



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:

Michael W. Panagakos

Name

E-Mail Address

133 Faunce Corner Road

Mailing Address

Dartmouth

MA

02747

City/Town

State

Zip Code

Phone Number

Fax Number (if applicable)

2. Representative (if any):

Sitec, Inc.

Firm

Daniel Gioiosa

dsgio12@cecinc.com

Contact Name

E-Mail Address

449 Faunce Corner Road

Mailing Address

Dartmouth

MA

02747

City/Town

State

Zip Code

508-998-2125

508-998-7554

Phone Number

Fax Number (if applicable)

B. Determinations

1. I request the New Bedford Con. Comm. 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):

Phillips Road

Street Address

136

Assessors Map/Plat Number

City/Town

468

Parcel/Lot Number

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

The subject Propert is a 2.0 acre site on the West side of Phillips Road at the corner of Theadore Rice Blvd. The lot slopes in a general east to west direction to a bordering vegetated wetland.

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

Wetland Delineation Plan

Title

12/21/2020

Date

Title

Date

Title

Date

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

The purpose of this Request for Determination of Aplicability is to verify the boundries of the bordering vegetated wetland as depicted on the above referenced plan are accurately delineated.



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C. Project Description (cont.)

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

3. a. If this application is a Request for Determination of Scope of Alternatives for work in the Riverfront Area, indicate the one classification below that best describes the project.

- ☐ Single family house on a lot recorded on or before 8/1/96
- ☐ Single family house on a lot recorded after 8/1/96
- ☐ Expansion of an existing structure on a lot recorded after 8/1/96
- ☐ Project, other than a single-family house or public project, where the applicant owned the lot before 8/7/96
- ☐ New agriculture or aquaculture project
- ☐ Public project where funds were appropriated prior to 8/7/96
- ☐ Project on a lot shown on an approved, definitive subdivision plan where there is a recorded deed restriction limiting total alteration of the Riverfront Area for the entire subdivision
- ☐ Residential subdivision; institutional, industrial, or commercial project
- ☐ Municipal project
- ☐ District, county, state, or federal government project
- ☐ Project required to evaluate off-site alternatives in more than one municipality in an Environmental Impact Report under MEPA or in an alternatives analysis pursuant to an application for a 404 permit from the U.S. Army Corps of Engineers or 401 Water Quality Certification from the Department of Environmental Protection.

b. Provide evidence (e.g., record of date subdivision lot was recorded) supporting the classification above (use additional paper and/or attach appropriate documents, if necessary.)



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D. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Request for Determination of Applicability and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

I further certify that the property owner, if different from the applicant, and the appropriate DEP Regional Office were sent a complete copy of this Request (including all appropriate documentation) simultaneously with the submittal of this Request to the Conservation Commission.

Failure by the applicant to send copies in a timely manner may result in dismissal of the Request for Determination of Applicability.

Name and address of the property owner:

Michael W. Panagakos

Name

133 Faunce Corner Road

Mailing Address

Dartmouth

City/Town

MA

State

02747

Zip Code

Signatures:

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

Signature of Applicant

Date

Signature of Representative (if any)

Date



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: Southwest corner of Phillips Rd. & Theodore Rice Blvd.

MAP(S) 136 **LOT(S)** 468

APPLICANT: Michael W. Panagakos

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 \$ 500.00

(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: \$ 700.00

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.





2020 00018588

Bk: 13336 Pg: 226 Pg: 1 of 2 BS
Doc: DEED 08/07/2020 01:52 PM

MASSACHUSETTS EXCISE TAX

Bristol ROD South 001

Date: 08/07/2020 01:52 PM

Ctrl# 031268 06927 Doc# 00018588

Fee: \$558.60 Cons: \$122,200.00

QUITCLAIM DEED

Phillips Rd. North LLC, a Massachusetts limited liability company, having a mailing address of 5 Vineyard Lane, Dartmouth, Massachusetts 02748, for consideration paid, and in full consideration of One Hundred Twenty-Two Thousand Two Hundred and 00/100 (\$122,200.00) Dollars paid, hereby grants to Michael Panagakos a Massachusetts resident, with a mailing address of 133 Faunce Corner Road, Dartmouth, Massachusetts 02747 with QUITCLAIM COVENANTS, that certain parcel of land situated on the west side of Phillips Road, New Bedford, Bristol County, Massachusetts, and being Lot 3 on a plan entitled "Plan of Land in New Bedford, Massachusetts", prepared for Regal-Beloit Corporation, dated December 15, 2005, scale: 1" = 100'; prepared by Hayward-Boynton and Williams, Inc., and recorded with the Bristol Southern District Registry in Plan Book 157, Page 75.

EXECUTED as a sealed instrument this 5th day of August, 2020.

This conveyance does not constitute a conveyance of all or substantially all of the assets of the Grantor in Massachusetts and Grantor has not elected to be taxed as a corporation.

Property address:

Vacant Land, Phillips Rd. North, West Side, New Bedford, MA 02740

After recording please mail to:

Michael A. Kehoe, Esq.

128 Union Street, Suite 500

New Bedford, MA 02740

Panagakos - Phillips Rd

GRANTOR:

PHILLIPS RD. NORTH LLC


Scott W. Costa, Manager

PHILLIPS RD. NORTH LLC


Andrew B. Tillett, Manager

Commonwealth of Massachusetts
Bristol, ss.

August 5, 2020

Before me personally appeared Scott W. Costa, as an authorized signatory of Phillips Rd. North LLC, who proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose.

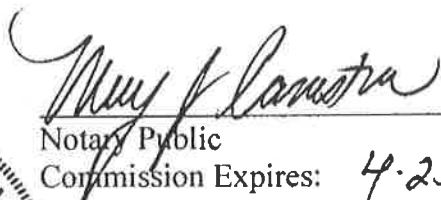


Notary Public
Commission Expires:

Commonwealth of Massachusetts
Bristol, ss

August 5, 2020

Before me personally appeared Andrew B. Tillett, as an authorized signatory of Phillips Rd. North LLC, who proved to me through satisfactory evidence of identification, which was personal knowledge to be the person whose name is signed on the preceding or attached document and acknowledged to me that he signed it voluntarily for its stated purpose.



Notary Public
Commission Expires: 4.23.2021



City of New Bedford
REQUEST for a CERTIFIED ABUTTERS LIST

This information is needed so that an official abutters list as required by MA General Law may be created and used in notifying abutters. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

SUBJECT PROPERTY	
MAP #	136
LOT(S)#	468
ADDRESS: WS Phillips Road	
OWNER INFORMATION	
NAME: Michael Panagakos	
MAILING ADDRESS: 133 Faunce Corner Road Dartmouth, MA 02747	
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT): SITEC, Inc-Kory Medeiros	
MAILING ADDRESS (IF DIFFERENT): 449 Faunce Corner Road Dartmouth, MA 02747	
TELEPHONE #	(508)998-2125
EMAIL ADDRESS:	kmedeiros@cecinc.com
REASON FOR THIS REQUEST: <i>Check appropriate</i>	
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION
<input type="checkbox"/>	PLANNING BOARD APPLICATION
<input checked="" type="checkbox"/>	CONSERVATION COMMISSION APPLICATION
<input type="checkbox"/>	LICENSING BOARD APPLICATION
<input type="checkbox"/>	OTHER (<i>Please explain</i>):

Once obtained, the Certified List of Abutters must be attached to this Certification Letter.

Submit this form to the Planning Division Room 303 in City Hall, 133 William Street. You, as applicant, are responsible for picking up and paying for the certified abutters list from the assessor's office (city hall, room #109).

Official Use Only:

As Administrative Assistant to the City of New Bedford's Board of Assessors, I 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.

Michael J. Motta

Printed Name

Michael Motta

Signature

Digitally signed by Michael Motta
Date: 2021.01.20 14:50:02 -05'00'

1/20/21

Date

Amount Due

\$5.00

Date Paid

1/19/21

Confirmation Number

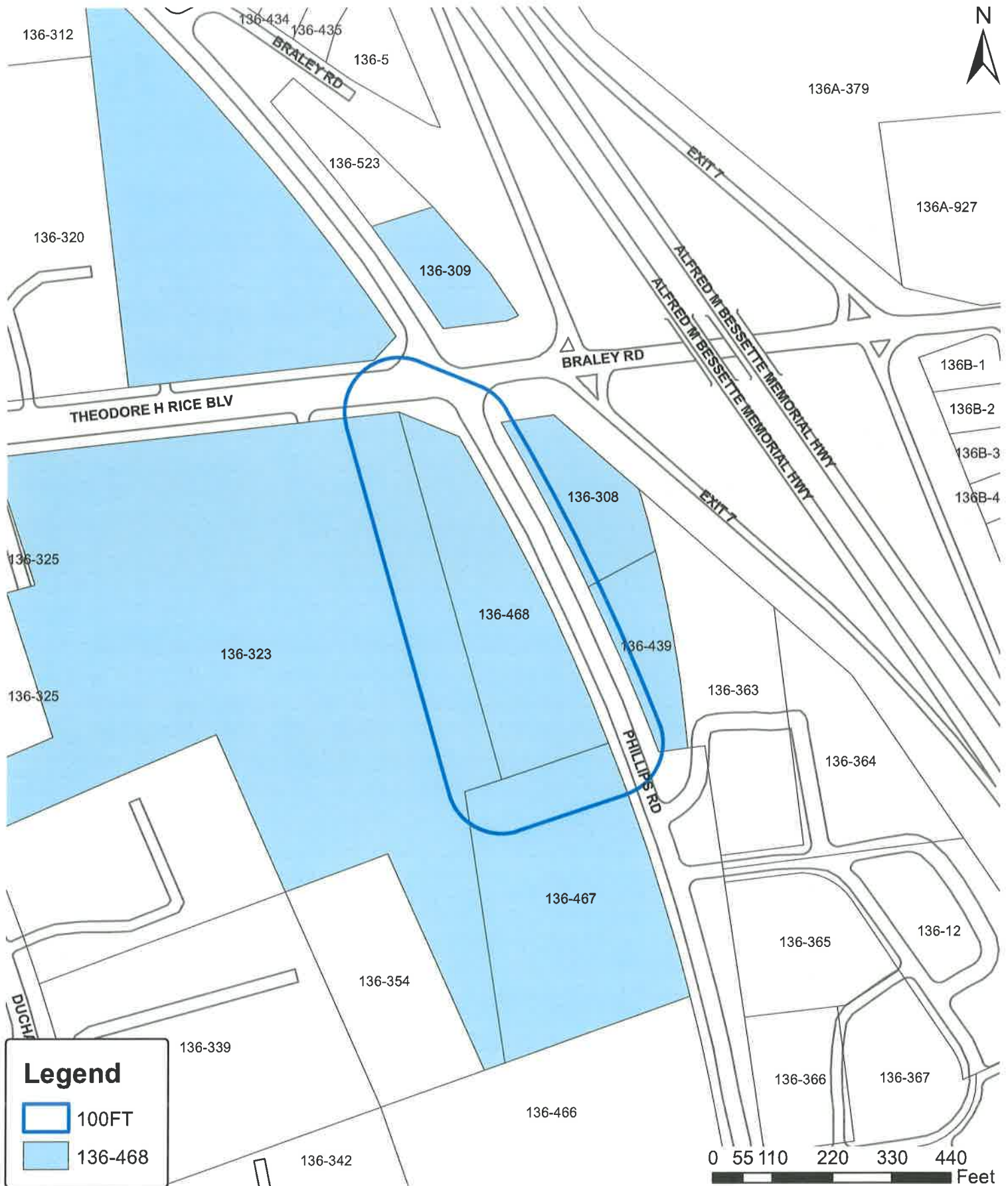
7188815

January 15, 2021
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as WS Phillips Road (Map: 136, Lot: 468). 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
136-439	PHILLIPS RD	ADAMOWSKI MICHAEL F "TRUSTEE", BRALEY NORTH REALTY TRUST (THE) 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-308	1230 BRALEY RD	COMPASS BANK FOR SAVINGS, C/O TRAMMELL CROW SOVEREIGN BANK P O BOX 14115 READING, PA 19612-4115
136-323	200 THEODORE RICE BLVD	HIGHLAND NEW BEDFORD ASSOCIATES LIMITED, PARTNERSHIP 65 SPRAGUE STREET HYDE PARK, MA 02136-2061
136-468	PHILLIPS RD	PANAGAKOS MICHAEL, 133 FAUNCE CORNER ROAD DARTMOUTH, MA 02747
136-467	PHILLIPS RD	PHILLIPS ROAD BUSINESS PARK LLC 128 BRALEY ROAD E FREETOWN, MA 02717
136-309	BRALEY RD	ADAMOWSKI MICHAEL F "TRUSTEE", BRALEY NORTH REALTY TRUST (THE) 70 LAMBETH STREET NEW BEDFORD, MA 02745
136-322	NS THEODORE RICE BLVD	BETA REALTY LLC 280 AYER ROAD HARVARD, MA 01451



City of New Bedford, Massachusetts
Department of City Planning

Parcel within 100FT

