



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:

Christopher Ciano

Name

E-Mail Address

2044 Shawmut Avenue

Mailing Address

New Bedford

MA

02745

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

2. Representative (if any):

SITEC, Inc.

Firm

Alison Cesar

Contact Name

acesar@sitec-engineering.com

E-Mail Address

449 Faunce Corner Road

Mailing Address

North Dartmouth

MA

02747

City/Town

State

Zip Code

(508)998-2125

(508)998-7554

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:

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).



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

## Parcel/Lot Number

A 100,820 square-foot (±) lot located at the corner of Shawmut Avenue and New Plainville Road with its eastern-most side bordering Turner Pond.

Date \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_

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## WPA Form 1- Request for Determination of Applicability

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

### C. Project Description (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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**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

New Bedford  
City/Town

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

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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:

Christopher Ciano

Name

2044 Shawmut Avenue

Mailing Address

New Bedford

City/Town

MA

State

02745

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



**CITY OF NEW BEDFORD  
MASSACHUSETTS**

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

**PROJECT LOCATION:**

Shawmut Ave / New Plainville Rd MAP 124C LOT(S) 27

APPLICANT: Christopher Ciano

**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 )	\$ _____
• \$0.50 X _____ SF Wetland Resource Area	\$ _____
• \$0.05 X _____ SF Land Subject Coastal Flooding	\$ _____
• \$0.20 X _____ SF Developed Riverfront Area	\$ _____
• \$1.00 X _____ SF Undeveloped Riverfront Area	\$ _____
• \$5.00 X _____ LF Coastal Bank	\$ _____
• \$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 295 LF Wetland boundary \$ \$740

**(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):** \$ \$740

**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.

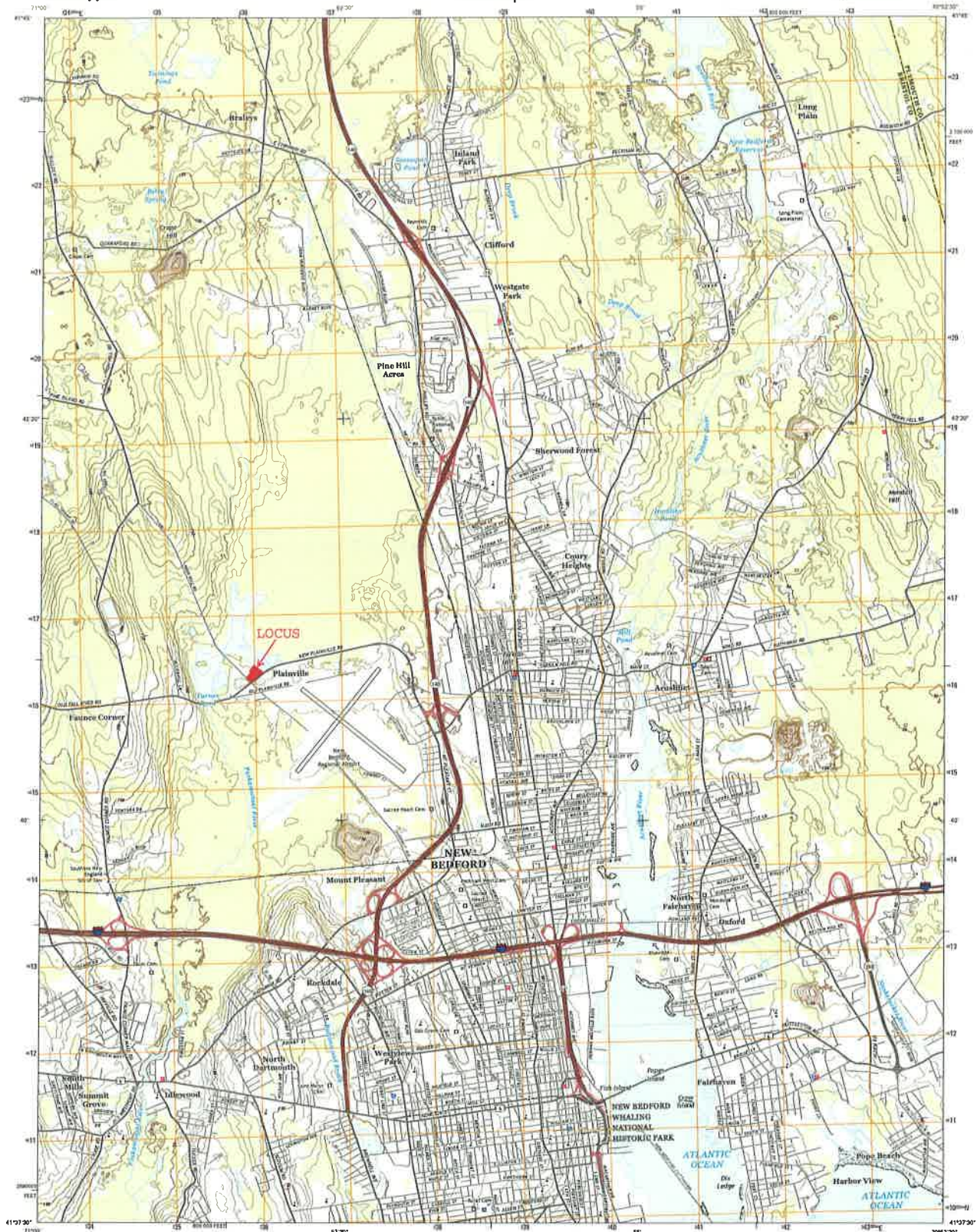




U.S. DEPARTMENT OF THE INTERIOR  
U.S. GEOLOGICAL SURVEY



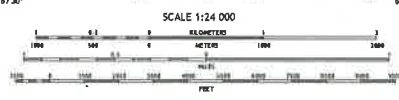
NEW BEDFORD NORTH QUADRANGLE  
MASSACHUSETTS  
7.5-MINUTE SERIES



Produced by the United States Geological Survey  
North American Datum of 1983 (NAD83)  
World Geodetic System of 1984 (WGS84) Projection and  
1:50,000 scale grid. Contour interval, 20 feet. Zone 18T  
18 500 feet (609.6 meters) Universal Transverse Mercator (UTM)  
datum and datum.

This map is not a legal document. Information may be  
generalized for this map scale. Private land within government  
jurisdiction may not be shown. Obtain permission before  
reproducing or distributing.

Source: USGS, 1997  
Data: USGS, 1997  
Hydrography: National Hydrographic Survey, 1974  
Bathymetry: National Hydrographic Survey, 1974  
Boundaries: Multiple sources; last available for 1975, 1995



This map was produced in accordance with the  
National Cartographic Program US Topographic Standard, 2011.  
A revision to the standard was published in 2011.



ROAD CLASSIFICATION  
Expressway  
Secondary Road  
Interstate Route  
Local Road  
US Route  
Scale Route

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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NEW BEDFORD NORTH, MA  
2015







## CITY OF NEW BEDFORD

### OFFICE OF THE CITY SOLICITOR

133 William Street, Room 203  
New Bedford, MA 02740-6163

Tel.# (508) 979-1460

Fax.# (508) 979-1515

# MEMORANDUM

TO: Planning Board  
Zoning Board of Appeals  
Conservation Commission  
Board of Health  
Licensing Department  
Traffic Division

FROM: Irene B. Schall, City Solicitor

SUBJECT: APPLICATION INFORMATION

DATE: September 28, 2006

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Effective immediately all applications for any permits issued by your respective boards must be accompanied by documentation showing the nature of the property interest(s) affected by the permit(s). Required will be: copies of deeds, certificates of title, leases and purchase and sales agreements and most recent plan or record showing the affected lot or lots. In addition, for ZBA applications, also include a copy of the deed or deeds of abutting parcels, if said parcels have been held in common ownership with the subject parcel at any time since January 1, 1976. If the applicant is not the owner, a signed and notarized letter from the record owner (or authorized representative) which authorizes the applicant to submit an application for the parcel or parcels affected will be required. If you are not provided with the necessary information or you require clarification on ownership, please contact this office.

This change should immediately be reflected in a change to your applications and may be attached to the Application as an Appendix (submitted herewith) or incorporated directly into the application itself.

Your cooperation will be greatly appreciated.

IBS/bar

## *Appendix*

(1) Owner's/Landlord's Name: Christopher Ciano

(2) Title Reference to Property: 11946/55

(Attach copy of Deed, Certificate of Title & most recent Recorded Plans showing affected lot or lots)

(3) If the Applicant is Not the Owner:

Provide:

1. Notarized authorization letter from owner to tenant or buyer for application for this permit (on letterhead);
2. Copy of Purchase & Sale agreement or lease, where applicable;

**(In addition, for ZBA only)**

3. Copy of the deed or deeds of abutting parcels if said parcels have been held in common ownership with the subject property at any time since January 1, 1976.

*meiv*  
Jane M. Pineau  
Attorney At Law  
446 County Street  
New Bedford, MA 02740

## QUITCLAIM DEED

/Individually and  
We, Leo H. Pelletier and Denise L. Pelletier as Trustees of Bethany Realty Trust u/d/t dated April 6, 1995, recorded on May 3, 1995 in the Bristol (S.D.) County Registry of Deeds, at Book 3467, Page 50, as the Life Tenant with full powers reserved, and Eric Paul Pelletier as the sole remainderman, all with a mailing address of P.O. Box 50057, New Bedford, Massachusetts 02745, for consideration paid and in full consider of Fifty-Five Thousand and 00/100 (\$55,000.00) Dollars, hereby grant to Christopher P. Ciano of 2044 Shawmut Avenue, New Bedford, Massachusetts 02745,

With Quitclaim Covenants, the land in New Bedford, Bristol County, Massachusetts, with the buildings thereon, bounded and described as follows:

See Exhibit A attached hereto

## TITLE NOT EXAMINED BY PREPARER OF DEED.

Witness our hands and common seals this 28<sup>th</sup> day of December, 2016.

Witness

Leo H. Pelletier

Witness

Denise L. Pelletier

Witness

Eric Paul Pelletier

State of Arizona

County of \_\_\_\_\_

On this \_\_\_\_\_ day of December, 2016, before me, the undersigned notary public, personally appeared Leo H. Pelletier and Denise L. Pelletier and proved to me through satisfactory evidence of identification, which was, personal knowledge, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

(SEAL)

Notary Public

My Commission Expires: \_\_\_\_\_

Commonwealth of Massachusetts

County of Bristol

On this 28<sup>th</sup> day of December, 2016, before me, the undersigned notary public, personally appeared Eric Paul Pelletier and proved to me through satisfactory evidence of identification, which was, personal knowledge, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

(SEAL)

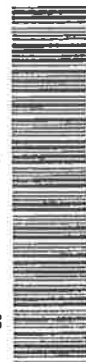
Notary Public

My Commission Expires: January 26, 2018

Property Address:  
Northeast corner of Shawmut Ave and New Plainville Rd.  
New Bedford, MA

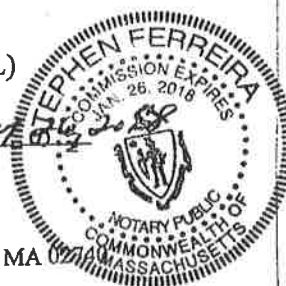
Return to:  
Michael A. Kenoe, Esq.  
128 Union St., Suite 500, New Bedford, MA 02740

MASSACHUSETTS EXCISE TAX  
Bristol ROD South 001  
Date: 12/30/2016 12:17 PM  
Ctrl# 021129 27618 Doc# 00032493  
Fee: \$250.80 Cons: \$55,000.00



2016 00032493

Bk: 11946 Pg: 55 Pg: 1 of 3 BS  
Doc: DFFD 12/30/2016 12:17 PM



## QUITCLAIM DEED

We, Leo H. Pelletier and Denise L. Pelletier, <sup>individually and</sup> as Trustees of Bethany Realty Trust u/d/t dated April 6, 1995, recorded on May 3, 1995 in the Bristol (S.D.) County Registry of Deeds, at Book 3467, Page 50, as the Life Tenant with full powers reserved, and Eric Paul Pelletier as the sole remainderman, all with a mailing address of P.O. Box 50057, New Bedford, Massachusetts 02745, for consideration paid and in full consider of Fifty-Five Thousand and 00/100 (\$55,000.00) Dollars, hereby grant to Christopher P. Ciano of 2044 Shawmut Avenue, New Bedford, Massachusetts 02745,

With Quitclaim Covenants, the land in New Bedford, Bristol County, Massachusetts, with the buildings thereon, bounded and described as follows:

See Exhibit A attached hereto

## TITLE NOT EXAMINED BY PREPARER OF DEED.

Witness our hands and common seals this 28<sup>th</sup> day of December, 2016.

Mary K. Brynman  
Witness  
Marybeth Carlsen  
Witness

Leo H. Pelletier  
Leo H. Pelletier  
Denise L. Pelletier  
Denise L. Pelletier

Witness

Eric Paul Pelletier

State of Arizona

County of Maricopa

On this 28 day of December, 2016, before me, the undersigned notary public, personally appeared Leo H. Pelletier and Denise L. Pelletier and proved to me through satisfactory evidence of identification, which was, personal knowledge, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.



ELIZABETH LAURICELLA  
Notary Public - Arizona  
Maricopa County  
Expires 02/29/2020

Elizabeth Lauricella (SEAL)  
Notary Public  
My Commission Expires: 2/29/20

Commonwealth of Massachusetts  
County of Bristol

On this \_\_\_\_ day of December, 2016, before me, the undersigned notary public, personally appeared Eric Paul Pelletier and proved to me through satisfactory evidence of identification, which was, personal knowledge, to be the persons whose names are signed on the preceding document, and acknowledged to me that they signed it voluntarily for its stated purpose.

\_\_\_\_ (SEAL)  
Notary Public  
My Commission Expires: \_\_\_\_\_

Property Address:  
Northeast corner of Shawmut Ave and New Plainville Rd.  
New Bedford, MA

Return to:  
Michael A. Kehoe, Esq.  
128 Union St., Suite 500, New Bedford, MA 02740

Exhibit A

Lot 2 on plan of land entitled "Approval Not Required Plan of Land located in New Bedford, MA", prepared for Leo H. & Denise L. Pelletier, Scale 1" = 40', dated August 19, 2016, prepared by Alpha Engineering, 32 Valerie Street, New Bedford, MA 02740, Tel. (508) 997-9976, recorded with Bristol County Registry of Deeds in Plan Book 174, Page 75.

BEING a portion of the premises described in deed dated December 3, 2012, recorded with Bristol County (S.D.) Registry of Deeds in Book 10619, Page 249. Grantors release their life estate that was reserved in said Deed



# 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 #	124C	LOT(S)#	27
ADDRESS: Shawmut Avenue / New Plainville Road			
OWNER INFORMATION			
NAME: Christopher Ciano			
MAILING ADDRESS: 2044 Shawmut Avenue			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Alison Cesar			
MAILING ADDRESS (IF DIFFERENT): 449 Faunce Corner Road			
TELEPHONE #	(508)998-2125		
EMAIL ADDRESS:	acesar@sitec-engineering.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):		

PLANNING  
JAN 09 2016  
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

*Carlos Amado*  
Signature

1/11/2017  
Date



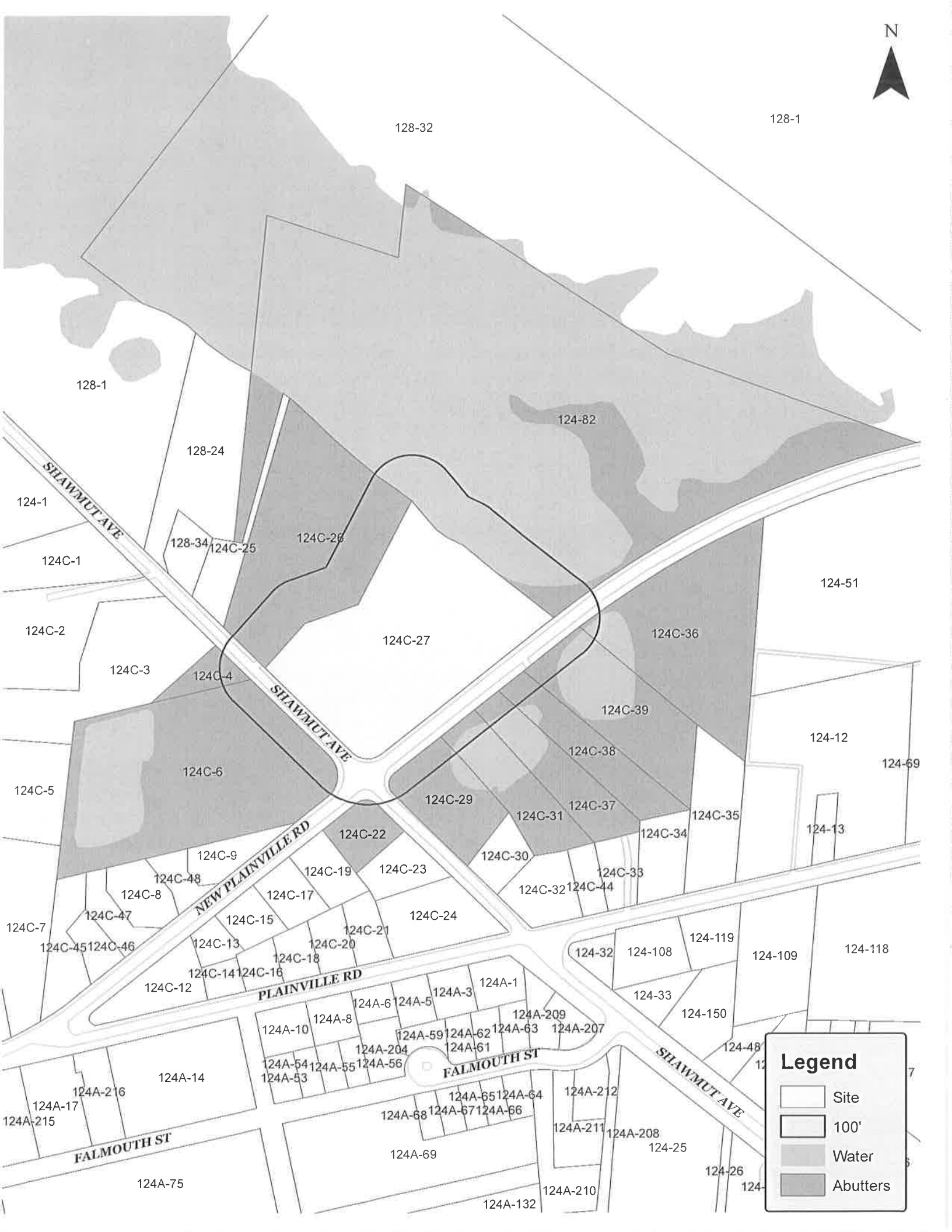
January 10, 2017

Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 2004 Shawmut Avenue (124C - 27). 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
124-82 NS	NEW PLAINVILLE RD	CITY OF NEW BEDFORD, AIRPORT COMMISSION 131 WILLIAM ST NEW BEDFORD, MA 02740
124C-22	1999 SHAWMUT AVE	CORREIA MARK J, CORREIA PHILLIP P 1999 SHAWMUT AVE NEW BEDFORD, MA 02745
124C-36 SS	NEW PLAINVILLE RD	CITY OF NEW BEDFORD, AIRPORT COMMISSION 131 WILLIAM ST NEW BEDFORD, MA 02740
124C-38	692 NEW PLAINVILLE RD	HAND FRANK H, HAND JENNIFER L 692 NEW PLAINVILLE ROAD NEW BEDFORD, MA 02745
124C-6 WS	SHAWMUT AVE	CITY OF NEW BEDFORD, GUERINI CONSTRUC CO INC 131 WILLIAM ST NEW BEDFORD, MA 02740
124C-39	684 NEW PLAINVILLE RD	TEXEIRA JOYCE, DUPONT REGINALD JR 684 NEW PLAINVILLE ROAD NEW BEDFORD, MA 02745
124C-31	708 NEW PLAINVILLE RD	EDWARDS MICHAEL T, EDWARDS ROBIN 708 NEW PLAINVILLE ROAD NO. DARTMOUTH, MA 02747
124C-37 SS	NEW PLAINVILLE RD	EDWARDS MICHAEL T, EDWARDS ROBIN 708 NEW PLAINVILLE ROAD NEW BEDFORD, MA 02747
124C-4	2015 SHAWMUT AVE	BOOKER BRUCE E, BOOKER KIM P 2015 SHAWMUT AVENUE NEW BEDFORD, MA 02746
124C-26	2020 SHAWMUT AVE	<del>PELLETIER LEO H, PELLETIER DENISE L</del> Eric Paul Pelletier P O BOX <del>50057</del> 50387 Beth A. Pelletier NEW BEDFORD, MA 02745
124C-27	2004 SHAWMUT AVE	PELLETIER LEO H, PELLETIER DENISE L P O BOX 50057 NEW BEDFORD, MA 02745
124C-29	1996 SHAWMUT AVE	AMARAL JULIETTA, 1996 SHAWMUT AVENUE DARTMOUTH, MA 02747-1412



**Legend**

- Site
- 100'
- Water
- Abutters

## **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: Christopher Ciano

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: Shawmut Ave/New Plainville Rd  
Assessor's Map 124C ; Lot 27

Copies of the Request for Determination of Applicability may be obtained from either (check one) the applicant \_\_\_\_\_ or the applicant's representative ☒ by calling this telephone number (508)998-2125 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.