



5584/New Bedford Airport Fence/COC Request

**PRINCIPALS**

December 8, 2020

New Bedford Conservation Commission  
133 William Street, Room 304  
New Bedford, MA 02740

**Subject: Request for Certificate of Compliance; Perimeter/Wildlife Fencing Improvements; New Bedford Regional Airport, New Bedford, Massachusetts (DEP File No. SE49-0836).**

Dear Commissioners:

On behalf of the New Bedford Regional Airport (the "Applicant"), Epsilon respectfully requests a Certificate of Compliance for the above referenced Order of Conditions ("Order") (MassDEP File No. SE49-0836), dated November 22, 2019. The work described in the Order involved perimeter and wildlife fencing improvements in four discrete locations on the Airport property. Portions of the fence improvements occurred within Bordering Vegetated Wetland ("BVW"), Bordering Land Subject to Flooding ("BLSF"), the Commission's suggested 25-foot setback, and the 100-foot buffer zone to BVW.

Construction of the Project began in late August 2020 and was completed in October 2020. Epsilon performed environmental inspections throughout the duration of construction to ensure that work in wetland resource areas was being conducted in compliance with the NOI and the approved permit drawings.

With regard to the area immediately west of Downey Street along the vegetated access road that was previously delineated and approved as wetland, this area was dry and contained all upland plant species during the field inspection on September 14, 2020. I discussed this with Sarah Porter and she agreed that although composite mats were approved to be used in this location, no mats were needed given the dry field conditions. Concrete footings were not used at all along this stretch of the vegetated access road adjacent to the wetland. Fence posts were mechanically driven into the ground in this area.

As the Project is complete, the Applicant respectfully requests a Certificate of Compliance.

In support of this request, enclosed please find the following materials:

- ◆ WPA Form 8A;

978 897 7100

FAX 978 897 0099

3 Mill & Main Place, Suite 250

Maynard, MA 01754

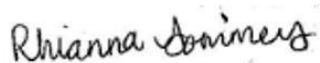
www.epsilonassociates.com

- ◆ A P.E. certification letter prepared by Airport Solutions Group certifying that the Project was constructed in compliance with the Order.

Two hard copies of this request have been mailed to the Conservation Commission's office. The New Bedford Regional Airport is exempt from local and state filing fees because it is a municipal agency. The enclosed request is being submitted for the Commission's review at the **January 5, 2021** public hearing. If you have any questions about this report, please contact me at 978.461.6225 or via email at [rsommers@epsilonassociates.com](mailto:rsommers@epsilonassociates.com).

Thank you.

Sincerely,  
EPSILON ASSOCIATES, INC.



Rhianna Sommers  
Project Scientist



Michael D. Howard, PWS, CWS  
Managing Principal

CC: Craig Schuster, ASG  
Scot Servis, Airport Manager, New Bedford Regional Airport

**Attachment A**

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WPA Form 8A – Request for Certificate of Compliance



# Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

## WPA Form 8A – Request for Certificate of Compliance

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

DEP File Number:

SE49-0836

Provided by DEP

### A. Project Information

#### Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Upon completion of the work authorized in an Order of Conditions, the property owner must request a Certificate of Compliance from the issuing authority stating that the work or portion of the work has been satisfactorily completed.

1. This request is being made by:

New Bedford Regional Airport - Scot Servis, Airport Manager

Name

1569 Airport Road

Mailing Address

New Bedford

City/Town

MA

State

02746

Zip Code

(508) 991-6160

Phone Number

2. This request is in reference to work regulated by a final Order of Conditions issued to:

New Bedford Regional Airport

Applicant

11/22/2019

Dated

SE49-0836

DEP File Number

3. The project site is located at:

1569 Airport Road

Street Address

New Bedford

City/Town

Map 125; 123C; 123; 122

Assessors Map/Plat Number

Lots 22; 225; 3; 3

Parcel/Lot Number

4. The final Order of Conditions was recorded at the Registry of Deeds for:

City of New Bedford

Property Owner (if different)

Bristol (S.D.)

County

13028

Book

138

Page

00028394

Certificate (if registered land)

5. This request is for certification that (check one):

☒ the work regulated by the above-referenced Order of Conditions has been satisfactorily completed.

☐ the following portions of the work regulated by the above-referenced Order of Conditions have been satisfactorily completed (use additional paper if necessary).

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☐ the above-referenced Order of Conditions has lapsed and is therefore no longer valid, and the work regulated by it was never started.



**Massachusetts Department of Environmental Protection**

Bureau of Resource Protection - Wetlands

**WPA Form 8A – Request for Certificate of Compliance**

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

DEP File Number:

SE49-0836

Provided by DEP

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**A. Project Information (cont.)**

6. Did the Order of Conditions for this project, or the portion of the project subject to this request, contain an approval of any plans stamped by a registered professional engineer, architect, landscape architect, or land surveyor?

☒ Yes

If yes, attach a written statement by such a professional certifying substantial compliance with the plans and describing what deviation, if any, exists from the plans approved in the Order.

☐ No

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**B. Submittal Requirements**

Requests for Certificates of Compliance should be directed to the issuing authority that issued the final Order of Conditions (OOC). If the project received an OOC from the Conservation Commission, submit this request to that Commission. If the project was issued a Superseding Order of Conditions or was the subject of an Adjudicatory Hearing Final Decision, submit this request to the appropriate DEP Regional Office (see <http://www.mass.gov/eea/agencies/massdep/about/contacts/find-the-massdep-regional-office-for-your-city-or-town.html>).

**Attachment B**

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P.E. Certification Letter

December 3, 2020

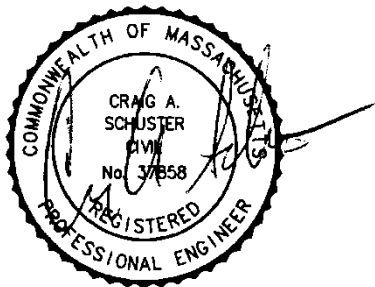
New Bedford Conservation Commission  
133 William Street #312 110 Airport Road, Suite #207  
New Bedford, Massachusetts 02740

**RE:** Perimeter/Wildlife Fence Improvements – Phase I  
New Bedford Regional Airport, New Bedford, Massachusetts 02740  
**Certificate of Compliance, MassDEP File #SE49-0836**

To Whom It May Concern,

The above reference project was substantially completed on October 1, 2020. The project was constructed in accordance with the approved plans associated with this Order, with no noted deviations.

Sincerely,  
**AIRPORT SOLUTIONS GROUP, LLC**



Craig A. Schuster, P.E.  
Director of Engineering

cc: Scot Servis – Airport Manager, New Bedford Regional Airport

**Attachment C**

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Local Filing Fee Calculation Sheet



MAYOR  
JON MITCHELL

**City of New Bedford Conservation Commission •  
Department of Environmental Stewardship**

133 William Street • Room 304 • New Bedford, Massachusetts 02740

Telephone: (508) 991.6188

**Conservation • Environmental Stewardship • Resilience**

**CITY OF NEW BEDFORD, MASSACHUSETTS**

**CONSERVATION COMMISSION  
2020 FILING FEE CALCULATION WORKSHEET\***

**PROJECT LOCATION:** \_\_\_\_\_

**MAP(S)** \_\_\_\_\_ **LOT(S)** \_\_\_\_\_

**APPLICANT:** \_\_\_\_\_

**CONSERVATION COMMISSION APPLICATION TYPE:**

- ( ) REQUEST FOR DETERMINATION OF APPLICABILITY
- ( ) NOTICE OF INTENT
- ( ) AMENDED ORDER OF CONDITIONS
- ( ) EXTENSION PERMIT
- ( ) CERTIFICATE OF COMPLIANCE

**(A) ALTERATION FEES:**

Application and field review of a project proposed in a Wetland Resource Area or its Buffer Zone is \$200.00 plus the applicable alteration fee as follows:

	AMOUNT DUE:
• Application and Field Review Fee (\$200.00)	<u>\$200.00</u>
• \$0.50 X _____ SF Wetland Resource Area Fee shall not exceed \$2000.00 per project	\$ _____
• \$0.05 X _____ SF of Isolated Land Subject to Flooding, Bordering Land Subject to Flooding or Land Subject to Coastal Storm Flowage Fee shall not exceed \$500.00	\$ _____
• \$0.50 X _____ SF of altered 25' Riverfront Area Fee shall not exceed \$1,500.00	\$ _____
• \$1.00 X _____ SF of undeveloped 25' Riverfront Area Fee shall not exceed \$2000.00	\$ _____
• \$5.00 X _____ LF of Coastal or Inland Bank Fee shall not exceed \$750.00	\$ _____



- \$0.10 X \_\_\_\_\_ SF of Buffer Zone altered \$ \_\_\_\_\_  
Fee shall not exceed \$6,500.00
- \$10.00 X \_\_\_\_\_ LF of dock \$ \_\_\_\_\_
- \$10.00 X \_\_\_\_\_ acres of aquaculture \$ \_\_\_\_\_

**(B) EXTENSION OF AN ORDER OF CONDITIONS:**

- Single family dwelling, or minor project (house addition, in ground pool dock etc.) = \$200.00 \$ \_\_\_\_\_
- Subdivision, commercial or industrial project = \$400.00 \$ \_\_\_\_\_

**(C) AMENDING A PERMIT**

- Single family dwelling or minor project (house addition, in ground pool dock etc.) = \$200.00 + new alteration fee – refer to (A) above \$ \_\_\_\_\_
- Subdivision, commercial or industrial project = \$500.00 + new alteration fee – refer to (A) above \$ \_\_\_\_\_

**(D) WETLAND DELINEATION VERIFICATION (with or without proposed alteration)**

- ½ acre or less
- ½ acre to 2 acres = \$500.00 (\$100/acre thereafter) not to exceed \$3,500 \$ \_\_\_\_\_

**(E) CERTIFICATES OF COMPLIANCE**

- One new house = \$250.00 \$ \_\_\_\_\_
- One activity at an existing house = \$150.00 \$ \_\_\_\_\_
- Residential or Commercial docks = \$200.00 \$ \_\_\_\_\_
- Commercial & Industrial Facilities = \$1,500.00 \$ \_\_\_\_\_
- New Roadways & Associated Stormwater Mgt. Systems = \$1,500.00 \$ \_\_\_\_\_

Partial Certificates of Compliance have the same fee as a Certificate of Compliance, But you only pay the fee once (you do not pay double to obtain a full Certificate of Compliance).

**(F) AFTER THE FACT FILING FEE**

- Notice of Intent or Amended Order of Conditions = \$500.00 \$ \_\_\_\_\_
- Request for a Determination of Applicability = \$250.00 \$ \_\_\_\_\_

**TOTAL AMOUNT DUE:** \$ \_\_\_\_\_

**Notes:**

\*Please refer to the Conservation Commission fee schedule – dated 02/2020

Please make check or Money Order payable to the City of New Bedford  
Cash is not accepted.

