



December 20, 2021

New Bedford Conservation Commission  
133 William Street  
Rm 304  
New Bedford, Massachusetts 02740

RE: Request for Determination of Applicability  
Eversource Energy  
ROW 143 Infrastructure Installation

Dear Commission Members:

In accordance with 310 CMR 10.00 Wetlands Protection act Regulations, Eversource Energy is submitting a Request for Determination of Applicability (RDA) and attached documentation for the proposed electrical infrastructure installation (Project) in New Bedford, MA. The Project site includes the existing Eversource right-of-way (ROW) off Flaherty Drive, shown on Figures 1 and 2, and is surrounded by wooded land and commercial buildings.

The proposed project would include the installation of distribution poles, riser poles and entrenched underground conduit to provide service to a new customer. All workspace would be in uplands and within the existing Eversource ROW.

A survey for aquatic resources identified two bordering vegetated wetlands west and southwest of the project area. No activities are proposed within Resource Areas, however portions of the project would be located within 100-foot Buffer Zone.

Eversource respectfully requests the Conservation Commission concurrence with a finding that the project area depicted on plans and the project work described herein are not subject to jurisdiction under the Wetlands Protection Act.

Documentation to support this RDA notification is attached and includes:

- WPA Form 1 – RDA
- Figure 1 – USGS Locus Map
- Figure 2 – Aquatic Resources Map

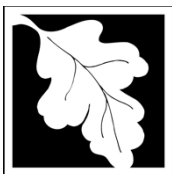
If you have any questions or require any addition information, please contact me at (508) 270-6505 or via email at [episkura@kleinfelder.com](mailto:episkura@kleinfelder.com).

Respectfully yours,

A handwritten signature in brown ink that reads "Eileen Piskura". The signature is written in a cursive style.

Eileen Piskura  
Environmental Permitting Lead

cc. James Clancy, Eversource



# 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:

James Clancy \_\_\_\_\_ james.clancy@eversource.com \_\_\_\_\_  
 Name E-Mail Address  
 247 Station Drive, SE270 \_\_\_\_\_  
 Mailing Address  
 Westwood \_\_\_\_\_ MA \_\_\_\_\_ 02090 \_\_\_\_\_  
 City/Town State Zip Code  
 (718) 441-8159 \_\_\_\_\_  
 Phone Number Fax Number (if applicable)

2. Representative (if any):

Kleinfelder \_\_\_\_\_  
 Firm  
 Eileen Piskura \_\_\_\_\_ episkura@kleinfelder.com \_\_\_\_\_  
 Contact Name E-Mail Address  
 4 Technology Drive, Suite 110 \_\_\_\_\_  
 Mailing Address  
 Westborough \_\_\_\_\_ MA \_\_\_\_\_ 01581 \_\_\_\_\_  
 City/Town State Zip Code  
 (508) 270-6505 \_\_\_\_\_  
 Phone Number Fax Number (if applicable)

## B. Determinations

1. I request the New Bedford \_\_\_\_\_ make the following determination(s). Check any that apply:  
Conservation Commission

- a. whether the **area** depicted on plan(s) and/or map(s) referenced below is an area subject to jurisdiction of the Wetlands Protection Act.
- b. whether the **boundaries** of resource area(s) depicted on plan(s) and/or map(s) referenced below are accurately delineated.
- c. whether the **work** depicted on plan(s) referenced below is subject to the Wetlands Protection Act.
- d. whether the area and/or work depicted on plan(s) referenced below is subject to the jurisdiction of any **municipal wetlands ordinance** or **bylaw** of:

\_\_\_\_\_  
Name of Municipality

- e. whether the following **scope of alternatives** is adequate for work in the Riverfront Area as depicted on referenced plan(s).





## WPA Form 1- Request for Determination of Applicability

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

### C. Project Description (cont.)

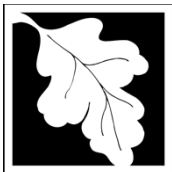
b. Identify provisions of the Wetlands Protection Act or regulations which may exempt the applicant from having to file a Notice of Intent for all or part of the described work (use additional paper, if necessary).

310 CMR 10.02(2)(a)2 of the Wetland Protection Act states that activities conducted to maintain, repair or replace, but not substantially change or enlarge an existing and lawfully located structure or facility used in the service of the public and used to provide electric, gas, water, sewer, telephone, telegraph and other communication services, provided that said work utilizes best practical measures to avoid or minimize impacts to wetland resource areas outside the footprint of said structure or facility. Eversource is proposing this infrastructure installation to provide a new customer with service, but will not enlarge their facilities as all construction activities and infrastructure will be contained within the existing Eversource ROW.

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.)



# WPA Form 1- Request for Determination of Applicability

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

## 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:

James Clancy

Name

247 Station Drive, SE270

Mailing Address

Westwood

City/Town

MA

State

02090

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

12/1/2021

Date

Signature of Representative (if any)

12/1/2021

Date

## FIGURES

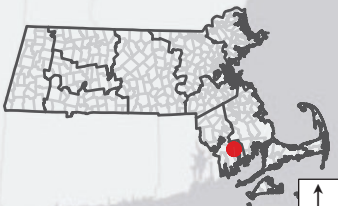
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ROW 143 INFRASTRUCTURE  
INSTALLATION

NEW BEDFORD  
Sewage  
Disposal

INDEX MAP



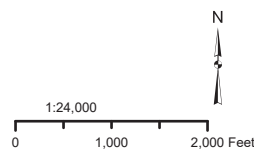
Legend

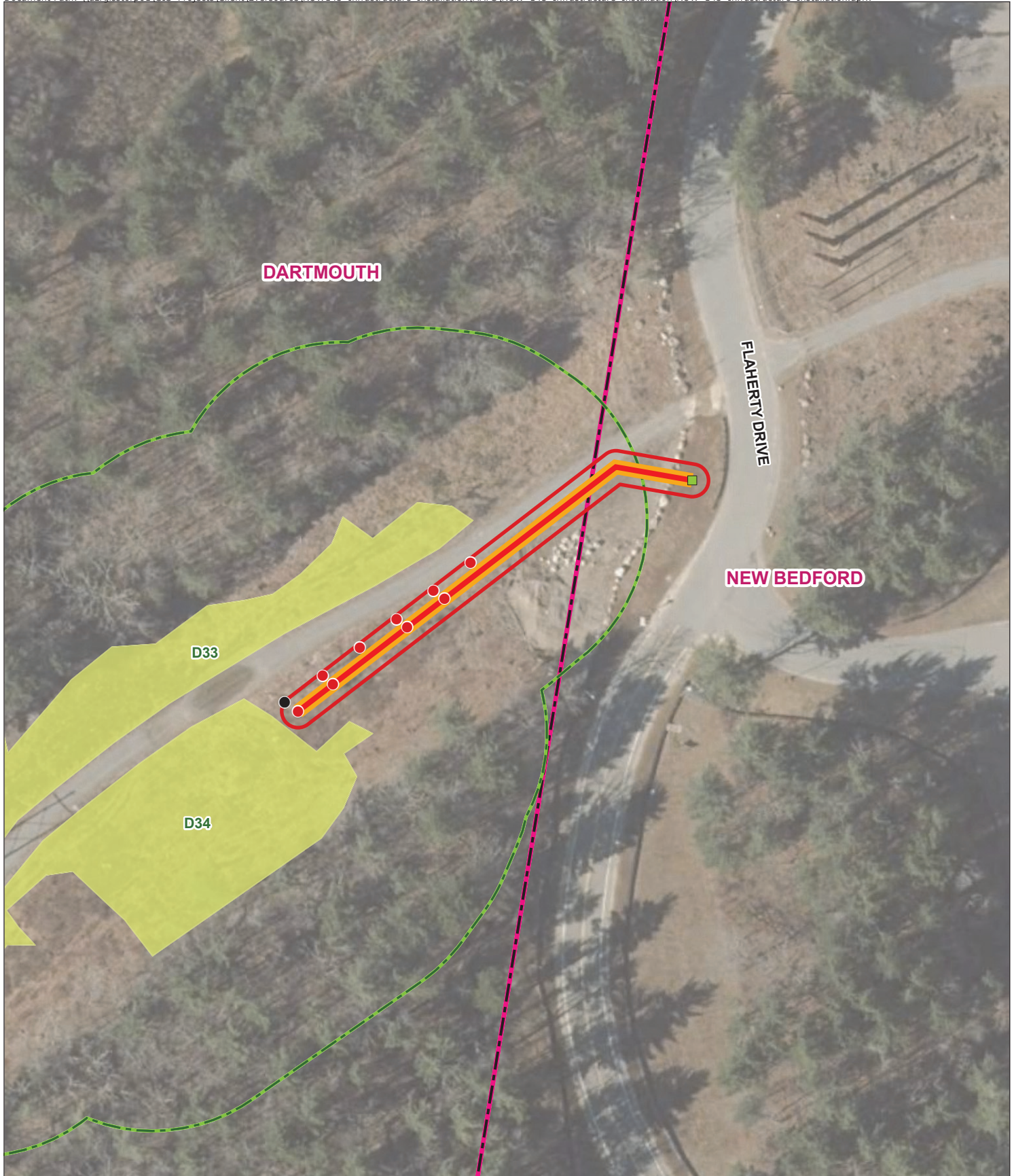
 ROW 143 Infrastructure Installation

**EVERSOURCE**  
ENERGY

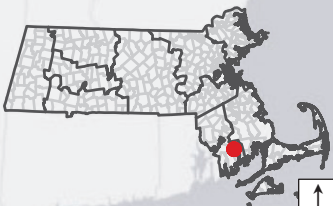
Eversource  
ROW 143 Infrastructure Installation  
Dartmouth and New Bedford, MA

11/10/2021



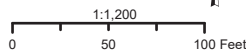


**INDEX MAP**



**Legend**

- Proposed Riser Pole/Distribution Pole
- Existing Pole
- Existing Manhole
- ▬ Duct trench
- ▬ Ducts, concrete encased
- Field Delineated Wetland
- ▬ Field Delineated Wetland 100ft Buffer
- ▬ ROW 143 Infrastructure Installation 25' LOD



**EVERSOURCE**  
ENERGY

Eversource  
ROW 143 Infrastructure Installation  
Dartmouth and New Bedford, MA

11/23/2021





## CERTIFIED ABUTTERS LIST

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# 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 #  | 133                                 | LOT(S)# | 54 |
| ADDRESS: 0 John Vertente Blvd<br>New Bedford, MA. 02740                                |                                     |         |    |
| OWNER INFORMATION  |                                     |         |    |
| NAME: Acushnet Company   |                                     |         |    |
| MAILING ADDRESS: P.O. BOX 965<br>Fairhaven, MA 02719                                   |                                     |         |    |
| APPLICANT/CONTACT PERSON INFORMATION   |                                     |         |    |
| NAME (IF DIFFERENT): Eileen Piskura  |                                     |         |    |
| MAILING ADDRESS (IF DIFFERENT): 4 Technology Drive, Suite 110<br>Westborough, MA 01581 |                                     |         |    |
| TELEPHONE #  | 508-270-6505                        |         |    |
| EMAIL ADDRESS:   | episkura@kleinfelder.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 Department of City Planning, Room 303 in City Hall, 133 William Street, or Email to [Angela.Goncalves@newbedford-ma.gov](mailto:Angela.Goncalves@newbedford-ma.gov). The applicant is 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: 2021.12.15 16:12:02 -05'00'

**12/15/2021**

Date

Amount Due

\$5.00

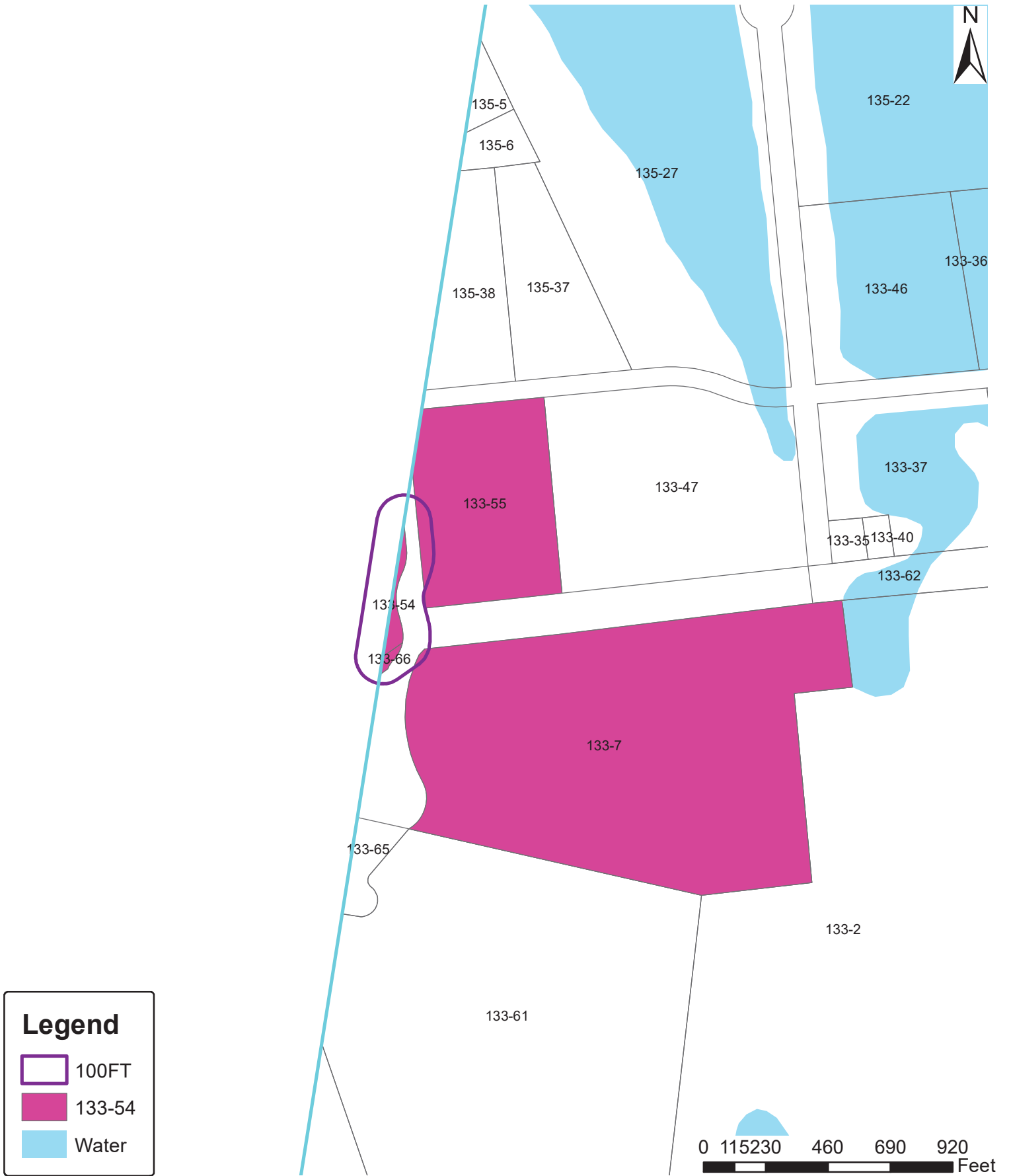
Date Paid

12/15/2021

Confirmation Number

3501555





**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: Eversource

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: Flaherty Drive  
Assessor's Map 133 ; Lot 54

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 X by calling this telephone number 508-270-6505 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

# DEED

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BK 4372 PG 339  
03/30/99 11:54 Doc. 9409

JOHNSON & JOHNSON PROFESSIONAL, INC.,

a corporation duly established under the laws of New Jersey, for consideration of \$209,000.00 and having its usual place of business at 61 Vertente Boulevard, New Bedford, Massachusetts

Bristol County, Massachusetts, for consideration paid,

grants to ACUSHNET COMPANY, a Delaware Corporation, with a usual place of business at 333 Bridge Street, Fairhaven, Massachusetts, 02719,

with quitclaim covenants

the land, with any buildings thereon, in New Bedford and Dartmouth, Bristol County, Commonwealth of Massachusetts, bounded and described as follows:

BEGINNING at the northeast corner of the land herein described at a point in the southerly line of Samuel Barnet Boulevard and at the northwest corner of Lot B, as shown on plan of land hereinafter mentioned;

Thence SOUTH 08° 54' 00" WEST, in line of said Lot B, two hundred three and 86/100 (203.86) feet to a point;

Thence SOUTH 05° 29' 10" EAST in line of last-named lot, four hundred fifty-nine and 24/100 (459.24) feet to a point;

Thence SOUTH 08° 54' 00" WEST in line of last-named lot, one hundred ninety-seven and 53/100 (197.53) feet to land now or formerly of Poloroid Corporation;

Thence SOUTH 53° 50' 56" WEST, in line of last-named land, one hundred sixty-one and 51/100 (161.51) feet to land now or formerly of The Acushnet Company;

Thence NORTH 05° 29' 10" WEST, in line of last-named land, nine hundred thirty and 41/100 (930.41) feet to the southerly line of Samuel Barnet Boulevard;

Thence NORTH 84° 30' 50" EAST, in line of said Samuel Barnet Boulevard, two hundred thirty-eight and 65/100 (238.65) feet to Lot B, as shown on said plan, and the point of beginning.

CONTAINING 3.8 acres, more or less.

BEING shown as Lot C on plan of land entitled "Approval Not Required Plan in New Bedford, Massachusetts, drawn for Johnson & Johnson Professional, Inc., Scale: 1"=80", dated January 18, 1999 by Earle O. Phillips, Jr., Land Surveyor and filed in the Bristol County S.D. Registry of Deeds in Plan Book 142, Page 27.

FOR TITLE, see deed from the Greater New Bedford Industrial Foundation, dated September 21, 1978 and recorded in said Registry of Deeds in Book 1769, Page 1060

SUBJECT to matters set forth in a deed dated September 21, 1978 and recorded in said Registry of Deeds in Book 1769, Page 1060, to the extent that they may be in force and applicable.

SUBJECT to a one hundred fifty foot (150') wide easement to New Bedford Gas and Edison Light Company, as shown on said plan.

PROPERTY ADDRESS: Lot "C" Samuel Barnet Boulevard  
New Bedford and Dartmouth, MA

## FEE INFORMATION

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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:** Flaherty Drive

**MAP(S)** 133 **LOT(S)** 54

**APPLICANT:** Eversource

**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<br>Fee shall not exceed \$2000.00 per project  | \$ _____        |
| • \$0.05 X _____ SF of Isolated Land Subject to Flooding,<br>Bordering Land Subject to Flooding or Land Subject to Coastal<br>Storm Flowage<br>Fee shall not exceed \$500.00 | \$ _____        |
| • \$0.50 X _____ SF of altered 25' Riverfront Area<br>Fee shall not exceed \$1,500.00  | \$ _____        |
| • \$1.00 X _____ SF of undeveloped 25' Riverfront Area<br>Fee shall not exceed \$2000.00   | \$ _____        |
| • \$5.00 X _____ LF of Coastal or Inland Bank<br>Fee shall not exceed \$750.00   | \$ _____        |



- \$0.10 X 660 SF of Buffer Zone altered \$ 266.00  
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:** \$ 266.00

**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.

