

Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**COPY**  
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:

Blue Harvest Fisheries LLC

jeff.davis@BHFisheries.com

Name

E-Mail Address

40 Herman Melville Blvd.

Mailing Address

New Bedford

MA

02740

City/Town

State

Zip Code

508-997-0031

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Charon Associates, Inc. - Engineers

Firm

Rick Charon, P.E.

Contact Name

E-Mail Address

323 Neck Road

Mailing Address

Rochester

MA

02770

City/Town

State

Zip Code

508-763-8362

Phone Number

508-763-9582

Fax Number (if applicable)

**B. Determinations**

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

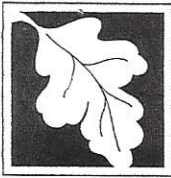
- ☒ a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- ☒ b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- ☒ c. whether the **work**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

New Bedford

Name of Municipality

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

No work proposed within Riverfront Area.



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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):

40 Herman Melville Blvd.

Street Address

New Bedford

City/Town

Map 59

Assessors Map/Plat Number

Lot 41

Parcel/Lot Number

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

This parcel comprises 8.68 acres of upland between the easterly side of Herman Melville Blvd. and the bulkhead at the Harborline, with approx. 780 feet frontage. A portion of the lot along the road is located within FEMA Zone AE (el.6') and the buffer zone of the Acushnet River extends 100 feet to the westerly side of the bulkhead, with the Riverfront Area extending 25 feet from the bulkhead.

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

Site Improvements Plan

Title

July 26, 2017

Date

Title

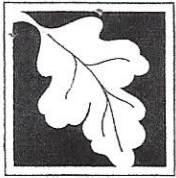
Date

Title

Date

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

(1) Installation of storm drain TSS removal trap for south parking area to provide treatment of parking area run-off prior to discharge into the Acushnet River. (2) Relocation of existing fence, gate and hydrant on south side of building. (3) Construction of stairs for new employee entrance on south side of building. All construction waste will be placed into containers or trucks for removal from site and no waste material stockpiles will be allowed.



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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).

Minimal work within flood zone in previously paved area. This work was approved for previous owner under Orders for DEP file number SE 49-311 in 2002.

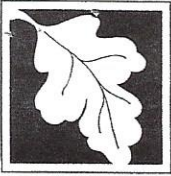
3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ 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.)

Existing buildings date back to ownership by Quaker Oats Company in 1960's; Building was expanded to current size in 1979-1980. No expansion of existing building is proposed.





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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:

Blue Harvest Fisheries LLC

Name

40 Herman Melville Blvd.

Mailing Address

New Bedford

City/Town

MA

State

02740

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.

*/s/ ALEX MULHOLLAND, PRES.*

Signature of Applicant

Date

*Richard J. Charon*

Signature of Representative (if any)



Date

*7/26/17*

# NOT FOR CONSTRUCTION - CONTACT HYDRO INTERNATIONAL FOR SITE SPECIFIC DRAWINGS

## Notes

1. MANHOLE WALL AND SLAB THICKNESSES ARE NOT TO SCALE.
2. CONTACT HYDRO INTERNATIONAL FOR A BOTTOM OF STRUCTURE ELEVATION PRIOR TO SETTING DOWNSTREAM DEFENDER MANHOLE.
3. TYPICALLY DOWNSTREAM DEFENDERS WILL BE DELIVERED TO THE PROJECT SITE WITH A TOP SLAB ELEVATION 12"± BELOW FINISHED GRADE. PURCHASER SHALL BE RESPONSIBLE FOR GRADE RINGS OR BLOCK AND MORTAR NECESSARY TO MEET FINAL GRADE.

## REVISION HISTORY

REV	BY	DATE	DESCRIPTION
B	JLL	1/7/13	Metric Dim.
Date			Scale
9/14/2011			5/16" = 1'-0"
Drawn		Checked	Approved
EMH		KJM	
Title			

6-FT (1.82m) DIAMETER  
DOWNSTREAM DEFENDER

## GENERAL ARRANGEMENT

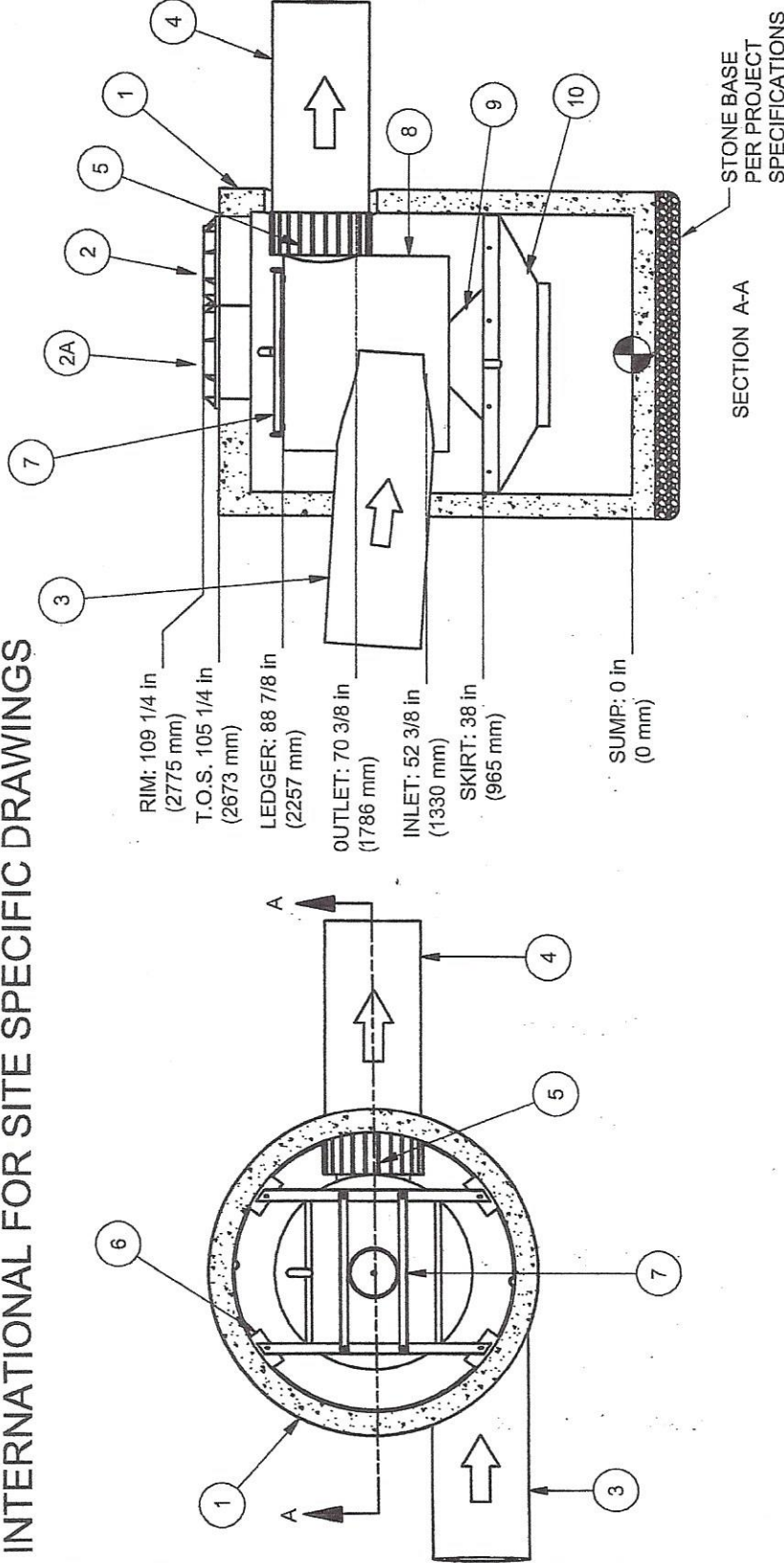
**Hydro**  
International®

Stormwater Solutions  
94 Hutchins Drive  
Portland, Maine 04102  
Tel: (207) 756-6200  
Fax: (207) 756-6212  
stormwaterinquiry@hydro-int.com

CAD Ref: D6GA

Project No.

Drawing No. D6GA Rev. B



## CAPACITIES:

1. Peak treatment flow: 8.0 cfs (227 l/s)
2. Sediment storage capacity: 2.10 Cu. yd. (1.61 cu. m.)
3. Oil storage capacity: 216 Gal. (818 liters)

## ADDITIONAL DESIGN INFORMATION:

1. The outlet pipe stub (not shown) is a roto-molded product with an I.D. of 18 in. that cannot be modified. To avoid the use of a reducer or expander on the outlet an 18 in. outlet pipe should be used if possible. The orientation of the outlet pipe can be adjusted to suit site conditions.
2. Maximum pipe size is 18 in. The inlet pipe invert should be placed one inlet pipe diameter below the outlet pipe invert. The I.D. of the inlet pipe should be placed tangent to the I.D. of the manhole. The orientation of the inlet pipe can be adjusted to suit site conditions. Headloss at 8.0 cfs with an 18 in. inlet: 12 in. (305 mm). Headloss will increase with smaller inlet pipes.
3. Sediment shall be stored in a zone that is isolated from the main flow path and protected from re-entrainment by the benching skirt.
4. Dimensions are general and intended for guidance only.

Parts List		
ITEM	DESCRIPTION	SIZE
1	PRECAST MANHOLE (BY HYDRO VIA PRECASTER)	72 in
2	FRAME AND COVER	18 in
2A	FRAME AND COVER	24 in
3	INLET PIPE (BY OTHERS) <sup>2</sup>	18 in
4	OUTLET PIPE (BY OTHERS) <sup>1</sup>	18 in
5	PIPE COUPLING (BY OTHERS)	
6	LEDGER ANGLE	
7	SUPPORT FRAME	
8	DIP PLATE	
9	CENTER SHAFT AND CONE	
10	BENCHING SKIRT	

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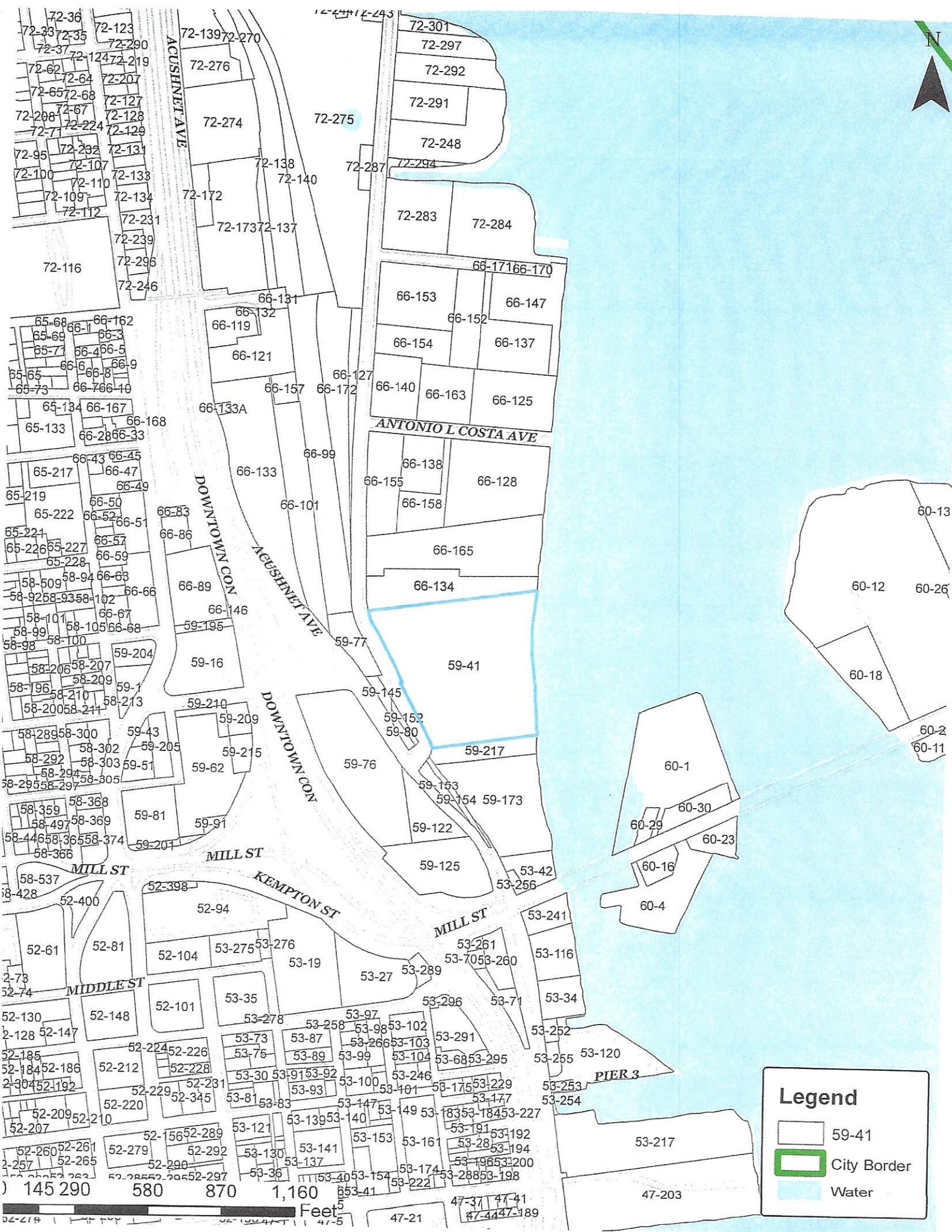
June 23, 2017  
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 40 Herman Melville Blvd (59-41). 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
59-217-A	276 MACARTHUR DR	MARITIME TERMINAL INC, LESSEE P O BOX 7745 NEW BEDFORD, MA 02742 ✓
59-152	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP <del>P O BOX 8097</del> 500 Water Street Dept. J910 PHILADELPHIA, PA 19101 Jacksonville, FL 32202 ✓
59-145	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP <del>P O BOX 8097</del> 500 Water Street Dept. J910 ✓ PHILADELPHIA, PA 19101 Jacksonville, FL 32202 ✓
59-41	40 HERMAN MELVILLE BLVD	ASP LLC, C/O HIGH LINER FOODS INC 40 HERMAN MELVILLE BLVD Blue Harvest Real Estat NEW BEDFORD, MA 02740 1152 Goodlette Rd. Holdings, LLC Naples, FL 34102 ✓
66-134	HERMAN MELVILLE BLVD	ASP LLC, C/O HIGH LINER FOODS INC 40 HERMAN MELVILLE BLVD NEW BEDFORD, MA 02740 Same as above ↑ ✓
59-77	RIGHT OF WAY	PENN CENTRAL CO., CONSOLIDATED RAIL CORP <del>P O BOX 8097</del> 500 Water Street Dept. J910 PHILADELPHIA, PA 19101 Jacksonville, FL 32202 ✓
66-99	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP <del>P O BOX 8097</del> 500 Water Street Dept. J910 PHILADELPHIA, PA 19101 Jacksonville, FL 32202 ✓





**Legend**

-  59-41
-  City Border
-  Water

0 200 400 600 800 1,000 1,200 1,400 1,600 Feet





*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).

<b>SUBJECT PROPERTY</b>	
MAP #	59
ADDRESS:	LOT(S)# 41
40 HERMAN MELVILLE BLVD.	
<b>OWNER INFORMATION</b>	
NAME: BLUE HARVEST REAL ESTATE HOLDINGS LLC	
MAILING ADDRESS:	
40 HERMAN MELVILLE BLVD., NEW BEDFORD MA 02740	
<b>APPLICANT/CONTACT PERSON INFORMATION</b>	
NAME (IF DIFFERENT):	
CONTACT: RICK CHARON, PE	
MAILING ADDRESS (IF DIFFERENT):	
323 NECK ROAD, ROCHESTER MA 02770	
TELEPHONE #	508-763-8362
EMAIL ADDRESS:	charonengineers@comcast.net
<b>REASON FOR THIS REQUEST: Check appropriate</b>	
<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
OTHER (Please explain):	

PLANNING  
JUN 22 2017  
DEPARTMENT

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

6/26/2017



### 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.

- A. The name of the applicant is: Blue Harvest Fisheries LLC
- B. 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).
- C. The address of the lot where the activity is proposed is: 40 Herman Melville Blvd.  
Assessor's Map 59; Lot 41
- D. 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.
- E. Copies of the Request for Determination of Applicability may be obtained from either (check one) the applicant \_\_\_\_\_ or the applicant's representative XX by calling this telephone number 508-763-8362 between the hours of 8:00 AM and 4:00 PM on the following days of the week: Monday through Friday.
- F. 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