223 W. Spring St. VINEYARD HAVEN, MA 02568



Legend

- 100'
- 86-3
- City Border
- Water



Proposed Barge, Gangway, Revetment & Pier Improvements
Notice of Intent

2 Washburn St.
New Bedford, MA 02740
November 2018

Exhibit H

Transmittal Form & Check Copies



Massachusetts Department of Environmental Protection
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:

2 Washburn St.

a. Street Address

New Bedford

b. City/Town

c. Check number

d. Fee amount

2. Applicant Mailing Address:

a. First Name

North Wharf Trust

b. Last Name

c. Organization

2 Washburn Street

d. Mailing Address

New Bedford

e. City/Town

MA

f. State

02740

g. Zip Code

(508) 889 - 4949

h. Phone Number

i. Fax Number

rmpacker@vineyard.net

j. Email Address

3. Property Owner (if different):

Ralph

a. First Name

Packer

b. Last Name

North Wharf Trust

c. Organization

223 W Spring Street

d. Mailing Address

Tisbury

e. City/Town

MA

f. State

02568

g. Zip Code

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).



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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 5 - Revetment	360 ft	\$4/linear ft	\$1440
Category 5 - Barge & Gangway	335 ft	\$4/linear ft	\$1340
Category 5 - Solid Filled Pier	150 ft	\$4/linear ft	\$ 600
Step 5/Total Project Fee:			\$2000

Step 6/Fee Payments:

Total Project Fee:	\$2,000
	a. Total Fee from Step 5
State share of filing Fee:	987.50
	b. 1/2 Total Fee less \$12.50
City/Town share of filing Fee:	\$1,012.50+ \$2,144.10
	(city bylaw)=\$3,156.60

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.)



**CITY OF NEW BEDFORD
MASSACHUSETTS**

**CONSERVATION COMMISSION
2009 FILING FEE CALCULATION WORKSHEET***

PROJECT LOCATION:

2 WASHBURN STREET

MAP 86

LOT(S) 03

APPLICANT: RALPH PACKER

CONSERVATION COMMISSION FEES (check all that apply):

- ☐ REQUEST FOR DETERMINATION OF APPLICABILITY
- ☒ NOTICE OF INTENT
- ☐ INQUIRY AS TO NEED FOR AN AMENDED ORDER**
- ☐ AMENDED ORDER OF CONDITIONS
- ☐ ANRAD (Abbreviated Notice of Resource Area Delineation)
- ☐ EXTENSION PERMIT
- ☐ CERTIFICATE OF COMPLIANCE
- ☐ AFTER THE FACT FILING
- ☐ RESTORATION PLAN FEE (no NOI filing required)
- ☐ LIFTING AN ENFORCEMENT ORDER
- ☐ PENALTIES

(A.) ALTERATION FEES:

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$150.00 plus the applicable alteration fee as follows

	<u>AMOUNT DUE</u>
• Application and Field Review Fee (\$150.00)	\$ 150.00
• \$0.50 X 72 SF Wetland Resource Area	\$ 36.00
• \$0.05 X 3,162 SF Land Subject Coastal Flooding	\$ 158.1
• \$0.20 X SF Developed Riverfront Area	\$
• \$1.00 X SF Undeveloped Riverfront Area	\$
• \$5.00 X 360 LF Coastal Bank	\$ 1800.00
• \$0.10 X SF Buffer Zone	\$

(B.) EXTENSION of an Order of Conditions:

- Minor Project ... \$100.00 + (¼ local fee from NOI) \$
- Other Projects ... \$200.00 + (¼ local fee from NOI) \$

(C.) AMENDING A PERMIT:

- Written inquiry or request to appear to determine the need for an Amended Order:** (\$50.00 fee) \$_____
- Amending OOC: \$150.00 + _____ (applicable alteration fee) \$_____

(D.) RESOURCE BOUNDARY DELINEATION VERIFICATION USING AN RDA APPLICATION:

- \$150.00 + \$2.00 X _____ LF Wetland boundary \$_____

(E.) ABBREVIATED RESOURCE AREA DELINEATION VERIFICATION (ANRAD)

- \$150.00 + \$1.00 X _____ LF Resource Area boundary \$_____

(F.) RESOURCE BOUNDARY DELINEATION VERIFICATION CONDUCTED DURING A NOTICE OF INTENT REVIEW

- \$150.00 + \$3.00 X _____ LF Resource Area boundary \$_____

(G.) DOCKS:

- \$100.00 + \$4.00 X _____ LF of dock \$_____
- Add 150% to total fee if in significant shellfish habitat \$_____

(H.) AFTER THE FACT FILING:

- All Total Fees are doubled \$_____

(I.) RESTORATION PLAN FEE:

- (\$150.00 + _____ Alteration Fee) Multiplied by 2 \$_____

(J.) LIFTING ON ENFORCEMENT ORDER:

- \$150.00 fee \$_____

(K.) CERTIFICATE OF COMPLIANCE:

- refer to "K" of the Fee schedule \$_____

(L.) PENALTIES:

- refer to "L" of the Fee schedule \$_____

TOTAL AMOUNT DUE (including after-the-fact fee if applicable): \$ 2,144.10

Notes:

* Please refer to the Conservation Commission Fee Schedule - Revised April 2009

** This is not required, but available for anyone who would like to appear to discuss the need to Amend.

Please make check or Money Order payable to: THE CITY OF NEW BEDFORD.
Cash is not Accepted.

NORTH WHARF TRUST

223 W SPRING ST
TISBURY, MA 02568

REMITTANCE ADVICE

53-568/113

1531

PAY thirty one hundred fifty-six and ⁶⁰/₁₀₀ DOLLARSCHECK
AMOUNT  Security
Features
Included.
Details
on back

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.
7/23/18	City of New Bedford	City By-Law Fee	1531

\$ 3156.60

THE EDGARTOWN NATIONAL BANK
ON THE ISLAND OF MARTHA'S VINEYARD
EDGARTOWN, MASSACHUSETTSDorothy P. Parker

⑈001531⑈ ⑆011305684⑆ 000041157⑈

NORTH WHARF TRUST

223 W SPRING ST
TISBURY, MA 02568

REMITTANCE ADVICE

53-568/113

1533

PAY three hundred and ⁰⁰/₁₀₀ DOLLARSCHECK
AMOUNT  Security
Features
Included.
Details
on back

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.
7/23/18	Commonwealth of Mass - NHESP	MESA Filing Fee	1533

\$ 300.00

THE EDGARTOWN NATIONAL BANK
ON THE ISLAND OF MARTHA'S VINEYARD
EDGARTOWN, MASSACHUSETTSDorothy P. Parker

⑈001533⑈ ⑆011305684⑆ 000041157⑈

NORTH WHARF TRUST

223 W SPRING ST
TISBURY, MA 02568

REMITTANCE ADVICE

53-568/113

1532

PAY nine hundred eighty-seven and ⁵⁰/₁₀₀ DOLLARSCHECK
AMOUNT  Security
Features
Included.
Details
on back

DATE	TO THE ORDER OF	DESCRIPTION	CHECK NO.
7/23/18	Commonwealth of Mass.	STATE SHARE NOI Fee	1532

\$ 987.50

THE EDGARTOWN NATIONAL BANK
ON THE ISLAND OF MARTHA'S VINEYARD
EDGARTOWN, MASSACHUSETTSDorothy P. Parker

⑈001532⑈ ⑆011305684⑆ 000041157⑈