

July 10, 2014



John G. Radcliffe
Conservation Commission Chairman
City of New Bedford Conservation Commission
133 William St, Room 304
New Bedford, MA 02740

Re: Massachusetts Bay Transportation Authority
South Coast Rail – Early Work, Grade Crossings Improvement Project
Request for Determination of Applicability, Nash Road Grade Crossing

Dear Mr. Radcliffe:

On behalf of the Massachusetts Bay Transportation Authority (MBTA), I am submitting a Request for Determination of Applicability under the Massachusetts Wetlands Protection Act for your consideration.

As part of the South Coast Rail project aimed at increasing transportation options connecting southeastern Massachusetts with Boston, the Nash Road grade crossing and associated track work was selected as one of the first locations to construct improvements necessary for handling future commuter rail traffic and speeds. The Nash Road grade crossing and associated track work is located along the New Bedford Main Line, owned by MassDOT and operated by Massachusetts Coastal Railroad. The Nash Road grade crossing (Latitude 41° 39' 56.9478", Longitude -70° 56' 14.5602") is located approximately 2/3 of a mile southeast of New Bedford Regional Airport and the track work extends south to Interstate 195. The improvement work for this project will be done almost entirely within existing pavement, rail ballast, and other already developed areas and not directly impact any wetland resource areas, and as such, is suited to be reviewed for a Determination of Applicability of Massachusetts Wetlands Protection Act jurisdiction by the City of New Bedford Conservation Commission.

Please note that in accordance with Massachusetts General Law Chapter 161A Section 3(i), the MBTA is not subject to local regulations and bylaws.

If you have any questions regarding this request, or require any additional information, please contact me at (617) 532-2243 or Holly Palmgren with the MBTA at (617) 875-3807.

Best regards,

A handwritten signature in black ink, appearing to read "Kevin Slattery".

Kevin Slattery, PWS
Senior Environmental Specialist

CC: Holly Palmgren, MBTA
Kimberly Dobosz, MBTA
Jean Fox, MassDOT
Michael Stoffel, HNTB



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:

Massachusetts Bay Transportation Authority c/o Holly Palmgren

HPalmgren@MBTA.com

E-Mail Address

10 Park Plaza, Suite 6720

Mailing Address

Boston

City/Town

MA

State

02116

Zip Code

617-875-3807

Phone Number

Fax Number (if applicable)

2. Representative (if any):

HNTB Corporation

Firm

Kevin Slattery, PWS

Contact Name

kslattery@hntb.com

E-Mail Address

31 St. James Ave. Suite 300

Mailing Address

Boston

City/Town

MA

State

02116

Zip Code

(617) 532-2243

Phone Number

(617) 428-6905

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:

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):

Nash Road

Street Address

New Bedford

City/Town

(84)(92)(97)(98)(102)(107)(109)

Assessors Map/Plat Number

(245)(23,44,56)(5)(138)(171,84)(1)(1)

Parcel/Lot Number

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

See Project Narrative

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

USGS New Bedford North Quadrangle

Title

2012

Date

Nash Road Permit Plan Sheet GC-007, Legend Sheet G-04, and Detail Sheet GC-038

7/14/2014

Date

New Bedford Plan and Profile, Sheets T-302 to T-307, Cross Section Sheets T-320 to T-323

7/14/2014

Date

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

See Project Narrative



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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).

See Project Narrative

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

WPA Form 1- Request for Determination of Applicability

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

New Bedford
City/Town

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:

Massachusetts Department of Transportation c/o Jean Fox

Name

10 Park Plaza, Suite 4150

Mailing Address

Boston

City/Town

MA

State

0213

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.

Holly Palmgren

Signature of Applicant

Date

7/1/14

Signature of Representative (if any)

Date

7/1/14



List of Attachments

Attachment 1	Project Narrative
Attachment 2	Locus Map
Attachment 3	Project Plans
Attachment 4	Picture Log
Attachment 5	List of Abutters
Attachment 6	Notification to Abutters
Attachment 7	Public Notice



Attachment 1 – Project Narrative

Project Narrative

SITE DESCRIPTION

The Nash Road grade crossing and associated track work is located along the New Bedford Main Line. This line is an active freight line owned by MassDOT and operated by Massachusetts Coastal Railroad. Nash Road is located in New Bedford, MA and runs east-west for approximately 1.5 miles between Shawmut Avenue, over MA Route 140, and ends at Bellville Avenue. The Nash Road grade crossing (Latitude 41° 39' 56.9478", Longitude -70° 56' 14.5602") is located approximately 2/3 of a mile southeast of New Bedford Regional Airport. The area surrounding this crossing is a mix of industrial, commercial, and residential with the immediate vicinity consisting primarily of commercial and industrial property. On the northwest corner of the Nash Road grade crossing is a pond surrounded by bordering vegetated wetland. An Abbreviated Notice of Resource Area Delineation (ANRAD) was submitted in 2011 (MassDEP file number SE 049-0664) to the City of New Bedford, MA as part of the South Coast Rail Project proposed by MassDOT. An Order of Resource Area Delineation (ORAD) was received confirming the presence of Massachusetts Wetland Protection Act (WPA) jurisdictional Bank, bordering vegetated wetland, and 100 foot buffer. The area surrounding the track work north of Nash Road is both industrial to the east and bordering vegetated wetland to the west. The area surrounding the track work extending south from the Nash Road grade crossing is also a mix of industrial, commercial, and residential properties with a bordering vegetated wetland located west of the track beginning approximately 500 feet south of Nash Road.

PROJECT NEED

As part of the South Coast Rail Project aimed at increasing transportation options connecting southeastern Massachusetts with Boston, and as an important commercial freight route, the Nash Road grade crossing and associated track work was selected as one of the first locations to construct improvements necessary for handling future commuter and freight rail traffic and speeds. Current rail use at this location consists of infrequent crossing of freight trains at low speeds. The current grade crossing consists of basic railroad crossing signs with a two light signal and gates. To be able to handle the increased traffic and speeds associated with commuter and freight rail service, rail improvements of the grade crossing, as well as gate and signal upgrades, including pedestrian gates, need to be constructed.

DESCRIPTION OF PROPOSED PROJECT

The proposed work at Nash Road will consist of approximately 6,700 feet of track construction including a new rail siding south of Nash Road extending to the I-195 overpass, mainline realignment at the new siding turnouts, approximately 600 feet of track reconstruction along the wye branching west off the main line south of Nash Road, approximately 1,000 feet of existing track realignment north of Nash

Road, and the replacement of the Nash Road grade crossing. The track work will include removal of the existing rail and ties, re-grading of the subballast, new subballast, ballast, rail and ties, construct drainage ditches, adding under-drains in locations where right-of-way constraints preclude the use of drainage ditches, and installation of five turnouts (switches). To eliminate the need for any property acquisitions, proposed retaining walls and increased side slopes will be used. The work at the grade crossing will include roadway excavation, repaving, installation of conduits, installation of new warning devices and signal equipment, striping and signage.

RESOURCES AREAS

Bordering Vegetated Wetland

There are two Wetland Protection Act (WPA) jurisdictional bordering vegetated wetlands within the vicinity of the project, however no direct impacts to these resources will occur by the proposed work.

Buffer Zone

There are WPA jurisdictional buffer zones associated with two bordering vegetated wetlands within the vicinity of the proposed work. One extends 100 feet horizontally from the edge of wetland NB-28 and crosses both Nash Road and the track north of Nash Road. The second buffer zone extends 100 feet horizontally from the edge of wetland WLF and crosses portions of the track south of Nash Road. Approximately 100,000 square feet of work area will occur within these two buffer zones as a result of this project. The City of New Bedford has a wetland bylaw that specifies within a 100 foot buffer zone, there is a no disturbance zone extending 25 feet horizontally from any WPA jurisdictional resource. Work will be unavoidably encroaching on this no disturbance zone in two locations. Work is proposed in the no disturbance zone associated with wetland NB-28 north of Nash Road between station 2780 and 2792+50. Also, work is proposed in the no disturbance zone associated with wetland WLF between stations 2809+50 and 2811+00. Due to the location of the existing rail, there are no alternatives that can meet the project purpose and avoid this no disturbance zone.

Bank

There is a WPA jurisdictional bank associated with the pond within Wetland NB-28 located to the northwest of the grade crossing, however this resource area will not be impacted as a result of this project.

Natural Heritage and Endangered Species Program

The project is not within or adjacent to any priority habitat of rare species or endangered habitat of rare species as confirmed by a review of the most recent online Natural Heritage and Endangered Species Program maps (October 1, 2008, accessed June 2014).

STORMWATER MANAGEMENT

This section has been prepared to present the design approach to be taken for stormwater drainage as part of this project.

Existing Conditions

Presently the length of rail corridor in this vicinity of Nash Road does not meet current design criteria for the expected rail service to be provided. Except in embankment / fill areas, much of the track corridor does not provide for adequate stormwater runoff conveyance away from the track's ballasted support system. Based on plan research and site inspections, there appears to be no constructed drainage system associated with the existing railroad track, including no defined ditches where necessary. There is evidence of ponding at several locations, and at some of these areas the existing ground surface is at top of cross tie elevation. Therefore, the surface of ponded stormwater runoff at these locations has been above the bottom of rail.

At the Nash Road intersection with the railroad track, on the east side of track, the street drains westerly towards the track. Prior to the track crossing there are drain inlet structures on each side of Nash Road. These structures collect the roadway storm runoff and connect to a storm drain which conveys these flows westerly beyond the grade crossing. On the west side of the track crossing there are inlet structures on each side of the road which collect the roadway runoff and also connect to the Nash Road municipal storm drain.

All the terrain within the limit of work of the project at the Nash Road crossing in New Bedford is tributary to the Acushnet River, about 4,000 feet to the east. The Acushnet River is directly tributary to New Bedford Harbor.

Generalized soils conditions were determined from the National Cooperative Soil Survey, Bristol County, Massachusetts, compiled by the USDA, Natural Resources Conservation Service (NRCS). The soils along the track corridor within the limits of work are for the most part mapped as Urban Land. This soil has no NRCS Hydrologic Soil Group nor Drainage Class assigned.

Proposed Drainage System Design

In order for the track's support system (cross ties, ballast and sub-ballast) to function properly and maintain a stable track, storm precipitation runoff needs to be directed away from these components. The proposed railroad track drainage system will typically utilize defined ditches and piped underdrains. The design of the storm drain system will comply with the requirements and criteria established by the MBTA. Catch basins and drop inlets will be used at several locations along the track corridor to intercept surface runoff, typically at low points. Catch basins with hoods (inlets structures with sumps) will be used if there are no inlet pipes to the structure.

To the extent possible, the standard MBTA cross section will be used, and as adjacent topography dictates, this will incorporate the standard ditch configuration. In areas where limited width exists, a pipe underdrain will be used to collect and convey the stormwater runoff. All underdrain discharge points will include installing ground surface protection measures.

At one point along the track corridor there is a low-point in its profile, about railroad mainline station 2805+00. Due to the adjacent topography in this vicinity, the proposed track drainage flows are being conveyed in an underdrain. Given the topographic constraints in this area, this flow is proposed to be conveyed to the west where the pipe can daylight in lower elevation terrain. This outlet is just up-gradient of a resource area buffer zone limit. To add some opportunity for stormwater management of the track drainage flows, a leaching basin is proposed to be installed along this piping. Flows that are not infiltrated continue on to the discharge point.

At the Nash Road grade crossing it is anticipated the proposed work will include new re-positioned roadway municipal inlet structures on the east side of the tracks. To accommodate the revised Nash Road profile, new municipal inlet structures will be proposed on the west side of the crossing. These structures would be connected to the existing municipal storm drain piping. No additional flows would be directed to the railroad track drainage system. The new inlet structures proposed will be specified as municipal standard catch basins, modified to include 4-foot deep sumps and hoods. These new catch basins will have no connected inlet piping. The proposed drainage collection and conveyance design will not change existing hydrological patterns. There will be no increase of impervious area as a result of the constructed improvements of the project.

Applicable Regulatory Standards

The Massachusetts Wetlands Regulations (310 CMR 10.00) states that stormwater discharges impacting jurisdictional resource areas or discharges within a 100-foot buffer zone of certain resource areas are required to meet regulatory performance standards. These performance standards are listed in 310 CMR 10.05 and the MassDEP Massachusetts Stormwater Handbook. The standards can apply differently to new development projects as opposed to those categorized as redevelopment. Per 310 CMR 10.04, redevelopment includes replacement, rehabilitation or expansion of existing structures and improvement of existing roads, including correcting substandard intersections and improving existing drainage systems. Based on these preceding qualifications and the scope of the proposed rehabilitation work, this project is a redevelopment project. There will be no proposed work or discharges directly in resource areas. However, this project's design attempts to comply with the DEP's Stormwater Performance Standards as if it is regulated as a redevelopment project.

Compliance with Stormwater Performance Standard for Redevelopment

Due to the nature of the proposed scope of the work, this project is considered to be redevelopment, and if subject to the Massachusetts Wetland Regulations, would be subject to Standard 7 of the DEP's Stormwater Performance Standards. Standard 7 states:

"A redevelopment project is required to meet the following Stormwater Management Standards only to the maximum extent practicable: Standard 2, Standard 3, and the pretreatment and structural stormwater best management practice requirements of Standards 4, 5 and 6. Existing stormwater discharges shall comply with Standard 1 only to the maximum extent practicable. A

redevelopment project shall also comply with all other requirements of the Stormwater Management Standards and improve existing conditions."

Following is each Standard listed along with a brief summary with respect to compliance with that Standard.

10.05 Procedures

The proposed project complies with the performance standards under 10.05 (6)(k)

"10.05 (6) Orders of Conditions Regulating Work and Orders of Resource Area Delineation

(k) No Area Subject to Protection Under M.G.L. c. 131, § 40 other than bordering land subject to flooding, isolated land subject to flooding, land subject to coastal storm flowage, or riverfront area may be altered or filled for the impoundment or detention of stormwater, the control of sedimentation or the attenuation of pollutants in stormwater discharges, and the applicable performance standards shall apply to any such alteration or fill. Except as expressly provided, stormwater runoff from all industrial, commercial, institutional, office, residential and transportation projects that are subject to regulation under M.G.L.c. 131, § 40 including site preparation, construction, and redevelopment and all point source stormwater discharges from said projects within an Area Subject to Protection under M.G.L.c. 131, § 40 or within the Buffer Zone shall be provided with stormwater best management practices to attenuate pollutants and to provide a setback from the receiving waters and wetlands in accordance with the following Stormwater Management Standards as further defined and specified in the Massachusetts Stormwater Handbook:

1. No new stormwater conveyances (e.g., outfalls) may discharge untreated stormwater directly to or cause erosion in wetlands or waters of the Commonwealth."

All proposed ditch and pipe discharge outfalls of this project will include the stone aprons for ground surface protection in order to prevent erosion in wetlands or waters of the Commonwealth.

The proposed drain inlet structures collecting roadway runoff at Nash Road will be deep sump catch basins to provide a level of pretreatment before conveyance to ultimate discharge. One track drain inlet structure is also proposed to be the deep sump type with hood.

The discharge outlet pipe for the track corridor low point includes an on-line leaching basin which will provide an opportunity for flow infiltration to ground water, especially during low flow events. In addition, all the collected flows in this discharge pipe have been conveyed through long lengths of underdrain piping, which also provides the potential for flow infiltration.

"2. Stormwater management systems shall be designed so that post-development peak discharge rates do not exceed pre-development peak discharge rates. This Standard may be waived for discharges to land subject to coastal storm flowage as defined in 310 CMR 10.04."

The work to be constructed in this project does not propose to construct additional impervious surfaces. It is expected the post-construction peak storm flows would be essentially the same as the pre-construction flow rates.

“3. Loss of annual recharge to ground water shall be eliminated or minimized through the use of infiltration measures including environmentally sensitive site design, low impact development techniques, stormwater best management practices and good operation and maintenance. At a minimum, the annual recharge from the post development site shall approximate the annual recharge from the pre-development conditions based on soil type. This Standard is met when the stormwater management system is designed to infiltrate the required recharge volume as determined in accordance with the Massachusetts Stormwater Handbook.”

There is no loss of annual recharge to groundwater expected due to no new impervious surfaces being constructed. Significant lengths of track underdrain piping in full depth ballasted trenches are to be installed to both collect and convey stormwater runoff. These underdrain installations will present opportunities for more annual recharge to ground water than exists presently.

“4. Stormwater management systems shall be designed to remove 80% of the average annual post-construction load of Total Suspended Solids (TSS). This Standard is met when:

- a. Suitable practices for source control and pollution prevention are identified in a long-term pollution prevention plan and thereafter are implemented and maintained;
- b. Structural stormwater best management practices are sized to capture the required water quality volume determined in accordance with the Massachusetts Stormwater Handbook; and
- c. Pretreatment is provided in accordance with the Massachusetts Stormwater Handbook.”

The project includes some deep sump catch basins to collect and pre-treat roadway runoff and a portion of the track corridor. Long lengths of underdrain piping are proposed to collect and convey track storm runoff, portions of which may infiltrate to ground water, providing both a water quality and volume benefit.

“5. For land uses with higher potential pollutant loads, source control and pollution prevention shall be implemented in accordance with the Massachusetts Stormwater Handbook to eliminate or reduce the discharge of stormwater runoff from such land uses to the maximum extent practicable.”

Per the Massachusetts Stormwater Handbook, railroad track corridors are not specifically included as a land use with higher potential pollutant loads. This Standard is not applicable.

“6. Stormwater discharges within the Zone II or Interim Wellhead Protection Area of a public water supply and stormwater discharges near or to any other critical area require the use of the specific source control and pollution prevention measures and the specific structural

stormwater best management practices determined by the Department to be suitable for managing discharges to such area as provided in the Massachusetts Stormwater Handbook.”

The project has no stormwater discharges to a Zone II or Interim Wellhead Protection Area of a public water supply. This Standard is not applicable.

“8. A plan to control construction-related impacts including erosion, sedimentation and other pollutant sources during construction and land disturbance activities (construction period erosion, sedimentation, and pollution prevention plan) shall be developed and implemented.”

The final construction documents will include details of materials and methods required to be used and implemented during land disturbing activities to control erosion, sedimentation and other pollutant sources during construction. The proposed project will result in land disturbance over an acre and therefore a NPDES Construction General Permit (CGP) is required from the US EPA. As part of the CGP, a Stormwater Pollution Prevention Plan (SWPPP) is required. As part of the SWPPP, a construction period pollution prevention sedimentation and erosion control plan will be prepared. The SWPPP document will satisfy the requirements of the CGP and the construction period erosion, sedimentation and pollution prevention requirements referred to in Standard 8.

“9. A long-term operation and maintenance plan shall be developed and implemented to ensure that stormwater management systems function as designed.”

Massachusetts Coastal Railroad as operator is responsible for maintenance of the line including stormwater management systems.

“10. All illicit discharges to the stormwater management system are prohibited.”

There are no known existing illicit discharges within the project limits, nor are there any proposed. If illicit discharges are discovered, they will be immediately discontinued.

Conclusion

From a stormwater management perspective, the project will improve existing conditions and has complied with Stormwater Performance Standard 7, to maximum extent practicable, as applicable, all as required of a redevelopment project.

MITIGATION

Based upon the developed and disturbed conditions of the resource areas at the project site, and since there will not be any direct impacts or changes to the characteristics of bank, land under water, bordering vegetated wetlands, or natural areas, no mitigation is proposed. Project wide drainage improvements incorporate several best management practices for stormwater management.

EROSION AND SEDIMENTATION CONTROL

During the performance of all work, precautions will be taken to avoid contaminating the resources located along the railroad right-of-way where work will be taking place. All earthwork, grading, moving of equipment, and other operations involving movement of material and debris, will be planned and conducted to protect against sediment release to, or pollution in adjacent resources.

Erosion controls such as compost filter tubes, silt fence, hay bales, and catch basin inlet controls will be positioned as indicated on site plans to prevent off site movement of sediment produced by construction activities. In addition to the erosion and sedimentation controls shown on the site plans, the contractor is required to create a site specific erosion and sedimentation control plan prior to initiating construction activities. During construction the erosion controls will be visually inspected weekly and after every rainstorm. Erosion and sediment controls in need of maintenance shall be repaired promptly and will be removed upon completion of work when properly stabilized.

CONSTRUCTION ACCESS

Contractor access to the proposed grade crossing improvements will be from the intersecting public roadways, along the existing track alignment and within the railroad right-of-way. All grade crossing and track structure improvements will be constructed within the existing right-of-ways. Prior to mobilizing equipment, the Contractor will establish work limits and perimeter sediment and erosion control measures. Upon completion of the work, the Contractor will demobilize and remove any sediment and erosion control measures.

COMPLIANCE WITH THE MASSACHUSETTS WETLAND PROTECTION ACT PERFORMANCE STANDARDS

The proposed work associated with the Nash Road grade crossing and associated track work will take place almost entirely within existing pavement, rail ballast, and other developed area and will not cause any new or further impact to areas subject to protection under M.G.L. c. 131, § 40. There is a proposed drainage outfall that extends approximately 50 feet into undeveloped area, however it will not impact any areas subject to protection under M.G.L. c. 131, § 40. Since this is an improvement project to already existing development the MBTA seeks a negative determination of applicability of the Massachusetts Wetland Protection Act.

10.02 Statement of Jurisdiction

The proposed project complies with the performance standards under 10.02 (2)(b)3.:

“10.02 (2) Activities Subject to Regulation Under M.G.L. c. 131, § 40

(b) Activities Within the Buffer Zone.

3. Activities within the buffer zone which do not meet the requirements of 310 CMR 10.02(2)(b)1 and 2. are subject to preconstruction review through the filing of a

Determination of Applicability to clarify jurisdiction or a Notice of Intent under the provisions of 310 CMR 10.05(4) and 310 CMR 10.53(1).”

The work for this project will be done entirely within existing pavement and other already developed areas and as such, is suited to be reviewed for a Determination of Applicability of Massachusetts WPA jurisdiction to be determined by the Conservation Commission.

10.05 Procedures

The proposed project complies with the performance standards under 10.05 (3)(a)2.:

“10.05 (3) Determinations of Applicability

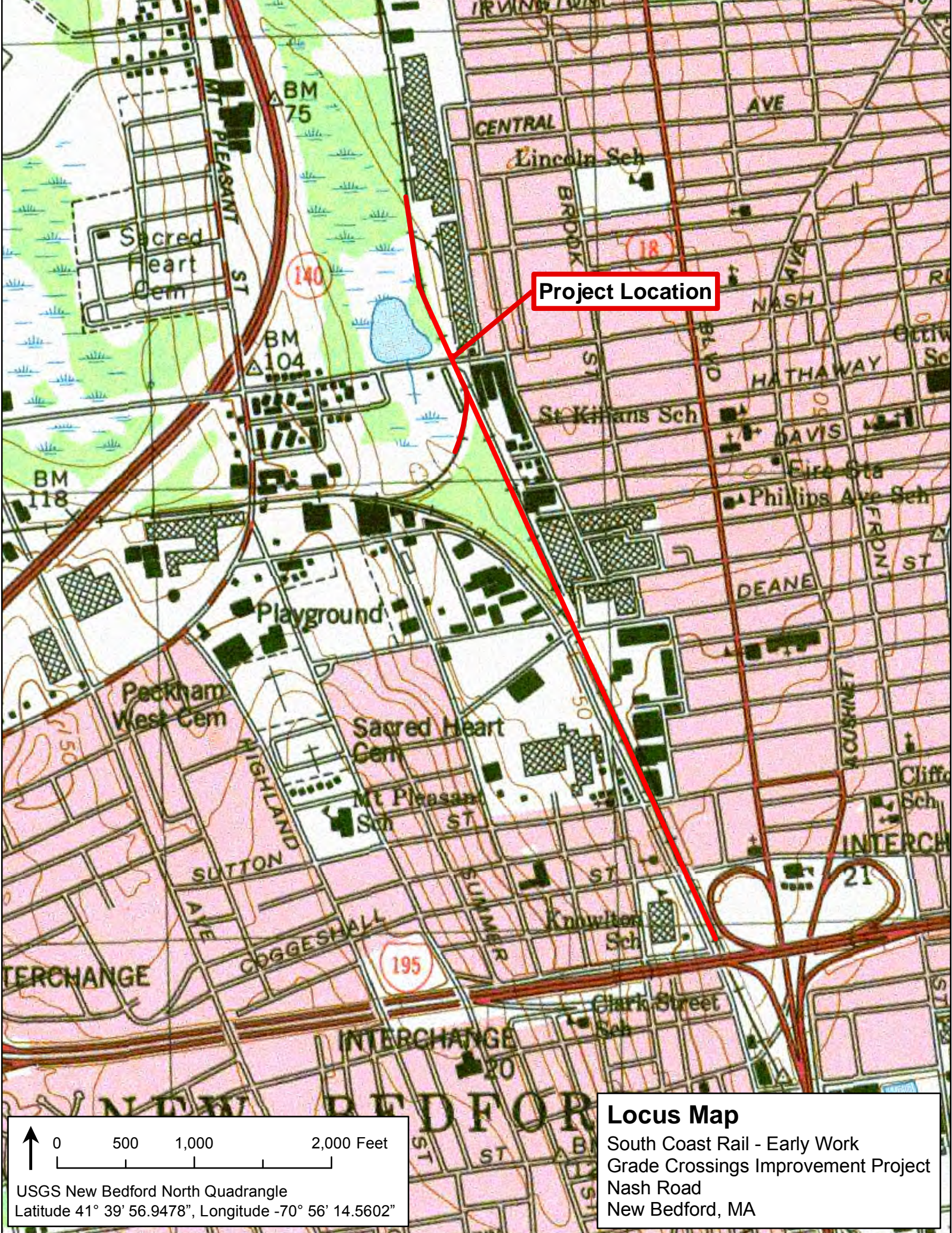
(a) Requests for Determination of Applicability

2. Any person who proposes to perform work within the Buffer Zone shall submit to the conservation commission either a Notice of Intent for such work or a Request for Determination of Applicability. Said request shall include sufficient information, as required on Form 1, to enable the conservation commission to find and view the area and to determine whether the proposed work will alter an Area Subject to Protection Under M.G.L. c. 131, § 40. Applicants may use the Abbreviated Notice of Resource Area Delineation to confirm the boundaries of resource areas and the buffer zone and to certify that the requirements of 310 CMR 10.02(2)(b)2 have been met for waiver of review for activities in the buffer zone.”

The work for this project will be done entirely within existing pavement, railroad right-of-way, and other already developed areas, does not directly impact any resource areas, and occurs in areas where the 100 foot buffer zone crosses the existing railroad. The project falls outside of any Massachusetts WPA jurisdictional bank, bordering vegetated wetland, Riverfront Area, or other resources as accepted by an Abbreviated Notice of Resource Area Delineation submitted in 2011 (MassDEP file number SE 049-0664) and as a result is suited to be reviewed for a Determination of Applicability of Massachusetts WPA jurisdiction to be determined by the Conservation Commission.

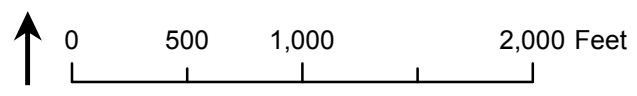


Attachment 2 – Locus Map



Project Location

Locus Map
South Coast Rail - Early Work
Grade Crossings Improvement Project
Nash Road
New Bedford, MA








USGS New Bedford North Quadrangle
Latitude 41° 39' 56.9478", Longitude -70° 56' 14.5602"













Attachment 3 – Project Plans

PLOT DATE: 15-JUL-2014
FILE NAME: \\Lex000\pmwork\JOBS\60439 MBTA DSN & Constr GEC 2013\TechProd\TO No.1 SCR Grade Crossings\CAOD\Track\Sheets\Typicals\G-004 Abbreviations and Legends.dgn
XREF FILES:

WETLAND LEGEND

	BANK FLAG
	WETLAND FLAG
	CATCH BASIN
	LEACHING BASIN
	EDGE OF WETLAND
	100 FOOT BUFFER ZONE
	200 FOOT RIVERFRONT AREA
	100 YEAR FLOODPLAIN

TRACK LEGEND

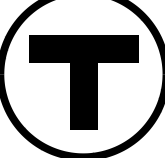

	PROPOSED TRACK
	REALIGNED TRACK
	FUTURE TRACK WORK
	UNDER DRAIN
	DITCH
	EXISTING TRACK
	EXISTING RIGHT OF WAY
	EROSION CONTROL
	LIMITS OF WORK
	PROPOSED WALLS

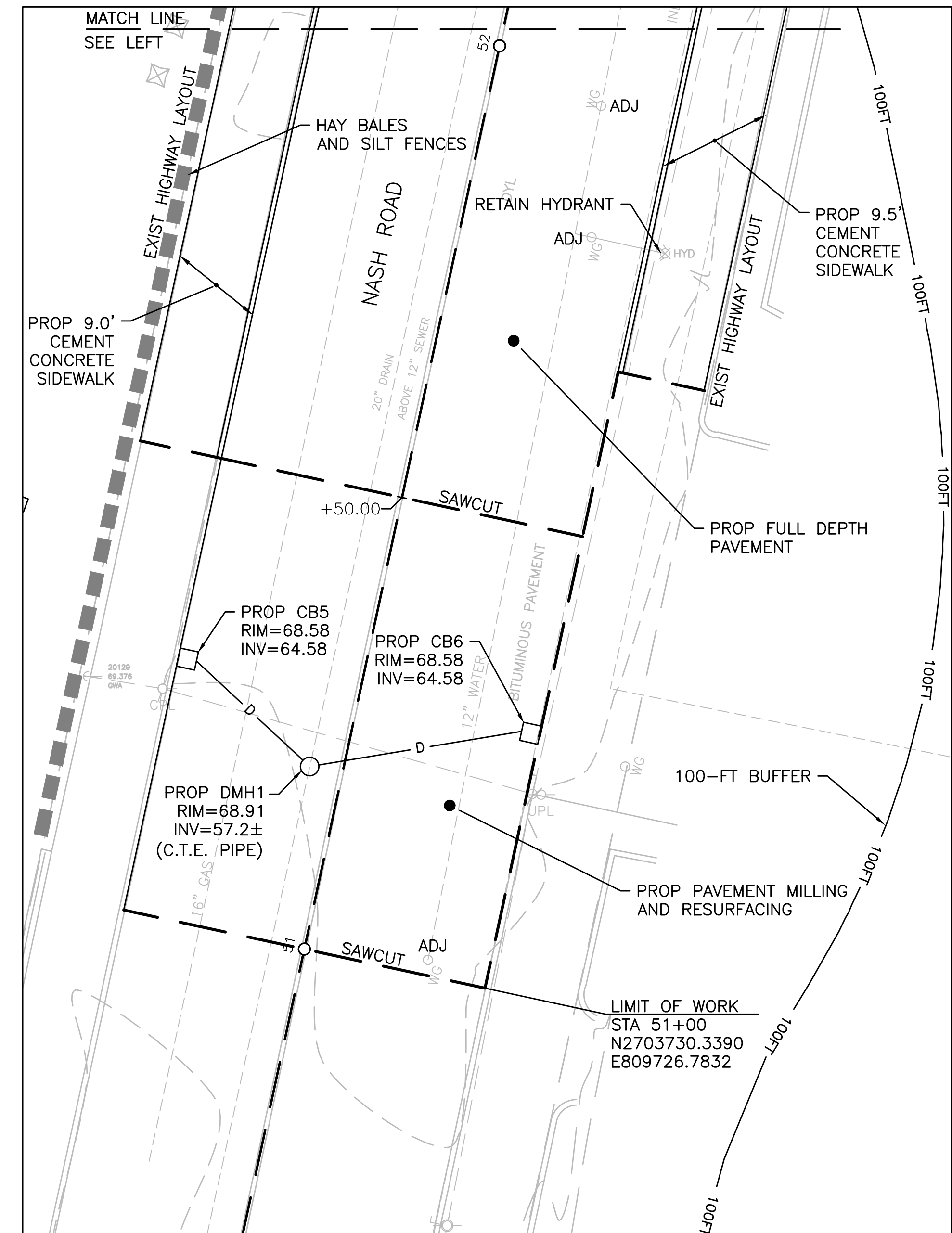
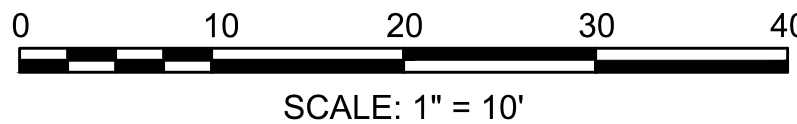
ABBREVIATIONS

AHD	AHEAD
BP	BEAN POLE
BR	BRIDGE
BK	BACK
	CENTERLINE
CIP	CAST IRON PIPE
CLF	CHAIN LINK FENCE
CMP	CORRUGATED METAL PIPE
CONC.	CONCRETE
CULV.	CULVERT
DH	DRILL HOLE
DIA.	DIAMETER
DMH	DRAIN MANHOLE
ELEV	ELEVATION
ELT	END OF LONG TIMBER
EQN	STATION EQUATION
EXIST	EXISTING
FT	FOOT
GGR	GAS GRATE GROUND
GW	GUIDE WIRE
HH	HAND HOLD
LB	POUND
LH	LEFT HAND TURNOUT
MBTA	MASSACHUSETTS BAY TRANSPORTATION AUTHORITY
MBCR	MASSACHUSETTS BAY COMMUTER RAILROAD
MHD	MASSACHUSETTS HIGHWAY DEPARTMENT
MIN	MINIMUM
ML	MAINLINE
M-O-W	MAINTENANCE OF WAY
MP	MILE POST
MPH	MILES PER HOUR
NGVD	NATIONAL GEODETIC VERTICAL DATUM
NIC	NOT IN CONTRACT
NO.	NUMBER
O.H.	OVER HEAD BRIDGE
OTM	OTHER TRACK MATERIALS
PK/NL	PARKER-KALON COMPANY NAIL
PP	POWER POLE

ABBREVIATIONS CONTINUED

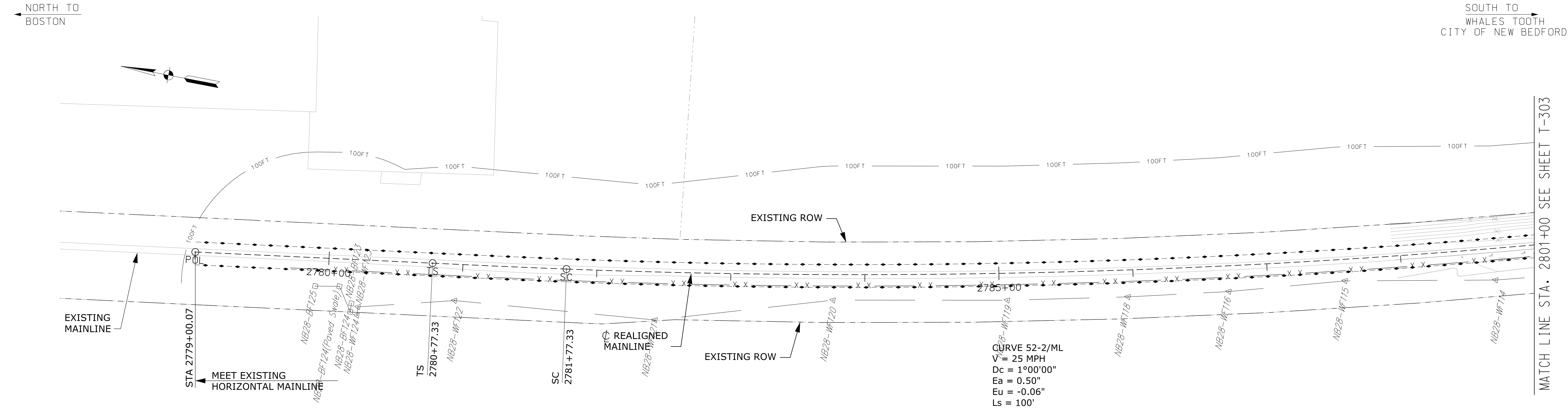
PROP	PROPOSED
PVC	POLYVINYL CHLORIDE
RH	RIGHT HAND TURNOUT
RLGN	REALIGNED
ROW	RIGHT OF WAY
RR SPK	RAILROAD SPIKE
SBC	STONE BOX CULVERT
SCH.	SCHEDULE
SF	SQUARE FEET
SMC	SNOW MELTER CASE
SMH	SEWER MAN HOLE
ST.	STREET
STA/STA.	STATION
STK/NL	STAKE NAIL
T.C.	TRACK CENTER
T/R	TOP OF RAIL
TBR	TO BE REMOVED
TYP	TYPICAL
TRK	TRACK
UG	UNDER GRADE
USGS	UNITED STATES GEOLOGICAL SURVEY
WET	WETLAND

			MASSACHUSETTS BAY TRANSPORTATION AUTHORITY						
			SOUTH COAST RAIL GRADE CROSSING IMPROVEMENTS CONTRACT NO. Z92PS63						
		ABBREVIATIONS AND LEGENDS							
		 300 APOLLO DRIVE CHELMSFORD, MA 01824 (978) 905-4000		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY					
		APPROVED BY:		DATE					
		PROJECT MANAGER		PROJECT MANAGER					
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		VERT:		CEL	CEL	ECD	SHEET		
		DATE: 07/14/2014					G-004		



- NOTES:
1. ALL AREAS BEYOND THE LIMITS OF PROPOSED ROADWAY AND TRACK RECONSTRUCTION DISTURBED BY THE CONTRACTOR SHALL BE RESTORED WITH 4" OF LOAM BORROW AND SEEDED.
 2. AREAS OUTSIDE THE LIMITS OF PROPOSED WORK DISTURBED BY THE CONTRACTOR SHALL BE RESTORED BY THE CONTRACTOR TO THEIR ORIGINAL CONDITION.

PLOT DATE: 15-JUL-2014
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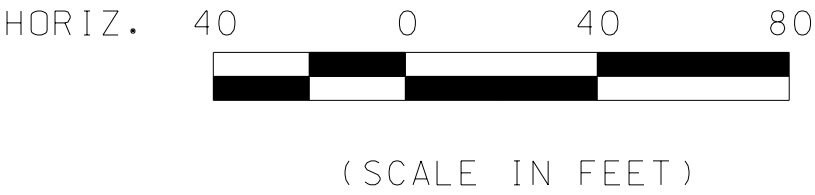
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PLAN

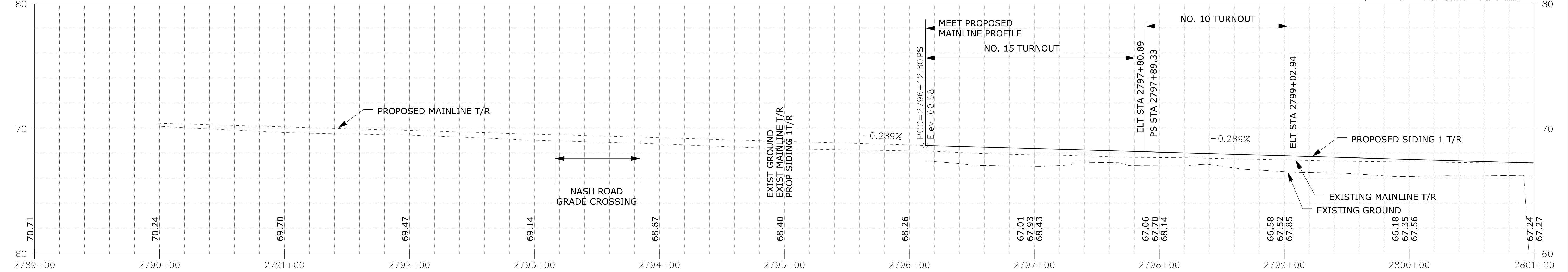
WETLAND NB2

NOTE:

- EXISTING TRACK PROFILE RUNS OUT OF SURVEY. VERTICAL CURVES MAY BE REQUIRED FOR TRANSITION FROM PROPOSED TO EXISTING. CONTRACTOR TO VERIFY AND MAKE ANY NECESSARY ADJUSTMENTS IN ACCORDANCE WITH MBTA DESIGN CRITERIA, AT DIRECTION OF FIELD ENGINEER AND SUCH WORK SHALL BE INCIDENTAL TO THE CONTRACT.
- MAINTAIN EXISTING MAINLINE PROFILE AT TANGENT TRACK. THROUGH CURVE MAINTAIN EXISTING HIGH RAIL PROFILE WHILE RAISING LOW RAIL.
- MAINLINE SUPERELEVATION WILL BE REDUCED FROM 3" TO 0.5".



									MASSACHUSETTS BAY TRANSPORTATION AUTHORITY		
									SOUTH COAST RAIL GRADE CROSSING IMPROVEMENTS CONTRACT NO. Z92PS63		
									NEW BEDFORD PLAN STA 2777+00 TO STA 2789+00		
									300 APOLLO DRIVE CHELMSFORD, MA 01824 (978) 305-4000		
									MASSACHUSETTS BAY TRANSPORTATION AUTHORITY		
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									DR. BY		
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VERT. 4 0 4 8
(SCALE IN FEET)

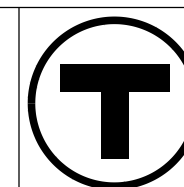
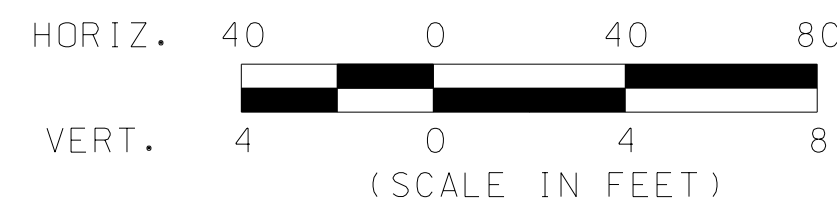
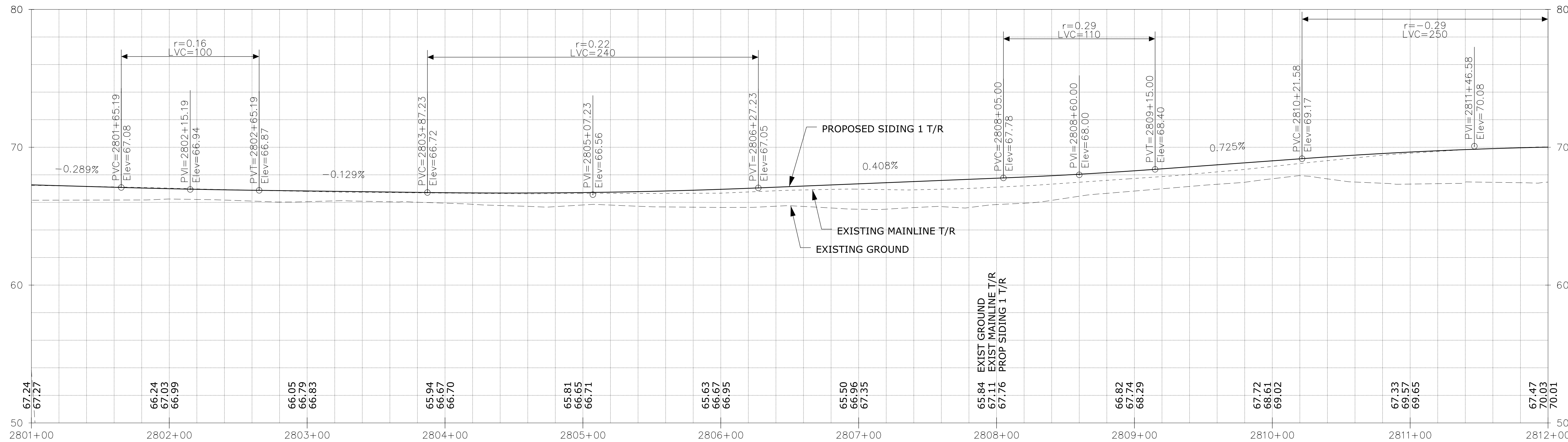
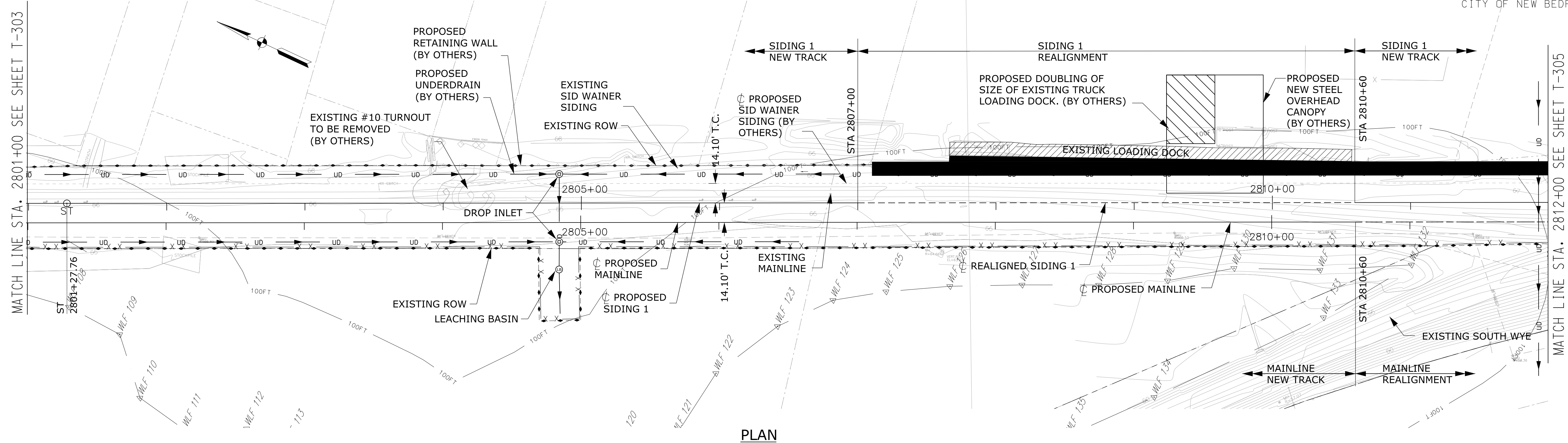
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NORTH TO
BOSTON

SOUTH TO
WHALES TOOTH
CITY OF NEW BEDFORD



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

SOUTH COAST RAIL
GRADE CROSSING IMPROVEMENTS
CONTRACT NO. Z92PS63

NEW BEDFORD
PLAN AND PROFILE
STA 2801+00 TO STA 2812+00

HNTB

300 APOLLO DRIVE
CHELMSFORD, MA 01824
(978) 305-4000

MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY

APPROVED BY:

PROJECT MANAGER

HORIZ: AS SHOWN

VERT: AS SHOWN

DATE: 07/14/2014

DES. BY

SS

DATE

DR. BY

SS

CHK. BY

ECD

PLAN

NO.

SHEET

T-304

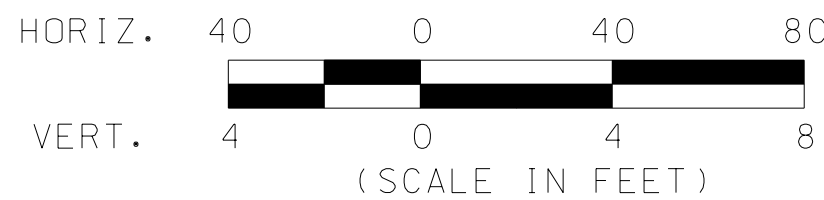
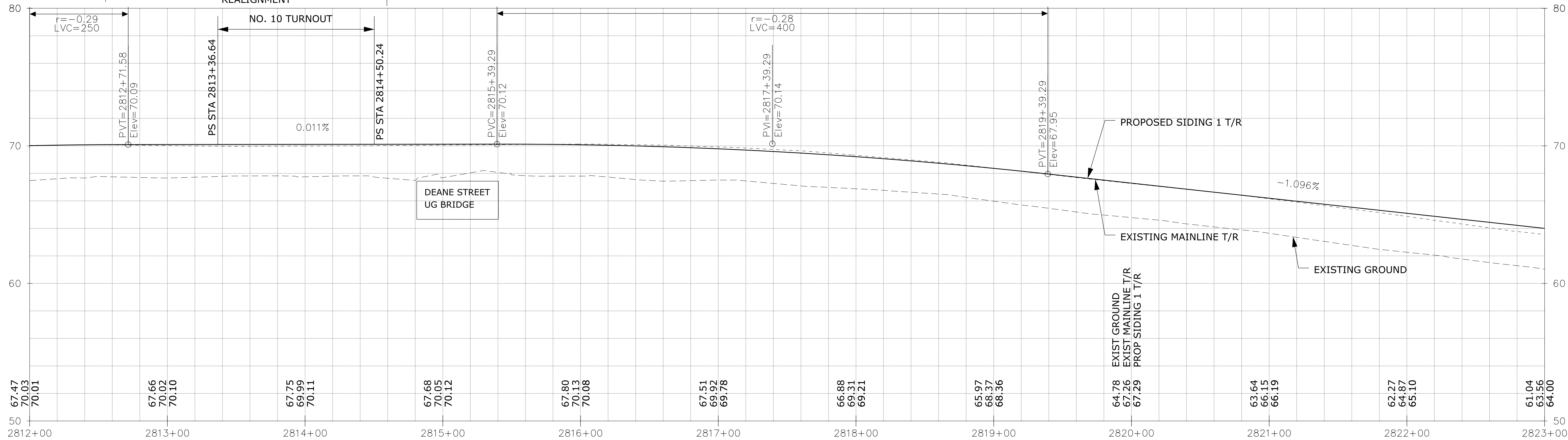
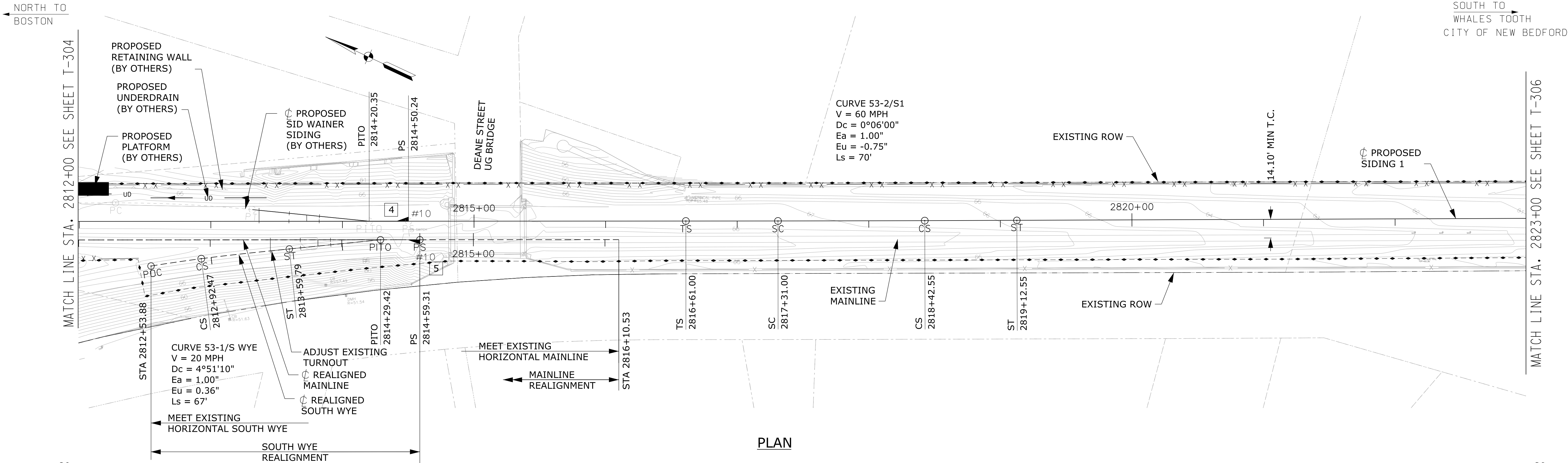
PROJECT MANAGER

DATE

ISSUE

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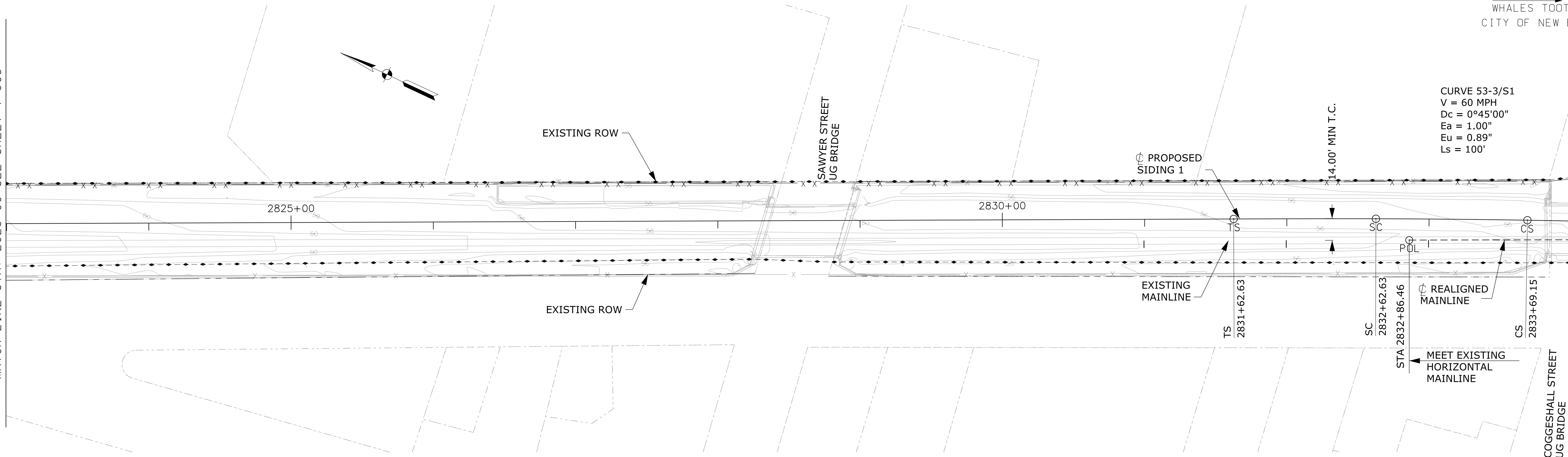
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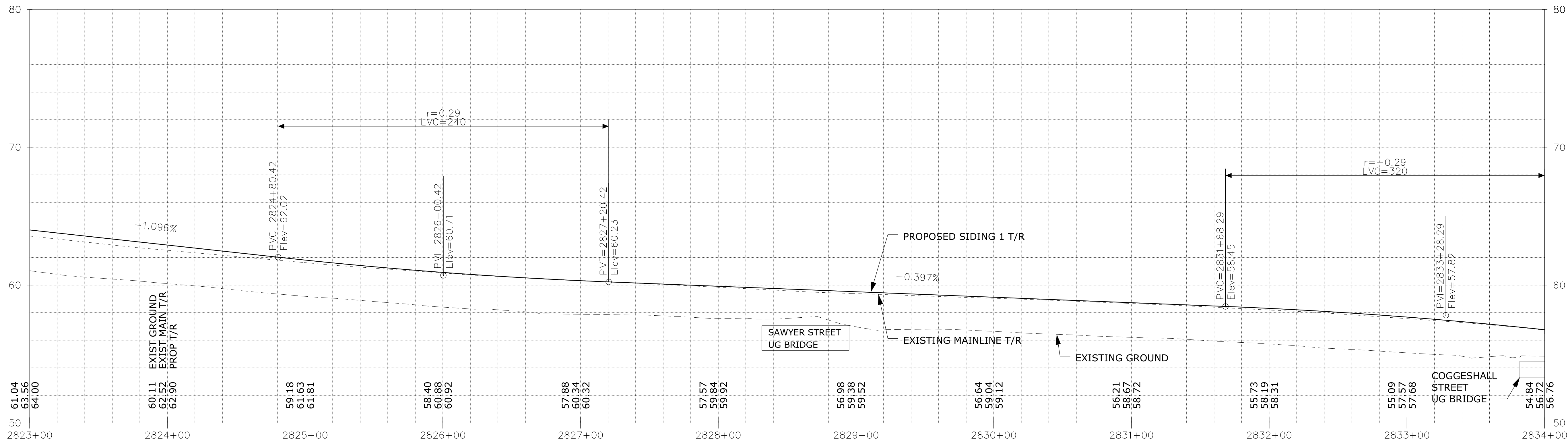
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CITY OF NEW BEDFORD

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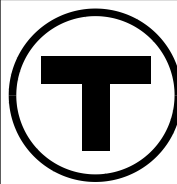
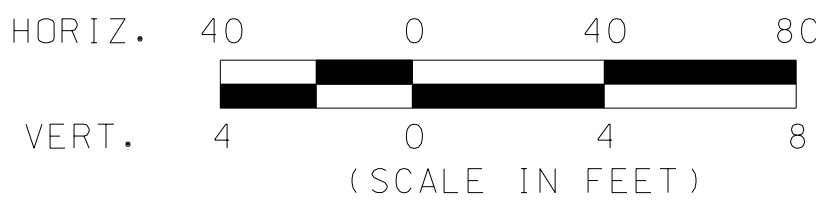
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PLAN



PROFILE



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

SOUTH COAST RAIL
GRADE CROSSING IMPROVEMENTS
CONTRACT NO. Z92PS63

NEW BEDFORD
PLAN AND PROFILE
STA 2823+00 TO STA 2834+00

HNTB

300 APOLLO DRIVE
CHELMSFORD, MA 01824
(978) 305-4000

MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY

APPROVED BY:

PROJECT MANAGER

HORIZ: AS SHOWN

VERT: AS SHOWN

DATE: 07/14/2014

DES. BY

SS

DR. BY

SS

CHK. BY

ECD

DATE

PROJECT MANAGER

PLAN

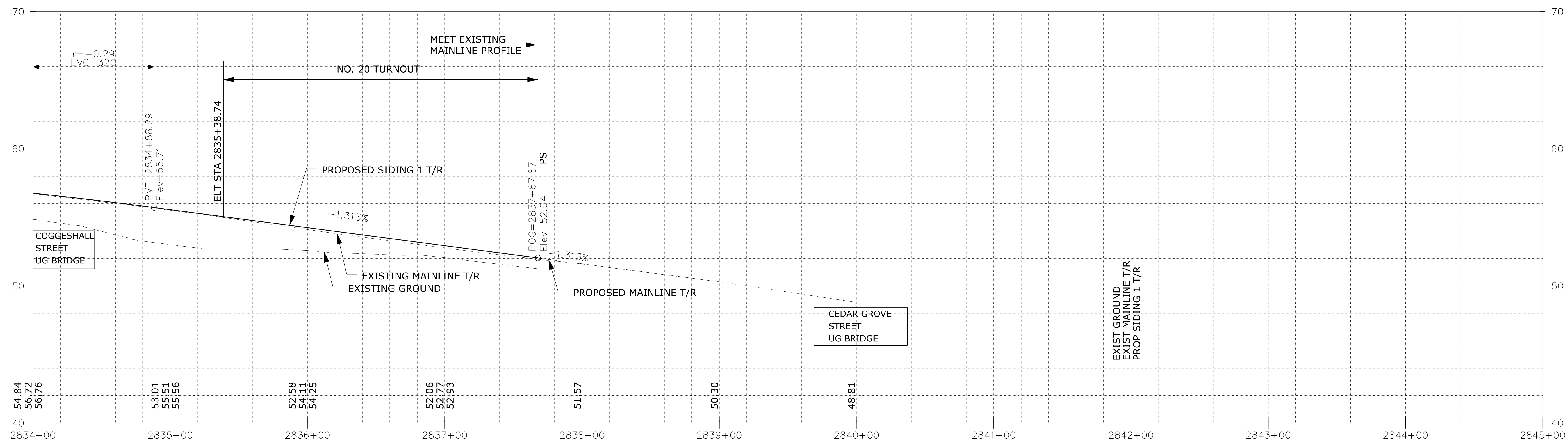
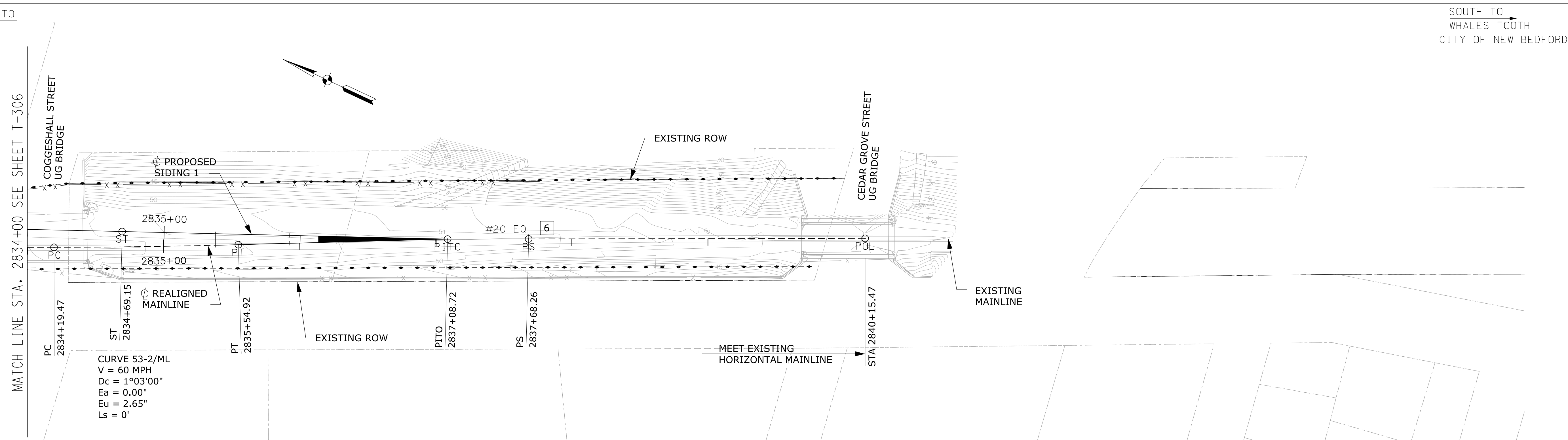
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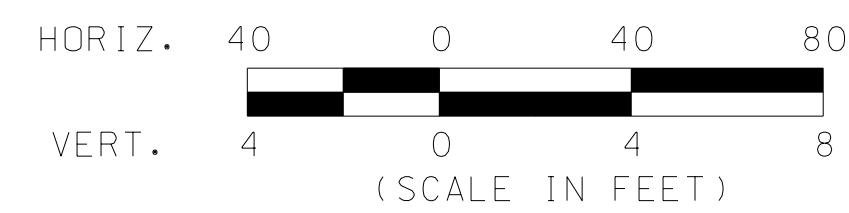
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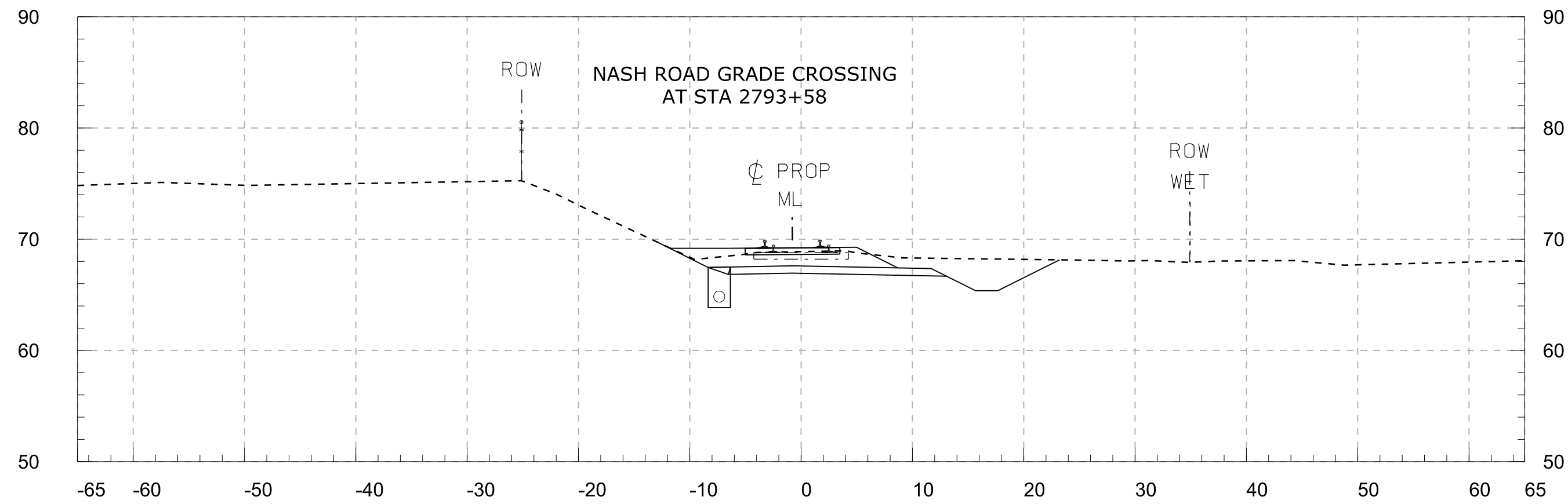
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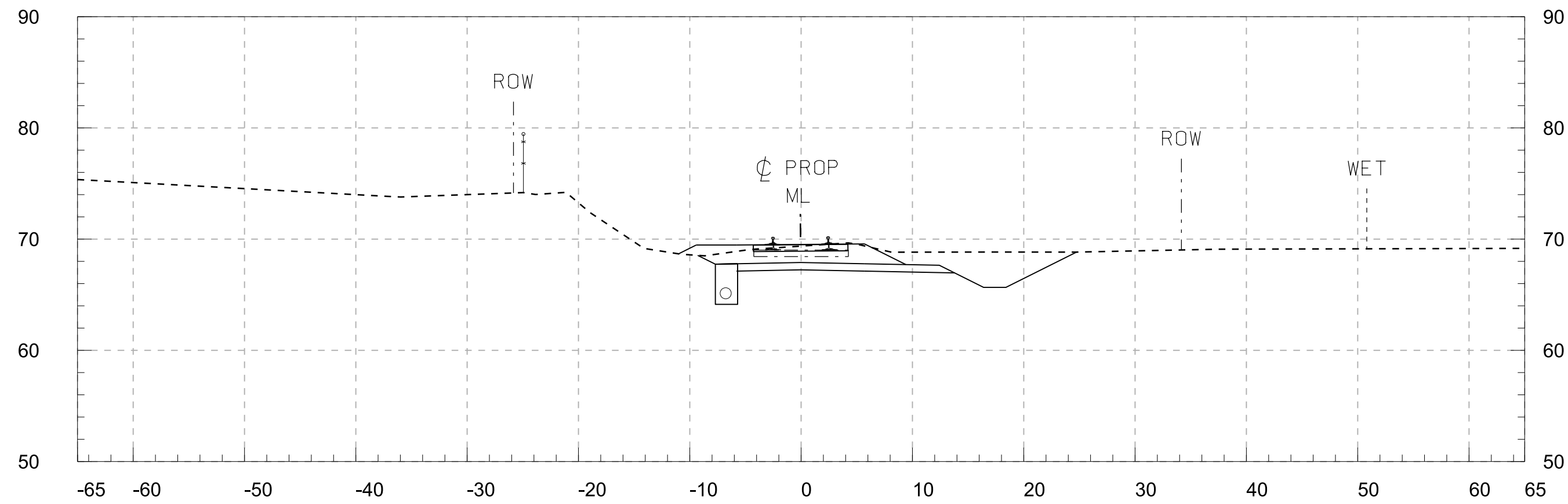
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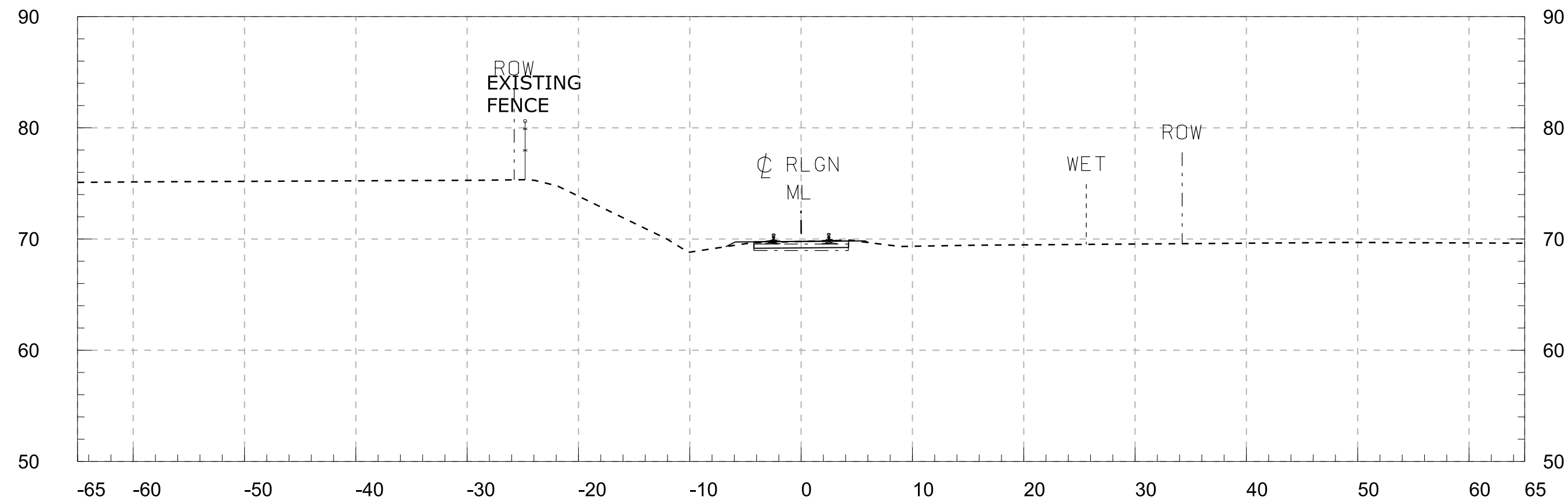
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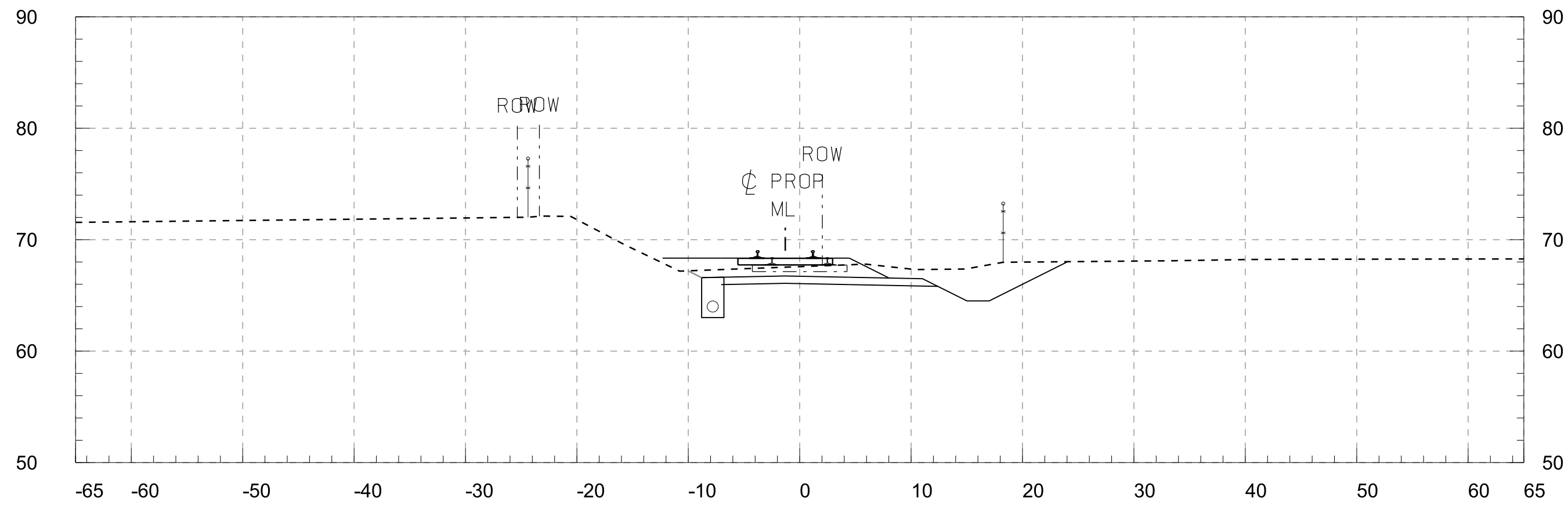
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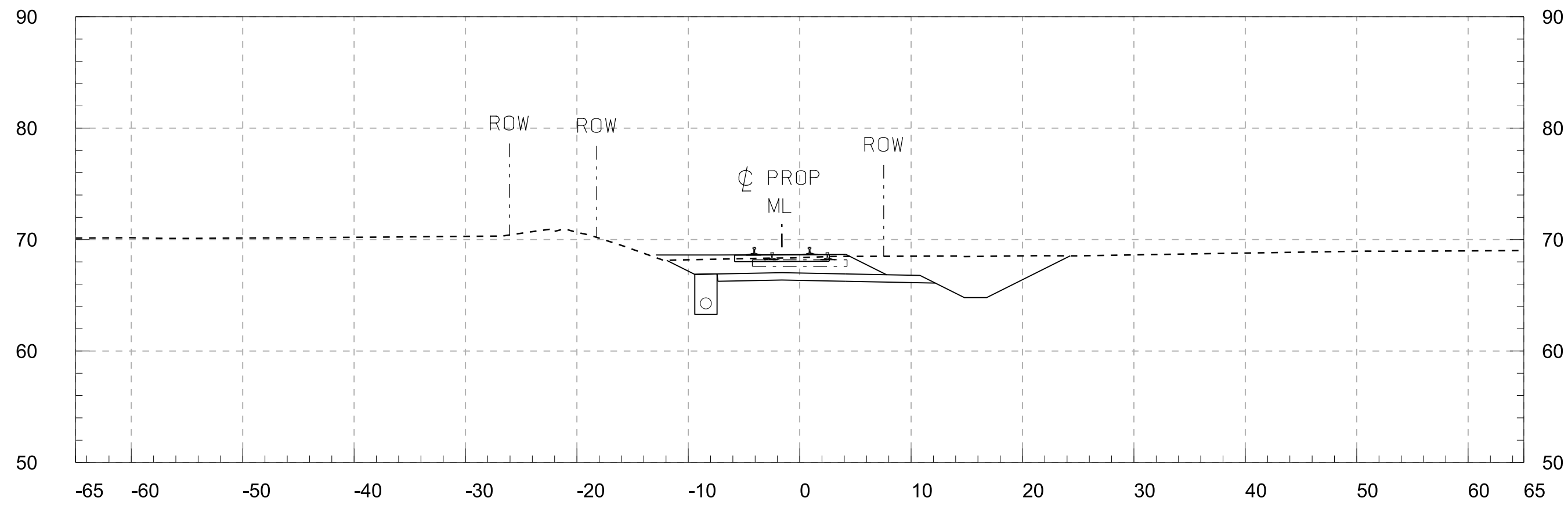
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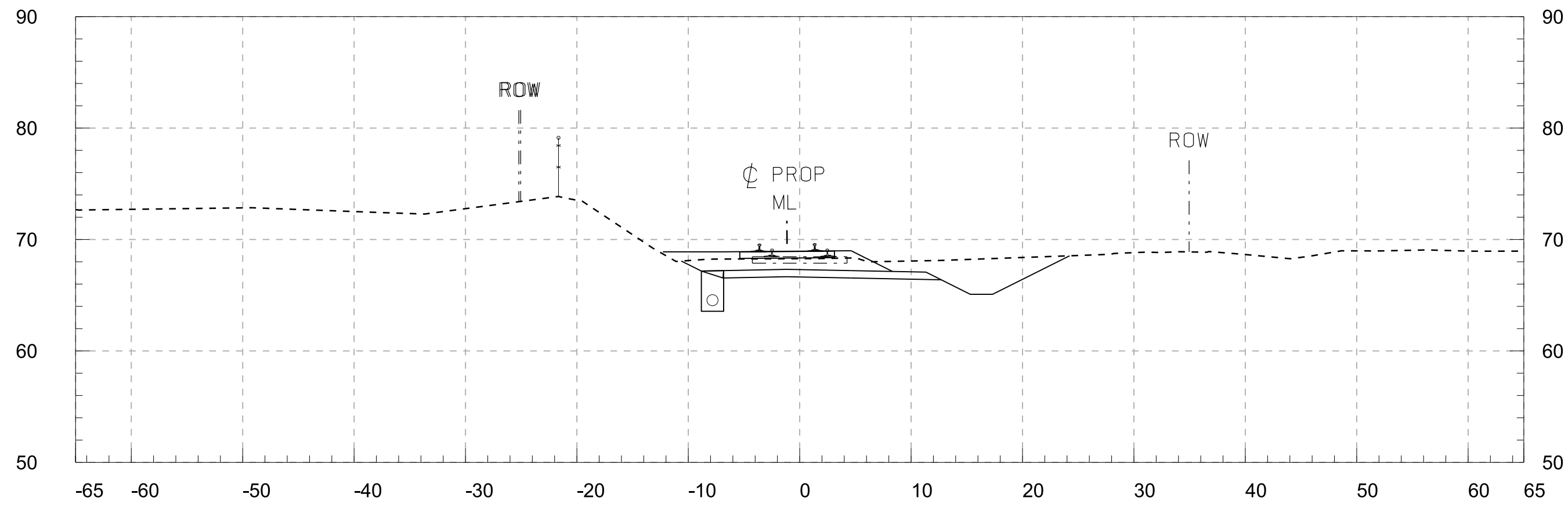
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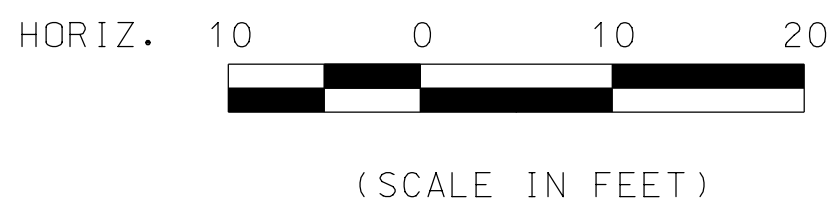
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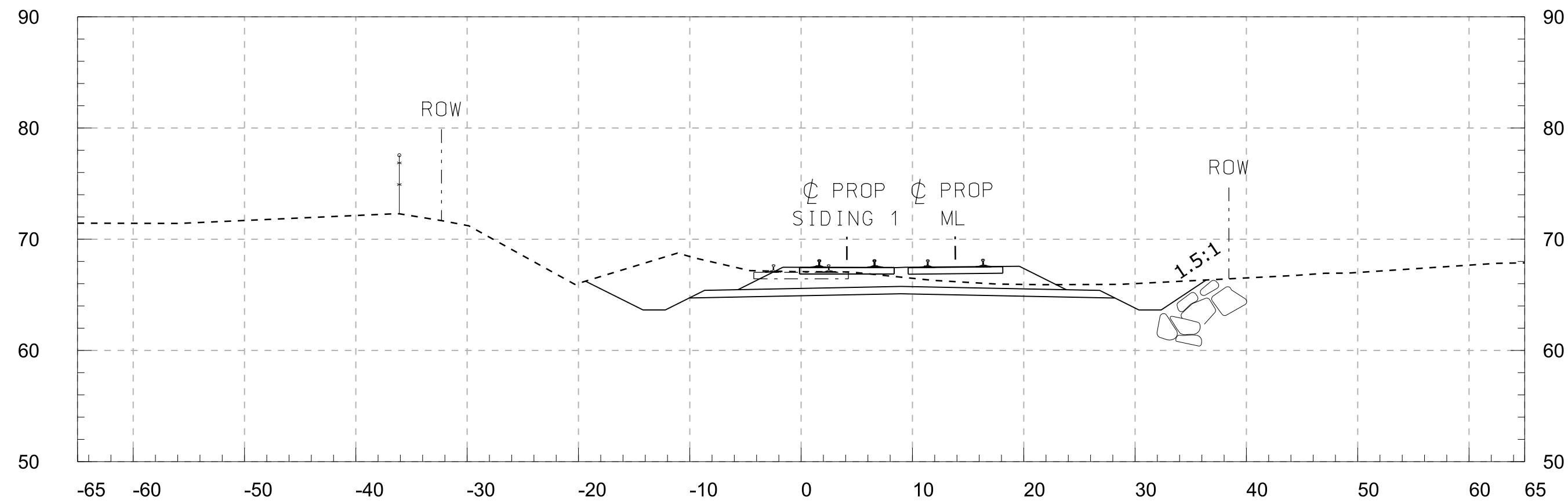


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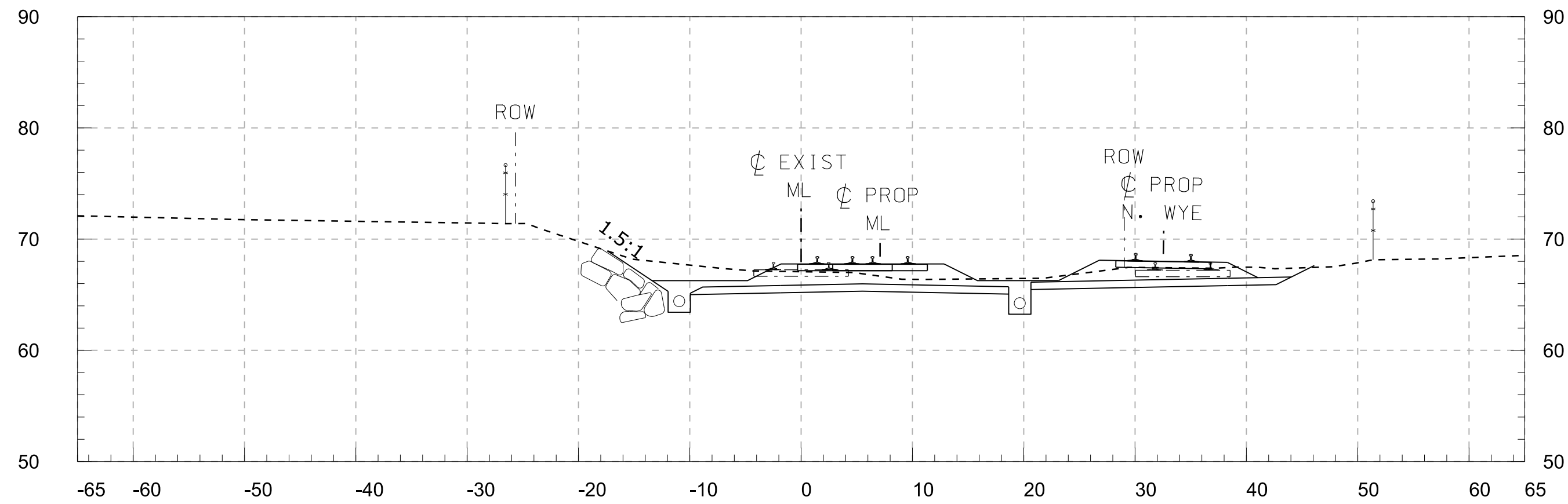


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		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY																															
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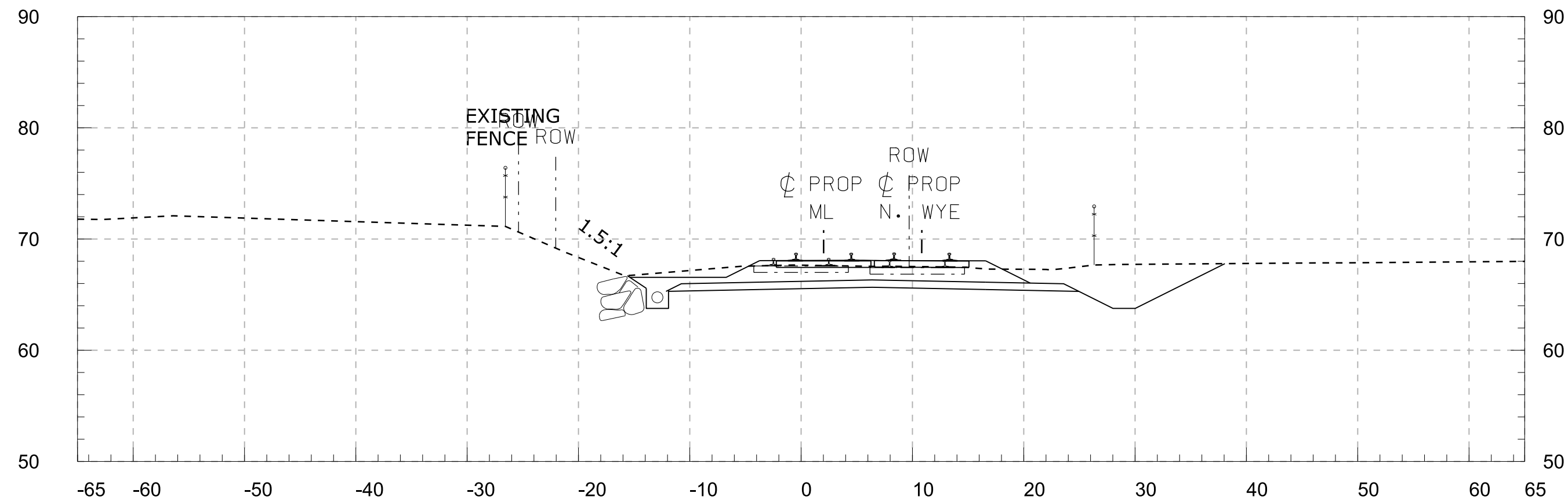
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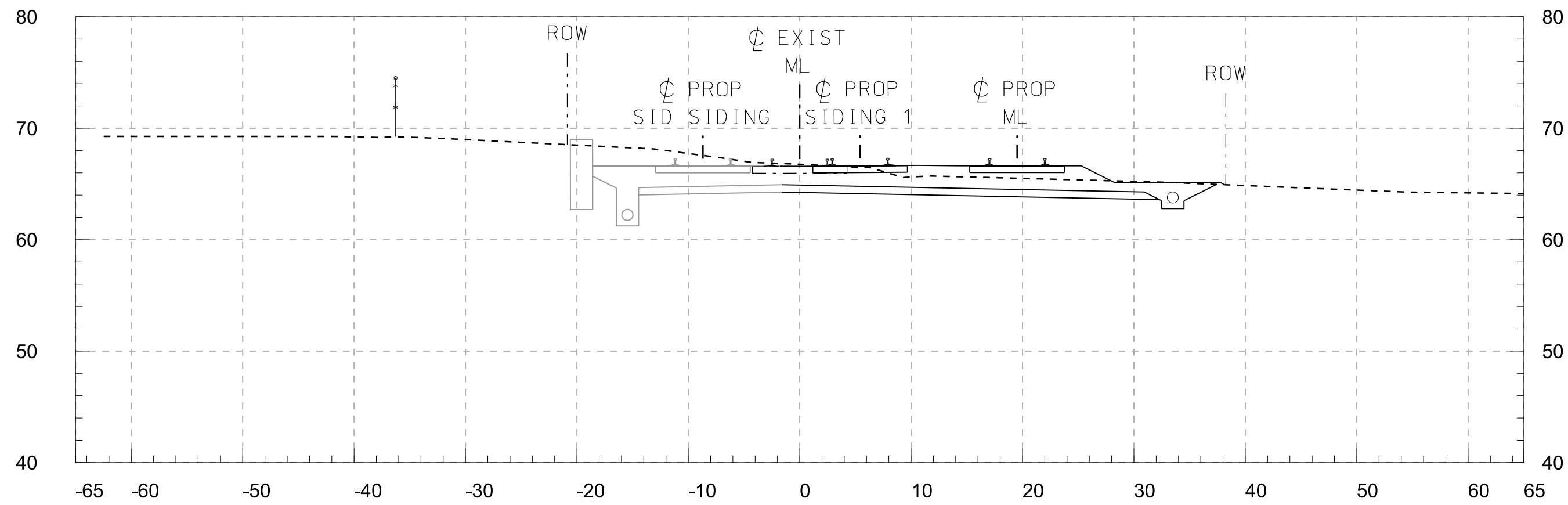
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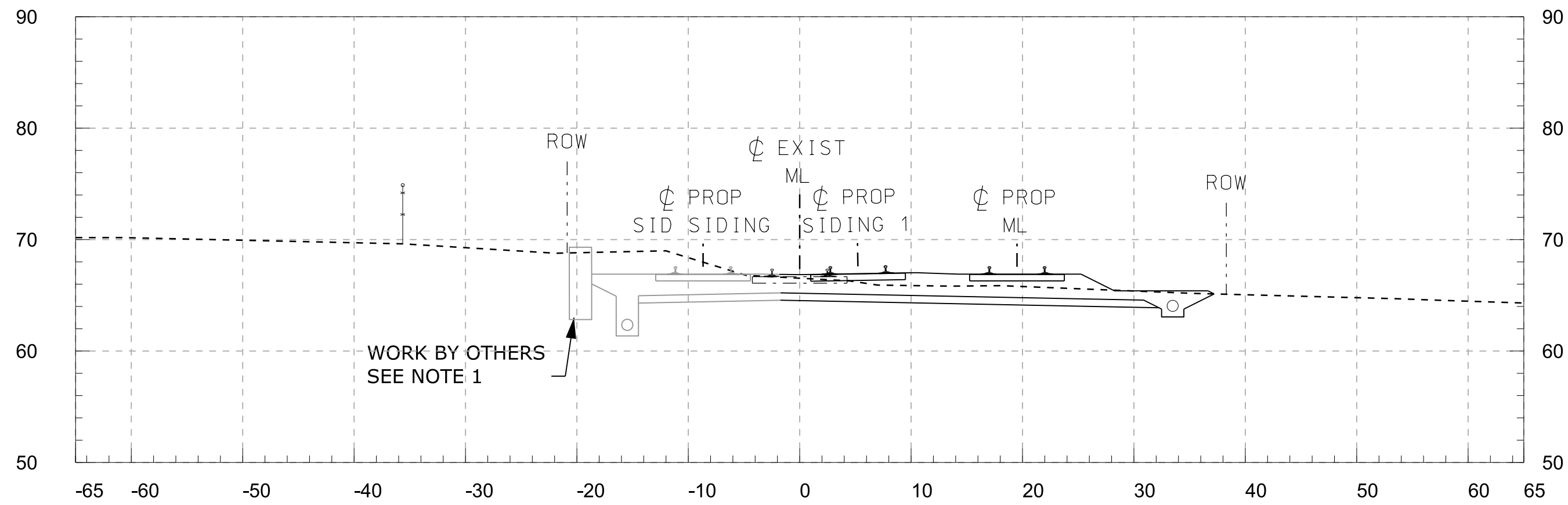
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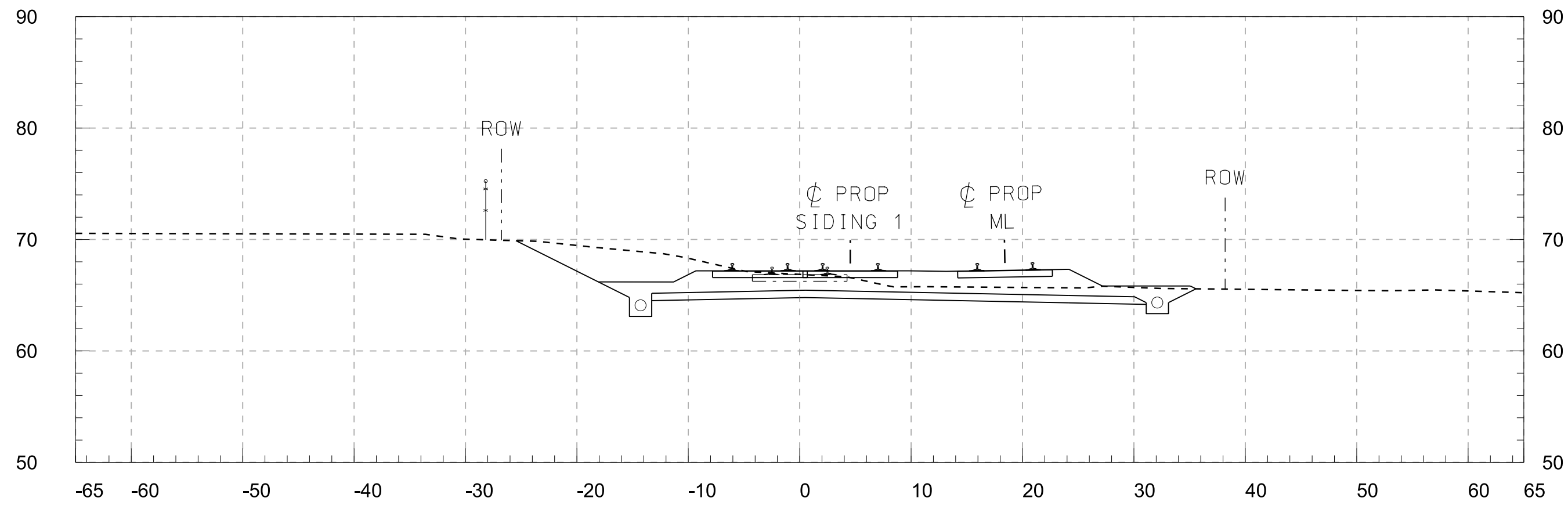
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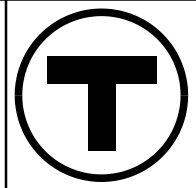
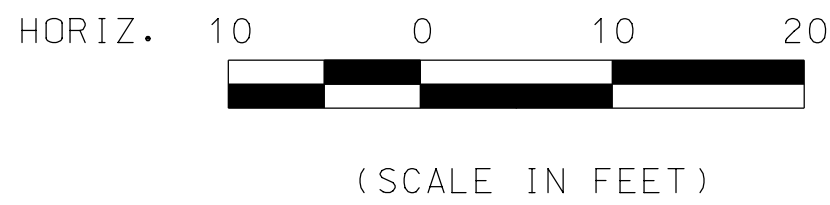
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2799+00

NOTE:

1. SCREENED ITEMS INDICATE WORK BY OTHERS INCLUDING; SID WAINER SIDING, PLATFORM, GRADING, WALL AND UNDERDRAIN ALONG SID WAINER SIDING.



MASSACHUSETTS BAY TRANSPORTATION AUTHORITY

SOUTH COAST RAIL
GRADE CROSSING IMPROVEMENTS
CONTRACT NO. Z92PS63

NEW BEDFORD
CROSS SECTIONS
STA 2796+00 TO STA 2801+00

HNTB

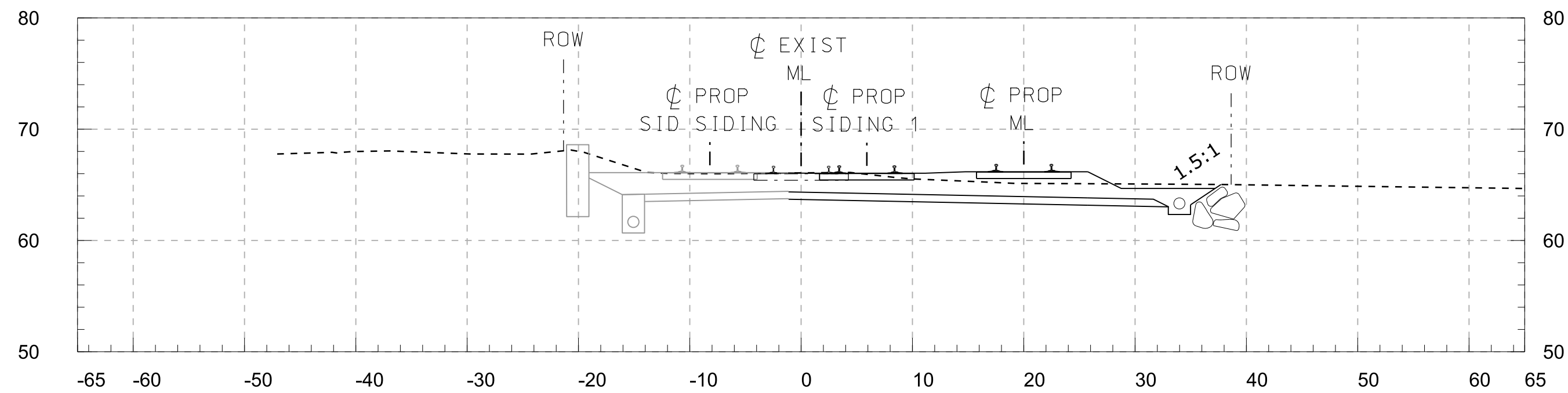
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CHELMSFORD, MA 01824
(978) 905-4000

MASSACHUSETTS BAY TRANSPORTATION
AUTHORITY

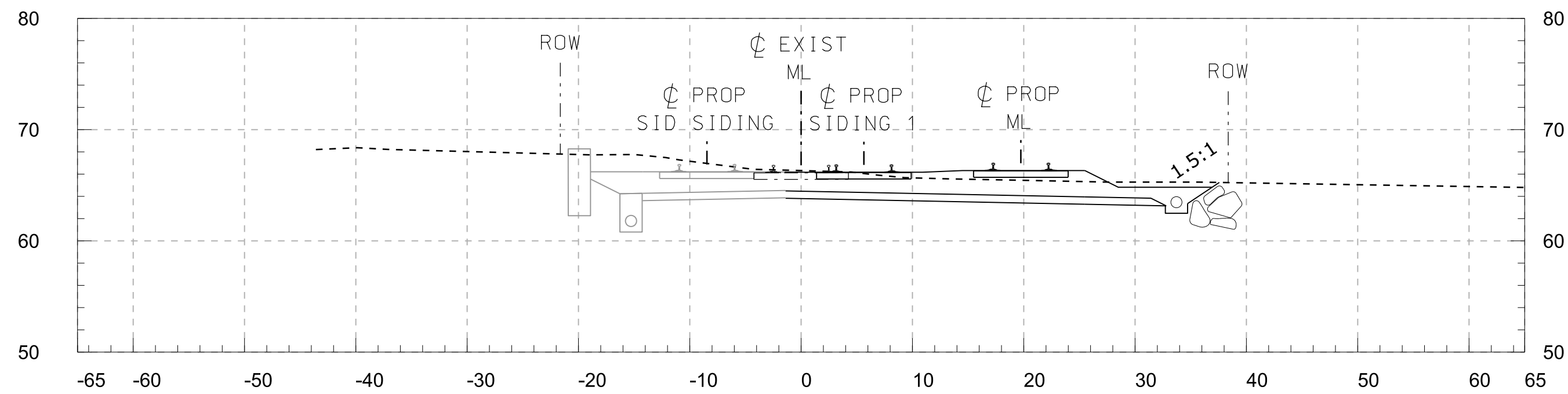
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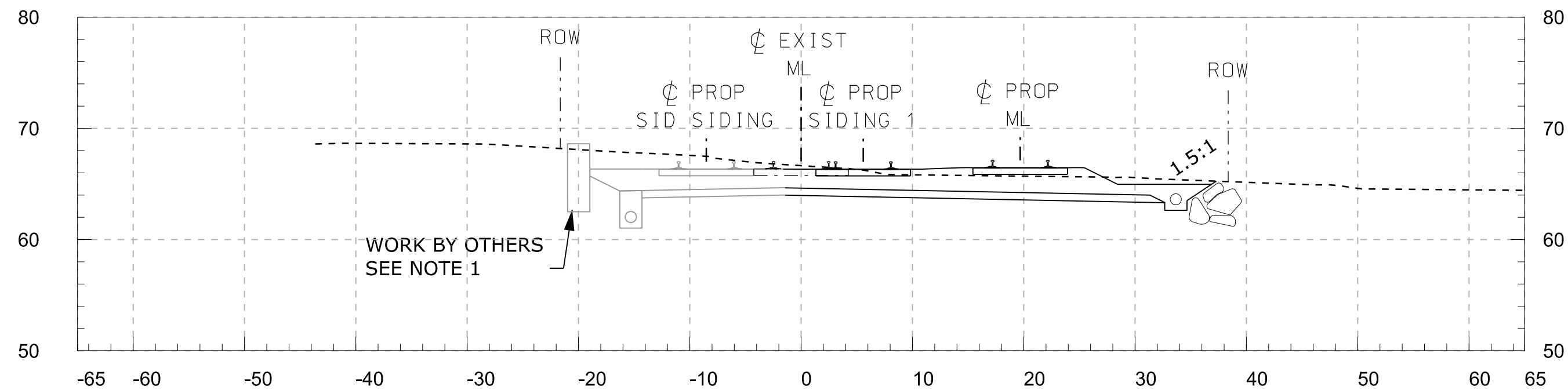
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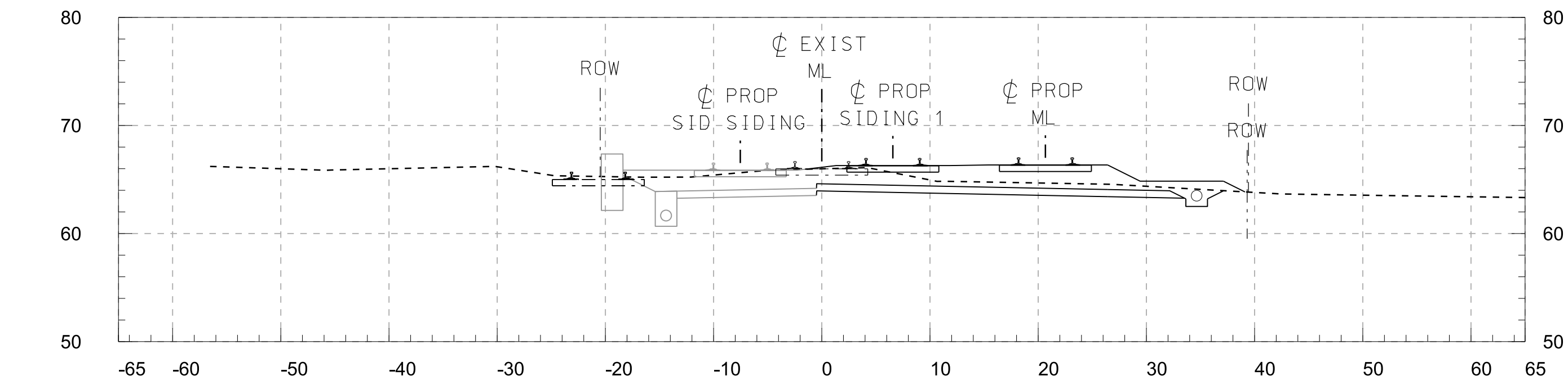
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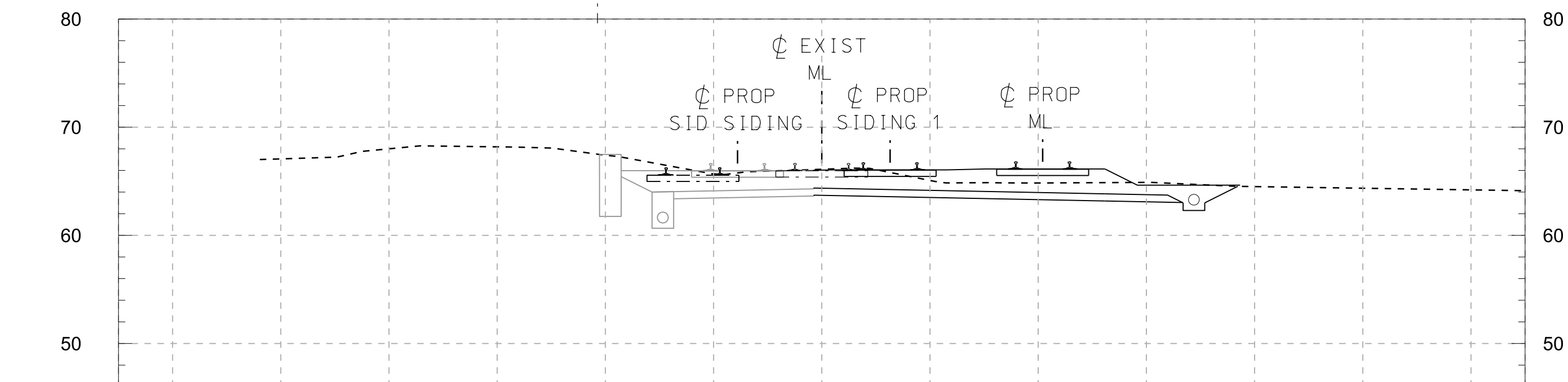
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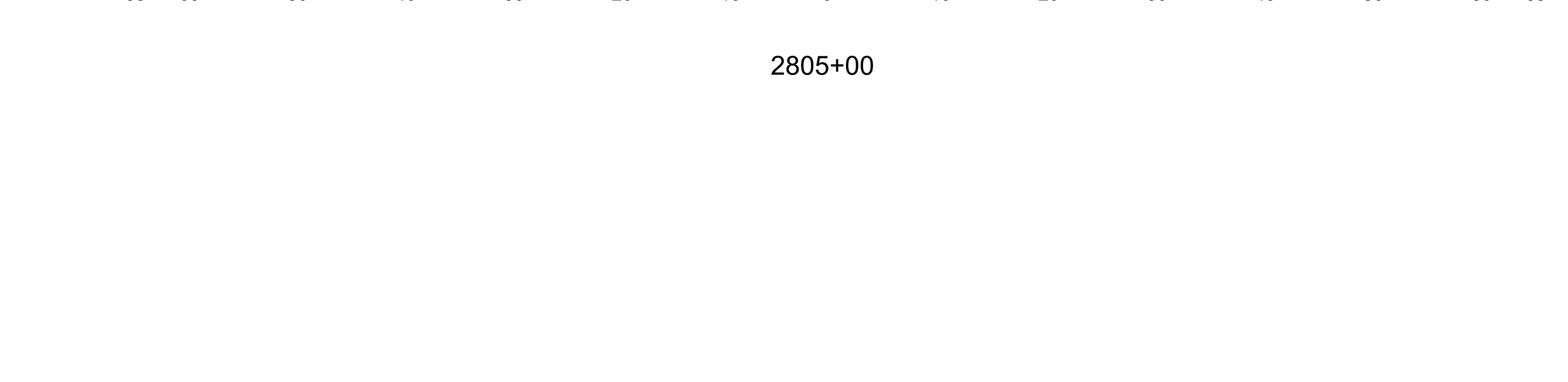
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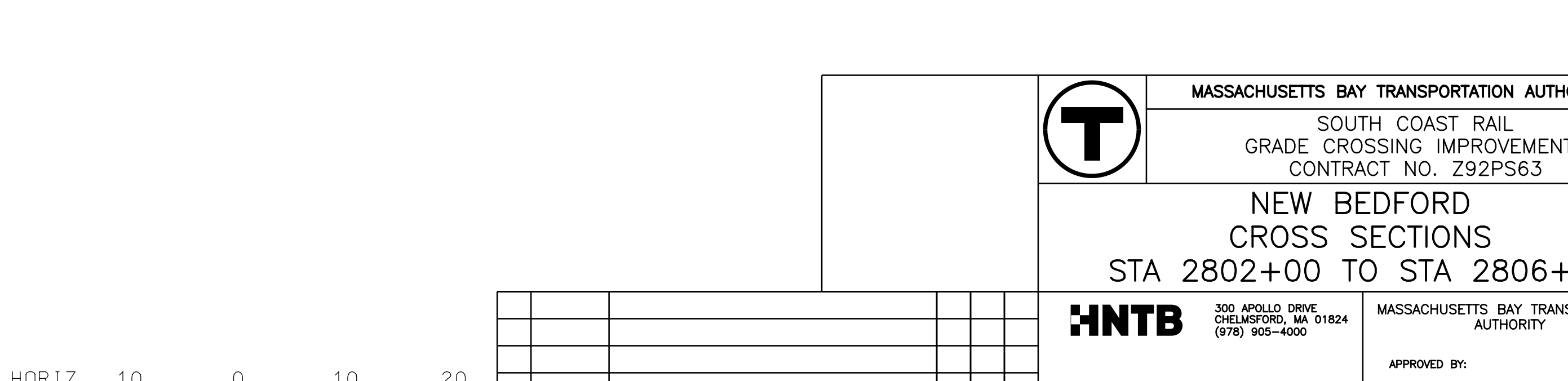
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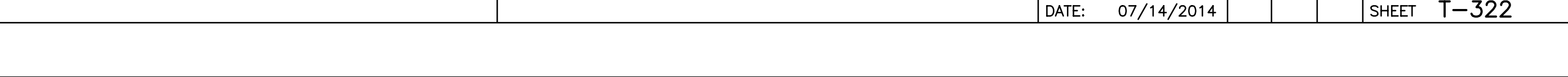
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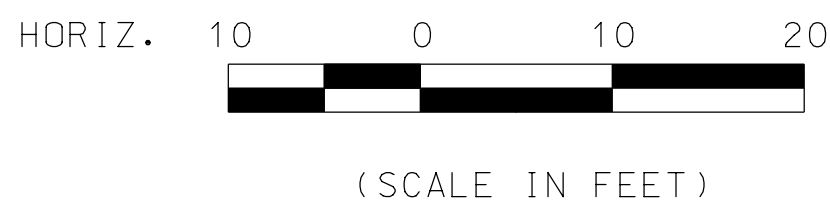
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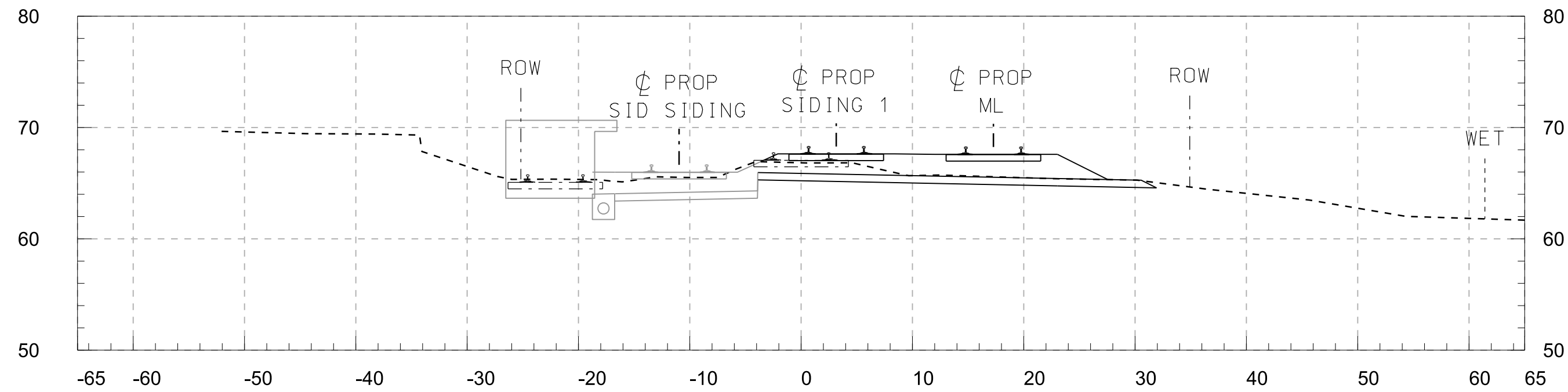


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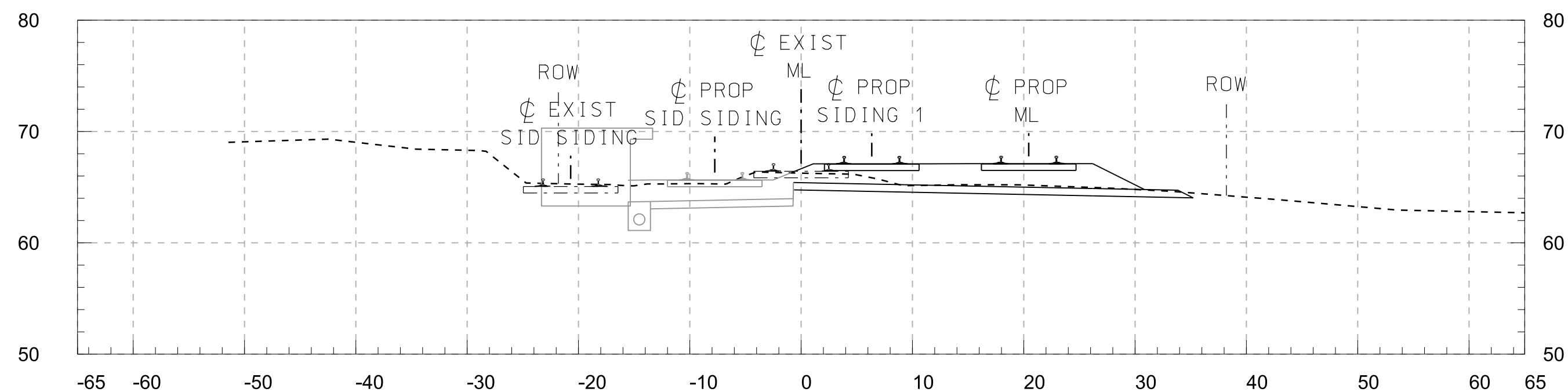


		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	
		SOUTH COAST RAIL GRADE CROSSING IMPROVEMENTS CONTRACT NO. Z92PS63	
		NEW BEDFORD CROSS SECTIONS STA 2802+00 TO STA 2806+00	
		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	
APPROVED BY:		APPROVED BY:	
PROJECT MANAGER		PROJECT MANAGER	
HORIZ: AS SHOWN		PLAN NO.	
VERT: AS SHOWN		SHEET T-322	
DATE: 07/14/2014		DATE: 07/14/2014	

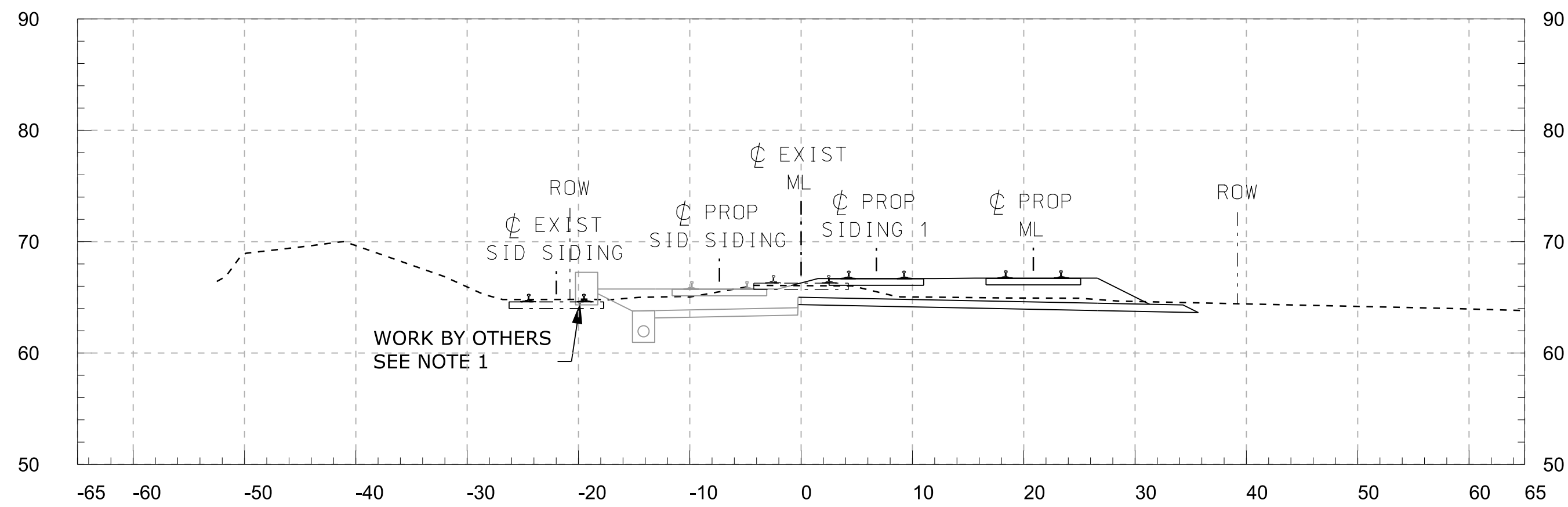
PLOT DATE: 15-JUL-2014
FILE NAME: \\Lex000\pmwork\JOBS\60439 MBTA DSN & Constr GEC 2013\TechProc\TO No.1 SCR Grade Crossings\CADD\Track\Sheets\TR-XS-Nash Rd New Bedford.dgn
XREF FILES:



2809+00



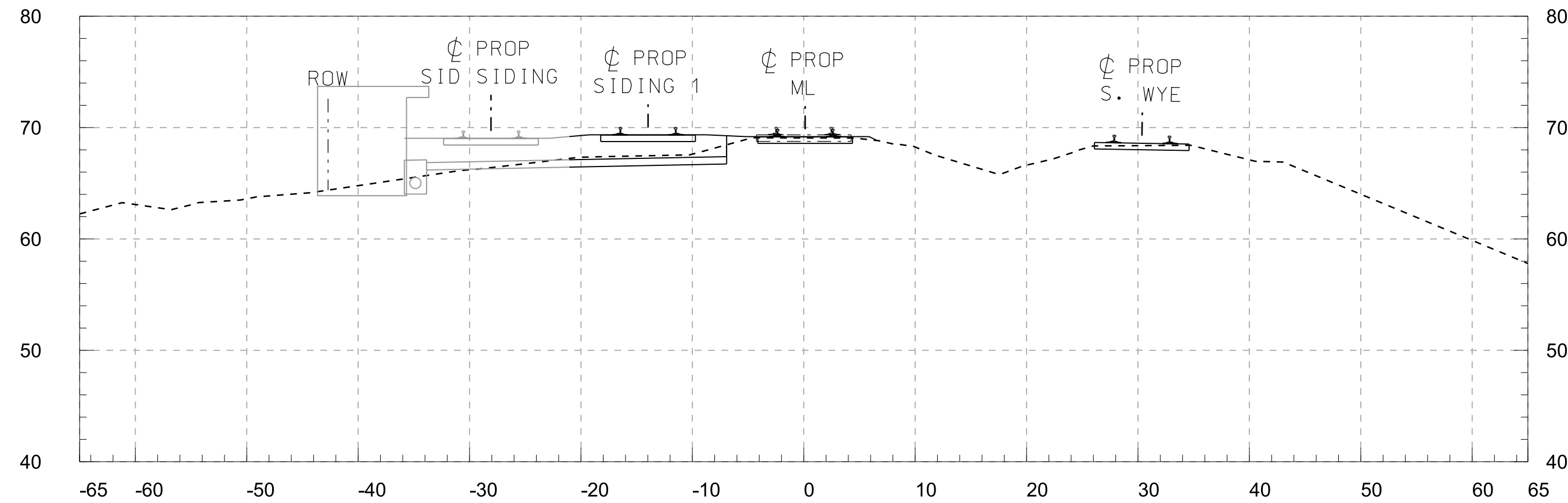
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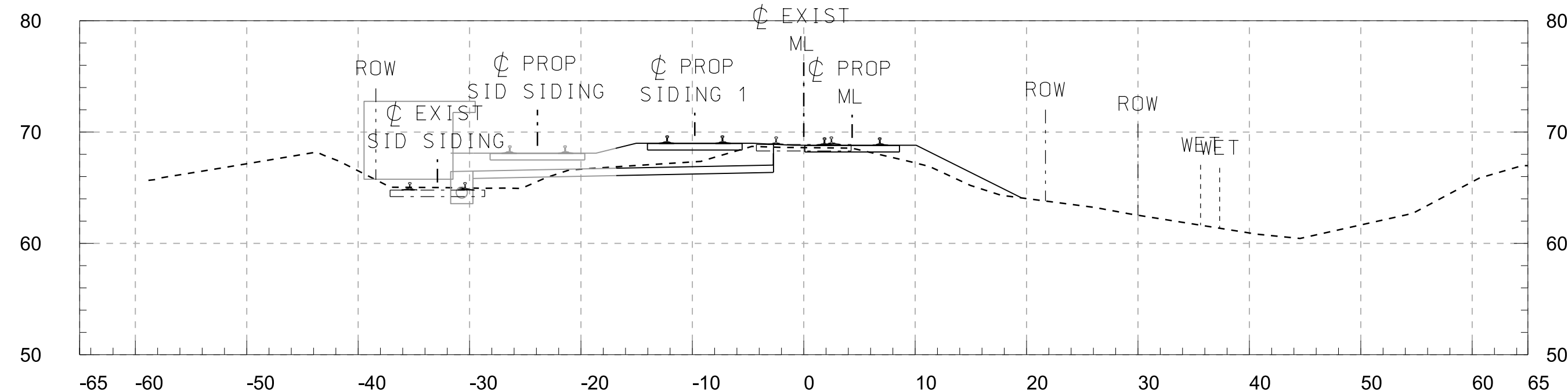
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NOTE:

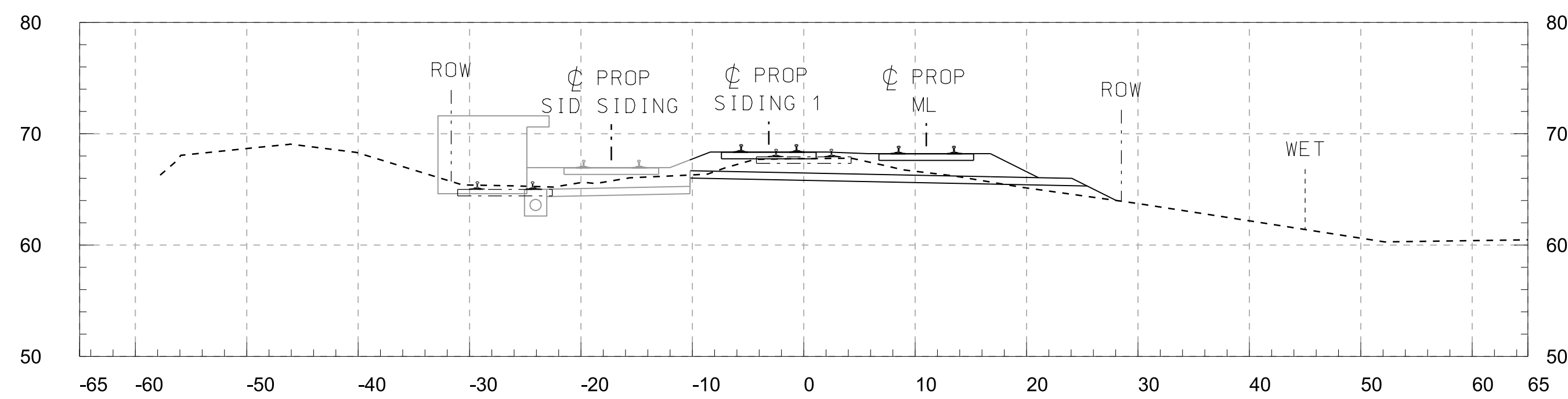
1. SCREENED ITEMS INDICATE WORK BY OTHERS INCLUDING; SID WAINER SIDING, PLATFORM, GRADING, WALL AND UNDERDRAIN ALONG SID WAINER SIDING.



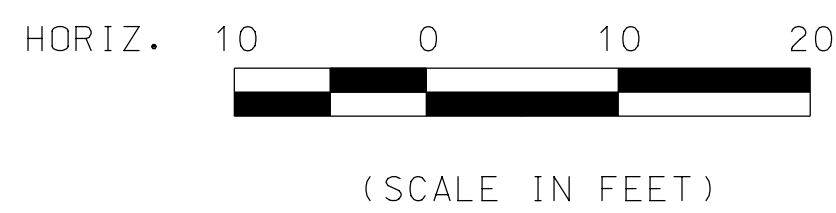
2812+00



2811+00



2810+00



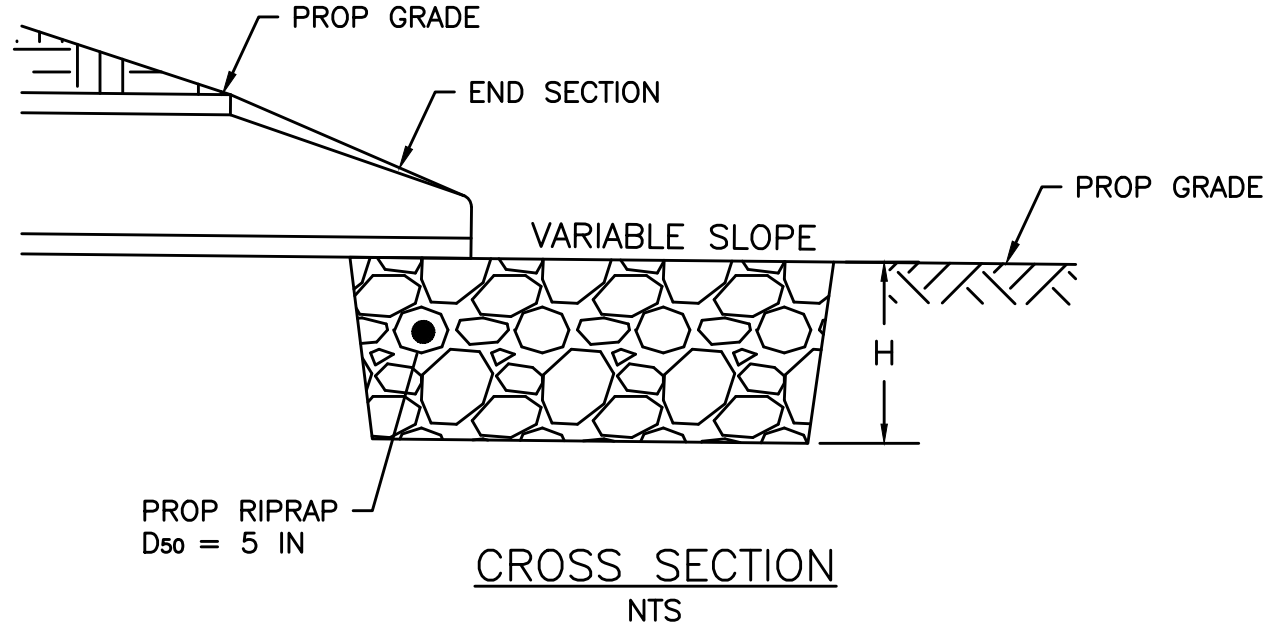
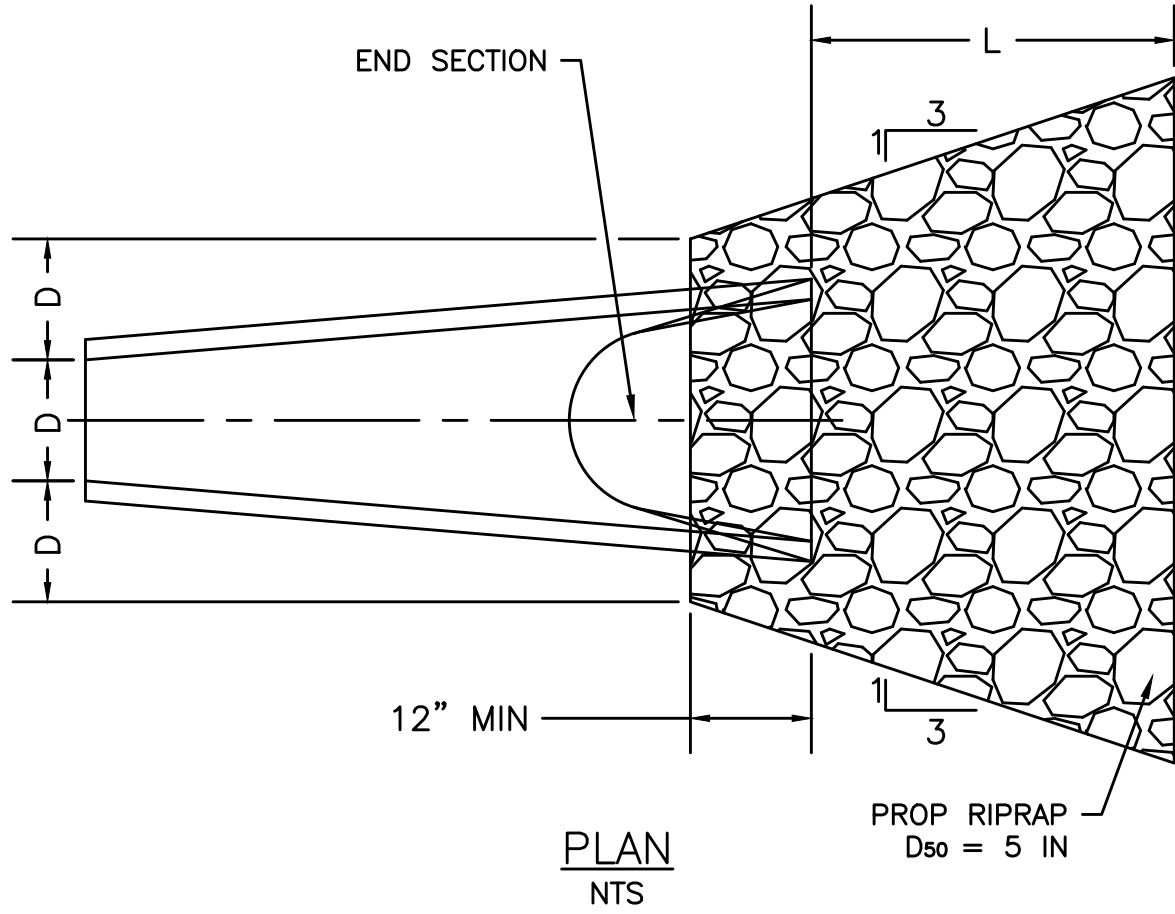
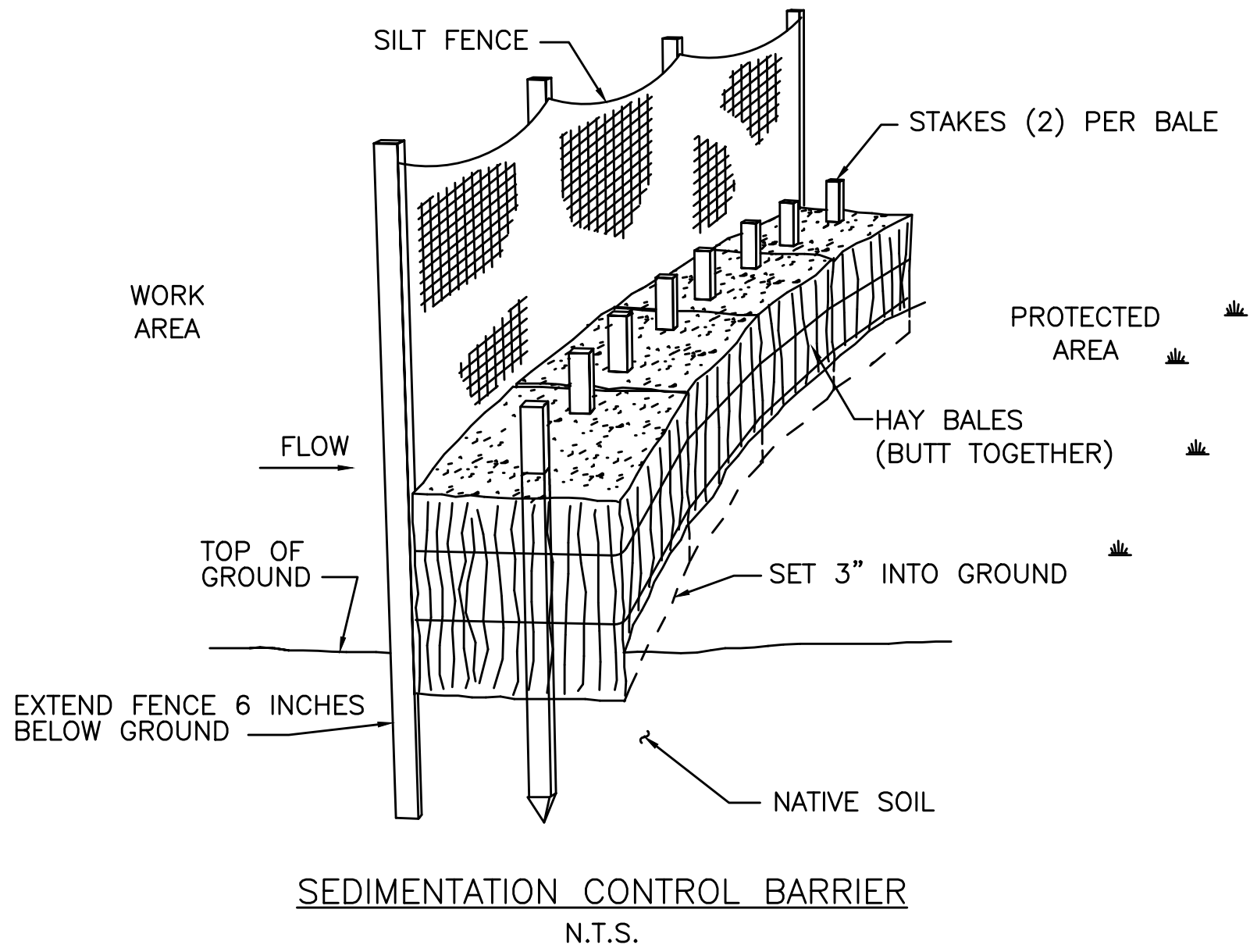
		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	
		SOUTH COAST RAIL GRADE CROSSING IMPROVEMENTS CONTRACT NO. Z92PS63	
		NEW BEDFORD CROSS SECTIONS STA 2807+00 TO STA 2812+00	
		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	
APPROVED BY:		APPROVED BY:	
PROJECT MANAGER		PROJECT MANAGER	
HORIZ: AS SHOWN		PLAN NO.	
VERT: AS SHOWN		SHEET T-323	
DATE: 07/14/2014		DATE: 07/14/2014	

CONSTRUCTION NOTES FOR STAKED HAY BALES:

BALES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT BALES. EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF 3 INCHES. BALES SHALL BE SECURELY ANCHORED IN PLACE BY STAKES OR RE-BARS DRIVEN THROUGH THE BALES. THE FIRST STAKE IN EACH BALE SHALL BE ANGLED TOWARD PREVIOUSLY PLACED BALE TO FORCE THE BALES TOGETHER. INSPECTION SHALL BE FREQUENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS DIRECTED BY THE ENGINEER. BALES SHALL BE REMOVED WHEN THE GROUND HAS STABILIZED AND SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

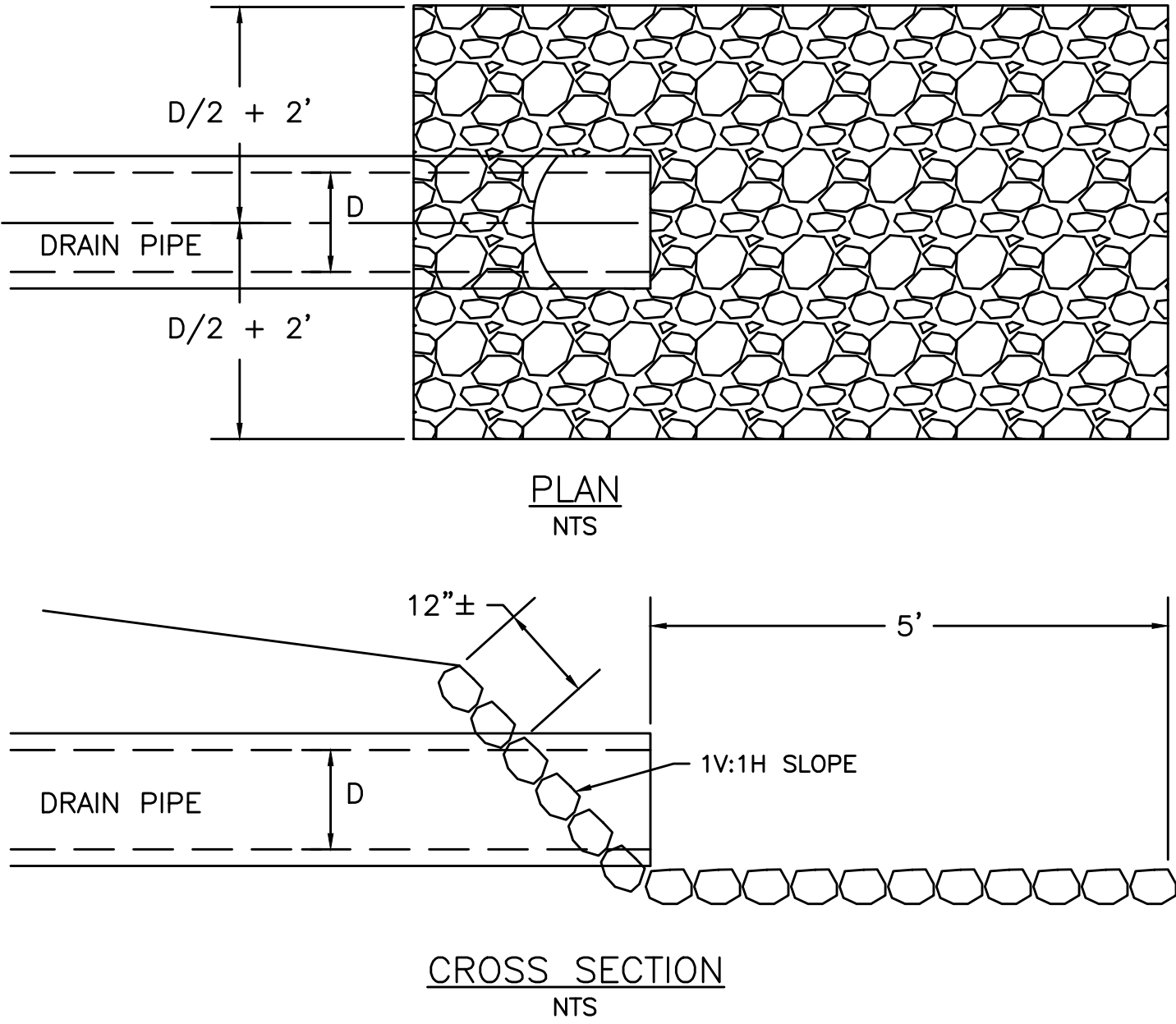
CONSTRUCTION NOTES FOR SILTATION AND EROSION CONTROL:

1. EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO INITIATING GROUND DISTURBANCE TO PREVENT SEDIMENT LADEN WATER FROM LEAVING THE SITE.
2. AREAS SUBJECT TO EROSION SHALL BE MINIMIZED IN TERMS OF TIME AND AREA.
3. IN GENERAL, WORK REQUIRING EROSION CONTROL INCLUDES EXCAVATIONS, FILLS, DRAINAGE, SWALES AND DITCHES, ROUGH AND FINISH GRADING, AND STOCKPILING OF EARTH.
4. DO NOT DISTURB VEGETATION AND TOPSOIL BEYOND THE PROPOSED LIMIT OF SILT FENCE ACTIVITIES.
5. UPON COMPLETE INSTALLATION OF ALL DRAIN INLETS AND CATCH BASINS, HAY BALES WILL BE PLACED AROUND EACH STRUCTURE TO PREVENT SILTATION, IF DEEMED NECESSARY BY RESIDENT ENGINEER.
6. THE CONTRACTOR SHALL REMOVE TEMPORARY SILT FENCE AND HAYBALE DIKES AND ALL ACCUMULATED SILT AND DEBRIS AFTER COMPLETION OF CONSTRUCTION OPERATIONS. HAYBALE DIKES SHALL BE IN PLACE AT ALL TIMES DURING CONSTRUCTION.
7. THE CONTRACTOR SHALL REMOVE AND DISPOSE OF ALL SILT AND DEBRIS RESULTING FROM CONSTRUCTION OPERATIONS FROM EACH DRAINAGE STRUCTURE UPON COMPLETION OF THE PROJECT.
8. OBJECTS AND/OR AREAS DAMAGED BY THE CONTRACTOR'S OPERATIONS SHALL BE RESTORED TO THEIR ORIGINAL CONDITION AND ELEVATION.
9. THE CONTRACTOR SHALL REPLACE ANY SECTION OF HAY BALES OR SILT FENCES DAMAGED DURING ANY PHASE OF CONSTRUCTION.
10. DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL ROUTINELY REMOVE ACCUMULATED SILT, SEDIMENT, AND DEBRIS AT AND ALONG THE EROSION AND SEDIMENT CONTROL MEASURES, AS DIRECTED BY THE ENGINEER. CONTRACTOR SHALL ALSO REMOVE ALL ACCUMULATED SILT, SEDIMENT, AND DEBRIS PRIOR TO STORM EVENTS FORECASTED TO HAVE A RAINFALL DEPTH OF ONE-HALF INCH OR GREATER AND FOLLOWING STORM EVENTS OF THE SAME MAGNITUDES.
11. INSPECTION OF ALL EROSION AND SEDIMENT CONTROLS IS REQUIRED ONCE EVERY 7 DAYS AND WITHIN 24-HOURS AFTER 0.25-INCH OR GREATER RAIN EVENTS.



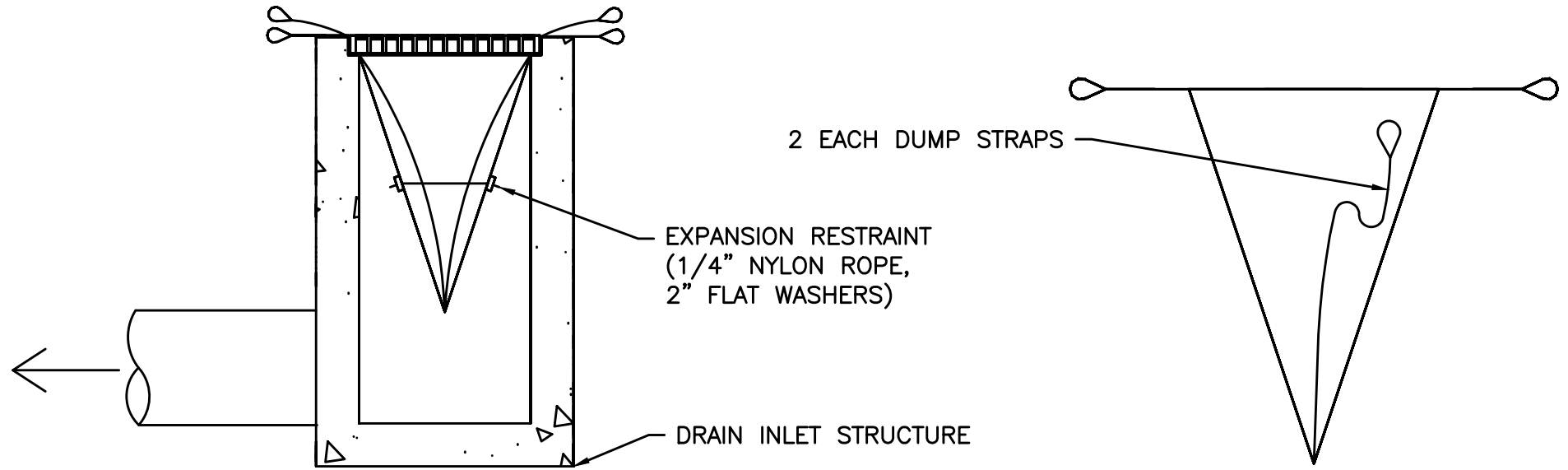
CULVERT SIZE D (INCHES)	LENGTH OF APRON L (FEET)	DEPTH OF APRON H (INCHES)	MASSDOT RIPRAP SIZE
30	12.5	24	M2.02.2
36	16.0	24	M2.02.2

RIPRAP APRON GREATER THAN 24" DIAMETER

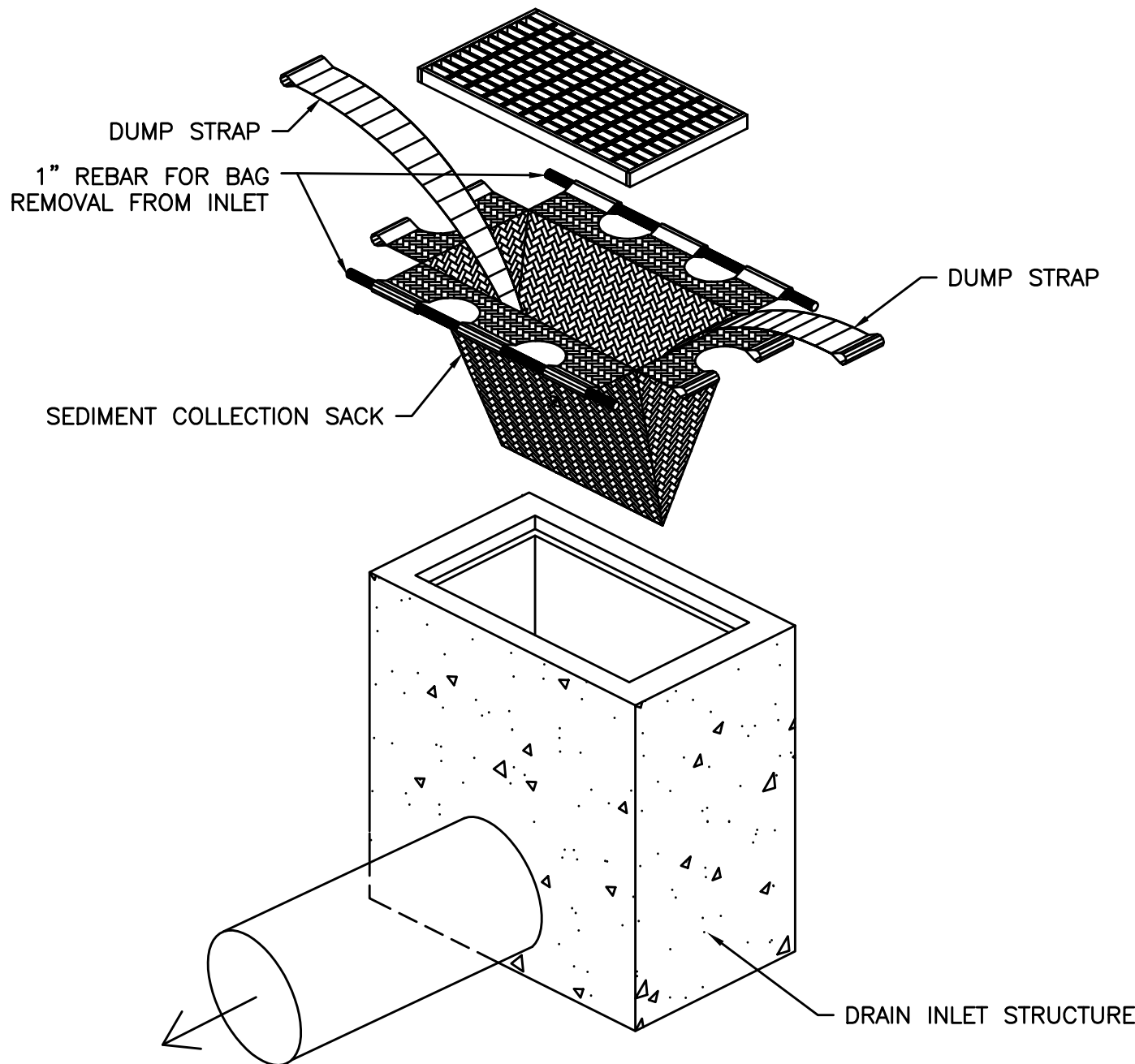


- NOTE:
1. FOR PIPES 24" DIA. AND LESS, USE STONE PIPE ENDS (MASSDOT SPEC M2.02.3).
 2. MINIMUM MASS PER STONE = 50 LBS; MAXIMUM MASS PER STONE = 125 LBS.

RIPRAP APRON FOR PIPES 24" AND LESS IN DIAMETER



BAG DETAIL



INSTALLATION DETAIL

SILT SACK DETAIL
NTS

		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	
		SOUTH COAST RAIL GRADE CROSSING IMPROVEMENTS CONTRACT NO.	
		PERMIT PLANS CONSTRUCTION DETAILS	
		MASSACHUSETTS BAY TRANSPORTATION AUTHORITY	
300 APOLLO DRIVE CHELMSFORD, MA 01824 (978) 905-4000		APPROVED BY:	
PROJECT MANAGER		Date	
HORIZ: AS SHOWN		DES. BY DR. BY CHK. BY	
VERT: AS SHOWN		WA WA FLD	
DATE: 7/14/14		PLAN NO.	
		SHEET GC-038	

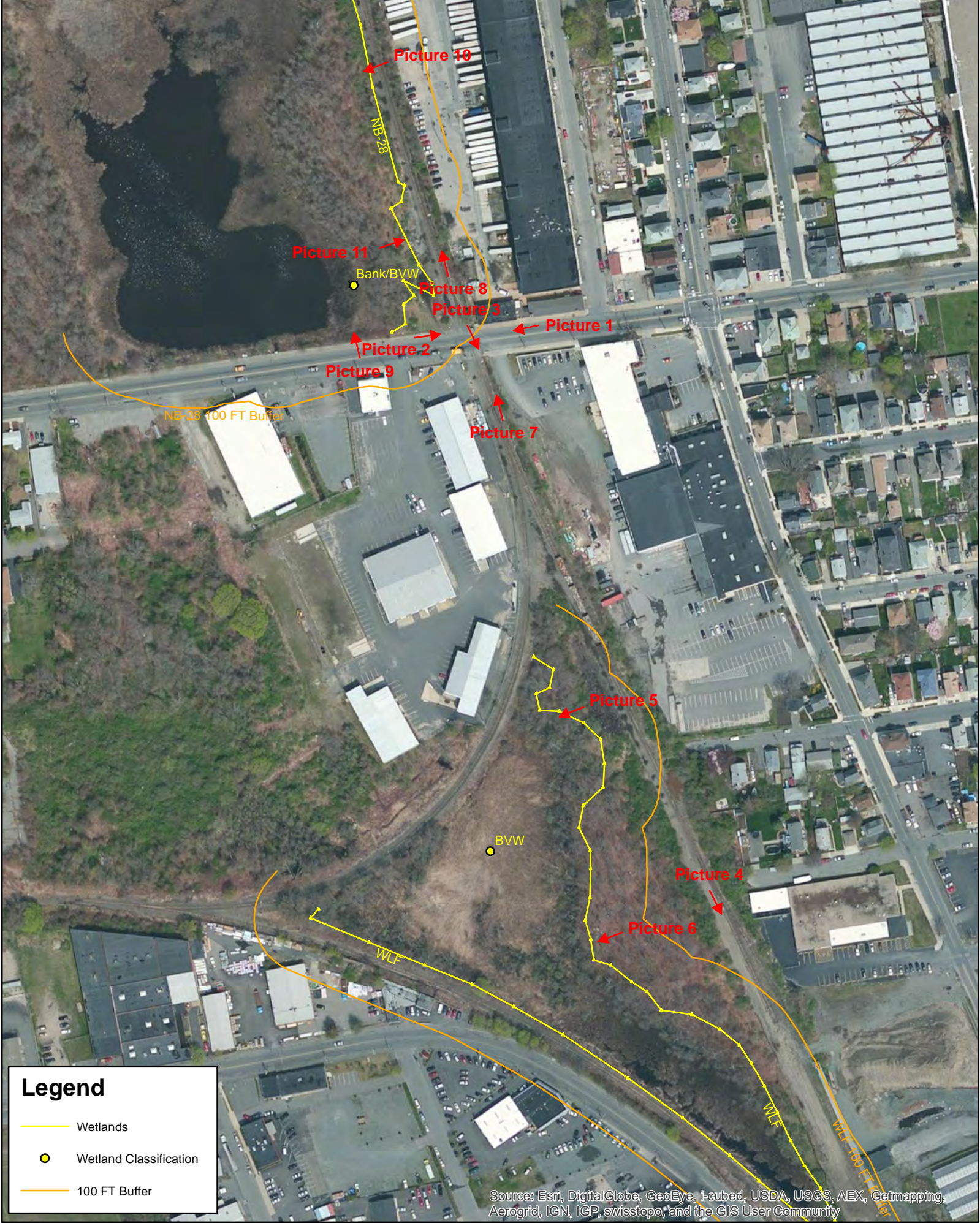


Attachment 4 – Picture Log



Nash Road, New Bedford, MA Resource Pictures

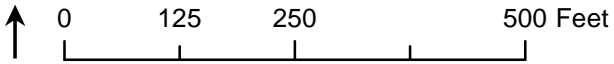
These pictures represent conditions of the Massachusetts Wetland Protection Act resource areas adjacent to the rail corridor on either side of Nash Road. This grade crossing and associated track work are located within the vicinity of two wetland resource areas and their buffers. Wetland WLF, located southwest of the Nash Road grade crossing, is described as a bordering vegetated wetland. Wetland NB-28, located northwest of the Nash Road grade crossing, is described as a bordering vegetated wetland with a bank along the edge of a pond.



Legend

- Wetlands
- Wetland Classification
- 100 FT Buffer

Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, ICP, swisstopo, and the GIS User Community





Picture 1 – Looking west on Nash Road across the grade crossing.



Picture 2 – Looking east on Nash Road across the grade crossing.



Picture 3 – Looking south from the grade crossing.



Picture 4 – Picture from the right-of-way looking south with Wetland WLF beyond the tree line on the right.



Picture 5 – Looking west at Wetland WLF.



Picture 6 – Another picture representing Wetland WLF.



Picture 7 – Looking north across the grade crossing with Wetland NB-28 beyond the tree line ahead on the left.



Picture 8 – Picture from the right-of-way looking north with Wetland NB-28 beyond the tree line on the left.



Picture 9 – Looking north from Nash Road at Wetland NB-28.



Picture 10 – Another picture representing conditions on Wetland NB-28.



Picture 11 – Picture looking east toward the right-of-way from Wetland NB-28.



Attachment 5 – List of Abutters

I, Carlo Affonso, 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: 7/10/2014

SUBJECT PROPERTY:

MAP ^{See attached USGS map} _____ LOT _____

LOCATION Nash Road Railroad Grade Crossing (Latitude 41o 39' 56.9478", Longitude -70o 56' 14.5602")

OWNER'S NAME Massachusetts Department of Transportation

MAILING ADDRESS Railroad Right of Way

CONTACT PERSON Nick Henke, HNTB Corp.

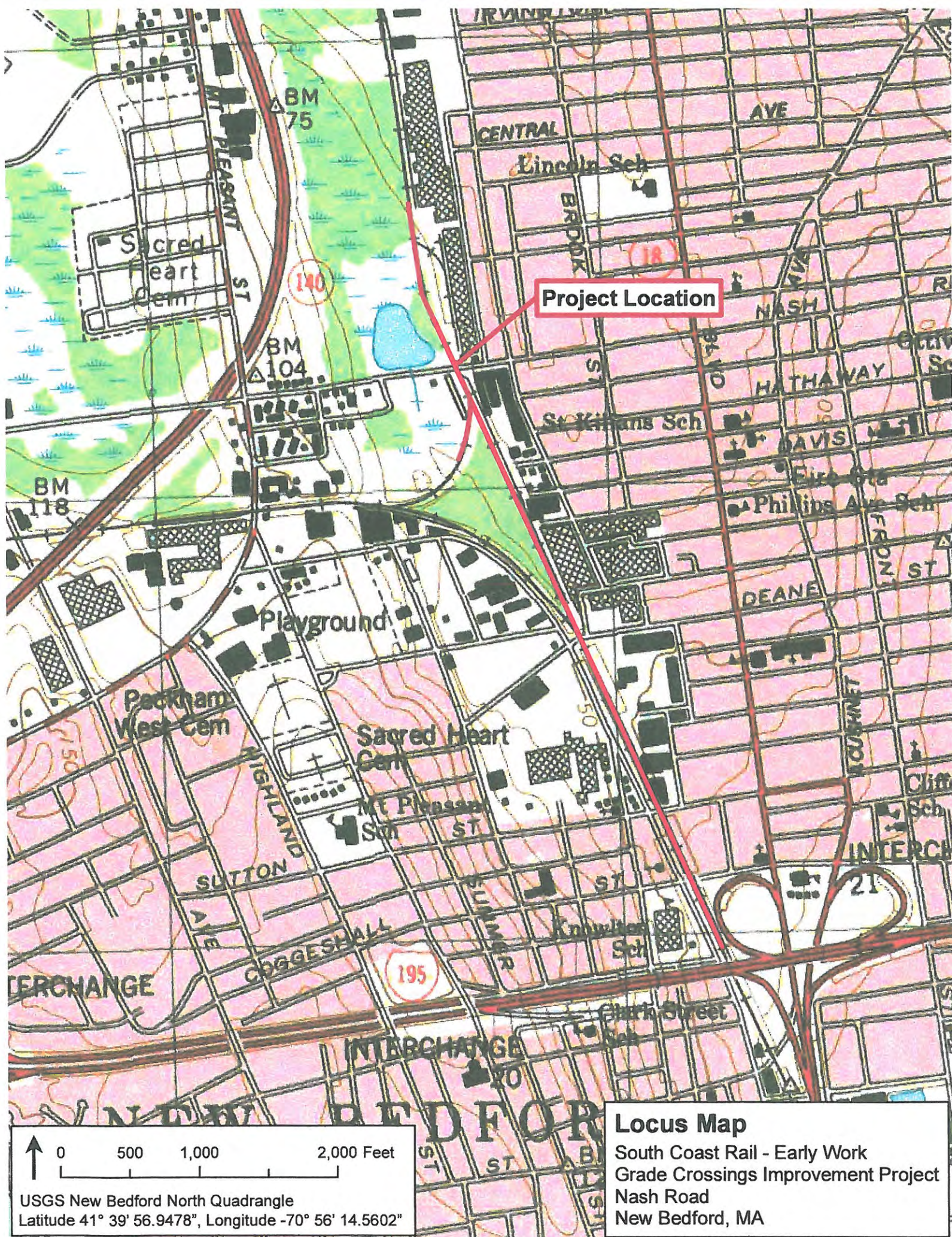
TELEPHONE NUMBER (617) 532-2242

EMAIL ADDRESS nhenke@HNTB.com

REASON FOR REQUEST

To send an abutter notifications for MBTA South Coast Rail - Early Work Grade Crossings

Improvement Project at Nash Road in New Bedford. Work extends approx. 1,500 ft north and
4,700 ft south of this crossing, and approx. 600 ft along the Wye, south of Nash rd, heading west.



Locus Map
South Coast Rail - Early Work
Grade Crossings Improvement Project
Nash Road
New Bedford, MA

July 9, 2014

Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as "South Coast Rail- Early Work Grade Crossings Improvement Project" Railroad Section Bounded By Central Avenue to the North and Interstate 195 to the South.

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.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
84-357	PURCHASE ST	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
92-49	435 COGGESHALL ST	ORTEM DEVELOPMENT LLC, 435 COGGESHALL STREET NEW BEDFORD, MA 02746
92-45	19 JEAN ST	B S H LLC, 19 JEAN STREET NEW BEDFORD, MA 02746
84-360	PURCHASE ST	COMMONWEALTH OF MASS, N B SCHOOL DEPT (LESSEE) 133 William St. NEW BEDFORD, MA 02740
84-245	RIGHT OF WAY	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
84-80	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101
84-1	2105 PURCHASE ST	CITY OF NEW BEDFORD, HAYDEN-MCFADDEN SCHOOL 131 WILLIAM ST NEW BEDFORD, MA 02740
92-44	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101
92-22	COUNTY ST	CITY OF NEW BEDFORD, SCHOOL DEPT 131 WILLIAM ST NEW BEDFORD, MA 02740
92-56	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101

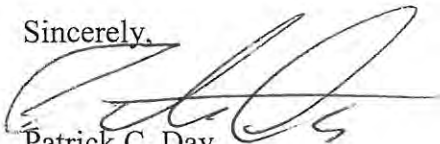
92-226	RIGHT OF WAY	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
92-317	441 COGGESHALL ST	SONS OF GOD APOSTOLIC SPIRITUAL BAPTIST FAITH, SCARLET CORD SPIRITUAL BAPTIST CHURCH (THE) 441 COGGESHALL STREET NEW BEDFORD, MA 02746
92-17	PURCHASE ST	MARTINS & AFONSO REALTY LLC, 1070 COUNTY STREET NEW BEDFORD, MA 02740
92-15	2167 PURCHASE ST	ESCOBAR DEOLINDA M, 2167 PURCHASE STREET NEW BEDFORD, MA 02740 02746
92-5	2201 PURCHASE ST	FURNACE VILLAGE REALTY LLC, P O BOX 248 RAYNHAM, MA 02767
92-7	2195 PURCHASE ST	BUCHA LAWRENCE N, C/O BANK OF NEW YORK MELLON 1661 WORTHINGTON ROAD - Suite 100 WEST PALM BEACH, FL 33409
92-249	SAWYER ST	B S H LLC, 19 JEAN STREET NEW BEDFORD, MA 02746
98-128	67 BROOK ST	BROOK STREET REALTY TRUST, CO INC P O BOX 1090 MATTAPOISETT, MA 02739
92-267	397 SAWYER ST	HAIDER SHAMMI, 563 CHESTNUT STREET LYNN, MA 01904
92-3	2221 PURCHASE ST	HAIDER SHAMMI, 563 CHESTNUT STREET LYNN, MA 01904
92-2	2225 PURCHASE ST	DEMELO DAVID, DEMELO BECKY L 32 BRALEY ROAD EAST FREETOWN, MA 02717
92-270	2231 PURCHASE ST	SILVA ANTONIO DE MEDEIROS, SILVA ARMINDA P O BOX 80142 SOUTH DARTMOUTH, MA 02748-0142
92-25	9 BROOK ST	CALVAO JOSE A "TRUSTEE", CALVAO ADRIEL "TRUSTEE" 13 BROOK STREET NEW BEDFORD, MA 02746
92-1	2243 PURCHASE ST	COUTINHO ANTONIO, P O BOX 714 ASSONET, MA 02702

92-148	BROOK ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740
91-7	1129 COUNTY ST	69 MAIN STREET,LLC, 171 MENDELL ROAD ROCHESTER, MA 02770
92-23	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101
92-305	39 BROOK ST	NEW BEDFORD STORAGE AND WAREHOUSING LLC, 39 BROOK STREET NEW BEDFORD, MA 02746
98-254	83 BROOK ST	MILLER HOLDINGS LLC, 220 DEANE STREET 95 Brook St. NEW BEDFORD, MA 02745 02746
97-5	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8499 PHILADELPHIA, PA 19101
102-100	400 EARLE ST	CARREIRO CARLOS A, CARREIRO GINA GARCIA 400 EARLE ST NEW BEDFORD, MA 02746
123-42	NASH RD	REVERE COPPER PRODUCTS, INC 24 NO. FRONT ST NEW BEDFORD, MA 02740
98-138	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8499 PHILADELPHIA, PA 19101
102-78	RIGHT OF WAY	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
97-6	PURCHASE ST	FRIENDS REALTY INC, 2301 PURCHASE ST NEW BEDFORD, MA 02740 02746
97-168	PURCHASE ST	COMMONWEALTH ELECTRIC CO, C/O PROPERTY TAX DEPARTMENT P O BOX 567 NORWOOD, MA 02062
102-91	EARLE ST	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
97-4	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8499 PHILADELPHIA, PA 19101

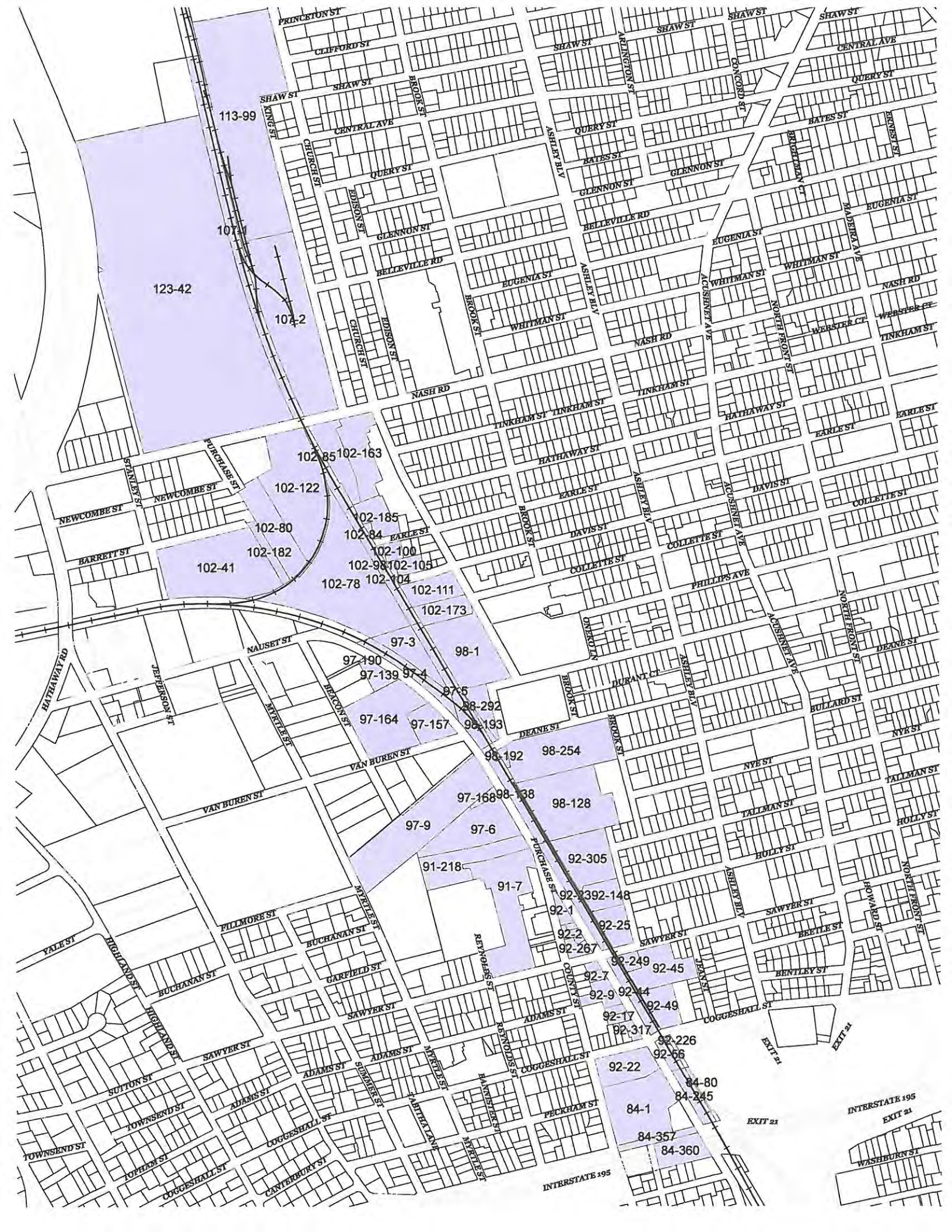
97-9	2301 PURCHASE ST	FRIENDS REALTY INC, 2301 PURCHASE ST NEW BEDFORD, MA 02740 02746
98-192	RIGHT OF WAY	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
97-164	2343 PURCHASE ST	FRIENDS REALTY INC, 2301 PURCHASE ST NEW BEDFORD, MA 02740 02746
97-157	2415 PURCHASE ST	VALTRAN DEVELOPMENT COMPANY LLC, 2415 PURCHASE STREET NEW BEDFORD, MA 02746
98-292	QUANSETT ST	CITY OF NEW BEDFORD, 133 WILLIAM STREET NEW BEDFORD, MA 02740
102-104	DAVIS ST	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
97-139	2351 PURCHASE ST	MINIT MAN AUTO WASH LLC, 2351 PURCHASE ST NEW BEDFORD, MA 02746
97-190	PURCHASE ST	GALANT INC, 2359 PURCHASE ST NEW BEDFORD, MA 02746
97-3	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101
98-1	1 CHURCH ST	SOUTHCOAST INC, 2305 PURCHASE STREET NEW BEDFORD, MA 02746
102-173	CHURCH ST	ICAFM REALTY LLC, C/O GOLD'S GYM 14 MCGRATH HIGHWAY SOMERVILLE, MA 02143
102-111	53 CHURCH ST	ICAFM REALTY LLC, C/O GOLD'S GYM SOMERVILLE 14 MCGRATH HIGHWAY SOMERVILLE, MA 02143
102-105	389 DAVIS ST	SA PAULO J, SA ANA C 389 DAVIS ST NEW BEDFORD, MA 02746
102-182	BARRETT ST	KALISZ JOHN M, 130 REBECCA ST NEW BEDFORD, MA 02745 02740

102-98	EARLE ST	PENN CENTRAL CO., C/O CSX TRANSPORTATION (J910) 500 WATER STREET JACKSONVILLE, FL 32202
102-41	BARRETT ST	KALISZ JOHN M, 130 REBECCA ST NEW BEDFORD, MA 02745 02740
102-122	404 NASH RD	KALISZ JOHN M, 130 REBECCA ST NEW BEDFORD, MA 02745 02740
102-84	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101
102-80	430 NASH RD	KALISZ JOHN M, 130 REBECCA ST NEW BEDFORD, MA 02745 02740
102-85	NASH RD	RIBEIRO REAL ESTATE, LLC, 80 OLD KNOLL ROAD MARION, MA 02738
102-163	376 NASH RD	RIBEIRO REAL ESTATE LLC, 80 OLDE KNOLL RD MARION, MA 02738
107-2	25 KING ST	KMGE INC, C/O BUILDING #19 INC 319 LINCOLN STREET HINGHAM, MA 02043
107-1	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP P O BOX 8097 8499 PHILADELPHIA, PA 19101
113-99	117 KING ST	CMC NEW BEDFORD LLC, Inc ALSO ON 109-38 SEE 113-99A 845 LARCH AVENUE ELMHURST, IL 60126

Sincerely,



Patrick C. Day
Staff Planner





Attachment 6 – Notification to 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: Massachusetts Department of Transportation

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: State of MA Railroad Right of Way
Assessor's Map _____; Lot _____

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.

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 _____ 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



Attachment 7 – Public Notice