

# Letter of Transmittal



To: Sarah E. Porter  
Conservation Agent  
Conservation Commission  
City of New Bedford  
133 William Street, Room 304  
New Bedford, MA 02740

Foth Infrastructure & Environment, LLC  
15 Creek Road, Marion, MA 02738  
(508) 748-0937  
www.foth.com

Date: 10/18/18	Project: 0006R007.10
File Classification:	Phase/Task:
RE: 23 Popes Island, New Bedford, MA 02740 Map 60, Lot 20	

## We are sending you:

- ☒ Attached
- ☐ Under separate cover via \_\_\_\_\_ the following items:
- ☐ Shop drawings    ☐ Prints    ☐ Plans    ☐ Samples
- ☐ Specifications    ☐ Copy of letter    ☐ Change order    ☐ \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
1	10/18/18		After the Fact RDA filing - In Response to Notice of Violation dated 10/5/18

## These are transmitted as checked below:

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> For your information             | <input type="checkbox"/> No exceptions taken    | <input type="checkbox"/> Resubmit          copies                |
| <input type="checkbox"/> For your use                     | <input type="checkbox"/> Make corrections noted | <input type="checkbox"/> Submit          copies for distribution |
| <input checked="" type="checkbox"/> As requested          | <input type="checkbox"/> Rejected (see remarks) | <input type="checkbox"/> Return          corrected copies        |
| <input type="checkbox"/> For bids due _____ 20            |   | <input type="checkbox"/> For review and comment                  |
| <input type="checkbox"/> Prints returned after loan to us |   | <input type="checkbox"/> Other _____                             |

## Remarks:

If you have any questions, please do not hesitate to contact me.

Copy to: Popes Island Realty Trust and Olde South Wharf Realty, LLC Signed: \_\_\_\_\_

Office Location: Marion

Print name: Susan Nilson, P.E.

*If enclosures are not as noted, kindly notify us at once.*

**23 Popes Island, Map 60 Lot 20**

**List of Items included in After the Fact RDA Filing**

1. WPA Form 1 – Request for Determination of Applicability
2. Locus Map and FEMA Map
3. Figure 2 – Site Plan
4. Fee Calculation Worksheet and copy of check for fee payment
5. Certified Abutters List and Notification to Abutters
6. Letter of Owner Authorization for Applicant to Submit RDA
7. Deed
8. eDEP Transaction Copy of BWSC103 Release Notification Form for 120 Day Reporting



# Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

New Bedford

City/Town

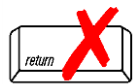
## WPA Form 1- Request for Determination of Applicability

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

### A. General Information

#### Important:

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



1. Applicant:

Olde South Wharf Realty, LLC

Name

Kevin@FairhavenShipyard.com

E-Mail Address

32 Water St.

Mailing Address

MA

02770

State

Zip Code

City/Town

(508) 980-9138

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Foth Infrastructure & Environment, LLC (Foth-CLE)

Firm

Susan Nilson, P.E.

Contact Name

Susan.Nilson@Foth.com

E-Mail Address

15 Creek Rd.

Mailing Address

Marion

City/Town

MA

02738

State

Zip Code

508 762-0764

Phone Number

Fax Number (if applicable)

### B. Determinations

1. I request the New Bedford make the following determination(s). Check any that apply:  
Conservation Commission

- ☐ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☐ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- ☐ d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

Name of Municipality

- ☐ e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).



**Massachusetts Department of Environmental Protection**

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**C. Project Description**

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

23 Popes Island

Street Address

New Bedford

City/Town

60

Assessors Map/Plat Number

20

Parcel/Lot Number

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

The project site is an existing paved parking lot that is within the 100' buffer zone to the coastal bank (an existing stone revetment). The area is mapped as Zone X by FEMA. The approx. 1.98 acre property consists of the former Fairhaven True Value Hardware. A small outbuilding used for solid waste storage is located in the rear. An emergency generator and assoc. petroleum heating oil AST are also located in the rear (not in use). The soil excavation is located along the west side of the building, where the approx. 2,000-gal former heating oil UST was reportedly located (no records of removal or testing).

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

Figure 2- Site Plan

Title

EX-1 Existing Conditions Survey

Title

Title

10/9/2018

Date

6/6/2018 REV. 10/18/18

Date

Date

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

A Phase I Environmental Due Diligence identified the former 2,000-gal heating oil UST as a Recognized Environmental Condition (REC). On July 4, 2018, EndPoint oversaw the advancement of soil borings at various locations around the Site. Field screening was performed through visual and olfactory assessment and by measuring the soil headspace utilizing a photoionization detector (PID). None of soil borings exhibited evidence of petroleum impacts, either visually, olfactorily, or through field screening with the exception of the soil in boring B-6 (former heating oil UST area).

Laboratory analytical results identified concentrations of several EPH target analytes, as well as SVOC compounds above the MassDEP 120-day Reportable Concentrations (RCs) applicable to this property, including 2-methylnaphthalene, acenaphthene, acenaphthylene, naphthalene, and phenanthrene. Therefore, the current owner had an obligation to report these conditions within 120 days unless a Limited Removal Action (LRA) is implemented prior to this deadline. Under an LRA, up to 100 cubic yards of petroleum impacted soil could be removed from the Site with no required MassDEP reporting, as long as confirmatory soil sample results were below RCs, no groundwater impacts were observed, and the soil was removed within the reportable deadline.

**\*\*SEE ADDITIONAL PAGES\*\***





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New Bedford

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**C. Project Description (cont.)**

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

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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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New Bedford

City/Town

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

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**D. Signatures and Submittal Requirements**

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Popes Island Realty Trust, LLC

Name

23 Popes Island

Mailing Address

New Bedford

City/Town

MA

State

02738

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

October 16, 2018

EndPoint Project 2748-001

Re: WPA Form 1 – Request for Determination of Applicability  
23 Popes Island  
New Bedford, MA

**Continued from Section C. Project Description, No. 2a. Work Description**

On August 10, 2018, EndPoint oversaw the excavation of soil in the area where the former heating oil UST was reportedly located, and where the soil impacts observed above RCs (in boring B-6). Soil was excavated down to a depth of approximately 8 to 9 feet below ground surface (bgs), which observed to be at the groundwater table at the time of excavation (groundwater level fluctuates due to tidal influence). During excavation activities, soil was assessed using visual and olfactory means, and by screening the soil using a PID to detect volatile organic compounds associated with a petroleum release. Soil noted to be free of petroleum impacts was stockpiled along the west side of the building, adjacent to the southwest corner. The clean soil was covered with the polyethylene sheeting (poly), and hay bales were placed around the stockpile to prevent runoff from traveling toward the Acushnet River. Groundwater filled the excavation, and was observed to have a sheen and a petroleum odor; therefore, it was evident that impacted soil was located within the groundwater table, and further excavation was halted. A groundwater sample was collected and subsequently analyzed. On August 20, 2018, EndPoint received the groundwater laboratory analytical results, which showed elevated concentrations of petroleum constituents above RCs; therefore, the LRA was terminated. In accordance with the Massachusetts Contingency Plan (MCP), response actions included reporting the release to MassDEP, conducting further environmental assessment, and performing a risk characterization. See attached **Figure 2**, which depicts the approximate locations of the soil excavation, soil stockpile, and the EndPoint soil borings, groundwater monitoring wells, and sub-slab soil vapor points associated with the environmental assessment and response actions conducted at the Site.

On September 17, 2018, EndPoint oversaw the advancement of eight additional soil borings, four of which were completed as groundwater monitoring wells. Soil samples were collected to determine the extent of the soil contamination. The groundwater monitoring wells were developed for future sampling.

On September 19, 2018, EndPoint assisted the current property owner in notifying MassDEP of the 120 day reporting condition. See the attached MassDEP Release Notification Form (RNF), BWSC103 – Release Notification Form for 120day Reporting. The Release Tracking Number (RTN) for the Site is 4-0027466.

On September 24, 2018, EndPoint returned to the Popes Island property to collect groundwater samples, and to install temporary sub-slab soil vapor sampling points in order to evaluate the potential for soil vapor to migrate into the building.

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**New Hampshire Office**  
25 Buttrick Road, Unit D-2  
Londonderry, NH 03053  
P:603-965-3810  
F:603-965-3827

**Boston Office**  
75 Arlington Street, Suite 500  
Boston, MA 02116  
P:857-241-3654  
F:857-241-3601

**Marlborough Office**  
225 Cedar Hill Street, Suite 200  
Marlborough, MA 01752  
P: 508-630-2231  
F: 508-630-2101

On September 27, 2018, EndPoint received the soil laboratory analytical results, which showed elevated concentrations of two contaminants (acenaphthylene and C9-C18 Aliphatic Hydrocarbons) in soil boring B-16.

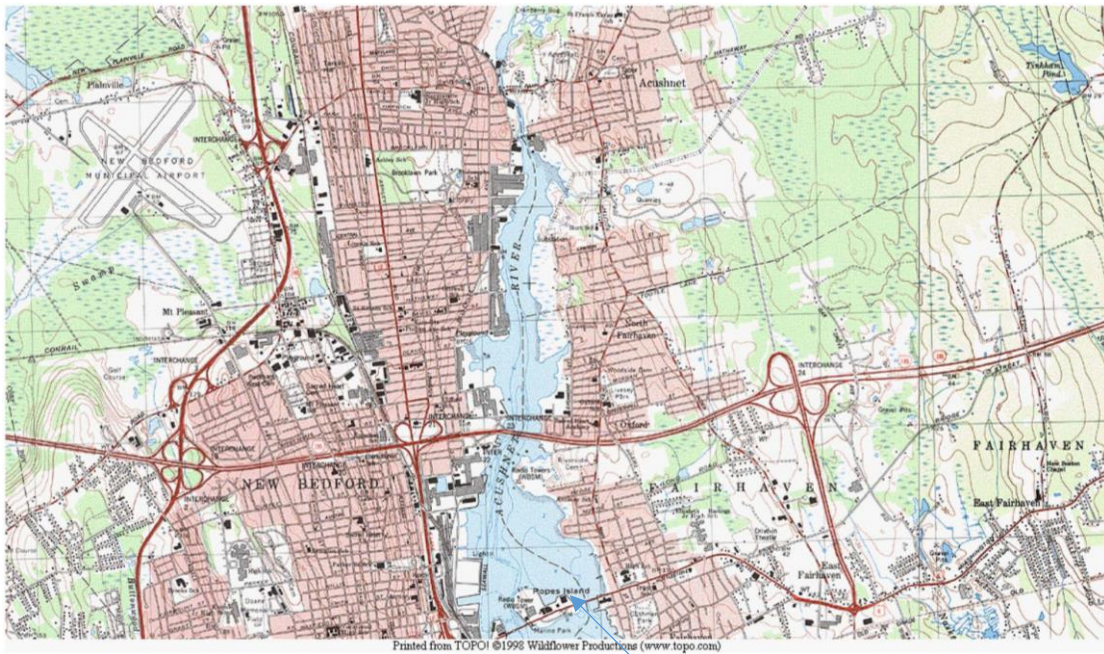
On October 2, 2018, EndPoint received the sub-slab soil vapor analytical results, which were below the MassDEP Sub-Slab Soil Gas Screening Values for Commercial/Industrial Properties.

On October 5, 2018, EndPoint received the groundwater analytical results. EndPoint used these data in a Method 3 risk characterization, and based on the characterization, there is No Significant Risk to human health, safety, public welfare and the environment. Therefore, it was concluded that soil removal was no longer necessary to comply with the MCP. Therefore, Permanent Solution Statement with No Conditions Report is currently being prepared for the Site, and shall be submitted to MassDEP before the end of the month.

On Saturday, October 13, 2018, Frank Corp returned to the Site and backfilled and compacted the excavation using the clean stockpiled material.

\\SERVER\Business\EndPoint Projects\2748-001 Popes Isl New Bedford\ConCom RDA & NOV\WPA Form1 RDA - Continued Work Description.docx

## Locus Plan



Project Site

## Excerpt from FEMA Map Service Center





6/6/2018 11:02 AM  
C:\Users\j22\OneDrive\Documents\Projects\2017\12917\_12917.dwg

MASSACHUSETTS STATE PLANE COORDINATE SYSTEM  
NAD 83

# LEGEND

- CATCH BASIN
- DRAIN MANHOLE
- ELECTRIC MANHOLE
- MISCELLANEOUS MANHOLE
- SEWER MANHOLE
- TELEPHONE MANHOLE
- WATER MANHOLE
- WATER SHUT-OFF
- GAS GATE
- WATER GATE
- FIRE HYDRANT
- UTILITY POLE
- UTILITY POLE WITH CONDUIT LINE TO GROUND
- LIGHT POLE
- HAND HOLE
- METAL POST
- SIGN POST
- BOLLARD
- WOODEN BOLLARD
- JERSEY BARRIER
- DECIDUOUS TREE WITH TRUNK DIAMETER
- HANDICAP PARKING
- SPOT ELEVATION
- CHAIN LINK FENCE
- BITUMINOUS CONCRETE BERM
- VERTICAL GRANITE CURB
- VERTICAL CONCRETE CURB
- WHEELCHAIR RAMP
- RIM ELEVATION EQUALS
- INVERT ELEVATION EQUALS
- BOTTOM OF STRUCTURE EQUALS
- TOP OF DIRT
- FULL OF DIRT
- NO PIPES VISIBLE
- TOP OF WATER
- REINFORCED CONCRETE PIPE
- POLYVINYL CHLORIDE PIPE
- CAST IRON PIPE
- TOP OF WALL ELEVATION
- UNDERGROUND CABLE TELEVISION LINE
- UNDERGROUND DRAIN LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND GAS LINE
- UNDERGROUND SEWER LINE
- UNDERGROUND TELEPHONE LINE
- UNDERGROUND WATER LINE
- OVERHEAD WIRES
- MONITORING WELL
- BENCH MARK

Nitsch Engineering

www.nitscheng.com  
2 Center Plaza, Suite 430  
Boston, MA 02108  
T: (617) 338-0063  
F: (617) 338-6472

- Civil Engineering
- Land Surveying
- Transportation Engineering
- Structural Engineering
- Green Infrastructure
- Planning
- GIS

## POPE'S ISLAND ROAD - US 6 (VARIABLE WIDTH PUBLIC WAY - 1939 LAYOUT No. 3325)

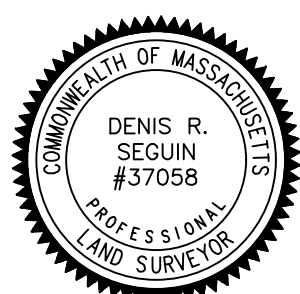
### NOTES

- THIS DOCUMENT IS AN INSTRUMENT OF SERVICE OF NITSCH ENGINEERING. IT IS ISSUED TO FAIRHAVEN SHIPYARD COMPANIES, INC. FOR PURPOSES RELATED DIRECTLY AND SOLELY TO NITSCH ENGINEERING'S SCOPE OF SERVICES UNDER CONTRACT WITH FAIRHAVEN SHIPYARD COMPANIES, INC. FOR 23 POPES ISLAND LAND SURVEYING SERVICES. ANY USE OR REUSE OF THIS DOCUMENT FOR ANY REASON BY ANY PARTY FOR PURPOSES UNRELATED DIRECTLY AND SOLELY TO SAID CONTRACT AND PROJECT SHALL BE AT THE USER'S SOLE AND EXCLUSIVE RISK AND LIABILITY, INCLUDING LIABILITY FOR VIOLATION OF COPYRIGHT LAWS, UNLESS WRITTEN AUTHORIZATION IS GIVEN THEREFOR BY NITSCH ENGINEERING.
- THE PURPOSE OF THIS PLAN IS TO SHOW EXISTING CONDITIONS AS THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY WHICH OCCURRED 5/16/2018 AND 5/21/2018.
- HORIZONTAL BEARINGS REFER TO MASSACHUSETTS STATE PLANE COORDINATE SYSTEM (NAD83) AND THE VERTICAL DATUM REFERS TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88). HORIZONTAL BEARING AND VERTICAL DATUM WERE ESTABLISHED FROM RTK GPS OBSERVATIONS.
- THE SITE FALLS WITHIN THE AREAS DESIGNATED ZONE AE (EL 6) DEFINED AS BASE FLOOD ELEVATIONS DETERMINED AND ZONE X (SHADED) DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 25050C03935 HAVING AN EFFECTIVE DATE OF JULY 16, 2014.
- THE INFORMATION CONTAINED ON THE DISK OR ELECTRONIC DRAWING FILE ACCOMPANYING THIS PLAN MUST BE COMPARED TO THE SEALED AND SIGNED HARD COPY OF THE PLAN TO ENSURE THE ACCURACY OF ALL INFORMATION AND TO ENSURE NO CHANGES, ALTERATIONS, OR MODIFICATIONS HAVE BEEN MADE. RELIANCE SHALL NOT BE MADE ON A DOCUMENT TRANSMITTED BY COMPUTER OR OTHER ELECTRONIC MEANS UNLESS FIRST COMPARED TO THE ORIGINAL SEALED DOCUMENT ISSUED AT THE TIME OF THE SURVEY. DUE TO THE CRITICAL NATURE OF SURVEYING, DATA ACQUISITION, AND AUTOCAD PLAN DEVELOPMENT, IF CRITICAL DIMENSIONAL INFORMATION IS NEEDED AND IS NOT SPECIFICALLY SHOWN ON THE ELECTRONIC DRAWING FILE, PLEASE CONTACT NITSCH ENGINEERING.

### UTILITY INFORMATION STATEMENT

- THE SUB-SURFACE UTILITY INFORMATION SHOWN HEREON IS COMPILED BASED ON FIELD SURVEY INFORMATION, RECORD INFORMATION AS SUPPLIED BY THE APPROPRIATE UTILITY COMPANIES, AND PLAN INFORMATION SUPPLIED BY THE CLIENT, IF ANY; THEREFORE WE CANNOT GUARANTEE THE ACCURACY OF SAID COMPILED SUB-SURFACE INFORMATION TO ANY CERTAIN DEGREE OF STATED TOLERANCE. ONLY PHYSICALLY LOCATED SUB-SURFACE UTILITY FEATURES FALL WITHIN NORMAL STANDARD OF CARE ACCURACIES.
- THE LOCATIONS OF UNDERGROUND PIPES, CONDUITS, AND STRUCTURES HAVE BEEN DETERMINED FROM SAID INFORMATION, AND ARE APPROXIMATE ONLY. COMPILED LOCATIONS OF ANY UNDERGROUND STRUCTURES, NOT VISIBLY OBSERVED AND LOCATED, CAN VARY FROM THEIR ACTUAL LOCATIONS.
- ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED.
- THE STATUS OF UTILITIES, WHETHER ACTIVE, ABANDONED, OR REMOVED, IS AN UNKNOWN CONDITION AS FAR AS OUR COMPILED OF THIS INFORMATION.
- IT IS INCUMBENT UPON INDIVIDUALS USING THIS INFORMATION TO UNDERSTAND THAT COMPILED UTILITY INFORMATION IS NOT EXACT, AND IS SUBJECT TO CHANGE BASED UPON VARYING PLAN INFORMATION RECEIVED AND ACTUAL LOCATIONS.
- THE ACCURACY OF MEASURED UTILITY INVERTS AND PIPE SIZES IS SUBJECT TO FIELD CONDITIONS. THE ABILITY TO MAKE VISUAL OBSERVATIONS, DIRECT ACCESS TO THE VARIOUS ELEMENTS AND OTHER MATTERS.
- THE PROPER UTILITY ENGINEERING/COMPANY SHOULD BE CONSULTED AND THE ACTUAL LOCATIONS OF SUBSURFACE STRUCTURES SHOULD BE VERIFIED IN THE FIELD (V.I.F.) BEFORE PLANNING FUTURE CONNECTIONS. CONTACT THE DIG SAFE CALL CENTER AT 1-888-344-7233, SEVENTY-TWO HOURS PRIOR TO EXCAVATION, BLASTING, GRADING, AND/OR PAVING.
- AS OF THE DATE OF THIS PLAN RECORD INFORMATION HAS NOT BEEN RECEIVED BY NITSCH ENGINEERING FOR THE FOLLOWING UTILITIES: GAS (ENBRIDGE), TELEPHONE (VERIZON), RAILROAD (CAPE TRAIN), CABLE (COMCAST, CROWN CASTLE), FIBER OPTIC (CAPE NET), CITY OF NEW BEDFORD (DPW, DPI, FIRE DEP.)

REVISION NOTE: STOCKPILE AREA AND COASTAL BANK LABEL ADDED BY S. NILSON 10/18/18 (FOTH-CLE)



DENIS R. SEGUIN, PLS  
MASSACHUSETTS REG. NO. 37058  
REGISTERED PROFESSIONAL LAND SURVEYOR

*Denis Seguin* 6/6/2018  
DATE

### GRAPHIC SCALE

20 10 0 20 40 60  
SCALE: 1"=20'

### EXISTING CONDITIONS SURVEY

23 POPES ISLAND  
23 POPES ISLAND, NEW BEDFORD, MASSACHUSETTS

PREPARED FOR:

FAIRHAVEN SHIPYARD COMPANIES, INC.  
32 WATER STREET FAIRHAVEN, MASSACHUSETTS, 02719

PROJECT # 12917  
FILE: 12917\_TOPO1.dwg  
SCALE: 1"=20'  
DATE: 6/6/2018  
DES./COMP: DRS  
FIELD BOOK: 708  
DRAFTED BY: JGC / PR / MS  
CHECKED BY:

SHEET:

EX-1

OF 1

REV.



Acushnet River

Solid  
Waste/Rubbish  
Storage Shed

B-13 / MW-3  
(91.21')

B-14 / MW-4  
(90.75')

B-16 / MW-2  
(91.1')

B-12

B-17

B-11/MW-1  
(91.52')

VP-2

VP-1

23 Popes Island

B-5

Approximate  
Soil  
Stockpile

Approximate  
Asphalt  
Stockpile

B-3

B-1

B-2

B-4

Dunkin'  
Donuts



Approximate Area of Excavation



Approximate Locations of Soil Borings



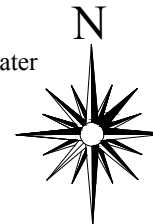
Approximate Locations of Soil Vapor Points



Approximate Locations of Monitoring Wells

Note: Site features are approximate and are for illustrative purposes only.  
Image was obtained from Google Earth.

(91.52) Approximate Depth to Groundwater



0 33 66 132  
APPROXIMATE SCALE IN FEET

**EndPoint**  
ENGINEERS & ENVIRONMENTAL PROFESSIONALS

25 Buttrick Road, Unit D2  
Londerry, NH 03053

CLIENT:  
Fairhaven Shipyard

PROJECT:  
23 Popes Island  
New Bedford, MA

TITLE: Site Plan

DESIGNED: SAK	DRAWN: SAK	CHECKED: KLS	APPROVED: RJW	FIGURE NO.:  2
SCALE: As Shown	DATE: 10/09/2018	FILE NO.: plan	PROJECT NO.: 2748-001	



**CITY OF NEW BEDFORD  
MASSACHUSETTS**

**CONSERVATION COMMISSION  
2018 FILING FEE CALCULATION WORKSHEET\***

**PROJECT LOCATION:**

23 Popes Island MAP 60 LOT(S) 20

**APPLICANT:** Olde South Wharf Realty, LLC

**CONSERVATION COMMISSION FEES (check all that apply):**

- ( X ) REQUEST FOR DETERMINATION OF APPLICABILITY
- ( ) NOTICE OF INTENT
- ( ) AMENDED ORDER OF CONDITIONS
- ( ) EXTENSION PERMIT
- ( ) CERTIFICATE OF COMPLIANCE
- ( ) AFTER THE FACT FILING

**(A.) ALTERATION FEES:**

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$200.00 plus the applicable alteration fee as follows

	<u><b>AMOUNT DUE</b></u>
• Application and Field Review Fee ( \$200.00 )	<u>\$200.00</u>
• \$0.50 X _____ SF Wetland Resource Area Fee shall not exceed \$2,000.00 per project	/ \$ _____
• \$0.05 X _____ SF Land Subject Coastal Flooding Fee shall not exceed \$500.00	\$ _____
• \$0.50 X _____ SF Developed Riverfront Area Fee shall not exceed \$1,500.00	\$ _____
• \$1.00 X _____ SF Undeveloped Riverfront Area Fee shall not exceed \$2,000.00	\$ _____
• \$5.00 X _____ LF Coastal or Inland Bank Fee shall not exceed \$750.00	\$ _____
• \$0.10 X <u>56</u> SF Buffer Zone Fee shall not exceed \$6,500.00	\$ <u>5.60</u>



**(B.) EXTENSION of an Order of Conditions:**

- Single Family Dwelling or minor project (house addition, in ground pool etc)  
\$300.00 \$ \_\_\_\_\_
- Subdivision/Commercial 600.00 \$ \_\_\_\_\_

**(C.) AMENDING AN ORDER OF CONDITIONS:**

- Single family dwelling or minor project (house, in ground pool etc)  
\$300.00 plus new alteration fee – refer to (A) above \$ \_\_\_\_\_
- Subdivision/Commercial \$1,000.00 plus new alteration fee – refer to (A) above  
\$ \_\_\_\_\_

**(D.) WETLAND DELINEATION VERIFICATION (WITH OR WITHOUT A PROPOSED ALTERTATION)**

- ½ acre or less \$250.00 \$ \_\_\_\_\_
- ½ acre to 2 acres \$500.00 (\$100.00/acre thereafter)  
not to exceed \$3,500.00 \$ \_\_\_\_\_

**(E.) DOCKS:**

- \$100.00 + \$10.00 X \_\_\_\_\_ LF of dock \$ \_\_\_\_\_

**(F.) CERTIFICATES OF COMPLIANCE**

- One new house \$250.00 \$ \_\_\_\_\_
- One activity at an existing house \$200.00 \$ \_\_\_\_\_
- Commercial & Industrial Facilities \$1,500.00 \$ \_\_\_\_\_
- New Roadways 1,500.00 \$ \_\_\_\_\_

Partial Certificates of Compliance are the same fee as a Certificate of Compliance

**(G.) AFTER THE FACT FILING FEE**

- \$500.00 for a Notice of Intent or Amended Order of Conditions \$ \_\_\_\_\_
- \$250.00 for a Request for Determination of Applicability \$ 250.00

**TOTAL AMOUNT DUE (including after-the-fact fee if applicable):** \$ \$455.60

**Notes:**

\* Please refer to the Conservation Commission Fee Schedule – dated 8/2018

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

**FAIRHAVEN SHIPYARD COMPANIES, INC.**

26241

VENDOR: CITY OF NEW BEDFORD

10/17/18

0000026241

OUR REF. NO.	YOUR INV. NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	DISCOUNT TAKEN	NET CHECK AMOUNT
	PERMIT	10/17/18	455.60	455.60	0.00	455.60

\$\*\*\*\*\*455.60

26241

**FAIRHAVEN SHIPYARD COMPANIES, INC.**

50 FORT STREET  
FAIRHAVEN, MA 02719

ROCKLAND TRUST COMPANY  
FAIRHAVEN, MA 02719

53-447/113

CHECK NO.

CHECK DATE

VENDOR NO.



10/17/18

Four Hundred Fifty Five Dollars and 60/100

CHECK AMOUNT

\$\*\*\*\*\*455.60

PAY TO THE ORDER OF CITY OF NEW BEDFORD



*[Handwritten Signature]*  
AUTHORIZED SIGNATURE

⑈026241⑈ ⑆011304478⑆ 017118175⑈

Security features. Details on back.



*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 #	60	LOT(S)#	20
ADDRESS: 23 Popes Island			
OWNER INFORMATION			
NAME: Popes Island Realty Associates, LLC			
MAILING ADDRESS: 23 Popes Island New Bedford, MA 02740			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Susan Nilson, P.E. Foth-CLE Engineering			
MAILING ADDRESS (IF DIFFERENT): 15 Creek Rd. Marion, MA 02738			
TELEPHONE #	508 801-6262		
EMAIL ADDRESS:	Susan.Nilson@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	Signature	Date

PLANNING  
OCT 15 2010  
DEPARTMENT

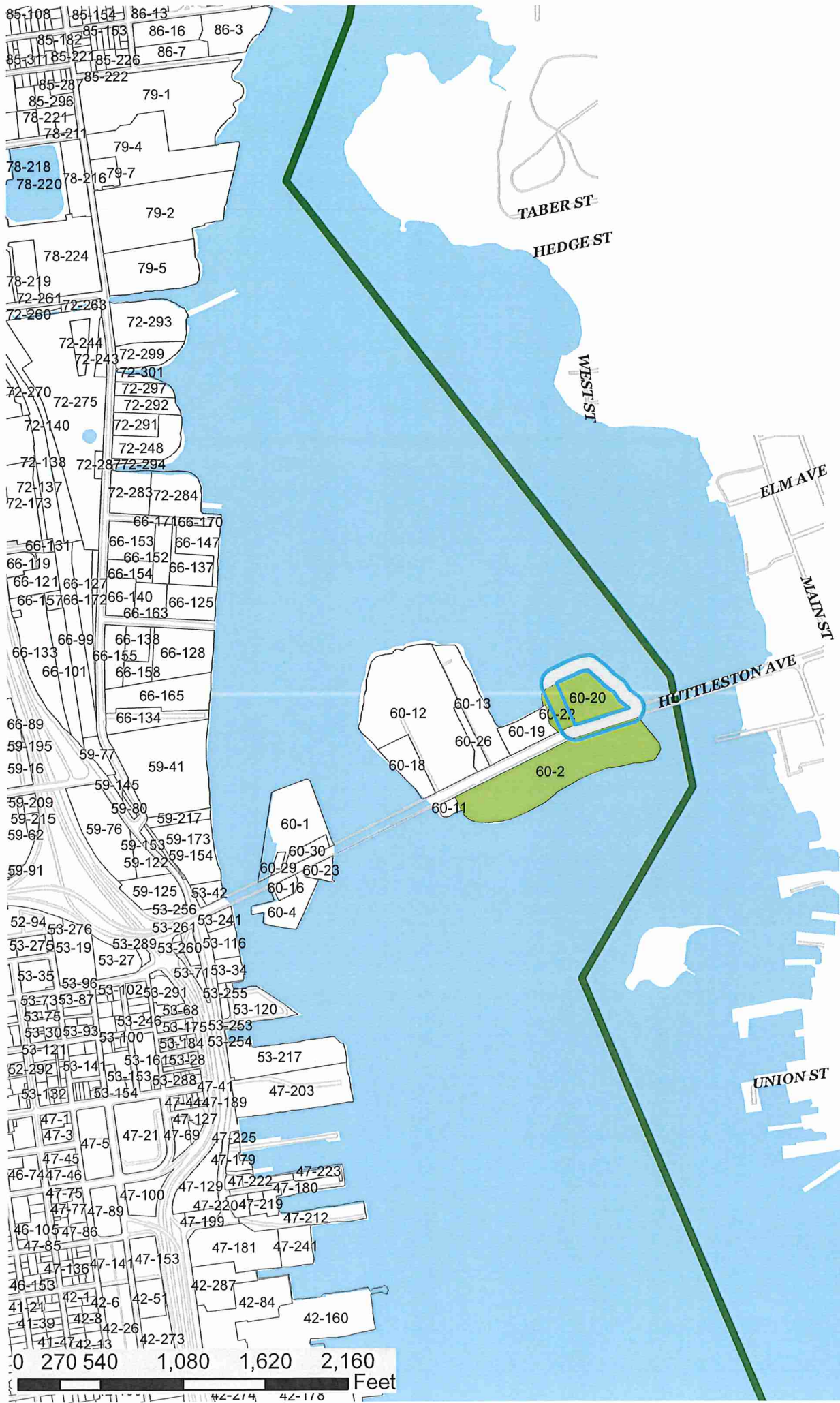
October 15, 2018  
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 23 Popes Island (Map: 60, Lot: 20). 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.

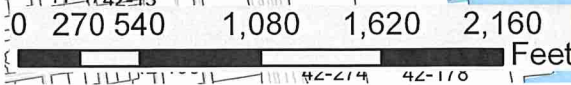
Parcel	Location	Owner and Mailing Address
60-2	86 POPES ISLAND	CITY OF NEW BEDFORD, MARINE PARK 131 WILLIAM ST NEW BEDFORD, MA 02740
60-22	53 POPES ISLAND	PANAGAKOS MICHAEL, 133 FAUNCE CORNER ROAD DARTMOUTH, MA 02747
60-20	23 POPES ISLAND	POPES ISLAND REALTY ASSOCIATES LLC, 23 POPES ISLAND NEW BEDFORD, MA 02740





**Legend**

- 60-20
- 100FT
- City Border
- Water



## **Notification to Abutters under the City of New Bedford Wetlands Ordinance**

In Accordance with the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112) you are hereby notified of the following.

The name of the applicant is: Olde South Wharf Realty, LLC

The applicant has filed a Request for Determination of Applicability for the municipality of New Bedford, Massachusetts seeking permission to remove, fill, dredge or alter an area subject to protection under the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112).

The address of the lot where the activity is proposed is: 23 Popes Island  
Assessor's Map 60; Lot 20

Copies of the Request for Determination of Applicability may be examined at the New Bedford Conservation Commission, City Hall, 133 William St. Room 304 New Bedford, MA 02740 between the hours of 8:00 AM and 4:00 PM, Monday through Friday. For more information call (508) 991-6188.

Copies of the Request for Determination of Applicability 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 8:00 AM and 4:00 PM on the following days of the week: Monday through Friday.

Information regarding the date, time and place of the public hearing may be obtained from New Bedford Conservation Commission by calling 508-991-6188 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

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 of the meeting.

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: You may also contact the New Bedford Conservation Commission at 508-991-6188 for more information about this publication or the City of New Bedford Wetlands Ordinance

INSERT DOCUMENT- Letter of authorization to file as applicant.  
Will be provided by Owner prior to hearing.

QUITCLAIM DEED

We, **ROBERT E. CHANDLER** and wife, **PATRICIA E. CHANDLER**, of 10 Randall Road, Rochester, Plymouth County, Commonwealth of Massachusetts, for consideration paid in the amount of Nine Hundred Thousand and No/100 (\$900,000.00) Dollars grant to **POPES ISLAND REALTY ASSOCIATES, LLC**, a Massachusetts limited liability company with a mailing address of 23 Popes Island, New Bedford, Massachusetts, 02740 with QUITCLAIM COVENANTS:

That certain parcel of land, with all the buildings and improvements thereon, situated in the Town of New Bedford and Commonwealth of Massachusetts, and more particularly described in Exhibit A attached hereto and made a part hereof.

Meaning and intending to convey the same premises conveyed to Robert E. Chandler and Patricia E. Chandler from The 1832 Corporation, by deed dated July 29, 1974, and recorded in Bristol County Southern District Registry in Deed Book 1688 at Page 357.

WITNESS our hands and seals this 29 day of June, 2000.

Robert E. Chandler  
Robert E. Chandler

Patricia E. Chandler  
Patricia E. Chandler

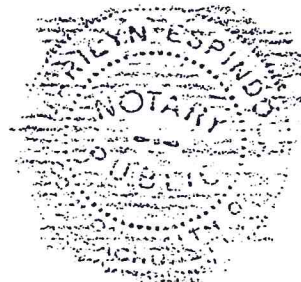
STATE OF Massachusetts  
COUNTY OF Bristol

In New Bedford, in said County and State on this 29 day of June, 2000, before me personally appeared the above-named **ROBERT E. CHANDLER** and **PATRICIA E. CHANDLER**, to me known and known by me to be the parties executing the foregoing instrument and they acknowledged said instrument, by them executed, to be their free act and deed.

Marilyn Espindola  
Notary Public  
Printed Name: Marilyn Espindola  
Commission Expires: 8-7-03

Property Address

23 Popes Island  
New Bedford, Massachusetts



REG OF DEEDS  
REG #07  
BRISTOL S

07/19/00 11:19AM 01  
000000 #5122

FEE \$4104.00

CASH \$4104.00



EXHIBIT A

Southeasterly by the New Bedford-Fairhaven Bridge, three hundred forty-eight and 24/100 (348.24) feet;

Southwesterly by Parcel I on plan hereinafter mentioned, two hundred eighty-nine and 39/100 (289.39) feet;

Northwesterly by the Acushnet River in two courses totaling two hundred fifteen and 89/100 (215.89) feet;

Northeasterly by said Acushnet River in two courses totaling three hundred fifty-four and 76/100 (354.76) feet.

Containing 86,253 square feet and being shown as Parcel 2 on plan entitled, "Plan of Land in New Bedford, Massachusetts, Prepared for The 1832 Corporation, July 23, 1973, Perkins Engineering, Inc." filed in Bristol County (S.D.) Registry of Deeds in Plan Book 91, Page 37.

Together with the benefit of various licenses to fill and erect bulkheads, wharves and other structures granted by the Department of Public Works of the Commonwealth of Massachusetts, including but not limited to, the following Licenses:

No. 3784 dated October 10, 1955 and recorded in said Registry in Book 1163, Page 326. See Plan Book 51, Page 31 filed in said Registry.

No. 3801 dated December 12, 1955 and recorded in said Registry in Book 1168, Page 120. See Plan Book 51, Page 46 filed in said Registry.

No. 3828 dated February 27, 1956 and recorded in said Registry in Book 1185, Page 452. See Plan Book 52, Page 60 filed in said Registry.

Together also with all rights legally existing at this date under Chapter 18 of the Statute of 1806.

Together with the benefit of and subject to certain easements, rights of way and parking rights as more fully set forth below:

Together with the right to use in common with the owner of Parcel #1 on the above-described plan, the areas designated on said plan for parking or so much thereof as may remain from time to time, subject to the restriction that there shall be no new structure or addition to an existing structure hereafter constructed within thirty-five (35) feet of the common lot-line with said Parcel #1; said parking areas to be used in common by the owners of said Parcels #1 and #2.

Together also with the right to use in common with the owner of said Parcel #1 for access to the above-described property the two entrance areas shown on said plan.

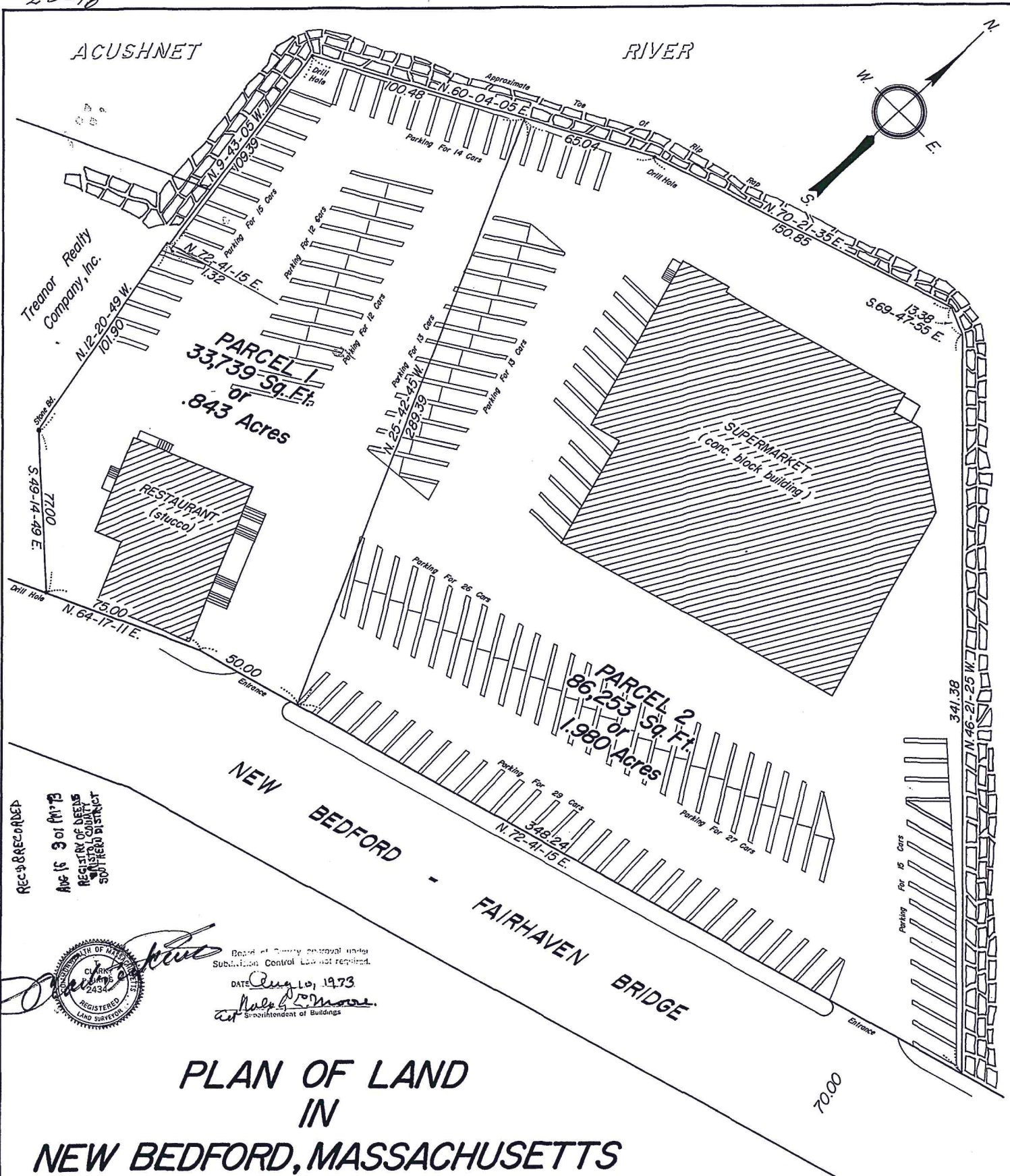
Reserving for the benefit of said Parcel #1 the right to use in common with the owner of said Parcel #2, the above described areas for parking and the right of access over said entrance areas; and with the benefit of the restriction on the owner of said Parcel #1 that there shall be no structure or addition to an existing structure hereafter constructed within thirty-five (35) feet of the common lot-line with said Parcel #2.

Together with all right, title and interest of the grantor in and to land lying between the northeasterly line of the parcel above described and the harbor line as shown on plan of land of Estate of Napoleon Katsoules et al, dated May 31, 1957 and filed in said Registry in Plan Book 54, Page 70.



LB-16

91-37



# PLAN OF LAND IN NEW BEDFORD, MASSACHUSETTS

Prepared for The 1832 Corporation  
Scale: 30 feet to an inch July 23, 1973  
Perkins Engineering, Inc., Engineers and Surveyors  
127 Taunton Street, Middleborough, Massachusetts

Note: Parking layout taken from  
Site Plan by Linenthal and  
Becker, Eng's., of Jan. 8, 1959.

M-7

91-37

91-37



## THE 1832 CORPORATION;

a corporation duly established under the laws of the Commonwealth of Massachusetts and having its usual place of business at Fairhaven

Bristol County, Massachusetts, for <sup>\$270,000.00</sup> consideration grants to ROBERT E. CHANDLER and PATRICIA E. CHANDLER, husband and wife, of 31 Bullock Street, New Bedford, in said County and Commonwealth, as joint tenants,

with quitclaim covenants

the land, with any buildings thereon, in said New Bedford, bounded and described as follows:

Southeasterly by the New Bedford-Fairhaven Bridge, three hundred forty-eight and 24/100 (348.24) feet;

Southwesterly by Parcel 1 on plan hereinafter mentioned, two hundred eighty-nine and 39/100 (289.39) feet;

Northwesterly by the Acushnet River in two courses totaling two hundred fifteen and 89/100 (215.89) feet;

Northeasterly by said Acushnet River in two courses totaling three hundred fifty-four and 76/100 (354.76) feet.

Containing 86,253 square feet and being shown as Parcel 2 on plan entitled, "Plan of Land in New Bedford, Massachusetts, Prepared for The 1832 Corporation, July 23, 1973, Perkins Engineering, Inc." filed in Bristol County (S.D.) Registry of Deeds in Plan Book 91, Page 37.

Together with the benefit of various licenses to fill and to erect bulkheads, wharves and other structures granted by the Department of Public Works of the Commonwealth of Massachusetts, including but not limited to, the following Licenses:

No. 3784 dated October 10, 1955 and recorded in said Registry in Book 1163, Page 326. See Plan Book 51, Page 31 filed in said Registry.

No. 3801 dated December 12, 1955 and recorded in said Registry in Book 1168, Page 120. See Plan Book 51, Page 46 filed in said Registry.

No. 3828 dated February 27, 1956 and recorded in said Registry in Book 1185, Page 452. See Plan Book 52, Page 60 filed in said Registry.

Together also with all rights legally existing at this date under Chapter 18 of the Statute of 1806.

Together with the benefit of and subject to certain easements, rights of way and parking rights as more fully set forth below:

Together with the right to use in common with the owner of Parcel #1 on the above-described plan, the areas designated on said plan for parking or so much thereof as may remain from time to time, subject to the restriction that there shall be no new structure or addition to an existing structure hereafter constructed within thirty-five (35) feet of the common lot-line with said Parcel #1; said parking areas to be used in common by the owners of said Parcels #1 and #2.

Together also with the right to use in common with the owner of said Parcel #1 for access to the above-described property the two entrance areas shown on said plan.

*Judgment*  
7-17-06  
8229-294  
8229-294  
10-12-06  
8355-311

BOOK 1688 PAGE 358

Reserving for the benefit of said Parcel #1 the right to use in common with the owner of said Parcel #2, the above described areas for parking and the right of access over said entrance areas; and with the benefit of the restriction on the owner of said Parcel #1 that there shall be no structure or addition to an existing structure hereafter constructed within thirty-five (35) feet of the common lot-line with said Parcel #2.

from July 1, 1974

Subject to the 1974 real estate taxes which the Grantees assume and agree to pay.

Together with all right, title and interest of the grantor in and to land lying between the northeasterly line of the parcel above described and the harbor line as shown on plan of land of Estate of Napoleon Katsoules et al, dated May 31, 1957 and filed in said Registry in Plan Book 54, Page 70.





I, GEORGE GRAVES, Clerk, hereby certify that Richard H. Carpenter, is President, and George A. Bunnell, Jr., Treasurer of The 1832 Corporation as of the date of the execution of this instrument, and that they are authorized to execute this instrument by virtue of a unanimous vote at a Special Meeting of the Stockholders and Directors of The 1832 Corporation held July 29, 1974 at which all of the stockholders and directors were present and voting and that said resolution is still in full force and effect and has not been amended or repealed.

THE 1832 CORPORATION

By: George R. Graves  
Clerk

In witness whereof, the said The 1832 Corporation

has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Richard H. Carpenter, President, and George A. Bunnell, Jr.,

its Treasurer

hereto duly authorized, this 29th

day of July in the year one thousand nine hundred and seventy-four.

Signed and sealed in presence of

THE 1832 CORPORATION

by Richard H. Carpenter  
President  
George A. Bunnell Jr.

The Commonwealth of Massachusetts

Bristol, ss.

New Bedford July 29,

19 74

Then personally appeared the above named Richard H. Carpenter,

President, and acknowledged the foregoing instrument to be the free act and deed of said corporation.

before me,

W. C. Howes  
Notary Public

My commission expires

OCT 27th 1978

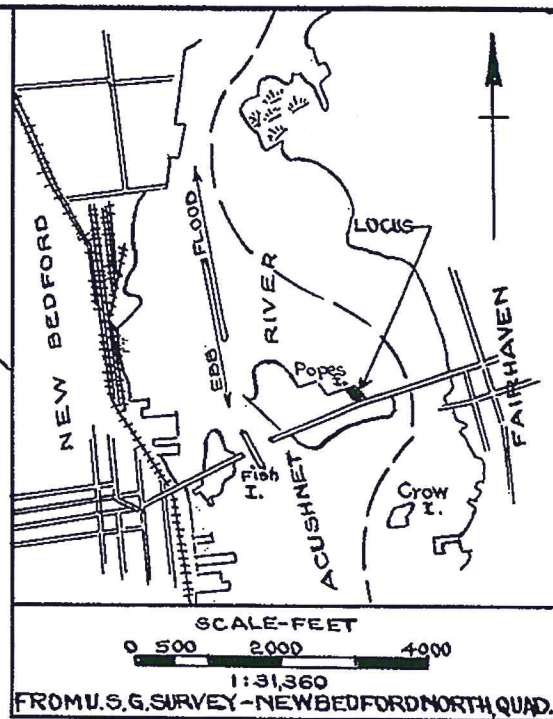
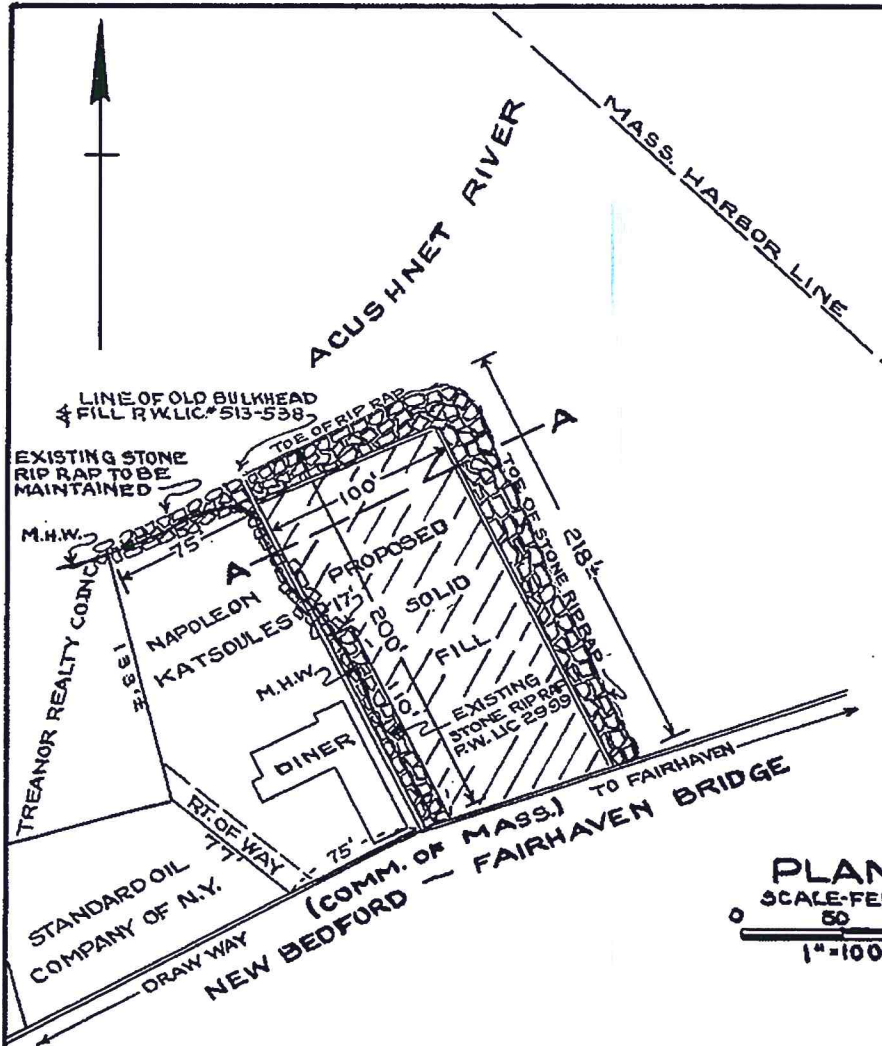
Received & recorded

July 29 1974 at 10 hrs. 9 min. A.M.

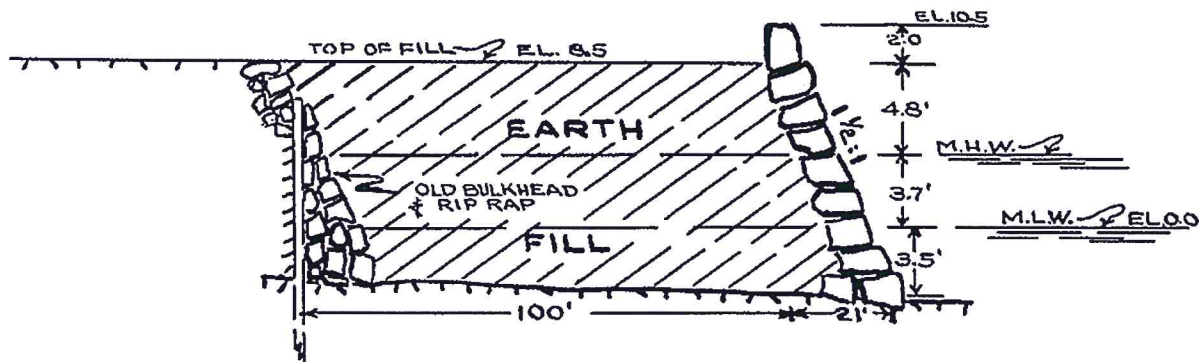
Attest:

John Jones Register

BOOK 1688 PAGE 359



PROPOSED WORK OUTLINED  
IN RED.  
RANGE OF TIDE = 3.7 FEET



SECTION A-A

SCALE-FOET

HOR. 0 10 20 40

VERT. 0 5 10

PLAN ACCOMPANYING PETITION OF  
**NAPOLEON KATSOULES**  
TO PLACE SOLID FILL AND STONE RIP RAP  
IN  
ACUSHNET RIVER  
NEW BEDFORD

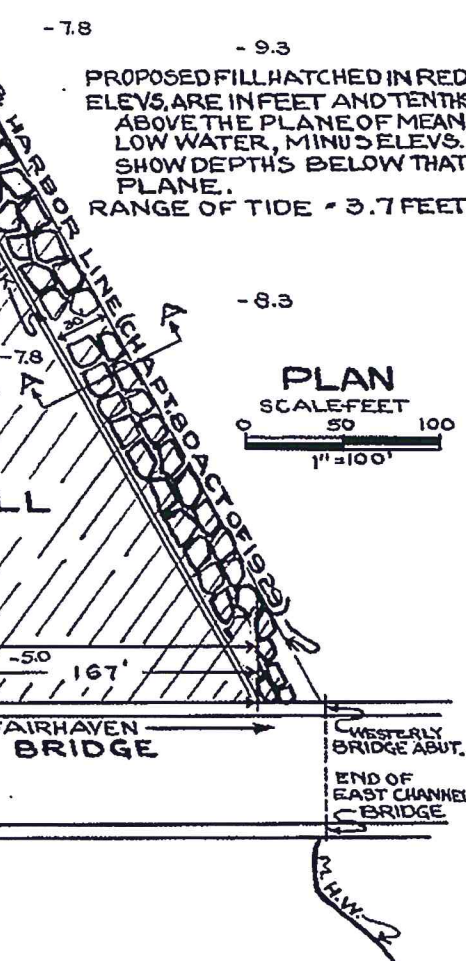
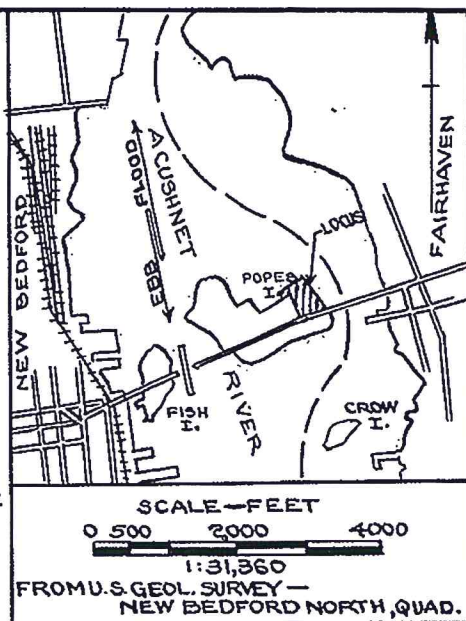
NO. 3784  
APPROVED BY DEPARTMENT OF PUBLIC WORKS  
OCTOBER 10, 1955

*John B. Deane*  
COMMISSIONER OF PUBLIC WORKS

*James J. Smith*  
ASSOCIATE COMMISSIONER

*Walter J. Smith*  
DIRECTOR DIVISION OF WATERWAYS





PLAN ACCOMPANYING PETITION OF  
JOSEPH PERRY  
AND  
NAPOLEON KATSOULES  
TO PLACE SOLID FILL WITH STONE RIPRAP SLOPES  
IN  
ACUSHNET RIVER  
NEW BEDFORD

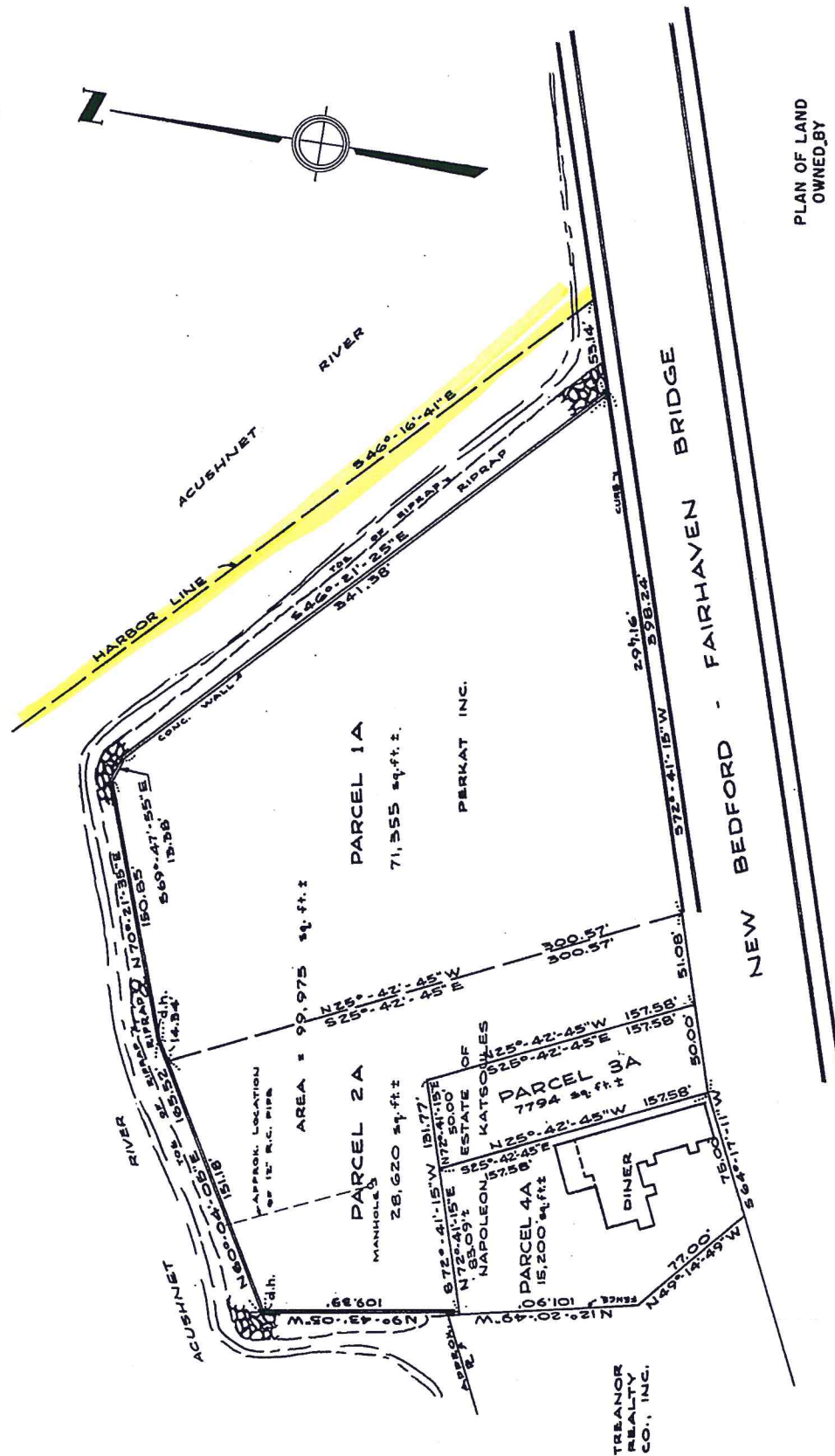
NO. 3801  
 APPROVED BY DEPARTMENT OF PUBLIC WORKS  
 DECEMBER 12, 1955  
 H. Gordon Gray ACTING COMMISSIONER OF PUBLIC WORKS  
 Fred B. Dole  
 George A. Fair  
 Cadolphus G. Desautels  
 ASSOCIATE COMMISSIONERS  
 DIRECTOR DIVISION OF WATERWAYS



52-60



52-60



PLAN OF LAND OWNED BY

**ESTATE OF NAPOLEON KATSOULES**

**AND**

PERKAT INC.

**NEW BEDFORD**      **MASSACHUSETTS**

SCALE 1" = 60'

WALTER E. ROWLEY, SURVEYOR  
WEST WAREHAM, MASS.



Massachusetts Department of Environmental Protection

## **eDEP Transaction Copy**

---

Here is the file you requested for your records.

To retain a copy of this file you must save and/or print.

Username: **SNYDERKAT83**

Transaction ID: **1047699**

Document: **BWSC103 Release Notification Form for 120 Day Reporting**

Size of File: **150.81K**

Status of Transaction: **Submitted**

Date and Time Created: **10/16/2018:5:00:12 PM**

**Note:** This file only includes forms that were part of your transaction as of the date and time indicated above. If you need a more current copy of your transaction, return to eDEP and select to "Download a Copy" from the Current Submittals page.



Massachusetts Department of Environmental Protection  
*Bureau of Waste Site Cleanup*

**RELEASE NOTIFICATION FORM**

Pursuant to 310 CMR 40.0371 (Subpart C)

**BWSC103-120 DAY**

Release Tracking Number  
assigned upon receipt and  
review by the Department

**A. RELEASE OR THREAT OF RELEASE LOCATION:**

1. Release Name/Location Aid: 23 POPES ISLAND

2. Street Address: 23 POPES ISLAND

3. City/Town: NEW BEDFORD 4. ZIP Code: 027400000

5. Coordinates: a. Latitude: N 41.64169 b. Longitude: W 70.91289

**B. THIS FORM IS BEING USED TO:**

- ☒ 1. Submit a **Release Notification** for a 120 day reporting requirement

(All sections of this transmittal form must be filled out )

**C. INFORMATION DESCRIBING THE RELEASE:**

1. Date and time you obtained knowledge of the Release: 8/21/2018 Time: 04:45 ☐ AM ☒ PM  
mm/dd/yyyy hh:mm

2. Date and time release occurred, if known:                      Time:              ☐ AM ☐ PM  
mm/dd/yyyy hh:mm

**3. 120 DAY REPORTING CONDITIONS**

Check all Notification Thresholds that apply to the Release:  
(for more information see 310 CMR 40.0315)

- ☐ a. Release of Hazardous Material(s) to Soil or Groundwater Exceeding Reportable Concentration(s)
- ☒ b. Release of Oil to Soil Exceeding Reportable Concentration(s) and Affecting More than 2 Cubic Yards
- ☒ c. Release of Oil to Groundwater Exceeding Reportable Concentration(s)
- ☐ d. Subsurface Non-Aqueous Phase Liquid (NAPL) Equal to or Greater than 1/8 Inch (.01 feet) and Less than 1/2 Inch (.04 feet)



**RELEASE NOTIFICATION FORM**

Pursuant to 310 CMR 40.0371 (Subpart C)

Release Tracking Number  
assigned upon receipt and  
review by the Department

**C. INFORMATION DESCRIBING THE RELEASE (cont.)**

4. List below the Oils (O) or Hazardous Materials (HM) that exceed their Reportable Concentration (RC) or Reportable Quantity (RQ) by the greatest amount.

☐ Check here if an amount or concentration is unknown or less than detectable.

O or HM Released	CAS Number, if known	O or HM	Amount or Concentration	Units	RCs Exceeded, if Applicable (RCS-1, RCS-2, RCGW-1, RCGW-2)
ACENAPHTHYLENE		O	270	UG/L	RCGW-2
ANTHRACENE		O	59	UG/L	RCGW-2
C11-C22 AROMATIC HYDROCARBONS		O	9700	UG/L	RCGW-2
C9-C18 ALIPHATIC HYDROCARBONS		O	1300	UG/L	RCGW-2

☒ Check here if a list of additional Oil and Hazardous Materials subject to reporting, or any other documentation relating to this notification is attached.

**D. PERSON REQUIRED TO NOTIFY:**

1. Name of Organization: POPES ISLAND REALTY ASSOCIATES, LLC

2. Contact First Name: MICHAEL 3. Last Name: CHANDLER

4. Street: 23 POPES ISLAND 5. Title: MANAGER

6. City/Town: NEW BEDFORD 7. State: MA 8. ZIP Code: 027400000

9. Telephone: 508-789-6305 10. Ext.: \_\_\_\_\_ 11. Email: fairtru1@verizon.net

☐ 12. Check here if attaching names and addresses of owners of properties affected by the Release, other than an owner who is submitting this Release Notification (required).

**E. RELATIONSHIP OF PERSON TO RELEASE:**

☒ 1. RP or PRP ☒ a. Owner ☐ b. Operator ☐ c. Generator ☐ d. Transporter

☐ e. Other RP or PRP Specify: \_\_\_\_\_

☐ 2. Fiduciary, Secured Lender or Municipality with Exempt Status (as defined by M.G.L. c. 21E, s. 2)

☐ 3. Agency or Public Utility on a Right of Way (as defined by M.G.L. c. 21E, s. 5(j))

☐ 4. Any Other Person Otherwise Required to Notify Specify Relationship: \_\_\_\_\_



**RELEASE NOTIFICATION FORM**

Pursuant to 310 CMR 40.0371 (Subpart C)

Release Tracking Number  
assigned upon receipt and  
review by the Department

**F. CERTIFICATION OF PERSON REQUIRED TO NOTIFY:**

1. I, MICHAEL CHANDLER, attest under the pains and penalties of perjury (i) that I have personally examined and am familiar with the information contained in this submittal, including any and all documents accompanying this transmittal form, (ii) that, based on my inquiry of those individuals immediately responsible for obtaining the information, the material information contained in this submittal is, to the best of my knowledge and belief, true, accurate and complete, and (iii) that I am fully authorized to make this attestation on behalf of the entity legally responsible for this submittal. I/the person or entity on whose behalf this submittal is made am/is aware that there are significant penalties, including, but not limited to, possible fines and imprisonment, for willfully submitting false, inaccurate, or incomplete information.

2. By : MICHAEL CHANDLER 3. Title: MANAGER  
Signature  
4. For: POPES ISLAND REALTY ASSOCIATES, LLC 5. Date : 9/19/2018  
(Name of person or entity recorded in Section D) mm/dd/yyyy

☐ 6. Check here if the address of the person providing certification is different from address recorded in Section D.

7. Street: \_\_\_\_\_  
8. City/Town: \_\_\_\_\_ 9. State: \_\_\_\_\_ 10. ZIP Code: \_\_\_\_\_  
11. Telephone: \_\_\_\_\_ 12. Ext.: \_\_\_\_\_ 13. Email: \_\_\_\_\_

**YOU ARE SUBJECT TO ANNUAL COMPLIANCE ASSURANCE FEES FOR EACH BILLABLE YEAR FOR TIER CLASSIFIED DISPOSAL SITES. YOU MUST LEGIBLY COMPLETE ALL RELEVANT SECTIONS OF THIS FORM OR DEP MAY RETURN THE DOCUMENT AS INCOMPLETE. IF YOU SUBMIT AN INCOMPLETE FORM, YOU MAY BE PENALIZED FOR MISSING A REQUIRED DEADLINE.**

Date Stamp (DEP USE ONLY:)

