



**CITY OF NEW BEDFORD
MASSACHUSETTS**

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

PROJECT LOCATION:

255 RIVER RD. MAP 119 LOT(S) 94

APPLICANT: ABILIO FERNANDES

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)	\$ <u>150.00</u>
• \$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 <u>3,875</u> SF Buffer Zone	\$ <u>387.50</u>

(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): \$ 537.50



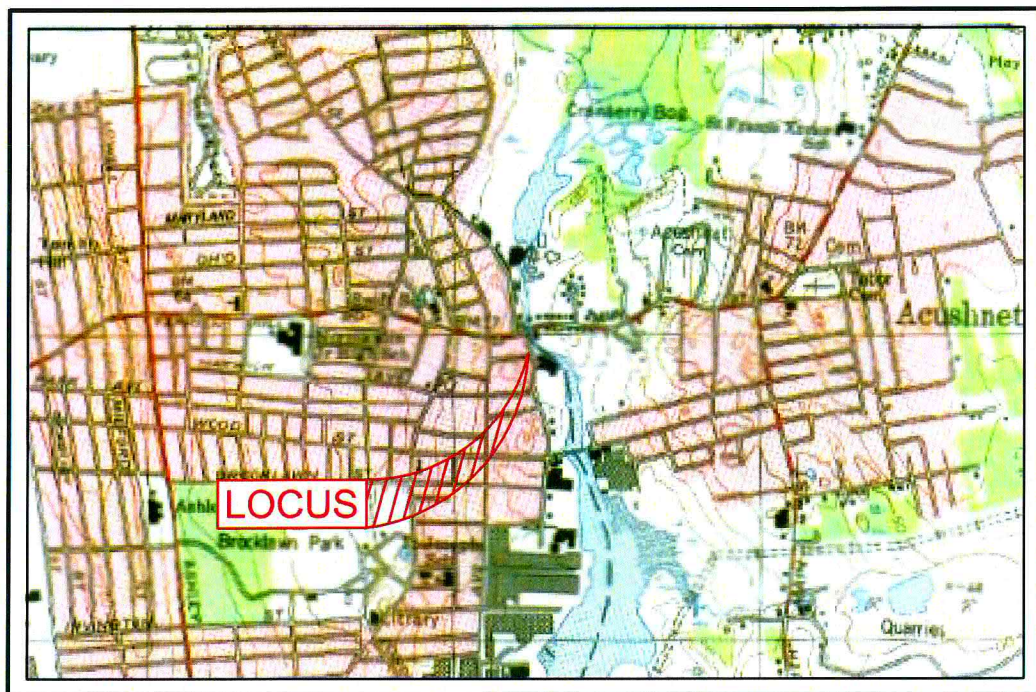
ENGINEERING A BETTER TOMORROW

ENGINEERING | SITE WORK | LAND SURVEYING

REQUEST FOR DETERMINATION OF APPLICABILITY

SITE PLAN

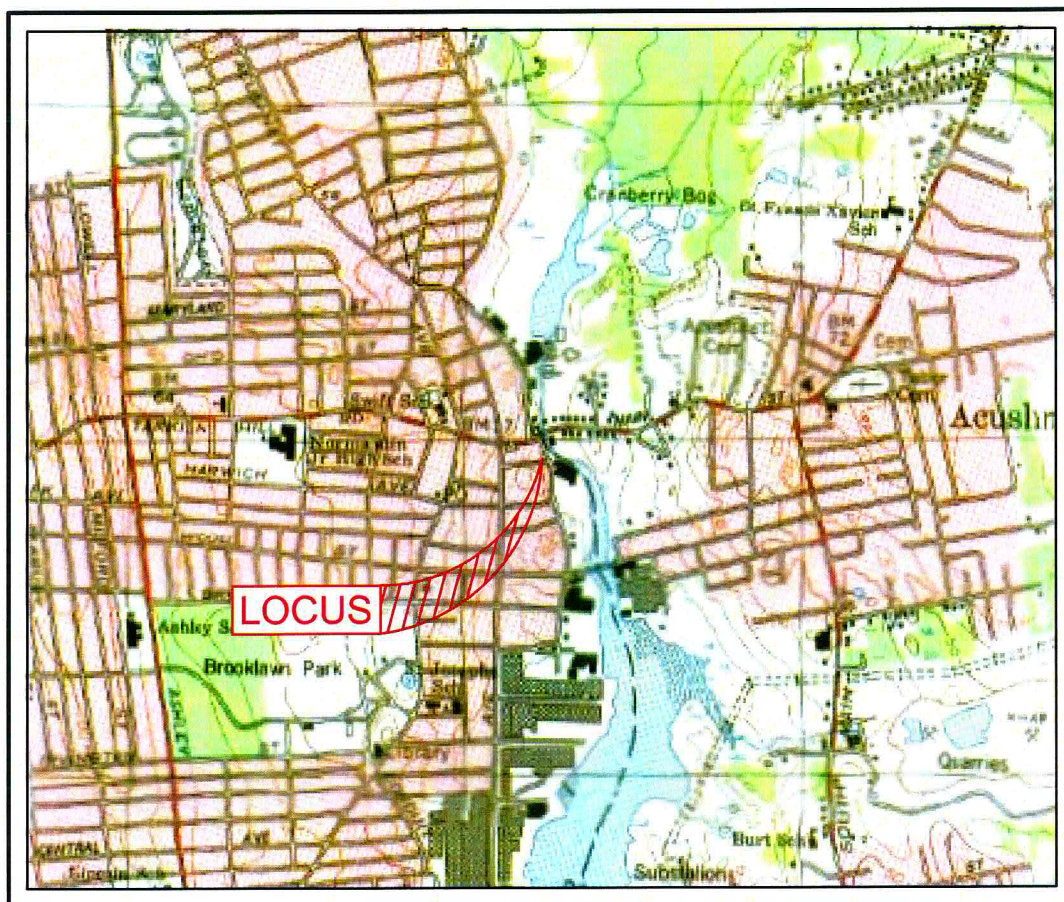
ASSESSORS MAP 119 - LOT 94
255 RIVER ROAD
NEW BEDFORD, MASSACHUSETTS



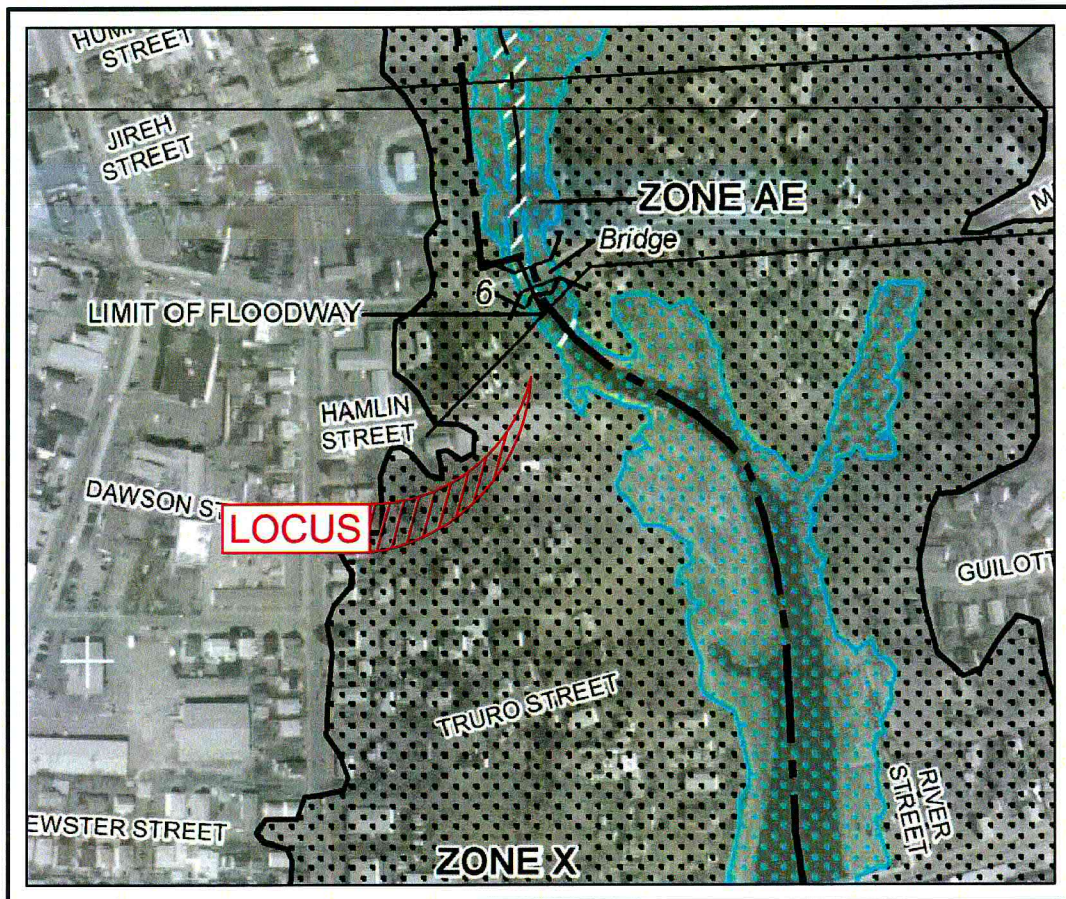
PREPARED FOR:

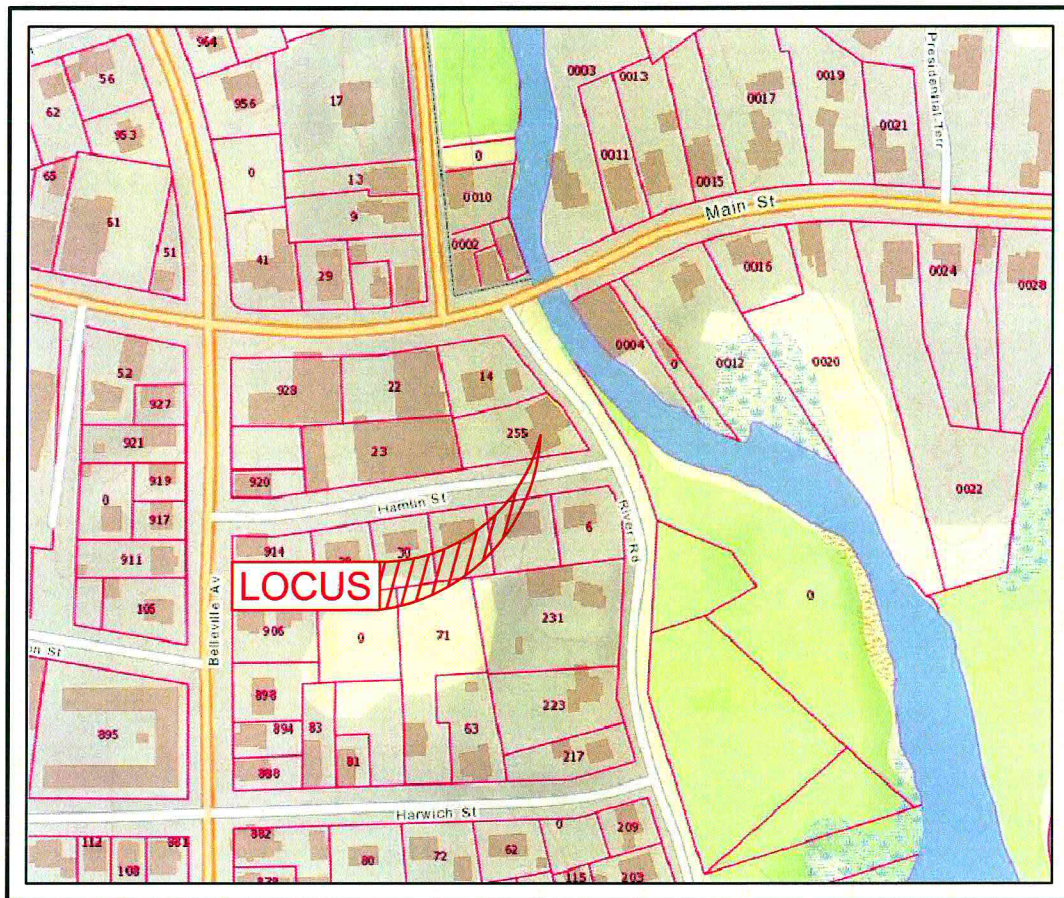
ABILIO FERNANDES
7 N. PLEASANT STREET
SOUTH DARTMOUTH, MA 02748

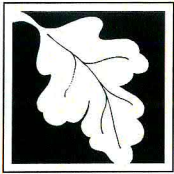
TOPO! VERSION 2.1.0



FIRM MAP PANEL # 25005C391G







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:

Abilio Fernandes

Name

afernandes@atkore.com

E-Mail Address

7 North Pleasant Stree

Mailing Address

Dartmouth

City/Town

MA

State

02748

Zip Code

508-400-0728

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Farland Corp.

Firm

Nick Dufresne

Contact Name

ndufresne@farlandcorp.com

E-Mail Address

401 County Street

Mailing Address

New Bedford

City/Town

MA

State

02740

Zip Code

508-717-3479

Phone Number

508-717-3481

Fax Number (if applicable)

B. Determinations

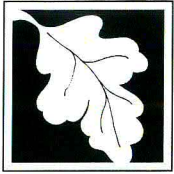
1. I request the New Bedford make the following determination(s). Check any that apply:
Conservation Commission

- ☐ 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).



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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):

255 River Road

Street Address

119

Assessors Map/Plat Number

New Bedford

City/Town

94

Parcel/Lot Number

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

The locus property is an 11,000+/- sf parcel located in a Mixed Use Business zoning district. The lot currently contains an old warehouse building in disrepair along with impervious pavement areas. There is a 100' buffer zone to top of bank which affects the lot. The bank is associated with the Acushnet River located across River Road.

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

Site Plan

Title

4/6/16

Date

Title

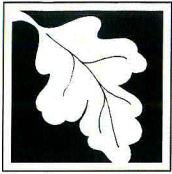
Date

Title

Date

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

The applicant proposes to demolish the existing structure and remove the existing pavement areas. In its place a residential duplex building will be constructed with associated water, sewer, gas and electric utilities within the 100' buffer zone of a bank. The applicant also intends to build a 42'x24' storage garage with bituminous concrete driveway and parking area. This work is outside the resource area buffer zone.



WPA Form 1- Request for Determination of Applicability

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

C. Project Description (cont.)

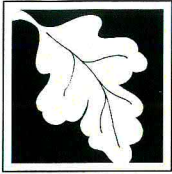
- b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

Thompson Farland, Inc. believes the proposed work will not alter an Area Subject to Protection Under M.G.L. c. 131, §40.

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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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:

Abilio Fernandes

Name

7 North Pleasant Street

Mailing Address

Dartmouth

City/Town

MA

State

02748

Zip Code

Signatures:

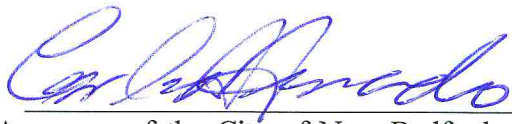
I also understand that notification of this Request will be placed in a local newspaper at my expense in accordance with Section 10.05(3)(b)(1) of the Wetlands Protection Act regulations.

Signature of Applicant

Date

Signature of Representative (if any)

Date



Administrative Assistant to the Board of Assessors of the City of New Bedford, 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.

Date: March 22, 2016

PLANNING
MAR 23 2016
DEPARTMENT

SUBJECT PROPERTY: MAP 119 LOT

94

LOCATION 255 River Road

OWNER'S NAME Joan Devine "Trustee" & Joseph Devine "Trustee"

MAILING ADDRESS 256 Cairn Ridge Road East Falmouth, MA 02536

CONTACT PERSON Matthew J. White, Farland Corp., Inc.

TELEPHONE NUMBER (508) 717-3479

REASON FOR REQUEST

Abutter's List to be submitted as an attachment with Notice of Intent application

when filing with the City of New Bedford Conservation Commission.

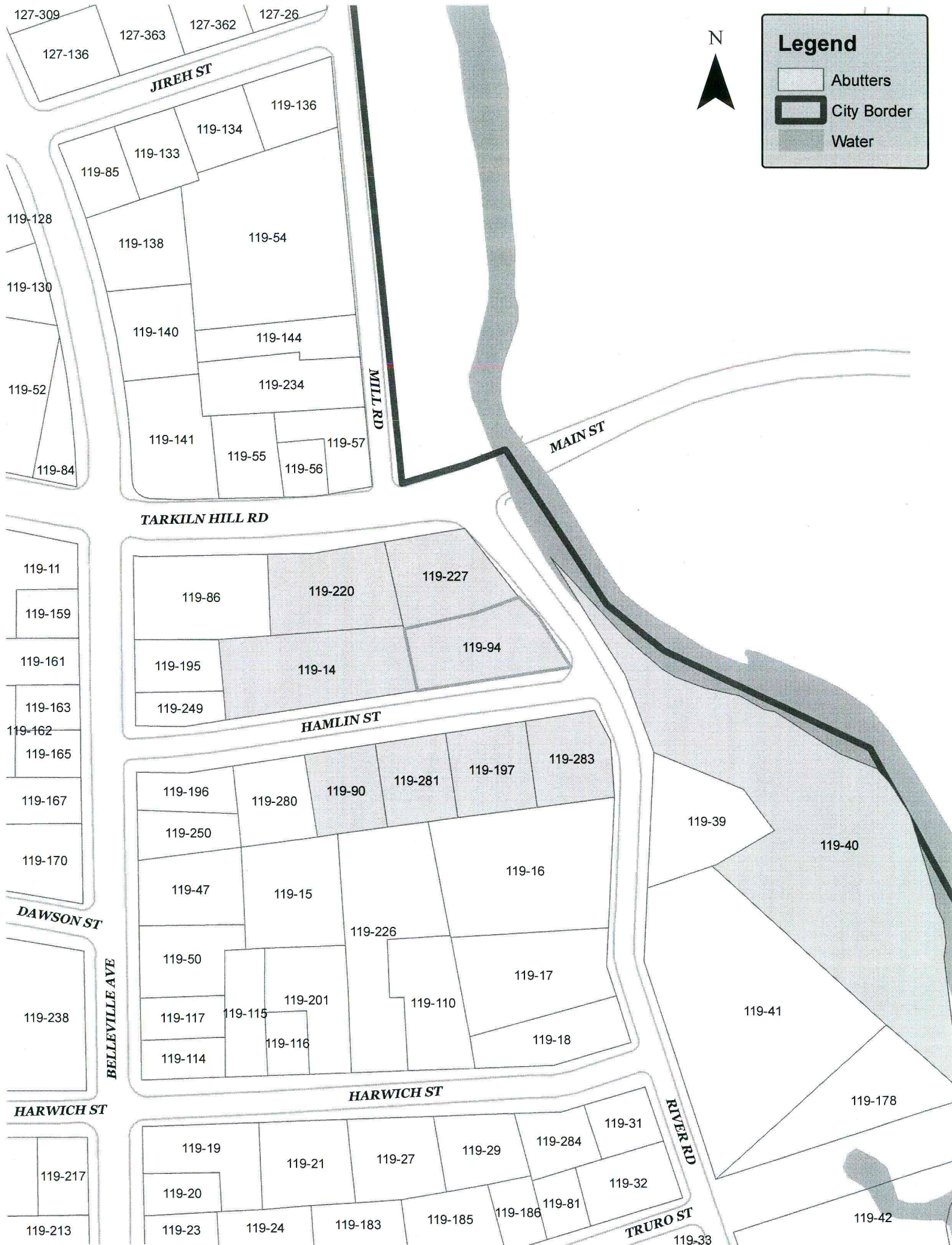
March 23, 2016

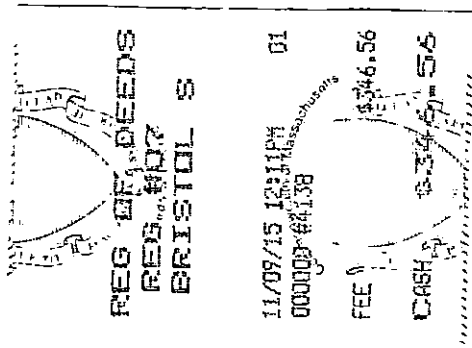
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 255 River Road (119-94). 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
119-14	23 HAMLIN ST 29	MEDEIROS JOSEPH V JR "TRUSTEE", 22 TARKILN HILL NOMINEE TRUST 18 BROWN STREET FAIRHAVEN, MA 02719
119-90	30 HAMLIN ST	RAMOS ERVIN M, RAMOS JOHANNA 30 HAMLIN STREET NEW BEDFORD, MA 02745-6222
119-281	22 HAMLIN ST	PACHECO EDUARDO M, PACHECO SANDRA P 22 HAMLIN STREET NEW BEDFORD, MA 02745
119-197	14 HAMLIN ST	ST TRIPP LAEL R, ST TRIPP RICHARD B 14 HAMLIN STREET NEW BEDFORD, MA 02745
119-283	6 HAMLIN ST	BOLDUC TIMOTHY S, BOLDUC STACY L 6 HAMLIN STREET NEW BEDFORD, MA 02745
119-227	14 TARKILN HILL RD	BRUM ALEXANDRA PIRES, 14 TARKILN HILL ROAD NEW BEDFORD, MA 02745
119-40 ES	RIVER RD	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740
119-220	22 TARKILN HILL RD	MEDEIROS JOSEPH V JR "TRUSTEE", 22 TARKILN HILL NOMINEE TRUST 18 BROWN STREET FAIRHAVEN, MA 02719
119-94	255 RIVER RD	DEVINE JOAN "TRUSTEE", DEVINE JOSEPH "TRUSTEE" 256 CAIRN RIDGE RD EAST FALMOUTH, MA 02536 Abilio Fernandes 7 North Pleasant St. S. Dartmouth, MA 02748





BK 11527 PG 263
11/09/15 11:09 DOC. 24023
Bristol Co. S.D.

MASSACHUSETTS QUITCLAIM DEED

We, **Joan Devine** and **Joseph Devine**, Trustees of **River Road Realty Trust** u/d/t dated October 4, 2013, pursuant to a Certificate of Trust under M.G.L. c. 184 §35 filed herewith for consideration paid and in full consideration of SEVENTY-SIX THOUSAND and no/100 (\$76,000.00) DOLLARS grant to **Abilio C. Fernandes** of 7 North Pleasant Street, South Dartmouth, Bristol County, Massachusetts 02748 with *quitclaim covenants*

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

Beginning at the intersection of the north line of Hamlin Street and the west line of River Road;

Thence South 88 degrees 38' 10" west in the north line of Hamlin Street 166.42 feet to land or formerly of Dosithe Guillotte;

Thence North 2 degrees 35' 30" west by last named land 68.56 feet to land now or formerly of Luella Jeffries;

Thence North 87 degrees 57' 20" east by last named land 78.80 feet to a stake;

Thence North 73 degrees 37' 30" east by Lot 1 on plan hereafter mentioned 49.14 feet to the west line of River Road;

Thence South 34 degrees 24' 40" east in the west line of River Road 31.78 feet to a stone bound;

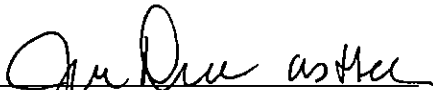
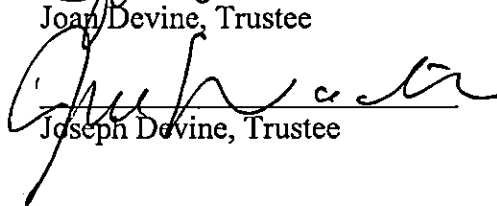
Thence South 24 degrees 27' 50" east in the west line of River Road 61 feet to the place of beginning.

Containing 13,100 square feet more or less and being Lot 2 on Plan of Land in New Bedford, Mass. surveyed by Everett C. Morse Heirs dated August 1, 1958, Corse and Tibbetts Engineers and Surveyors on file in Bristol County South District Registry of Deeds in Plan Book 56 Page 43.

Being the same premises conveyed to these grantors by deed recorded in the Bristol County S.D. Registry of Deeds in Book 10918 Page 53.

Witness our hands and seals this 9th day of November, 2015.

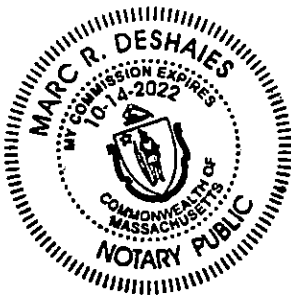
River Road Realty Trust

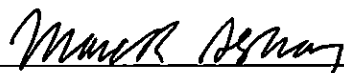
By: 
Joan Devine, Trustee

Joseph Devine, Trustee

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss

On this 9th day of November, 2015, before me, the undersigned notary public then personally appeared Joan Devine and Joseph Devine, Trustees aforesaid, proved to me through satisfactory evidence of identification, which was photographic documentation issued by a governmental authority, to be the persons whose names are signed on the preceding document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief.




Notary Public: Marc R. Deshaies
My Commission Expires: October 14, 2022