

**FIELD**  
**ENGINEERING CO., INC.**  
CONSULTING ENGINEERS

June 17, 2015  
Project No. 1998

Ms. Sarah Porter, Agent  
New Bedford Conservation Commission  
133 William Street  
New Bedford, MA 02740

11D Industrial Drive, P.O. Box 1178  
Mattapoisett, Massachusetts 02739  
Telephone: (508) 758-2749  
Facsimile: (508) 758-2849

The Crocker Building  
Four Court Street, Suite 104  
Taunton, Massachusetts 02780  
Telephone: (508) 824-9279  
Facsimile: (508) 824-9276

RE: NEW BEDFORD - Request for Amended Order of Conditions  
Order of Conditions SE 049-0702  
LOGAL, LLC-100 Duchaine Boulevard

Dear Ms. Porter,

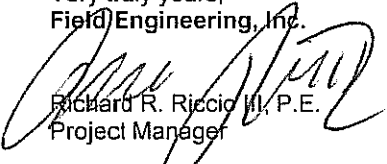
On behalf of our client and record owner of the property, LOGAL, LLC, Field Engineering Co., Inc. hereby requests approval of an Amended Order of Conditions for two minor modifications to the current Plan of Record for the above referenced Order of Conditions.

A summary of the specific site plan modifications is as follows:

1. Allow the applicant to maintain material stockpiles within the 100' buffer zone to wetlands on the portion of the site that originally contained the wastewater treatment facility for the subject parcel. The existing stockpiles are surrounded by silt fence and the silt fence will be maintained for the duration of the project.
2. Extend the existing riprap apron associated with Wet Basin #2 as shown on the current Plan of Record. Following regrading and paving of the loading area, a portion of the runoff has been short-circuiting the designated flow path along the berm and washing out the slope into the wet basin. By extending the riprap apron as shown on the attached exhibit plan, the runoff that overtops the berm in this location will be intercepted and directed to the sediment forebay prior to flowing into the attenuation portion of the wet basin.

The above modifications are shown on the enclosed plans entitled, "Amended OOC Exhibit Plan 1" and "Amended OOC Exhibit Plan 2, prepared by Field Engineering Co., Inc. and dated 6/17/15. We have also enclosed a check for \$1,000.00 to cover the filing fee for the Amended Order of Conditions Request as well as all necessary paperwork to accompany this request.. We would be happy to discuss this request with you at your earliest convenience and look forward to discussing this request with the Commission at their next scheduled meeting. If you need anything further, please do not hesitate to call me at (508) 758-2749.

Very truly yours,  
Field Engineering, Inc.

  
Richard R. Riccio III, P.E.  
Project Manager

cc: LOGAL, LLC  
DEP

Attachments (3)



**CITY OF NEW BEDFORD  
MASSACHUSETTS**

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

**PROJECT LOCATION:**

100 Duchaine Boulevard MAP 133 LOT(S) 15

**APPLICANT:** Logal, LLC

**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>8,500</u> SF Buffer Zone	\$ <u>850.00</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):** \$ 1,000.00

**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.

I, Carol Brooks, 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: 6/17/2015

SUBJECT PROPERTY:

MAP 133 LOT 15

LOCATION 50 Phillips Road

OWNER'S NAME \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CONTACT PERSON Rebecca Carvalho

TELEPHONE NUMBER (508) 758-2749

EMAIL ADDRESS rcarvalho@fieldengrg.com

REASON FOR REQUEST

Conservation Commission - Request for Amended Order of Conditions

\_\_\_\_\_  
\_\_\_\_\_

PLANNING

JUN 16 2015

DEPARTMENT

June 17, 2015  
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 50 Phillips Road (133-15). 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
134-406	1844 PHILLIPS RD <i>50</i>	CRAPO VICTORIA J, CRAPO DENNIS S 1844 PHILLIPS ROAD NEW BEDFORD, MA 02745 - <i>2107</i>
133-15	100 DUCHAINE BLVD	MULTILAYER COATING TECHNOLOGIES LLC, 1 CRANBERRY HILL LEXINGTON, MA 02421- <i>7394</i>
134-3	1885 PHILLIPS RD	COMMONWEALTH ELECTRIC CO, C/O PROPERTY TAX DEPARTMENT P O BOX 567 NORWOOD, MA 02062 - <i>0567</i>
133-12	SAMUEL BARNETT BLVD	GREATER NEW BEDFORD, INDUSTRIAL FOUNDATION 227 UNION ST RM 607 NEW BEDFORD, MA 02740- <i>5946</i>
134-16 <i>ES</i>	PHILLIPS RD	ABREU JOSEPH L, <del>101 PRINCETON STREET</del> <i>759 Belleville Ave</i> NEW BEDFORD, MA 02745 - <i>6104</i>
134E-9	993 PINE HILL DR	BATES GAIL A, 993 PINE HILL DRIVE NEW BEDFORD, MA 02745 - <i>1922</i>
134-342	1784 PHILLIPS RD	HATHAWAY ROBERT, C/O ROBERT J HATHAWAY 1784 PHILLIPS ROAD NEW BEDFORD, MA 02745 - <i>2014</i>
134E-3	81 RIDGEWOOD RD	GONSALVES JOAO M, GONSALVES JUDITH 81 RIDGEWOOD RD NEW BEDFORD, MA 02745 - <i>2015</i>
134F-31	97 IVY RD	BARBOSA LUISA P, 97 IVY RD NEW BEDFORD, MA 02745- <i>1903</i>
134F-30	99 IVY RD	TAVARES JOSE, 99 IVY ROAD NEW BEDFORD, MA 02745- <i>1903</i>
134F-29	109 BIRCHWOOD DR	TAYLOR BRUCE M, 109 BIRCHWOOD DR NEW BEDFORD, MA 02745 - <i>2101</i>
134D-83	90 HOLLY TREE LN	MEDINA GUILHERME E, MEDINA LAUDELINA 90 HOLLY TREE LANE NEW BEDFORD, MA 02745 - <i>1909</i>
132-884	1559 PHILLIPS RD	MONTAGUE JAMES M III, C/O CALIBER HOME LOANS P O BOX 24610 OKLAHOMA CITY, OK 73124 - <i>0610</i>

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Parcel	Location	Owner and Mailing Address
132-14	200 WELBY RD	WELBY ROAD LLC, 71 MAPLE STREET MANSFIELD, MA 02048 -1508
134D-2 <i>CS</i>	PHILLIPS RD	CITY OF NEW BEDFORD, INTERCEPTING SEWER <del>131</del> WILLIAM ST 133 NEW BEDFORD, MA 02740
132-57	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX <del>8097</del> 8499 PHILADELPHIA, PA 19101 - 8499
132-4	1569 PHILLIPS RD	PIRES WALTER C, PIRES LENA 1569 PHILLIPS ROAD NEW BEDFORD, MA 02745 -2011
134D-82	89 HOLLY TREE LN	BARBOSA MARIA, BARBOSA STACEY 89 HOLLY TREE LANE NEW BEDFORD, MA 02745 -1908
134D-6	990 HILLCREST RD	BRYANT BARRY A "TRUSTEE", BRYANT FAMILY IRREVOCABLE SPECIAL NEEDS TRUST 990 HILLCREST RD NEW BEDFORD, MA 02745 -2012
134E-2	69 RIDGEWOOD RD	ST ONGE LAWRENCE A, ST ONGE JACQUELINE A 69 RIDGEWOOD ROAD NEW BEDFORD, MA 02745 -2032
134E-1	63 RIDGEWOOD RD	TRAVERS LORRAINE, 63 RIDGEWOOD ROAD NEW BEDFORD, MA 02745 -2032
134D-10	11 RIDGEWOOD RD	TREMBLAY DANIEL R JR, TREMBLAY KRYSTAL A 11 RIDGEWOOD ROAD NEW BEDFORD, MA 02745 -2032
134E-4	89 RIDGEWOOD RD	STUPALSKI VITALIA M, 89 RIDGEWOOD ROAD NEW BEDFORD, MA 02745 -2015
134F-32	95 IVY RD	BOUCHARD DENNIS P, BOUCHARD WANDA M 95 IVY ROAD NEW BEDFORD, MA 02745 -1903
134D-1 <i>CS</i>	PHILLIPS RD	CITY OF NEW BEDFORD, <del>131</del> WILLIAM ST 133 NEW BEDFORD, MA 02740
134D-15	55 RIDGEWOOD RD	DACOSTA DANIEL, DACOSTA RACHEL 55 RIDGEWOOD RD NEW BEDFORD, MA 02745 -2032

June 17, 2015  
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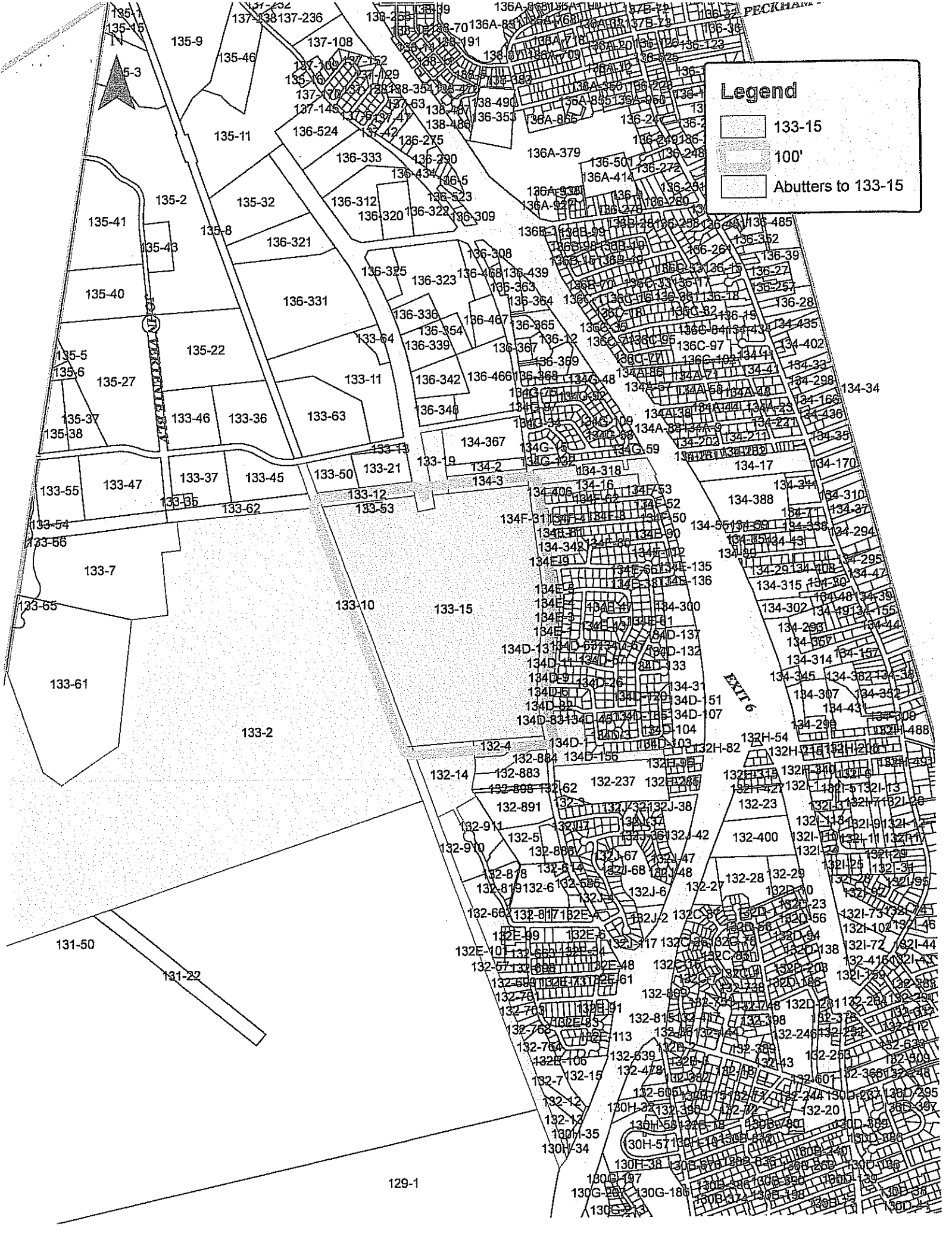
Parcel	Location	Owner and Mailing Address
134-318	PHILLIPS RD	COMMONWEALTH ELECTRIC CO, C/O PROPERTY TAX DEPARTMENT P O BOX 567 NORWOOD, MA 02062 -0567
133-10	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101 - 8499
133-2 <i>CS</i>	JOHN VERTENTE BLVD	COMMONWEALTH OF MASSACHUSETTS, 251 CAUSEWAY STREET BOSTON, MA 02114 -2148
134D-9	987 HILLCREST RD	CHERETA ANTONIETE, 987 HILLCREST RD NEW BEDFORD, MA 02745 -2013
134D-11	17 RIDGEWOOD RD	FERNANDES DONNA "TRS", RAYMOND AND FLORABELL SYLVIA IRREVOCABLE TRUST (THE) 17 RIDGEWOOD RD NEW BEDFORD, MA 02745 -2032
134D-12	27 RIDGEWOOD RD	<del>LACHAPPELLE LINDA A,</del> <i>Lisa + Jeffrey Swain</i> 27 RIDGEWOOD RD NEW BEDFORD, MA 02745 -2032
134D-13	39 RIDGEWOOD RD	POYANT DONNA M, POYANT BERNARD G 39 RIDGEWOOD RD NEW BEDFORD, MA 02745 -2032
134D-14	47 RIDGEWOOD RD	SCHARD EDNA, 47 RIDGEWOOD RD NEW BEDFORD, MA 02745 -2032
134E-5	99 RIDGEWOOD RD	SEIFERT JEFFREY A, SEIFERT LORIE A 99 RIDGEWOOD ROAD NEW BEDFORD, MA 02745 -2015
134E-6	107 RIDGEWOOD RD	DUBOIS RAYMOND, DUBOIS DIANE C 107 RIDGEWOOD ROAD NEW BEDFORD, MA 02745 -2015
134E-7	115 RIDGEWOOD RD	<del>CATOJO LENNY,</del> <i>Kevin Keighley c/o Sovereign Bank</i> <del>115 RIDGEWOOD ROAD</del> <i>1130 Berkshire Blvd.</i> NEW BEDFORD, MA 02745 <i>Mail Code - 11-900 -223</i>
134E-8	125 RIDGEWOOD RD	DEVLIN ROBERT, 125 RIDGEWOOD RD NEW BEDFORD, MA 02745 -2015
133-53	107 DUCHAINE BLVD	CITY OF NEW BEDFORD, <i>pump station</i> 133 WILLIAM STREET NEW BEDFORD, MA 02740 -6132



Dear Applicant,

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[illegible]



Legend

- 133-15
- 100'
- Abutters to 133-15

## Notification to Abutters Under the Massachusetts Wetlands Protection Act

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40, you are hereby notified of the following:

- A. The name of the applicant is: Logal, LLC.
- B. The applicant has filed a Request for Amended Order of Conditions with the Conservation Commission for the municipality of the City New Bedford seeking approval of activity within an Area Subject to Protection Under the Wetlands Protection Act (General Laws Chapter 131, Section 40).
- C. The address of the lot where the activity is proposed is 100 Duchaine Boulevard, Assessor's Map 133, Lot 15.
- D. Copies of the Request for Amended Order of Conditions may be examined at City of New Bedford Conservation Commission 133 William St., New Bedford, MA 02740 between the hours of call for appointment on the following days of the week: Monday - Friday

For more information, call: (508) 991-6188

Check One: This is the applicant \_\_\_\_, representative \_\_\_\_, or other X (specify): reviewing authority

- E. Copies of the Request for Amended Order of Conditions may be obtained from either (check one):  
the applicant \_\_\_\_, or the applicant's representative, X by calling this telephone number (508) 758-2749 between the hours of 9:00 and 5:00 on the following days of the week: Monday - Friday
- F. Information regarding the date, time, and place of the public hearing, may be obtained from the New Bedford Conservation Commission by calling this telephone number (508) 991-6188 between the hours of 8am - 4pm on the following days of the week: Monday- Friday

Check One: This is the applicant \_\_\_\_, representative \_\_\_\_, or other X (specify): reviewing authority

NOTE: Notice of the public hearing, including its date, time, and place, will be published at least five (5) days in advance of

The Standard Times  
(name of newspaper)

NOTE: Notice of the public hearing, including its: date, time, and place, will be posted in the City or Town Hall not less than forty-eight (48) hours in advance.

NOTE: You also may contact your local Conservation Commission or the nearest Department of Environmental protection Regional Office for more information about this application or the Wetlands Protection Act. To contact DEP, call:

Central Region: 508-792-7650

Northeast Region: 617-935-2160

Southeast Region: 508-946-2800

Western Region: 413-784-1100

## **Appendix**

(1) Owner's/Landlord's Name: Logal, LLC

(2) Title Reference to Property: Certificate No. 114700

(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.

After recording return to:

Thomas J. Mathieu Esquire  
Mathieu & Mathieu  
168 Eighth Street  
New Bedford, MA 02744

114700

## QUITCLAIM DEED WITH MEMORANDUM OF EASEMENT OPTION

MULTILAYER COATING TECHNOLOGIES, LLC, a Delaware limited liability company, (the "Grantor"), with an address c/o Watermill Ventures, Ltd., Watermill Center, 800 South Street, Waltham, MA 02453, for consideration of One Million Three Hundred Sixty Thousand Dollars (\$1,360,000.00), grants to LOGAL, LLC, a Massachusetts limited liability company, (the "Grantee"), with an address c/o Eric DeCosta, 89 Blackmer Street, New Bedford, MA 02744,

with quitclaim covenants

the land known and numbered as 100 Duchaine Boulevard in the City of New Bedford, Bristol County, Massachusetts and as more particularly described on Exhibit A attached hereto, together with any improvements thereon,

subject to all matters of record so far as same are in force and applicable.

Grantor has an option to obtain an exclusive easement for parking over a portion of the land conveyed hereby pursuant to Section 43 of that certain Purchase and Sale Agreement dated January 14, 2014 by and between Grantor and Grantee, which option shall expire unless exercised within twelve (12) months of the date of this Deed.

For reference to Grantor's title, see Deed dated August 10, 2006 from Polaroid New Bedford Real Estate LLC, a Delaware limited liability company, which Deed was recorded with the ~~Bristol South District Registry of Deeds on August 10, 2006 at Book 8266, Page 278 and filed with the Bristol South District of the Land Court on August 11, 2006 as Document No. 97784, as noted on Certificate No. 21272.~~

This conveyance is not the sale of all or substantially all of the assets of the Grantor located in the Commonwealth.

Return to:

MATHIEU & MATHIEU  
168 Eighth Street  
New Bedford, MA 02740

Property Address: 100 Duchaine Boulevard, New Bedford Massachusetts

P. & T.M.

EXECUTED under seal as of the 20<sup>th</sup> day of March, 2014.

114700

MULTILAYER COATING TECHNOLOGIES, LLC

By: Watermill-MCT Partners, L.P.

~~Its Manager~~

By: ~~Watermill MCT Enterprises, LLC~~

Its General Partner

By:

Robert W. Ackerman

Authorized Signatory

114697

COMMONWEALTH OF MASSACHUSETTS

County of Middlesex, ss.

On this date, March 20, 2014, before me, the undersigned notary public, personally appeared Robert W. Ackerman, Authorized Signatory of Watermill-MCT Enterprises, LLC, the General Partner of Watermill-MCT Partners, LP being the Manager of Multilayer Coating Technologies, LLC, and proved to me through satisfactory evidence of identification, being (check whichever applies): ☐ driver's license or other state or federal governmental document bearing a photographic image, ☐ oath or affirmation of a credible witness known to me who knows the above signatory, or ☐ my own personal knowledge of the identity of the signatory, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

REG. OF DEEDS  
REG #07  
BRISTOL S

03/27/14 3:06PM  
00000 #7154

01

FEE \$6201.60

CASH \$6201.60

Mary Delaney  
Notary Public

My commission expires: 3-2-18

114700

Exhibit A  
Legal Description

Being Lot 6 on Land Court Plan 36318C entitled "Plan of Land Being a Subdivision of Lot 1 Shown on Land Court Plan #36318-B Duchaine Boulevard and Phillips Road, New Bedford, Massachusetts Prepared for Multilayer Coating Technologies, LLC" drawn by Cullinan Engineering, dated January 6, 2009 and filed in the Land Registration Office at Boston, a copy of which has also been filed in the Bristol County (Southern District) Registry District of the Land Court.

LAND COURT, BOSTON. The land  
herein ~~described~~ will be shown on  
our approved ~~plan~~ to follow as

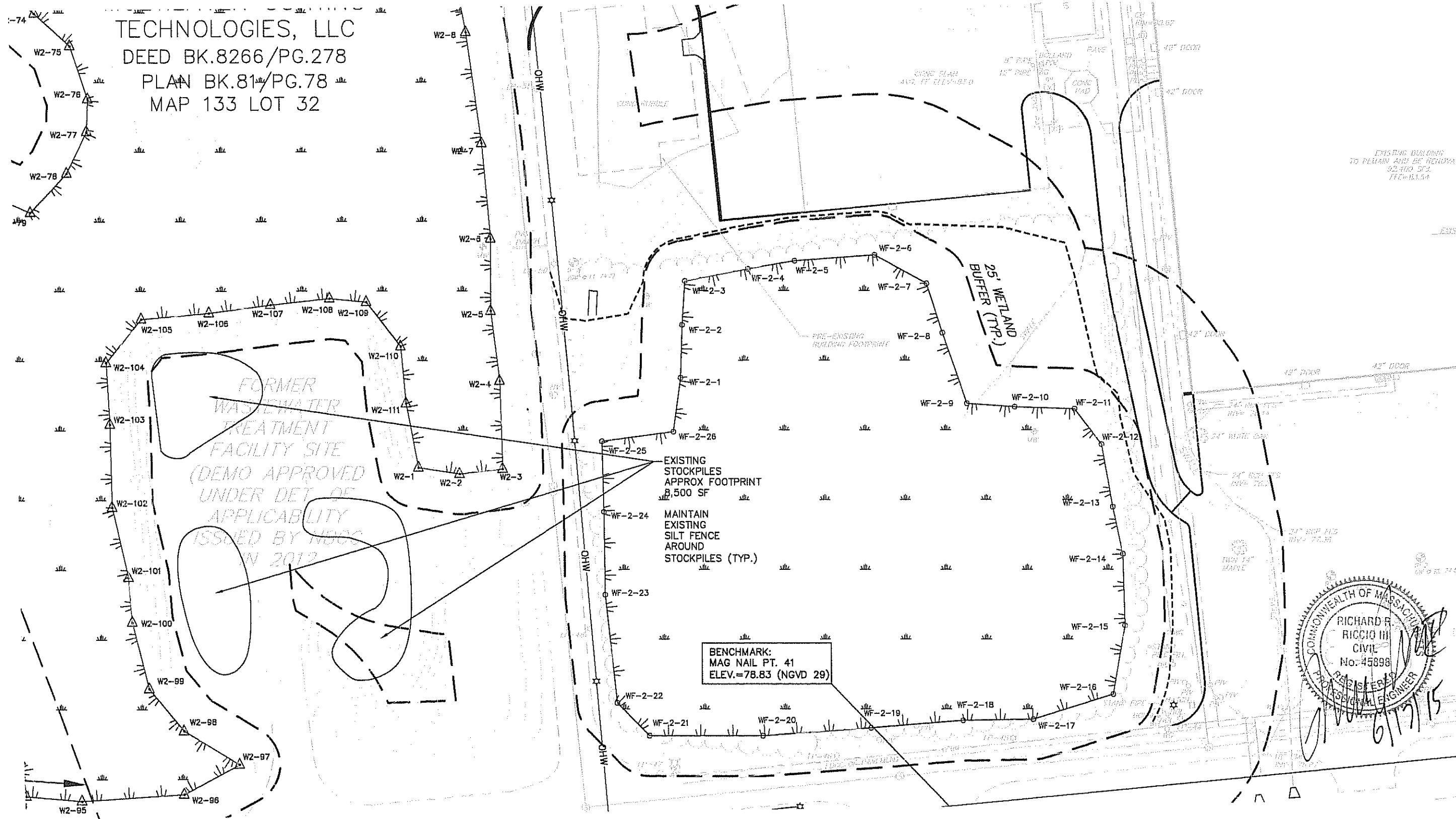
*REFERRED TO*

MAR 18 2014

Plan 36318<sup>C</sup> Lot 6  
(EXAMINED AS DESCRIPTION ONLY)

T.C. PONTBRIAND  
ACTING CHIEF ENGINEER

*JAV*



1998\_PROP\_BASE\_REV.6\_AMENDED

**FIELD  
ENGINEERING  
CO., INC.**  
CONSULTING ENGINEERS

11D INDUSTRIAL DRIVE  
P.O. BOX 1178  
MATTAPOISETT, MA 02739  
TEL: (508) 758-2749  
FAX: (508) 758-2849

THE CROCKER BUILDING  
4 COURT STREET SUITE 104  
TAUNTON, MA 02780  
TEL: (508) 824-9279  
FAX: (508) 824-9276

AMENDED OOC EXHIBIT PLAN 1  
LOGAL, LLC

100 DUCHAINE BOULEVARD  
NEW BEDFORD, MASSACHUSETTS

Project No.	1998	Date	6/17/15
Scale	1"=60'	Revised	
Issued For	PERMITTING	Sheet	1 OF 1



