

REQUEST FOR DETERMINATION OF APPLICABILITY

pursuant to

The Regulations of the Massachusetts Wetlands Protection Act
310 CMR 10.00

and the
City of New Bedford Wetlands Protection Ordinance

Steamship Pier Electrical Shed

New Bedford, Massachusetts



Prepared For:

New Bedford Harbor Development Commission
25 Fisherman's Wharf
New Bedford MA 02745

DECEMBER 2015



Engineers | Scientists | Planners

PARECORP.COM



December 14, 2015

Ms. Sarah Porter, Conservation Agent
New Bedford Conservation Commission
City Hall, Room 304
133 William Street
New Bedford, MA 02740

Re: **Request for a Determination of Applicability**
Steamship Pier Electrical Shed
New Bedford, MA
Pare Project No. 09036.01

Dear Ms. Porter and members of the New Bedford Conservation Commission:

The attached Request for a Determination of Applicability (RDA) is submitted by Pare Corporation (Pare) on behalf of the New Bedford Harbor Development Commission (HDC) and pursuant to the Regulations of the Wetlands Protection Act (310 CMR 10.00, referred to herein as the WPA Regulations) and the City of New Bedford Wetland Protection Ordinance to address the proposed construction of an electrical shed and fence to secure existing electrical utilities on the site. The submittal includes the following materials:

- Original and one copy of the completed RDA
- Two (2) full-sized sets of project plans entitled "Steamship Pier Electrical Shed" prepared by Pare Corporation dated July, 2015 (3 sheets)
- A CD with the entire RDA submission in .pdf format.

Proof of ownership is documented in a quitclaim deed from the New Bedford Redevelopment Authority to the City of New Bedford recorded in book 102 page 8 at the New Bedford Registry of Deeds.

A copy of this Request for a Determination of Applicability is being submitted concurrently to the Massachusetts Division of Marine Fisheries. All abutters are being notified via certificate of mailing, a copy of which will be provided at the Public Hearing. The Applicant is a department of a municipality and is therefore exempt from filing fees.

The following sections discuss the project background and existing site conditions; describe the proposed work; and discuss activity within jurisdictional wetland areas. The existing site conditions and the proposed work are shown on the submitted plans.





December 14, 2015

Existing Site Conditions

According to the FEMA Flood Insurance Rate Map (FIRM) for Bristol County, Massachusetts (Map Number 25005C0393G, revised July 16, 2014), an area of 100-year Floodplain (EL 6) classified as Zone AE encompasses the entire site. 310 CMR 10.04 defines these areas as **Land Subject to Coastal Storm Flowage**.

The project location is located within the 100-foot buffer zone to the coastal bank.

According to MassGIS data, no Certified or Potential Vernal Pools, Areas of Critical Environmental Concern (ACEC), or Outstanding Resource Waters (ORW) have been identified on or within the vicinity of the site (MassGIS data layers PHAB_POLY, ESTHAB_POLY, CVP_PT, ORW_POLY, ACECs_POLY). The entire site is located within the Massachusetts Coastal Zone (CSTZONE_POLY.shp).

Proposed Work

HDC is proposing the construction of an electrical shed and chain link fence to secure the existing electrical equipment on the site which includes two above-ground transformers mounted on concrete pads and two adjacent switch gear boxes. Wiring is in conduit below grade. This equipment is currently secured with temporary fencing, however permanent security is required. The proposed work is depicted on the attached project plans.

The proposed shed will house the existing switch gear, and the transformers will be enclosed by fencing. These improvements are intended to secure the existing equipment to both protect the infrastructure and to enhance the safety of the public and other individuals using the pier.

Thank you very much for your consideration of this application and we look forward to presenting the project at your Public Hearing on January 5, 2016. Please feel free to call with any questions.

Sincerely,

Briscoe B. Lang, P.W.S.
Principal Environmental Scientist

cc: DEP Southeast Regional Office, via Certified Mail
MA Division of Marine Fisheries, via email DMF.EnvReview-South@state.ma.us
City of New Bedford
New Bedford Harbor Development Commission
File

BBL/

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4. Plans entitled “Steamship Pier Electrical Shed” in 3 sheets, prepared by Pare Corporation, dated July 2015.



WPA Form 1 – Request for a Determination of Applicability



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:

Edward Anthes-Washburn, Executive Director

Edward.Anthes-Washburn@newbedford-ma.gov

Name

E-Mail Address

52 Fisherman's Wharf

Mailing Address

New Bedford

MA

02740

City/Town

State

Zip Code

508-961-3000

508-979-1517

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Pare Corporation

Firm

Briscoe B. Lang, P.W.S.

blang@parecorp.com

Contact Name

E-Mail Address

10 Lincoln Road, Suite 103

Mailing Address

Foxborough

MA

02035

City/Town

State

Zip Code

(508) 543-1755

(508) 543-1881

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:

City 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 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):

Coal Pocket Pier

Street Address

New Bedford

City/Town

47

Assessors Map/Plat Number

179

Parcel/Lot Number

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

The project site is located in an area on the pier.

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

Steamship Pier Electrical Shed

Title

July 2015

Date

Title

Date

Title

Date

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

Construction of an electrical shed and fenced area to secure existing electrical utilities on the site.

The shed will total approximately 300 square feet. The proposed chain link fence will encompass an area totaling 700± square feet.



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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).

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.)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

New Bedford
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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:

City of New Bedford

Name

133 William Street

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.

Signature of Applicant

Date

12/6/15

Signature of Representative (if any)

Date

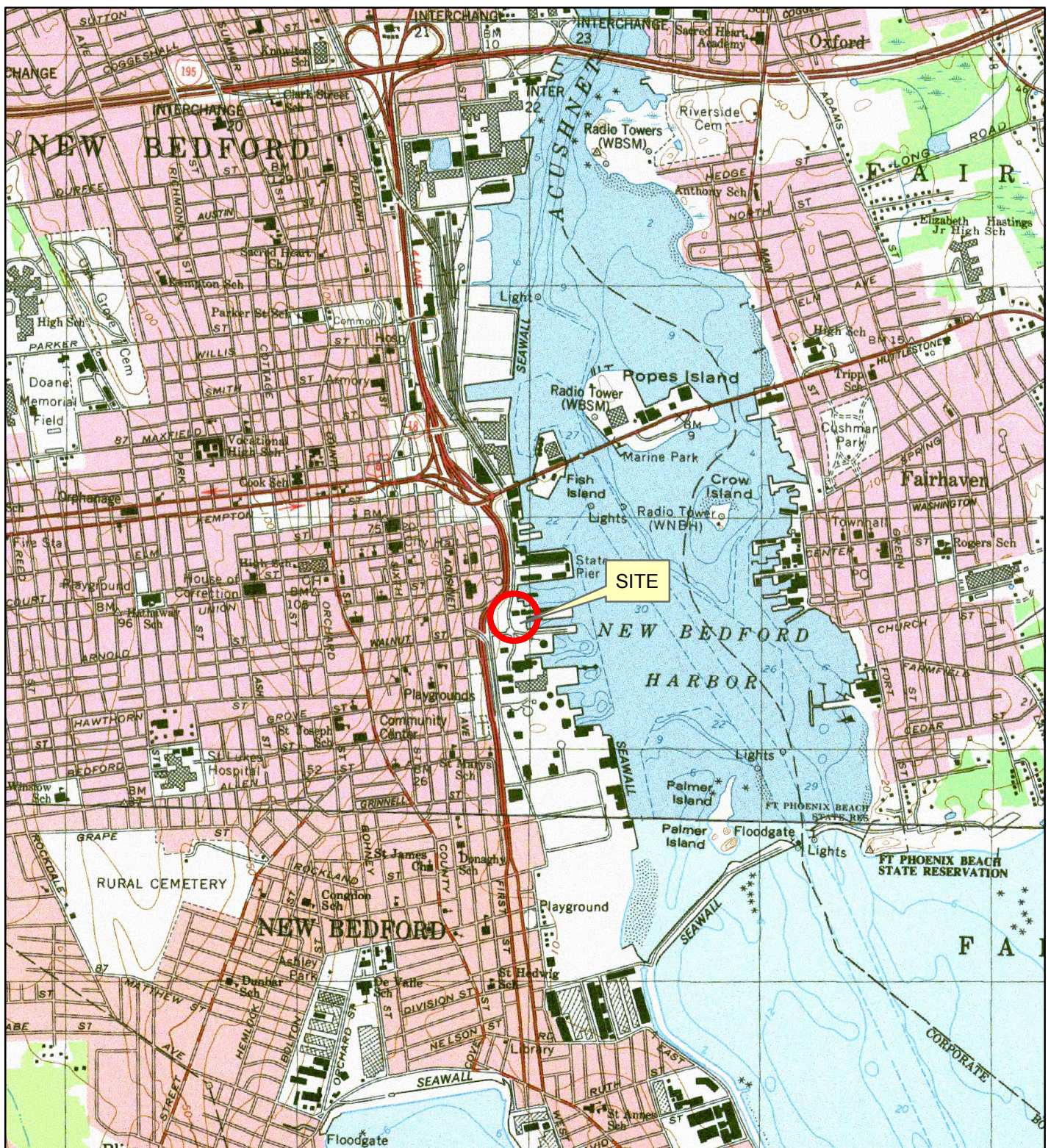
12/8/15

Figures

Figure 1 – Site Location Map

Figure 2 – Annotated MassGIS Aerial Photograph

Figure 3 – FEMA Flood Insurance Rate Map



SITE LOCATION MAP

SCALE: 1"=2,000'



8 BLACKSTONE VALLEY PLACE
LINCOLN, RI 02865
(401) 334-4100

10 LINCOLN ROAD, SUITE 103
FOXBOROUGH, MA 02035
(508) 543-1755

PARE PROJECT No. 09036.01

NOVEMBER 2015

FIGURE 1
STEAMSHIP PIER
ELECTRICAL SHED
NEW BEDFORD, MA



ANNOTATED AERIAL PHOTOGRAPH

SCALE: 1"=200'



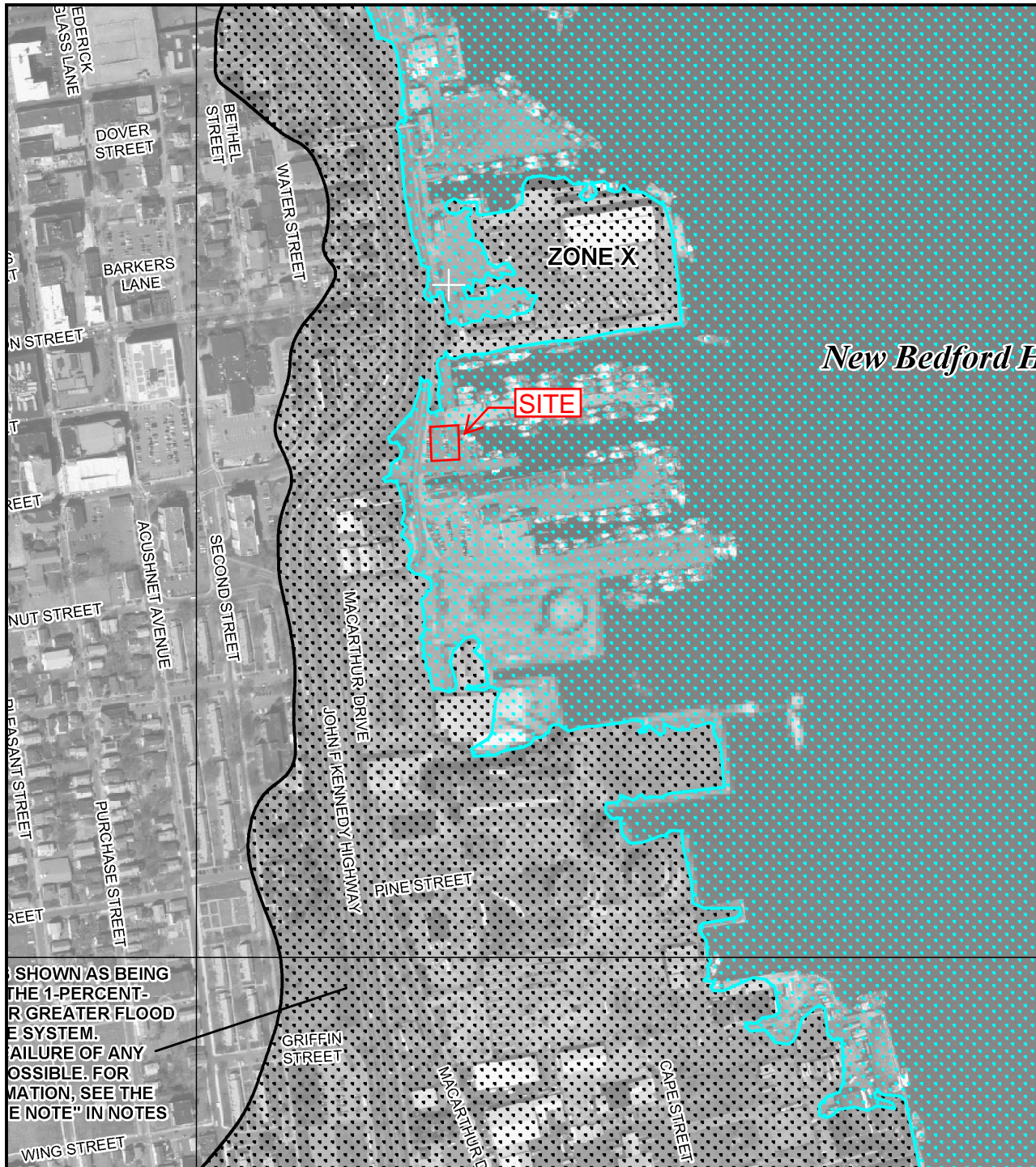
8 BLACKSTONE VALLEY PLACE
LINCOLN, RI 02865
(401) 334-4100

10 LINCOLN ROAD, SUITE 103
FOXBOROUGH, MA 02035
(508) 543-1755

PARE PROJECT No. 09036.01

NOVEMBER 2015

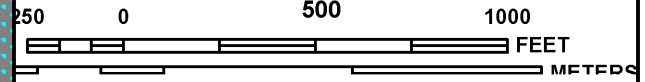
FIGURE 2
STEAMSHIP PIER
ELECTRICAL SHED
NEW BEDFORD, MA



New Bedford H



MAP SCALE 1" = 500'



NATIONAL FLOOD INSURANCE PROGRAM

PANEL 0393G

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

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

CONTAINS:

COMMUNITY	NUMBER	PANEL	SUFFIX
FAIRHAVEN, TOWN OF	250054	0393	G
NEW BEDFORD, CITY OF	255216	0393	G

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



MAP NUMBER
25005C0393G
MAP REVISED
JULY 16, 2014

Federal Emergency Management Agency

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

Figure 3

Photographs

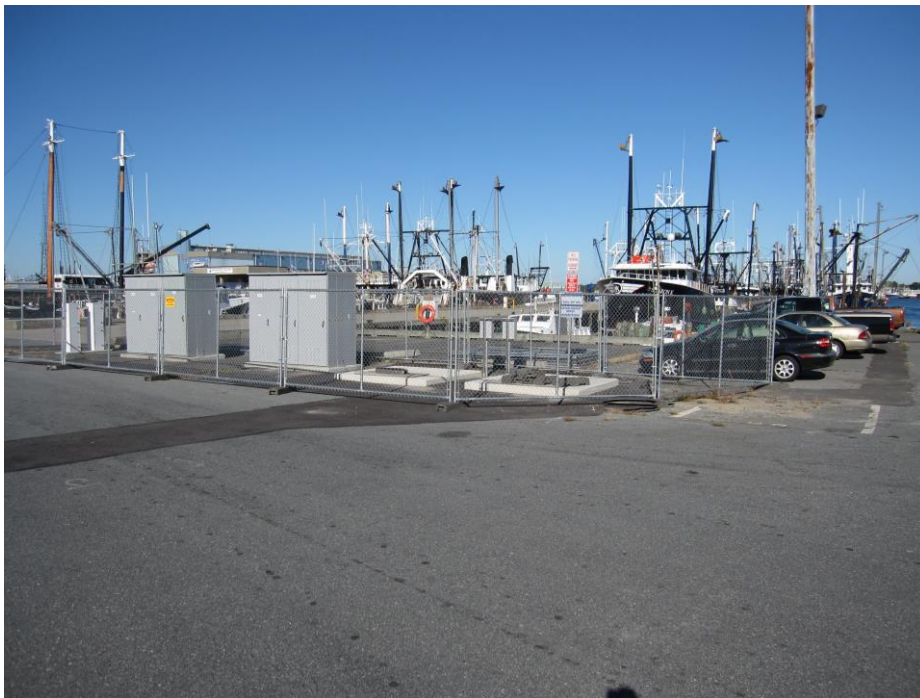
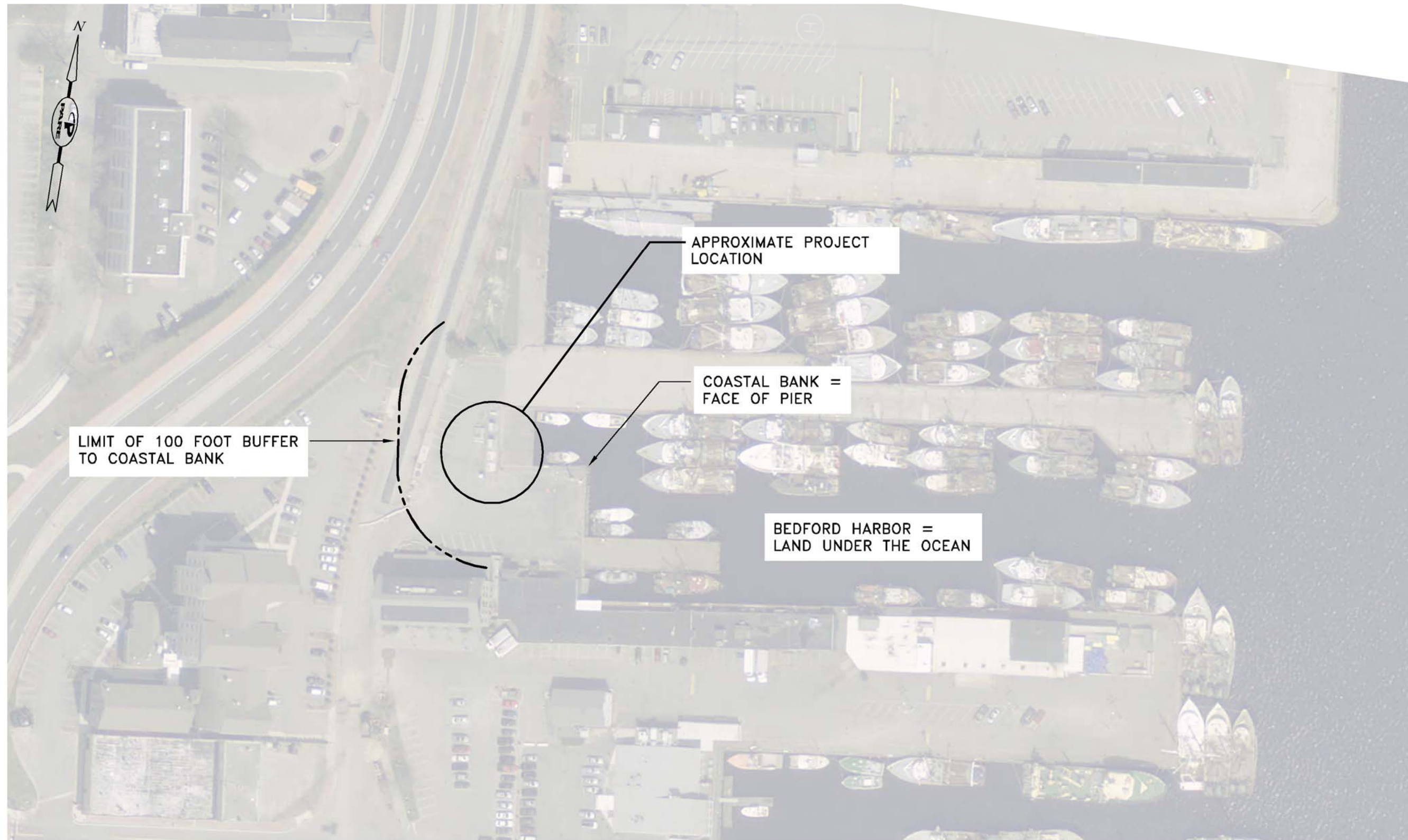


Photo 1: Existing electrical features and fence on the site, facing northeast.



Photo 2: Proximity of features to timber deck.

Project Plans



AERIAL VIEW

SCALE: 1"=100'

NOTE:

NOTE:
THE ENTIRE SITE IS LOCATED IN LAND
SUBJECT TO COASTAL STORM FLOWAGE.



SCALE ADJUSTMENT GUIDE

BAR IS ONE INCH ON
ORIGINAL DRAWING.

STEAMSHIP PIER
ELECTRICAL SHED

REVISIONS:

PROJECT NO.:	09036.01/018
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PROJECT NO.: 09038.01/018
DATE: JULY 2015

SCALE: AS NOTED

DESIGNED BY: RM

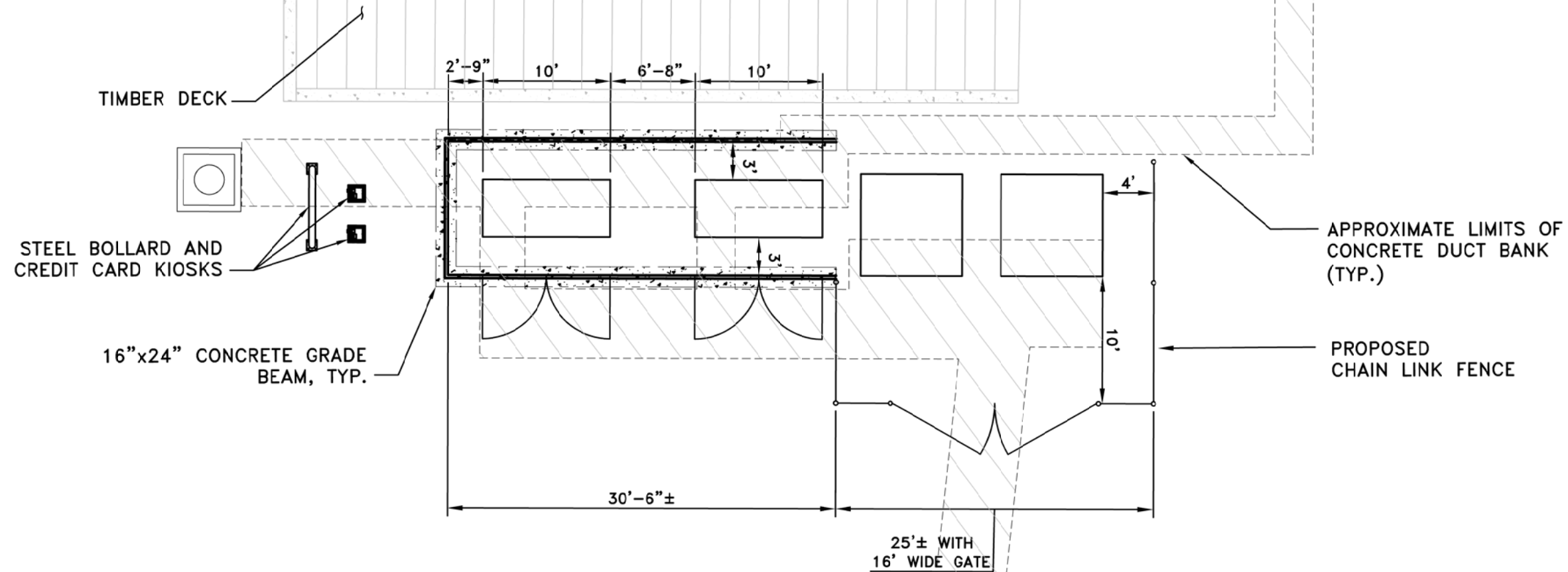
CHECKED BY:	KH
DATE:	1/10

DRAWN BY:	LMC
APPROVED BY:	KH

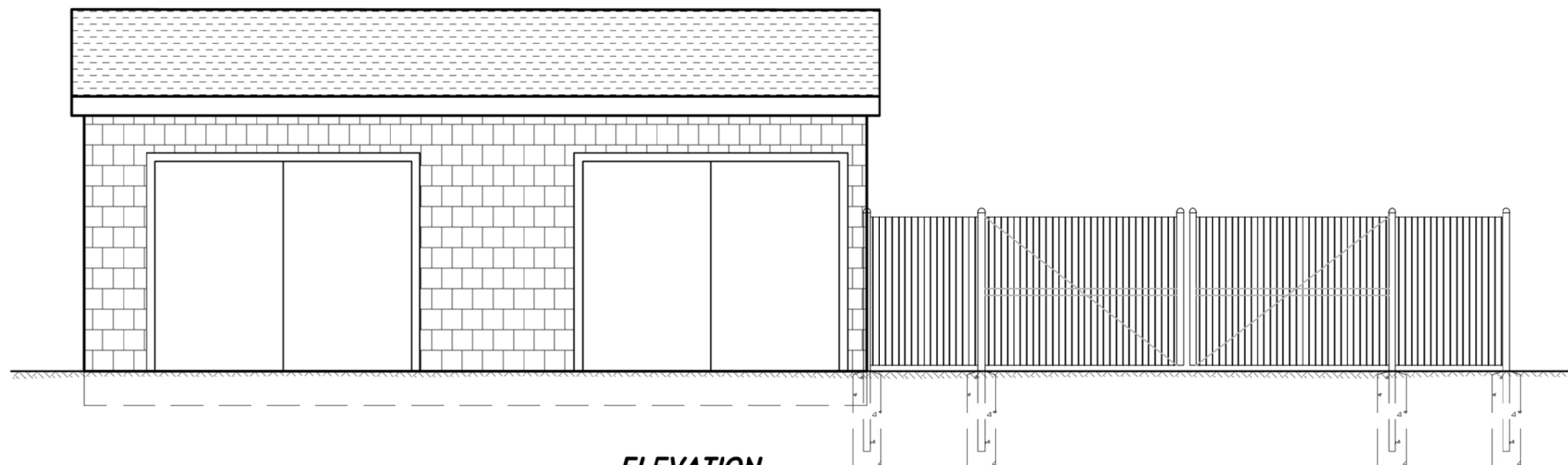
AERIAL VIEW

FIGURE NO.:

1



SITE PLAN
SCALE: 1"=10'



ELEVATION
SCALE: 1"=5'

REVISIONS:

PROJECT NO.: 09036.01/018

DATE: JULY 2015

SCALE: AS NOTED

DESIGNED BY: RM

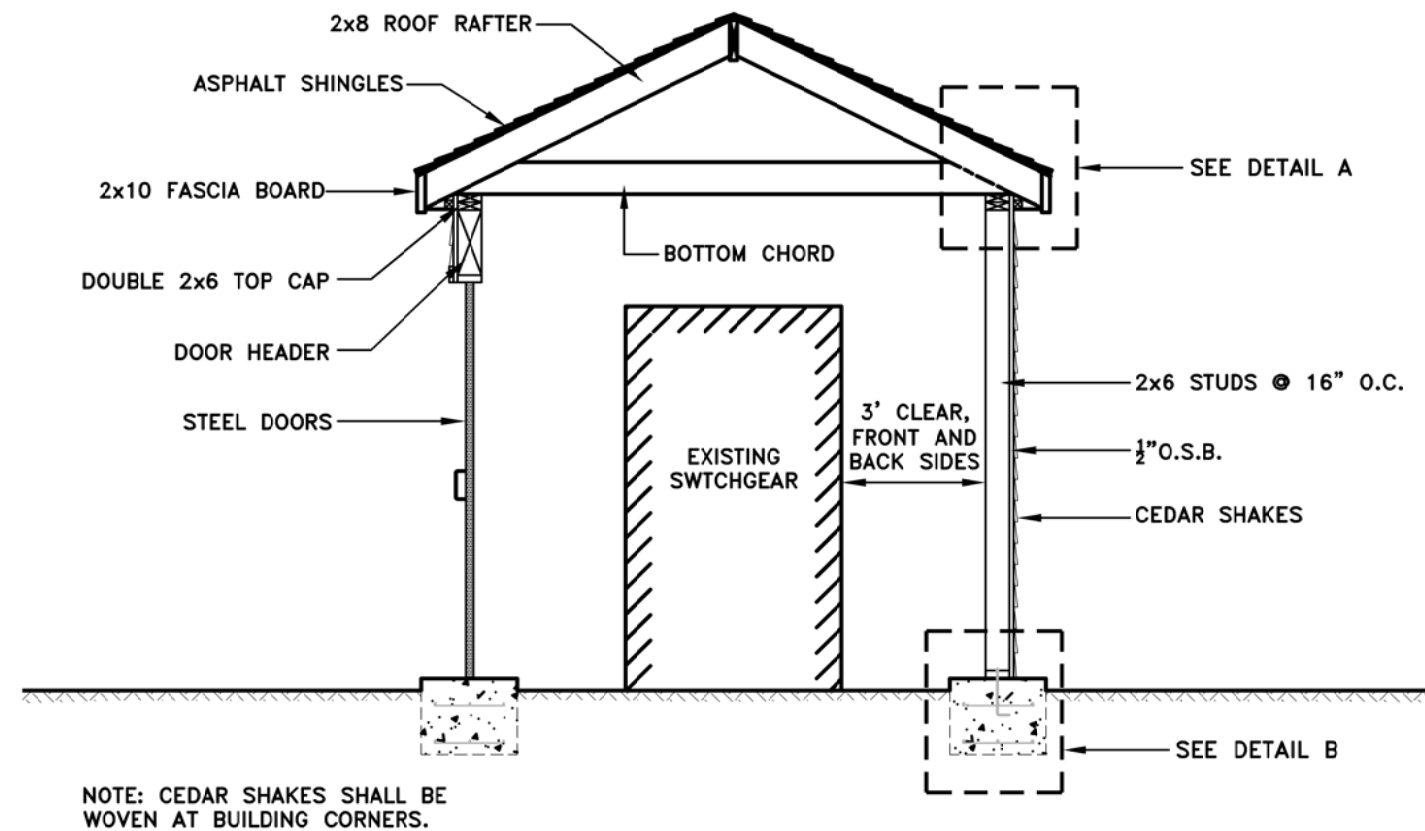
CHECKED BY: KH

DRAWN BY: LMC

APPROVED BY: KH

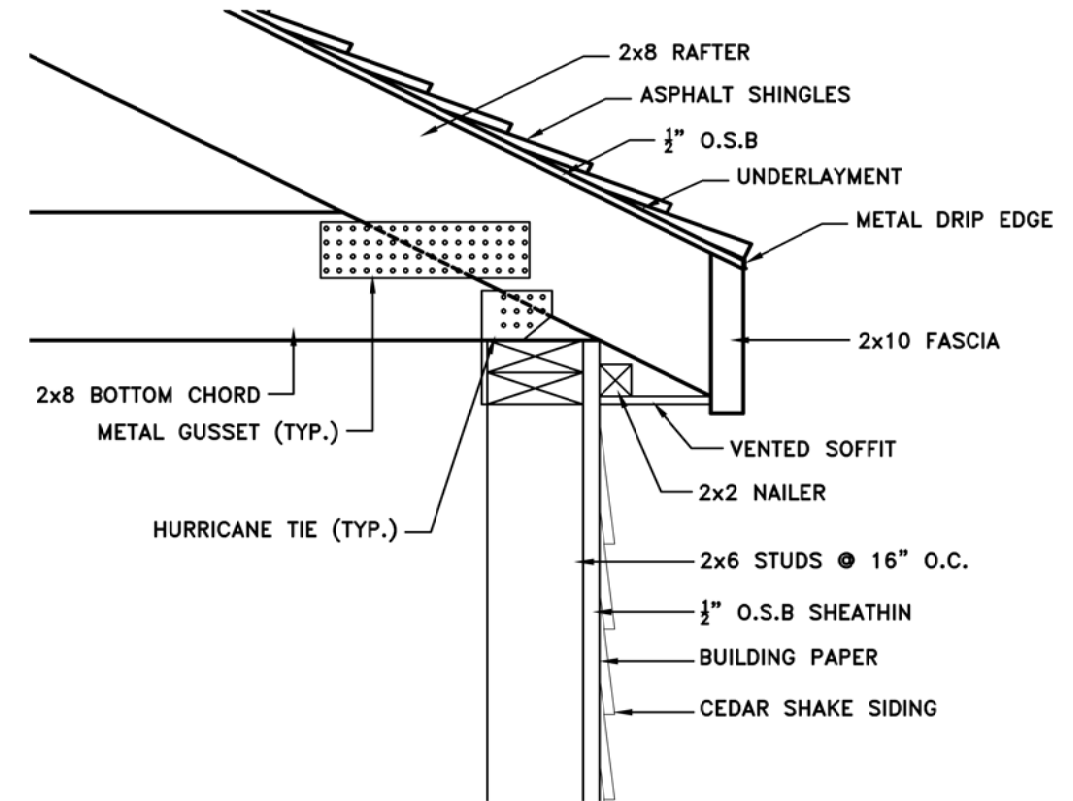
**SITE PLAN &
ELEVATION**

FIGURE NO.:

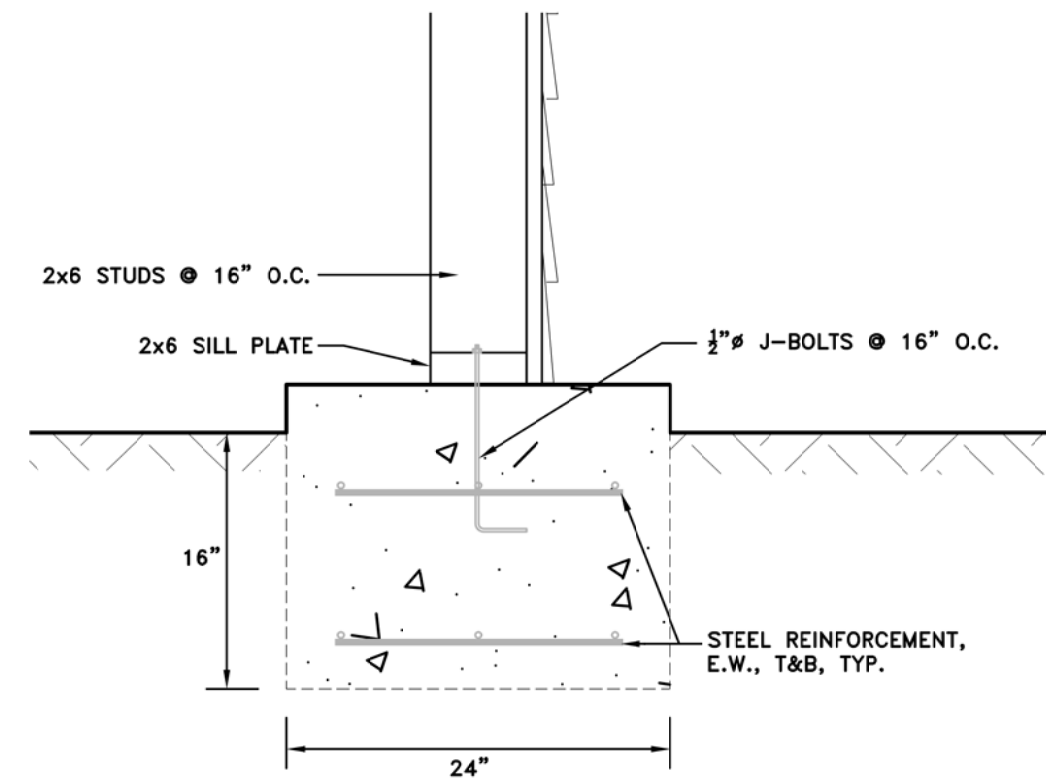


SECTION A-A
SCALE: 1"=20'

NOTE: CEDAR SHAKES SHALL BE WOVEN AT BUILDING CORNERS.



DETAIL A
SCALE: 1"=5'



DETAIL B
SCALE: 1"=5'