

**NOTICE OF INTENT (NOI) APPLICATION DOCUMENTS
PROPOSED COMMERCIAL BUILDING**

**Project Location:
Samuel Barnet Boulevard
Assessor's Map 133, Lot 63
New Bedford, Massachusetts**

**Prepared for:
D.F. Pray, Inc.
858 Washington St., Suite 308
Dedham, MA 02026**

11D Industrial Drive
P.O. Box 1178
Mattapoisett, MA 02739
Tel. (508) 758-2749
Fax (508) 758-2849

Project No. 2380

February 18, 2022

TABLE OF CONTENTS

DEP WPA 3 – Notice of Intent Section 1

NOI Wetland Fee Transmittal Section 2

Project Narrative Section 3

Map References Section 4

Certified Abutters List and Abutters Notification Section 5

Stormwater Management Report..... *via separate cover*

Proposed Site Development Plans *via separate cover*

Section 1 – WPA Form 3 – Notice of Intent



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

Important:

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



Note: Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

<u>Samuel Barnet Boulevard</u>	<u>New Bedford</u>	<u>02745</u>
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:		
<u>41-43-15 N</u>	<u>70-57-24 W</u>	
d. Latitude	e. Longitude	
<u>133</u>	<u>63</u>	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

<u>Scott</u>	<u>Pray</u>	
a. First Name	b. Last Name	
<u>D.F. Pray, Inc.</u>		
c. Organization		
<u>25 Anthony Street</u>		
d. Street Address		
<u>Seekonk</u>	<u>MA</u>	<u>02117</u>
e. City/Town	f. State	g. Zip Code
<u>(508) 336-3366</u>	_____	
h. Phone Number	i. Fax Number	j. Email Address

3. Property owner (required if different from applicant): Check if more than one owner

_____	_____	
a. First Name	b. Last Name	

c. Organization		

d. Street Address		
_____	_____	_____
e. City/Town	f. State	g. Zip Code
_____	_____	_____
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

<u>Richard R.</u>	<u>Riccio III, P.E.</u>	
a. First Name	b. Last Name	
<u>Field Engineering Co., Inc.</u>		
c. Company		
<u>11D Industrial Drive - P.O. Box 1178</u>		
d. Street Address		
<u>Mattapoisett</u>	<u>MA</u>	<u>02739</u>
e. City/Town	f. State	g. Zip Code
<u>(508) 758-2749</u>	<u>(508) 758-2849</u>	<u>rriccio@fieldengrg.com</u>
h. Phone Number	i. Fax Number	j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

<u>\$2,500.00</u>	<u>\$1,237.50</u>	<u>\$1,262.50</u>
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

A. General Information (continued)

6. General Project Description:

The applicant proposes to construct a 92,000-square foot facility with associated parking and loading areas and grading within the 100-foot buffer zone of a bordering vegetated wetland. Also proposed is a rail spur of the existing railroad that will span an existing perennial stream with associated alteration (with replication) to bordering vegetated wetlands and 25' Riverfront Area. This project was previously permitted under DEP File No. SE 49-0720.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- 1. Single Family Home
- 2. Residential Subdivision
- 3. Commercial/Industrial
- 4. Dock/Pier
- 5. Utilities
- 6. Coastal engineering Structure
- 7. Agriculture (e.g., cranberries, forestry)
- 8. Transportation
- 9. Other

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. Yes No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Bristol

a. County

8452

c. Book

b. Certificate # (if registered land)

99

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

- 1. Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
- 2. Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input checked="" type="checkbox"/> Bordering Vegetated Wetland	4,640 1. square feet	7,425 2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet 3. cubic yards dredged	2. square feet

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet 3. cubic feet of flood storage lost	2. square feet 4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet 2. cubic feet of flood storage lost	3. cubic feet replaced
f. <input checked="" type="checkbox"/> Riverfront Area	unnamed stream 1. Name of Waterway (if available) - specify coastal or inland	

2. Width of Riverfront Area (check one):

- 25 ft. - Designated Densely Developed Areas only
- 100 ft. - New agricultural projects only
- 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: 53,259
square feet

4. Proposed alteration of the Riverfront Area:

<u>3,290</u>	<u>3,290</u>	<u>N/A</u>
a. total square feet	b. square feet within 100 ft.	c. square feet between 100 ft. and 200 ft.

5. Has an alternatives analysis been done and is it attached to this NOI? Yes No

6. Was the lot where the activity is proposed created prior to August 1, 1996? Yes No

3. Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



WPA Form 3 - Notice of Intent

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

Provided by MassDEP:
MassDEP File Number
Document Transaction Number
New Bedford
City/Town

B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

Table with columns: Resource Area, Size of Proposed Alteration, Proposed Replacement (if any). Rows include Designated Port Areas, Land Under the Ocean, Barrier Beach, Coastal Beaches, Coastal Dunes, Coastal Banks, Rocky Intertidal Shores, Salt Marshes, Land Under Salt Ponds, Land Containing Shellfish, Fish Runs, Land Subject to Coastal Storm Flowage, Restoration/Enhancement, and Project Involves Stream Crossings.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

a. number of new stream crossings

b. number of replacement stream crossings

C. Other Applicable Standards and Requirements

- This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Notice of Intent – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

- a. Yes No

If yes, include proof of mailing or hand delivery of NOI to:

**Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581**

2022

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.1.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

- c. Submit Supplemental Information for Endangered Species Review*

1. Percentage/acreage of property to be altered:

(a) within wetland Resource Area

percentage/acreage

(b) outside Resource Area

percentage/acreage

2. Assessor's Map or right-of-way plan of site

2. Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **

- (a) Project description (including description of impacts outside of wetland resource area & buffer zone)

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

(b) Photographs representative of the site

C. Other Applicable Standards and Requirements (cont'd)

(c) MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/esa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

(d) Vegetation cover type map of site

(e) Project plans showing Priority & Estimated Habitat boundaries

(f) OR Check One of the Following

1. Project is exempt from MESA review. Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhesp/regulatory_review/mesa/esa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)

2. Separate MESA review ongoing. a. NHESP Tracking # _____ b. Date submitted to NHESP _____

3. Separate MESA review completed. Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.

3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?

a. Not applicable – project is in inland resource area only b. Yes No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

Online Users:
Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

C. Other Applicable Standards and Requirements (cont'd)

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?
- a. Yes No If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.
-
- b. ACEC
5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?
- a. Yes No
6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?
- a. Yes No
7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?
- a. Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:
1. Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
 2. A portion of the site constitutes redevelopment
 3. Proprietary BMPs are included in the Stormwater Management System.
- b. No. Check why the project is exempt:
1. Single-family house
 2. Emergency road repair
 3. Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative



WPA Form 3 – Notice of Intent

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

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

New Bedford

City/Town

to the boundaries of each affected resource area.

D. Additional Information (cont'd)

3. Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. List the titles and dates for all plans and other materials submitted with this NOI.

Proposed Site Development Plans-D.F. Pray, Inc.

a. Plan Title

Field Engineering Co., Inc.

Richard R. Riccio III, P.E.

b. Prepared By

c. Signed and Stamped by

2/2/22

d. Final Revision Date

e. Scale

Stormwater Management System Report

2/2/22

f. Additional Plan or Document Title

g. Date

5. If there is more than one property owner, please attach a list of these property owners not listed on this form.

6. Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.

7. Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.

8. Attach NOI Wetland Fee Transmittal Form

9. Attach Stormwater Report, if needed.

E. Fees

1. Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

1620

2/7/22

2. Municipal Check Number

3. Check date

1621

2/7/22

4. State Check Number

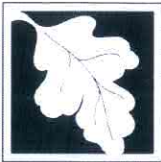
5. Check date

Scott W.

Pray

6. Payor name on check: First Name



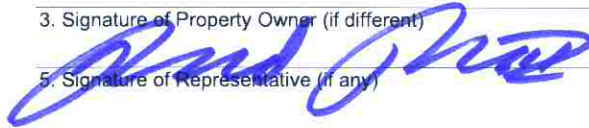

7. Payor name on check: Last Name



F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

 1. Signature of Applicant	 2. Date
3. Signature of Property Owner (if different)	4. Date
 5. Signature of Representative (if any)	 6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

Section 2 – NOI Wetland Fee Transmittal



Massachusetts Department of Environmental Protection
 Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
 Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

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



A. Applicant Information

1. Location of Project:

<u>Samuel Barnet Boulevard, Map 133, Lot 63</u>	<u>New Bedford</u>
a. Street Address	b. City/Town
<u>1621</u>	<u>\$1,237.50</u>
c. Check number	d. Fee amount

2. Applicant Mailing Address:

<u>Scott</u>	<u>Pray</u>	
a. First Name	b. Last Name	
<u>D.F. Pray, Inc.</u>		
c. Organization		
<u>25 Anthony Street</u>		
d. Mailing Address		
<u>Seekonk</u>	<u>MA</u>	<u>02117</u>
e. City/Town	f. State	g. Zip Code
<u>(508) 336-3366</u>	<u></u>	
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

<u></u>	<u></u>	
a. First Name	b. Last Name	
<u></u>		
c. Organization		
<u></u>		
d. Mailing Address		
<u></u>	<u></u>	<u></u>
e. City/Town	f. State	g. Zip Code
<u></u>	<u></u>	<u></u>
h. Phone Number	i. Fax Number	j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

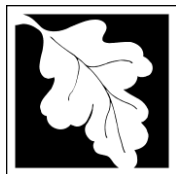
Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Massachusetts Department of Environmental Protection

Bureau of Resource Protection - Wetlands

NOI Wetland Fee Transmittal Form

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

B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
Category 3.b.) each building (for development) including site;	1	\$1,050.00	\$1,050.00
Category 4.a.) each crossing for development or commercial road;	1	\$1,450.00	\$1,450.00
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
Step 5/Total Project Fee:			\$2,500.00

Step 6/Fee Payments:

Total Project Fee:	<u>\$2,500.00</u>
State share of filing Fee:	a. Total Fee from Step 5 <u>\$1,237.50</u>
City/Town share of filing Fee:	b. 1/2 Total Fee less \$12.50 <u>\$1,262.50</u>
	c. 1/2 Total Fee plus \$12.50

C. Submittal Requirements

- a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

Department of Environmental Protection
Box 4062
Boston, MA 02211

- b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

To MassDEP Regional Office (see Instructions): Send a copy of the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and a **copy** of the state fee payment. (E-filers of Notices of Intent may submit these electronically.)

Section 3 – Project Narrative

NARRATIVE TO ACCOMPANY
CONSERVATION COMMISSION
NOTICE OF INTENT
D.F. PRAY, INC.
PROPOSED COMMERCIAL BUILDING
SAMUEL BARNET BOULEVARD, MAP 133, LOT 63
NEW BEDFORD, MASSACHUSETTS

1.0 PROJECT OVERVIEW

On behalf of our client and applicant of record, D.F. Pray, Inc., Field Engineering Co., Inc. has prepared this Notice of Intent Application Package in accordance with 310 CMR 10.00, the Wetlands Protection Act for review and approval of the proposed construction of an approximate 92,000-square foot commercial building on an existing vacant lot located on Samuel Barnet Boulevard, as shown on Assessor's Map 133, Lot 63 in the New Bedford Business Park.

The proposed development of this site was previously permitted under an Order of Conditions under DEP File No. SE 049-0720 which was issued in 2015. Development of this site under the original Order of Conditions never commenced and that Order has since expired. The following project narrative is the same information that was presented with the Notice of Intent for the original development and is provided for informational purposes with this new filing.

The applicant is proposing this development to expand and supplement their existing operations into the City of New Bedford. Work will include construction of the building with proposed parking and loading areas as shown on the Proposed Site Development Plans accompanying this petition. The applicant is also proposing to construct a railroad spur off the rail line that currently exists along the westerly boundary of the project site.

As the Site Plans show, the proposed impervious surfaces will be serviced by an extensive stormwater management system including sediment forebays, deep sump catch basins and either an extended detention/infiltration basin or wet basin that will serve to treat and attenuate the runoff prior to discharge of the runoff off-site. A portion of the proposed impervious surface will be treated by an on-site proprietary water quality unit prior to discharge to the existing drainage system off-site.

The proposed building will be serviced by water, sewer, electric, and communications utilities currently located within Samuel Barnet Boulevard. The site will be accessed by a single access driveway off Samuel Barnet Boulevard on the easterly side of the site. Finally, as the attached Proposed Site Development Plans show, provisions have been made for the potential future expansion of the proposed facility and the stormwater management system has been sized to accommodate this additional impervious area.

2.0 EXISTING CONDITIONS

The proposed project is located on City of New Bedford Assessor's Lot 63 on Map 133 and the legal address of the project site is NS Samuel Barnet Boulevard. The project site is bounded to the east and north by an extensive wetland system, bounded to the south by Samuel Barnet Boulevard, and bounded to the east by an existing power line easement and wetland complex containing a perennial stream. On the other side of the wetland complex and perennial stream is an existing rail line. An existing grassed swale runs along the front of the property between Samuel Barnet Boulevard and the developable portion of the property. The existing 14.1-acres parcel is currently vacant wooded area and contains approximately 10.6-acres of upland.

The wetland resource areas surrounding the eastern and northern sides of the site have been previously delineated and approved through an Abbreviated Notice of Resource Area Delineation. The wetland resource area and perennial stream along the western property boundary were flagged by Epsilon Associates in September 2015. As was mentioned in previous sections of this narrative, the entire site is currently wooded with the exception of the existing power line easement along the western side of the property. According to the most recent Federal Emergency Management Agency (FEMA) Flood Insurance mapping, Community Panel No. 25005C0377G, dated 7/6/2021, no portion of the proposed project site is located within the 100-year floodplain.

3.0 PROPOSED CONDITIONS

3.1 PROPOSED BUILDING

The project consists of the construction of an approximate 92,000 square foot cold storage warehouse building with associated office, reception, and common spaces as shown on the attached Proposed Site Development Plans prepared by Field Engineering Co., Inc. The building will be serviced by eight (8) loading docks located to the rear of the building, one (1) drive-in door adjacent to the loading docks and one (1) loading door along the westerly side of the building for rail access. There will be two separate entrances to the building along the rear façade, one entrance for general employee access and one entrance for truck drivers coming to the facility. As previously mentioned, provisions have also been made for a future addition to the building as shown on the site plans. Finally, the proposed building will be constructed with an energy efficient white TPO roof which help to minimize cooling costs for the proposed freezer building and also minimize "heat island" impacts.

3.2 SITE IMPROVEMENTS

The proposed site improvements will include the construction of a single access drive off of Samuel Barnet Boulevard to the parking and loading areas located behind the

proposed building. Twenty-seven (27) paved parking spaces are proposed with two (2) handicap spaces as shown on the site plans. In addition, eight (8) paved truck spaces and one (1) drive-in door will be provided to access the proposed enclosed loading area. The site will be serviced by existing public utilities currently available within Samuel Barnet Boulevard. Proposed lighting will consist of wall-packs on the building and low-level ground lighting within the landscaped areas.

The applicant is also proposing to construct a rail spur off the existing industrial rail line that is located along the westerly boundary of the project. This rail spur will require a crossing over the existing perennial stream. This crossing will be designed to meet both the standards of the rail company and the U.S. Army Corps Stream Crossing Standards as required by the Massachusetts Wetlands Protection Act. This stream crossing will be reviewed through the Notice of Intent process with the New Bedford Conservation Commission. Wetland alteration associated with the stream crossing has been kept beneath 5,000-square feet with adequate wetland replication, therefore allowing the Conservation Commission to permit the work.

3.3 STORMWATER MANAGEMENT SYSTEM AND COMPLIANCE WITH APPLICABLE STANDARDS

The proposed stormwater management system has been designed to comply with DEP's stormwater management standards that were incorporated into the regulations on January 2, 2008 (see 310 CMR 10.05(6)(k)) and incorporates a number of Best Management Practices (BMPs), as prescribed in the Department of Environmental Protection Stormwater Management Handbook. These practices include structural and non-structural measures providing stormwater quantity and quality management. These BMPs will function to minimize potential adverse water quality impacts to the surrounding wetland ecosystem. The Stormwater Management System Report prepared by Field Engineering Co. Inc. describes the temporary and permanent stormwater BMPs proposed for the site development and includes drainage calculations prepared by a Registered Professional Engineer, a DEP Stormwater Management Form Checklist, and a Post Construction Operation and Maintenance Plan with Long Term Pollution Prevention Plan.

The proposed paved and building areas on the developed lot are the primary target area for water quantity and quality control measures for the project. The goal of the proposed stormwater management system design was to provide the necessary water quality treatment and attenuation for all of the runoff generated in proposed conditions. The stormwater management system makes use of a variety of stormwater Best Management Practices (BMP's) to meet this objective. These BMP's are described in more detail in the attached Stormwater Management System Report.

Runoff from the majority of the site will flow through sediment forebays and extended detention/infiltration systems with culvert outfalls and overflow riprap spillways which will serve to reduce the rates of runoff to the subject analysis point. A portion of the paved surface will discharge to a proprietary water quality inlet for pre-treatment prior to discharge to the analysis point. The predicted Total Suspended Solids (TSS) Removal and Water Quality calculations for these areas are submitted in the Stormwater Management System Report. Calculations have been provided to show that the proposed stormwater management system will provide more than adequate water quality volumes and capabilities to handle the proposed paved and impervious areas on the developed portions of the lot prior to discharge off-site.

Finally, the Project Proponent will file for coverage under the National Pollutant Discharge and Elimination System Construction General Permit. Prior to construction, the Project Proponent will develop Stormwater Pollution Prevention Plan ("SWPPP") identifying BMPs that will be implemented to prevent erosion and sedimentation. A copy of this SWPPP will be forwarded to the Conservation Commission upon completion. The SWPPP will be finalized prior to construction in conjunction with the selection of the site contractor. The SWPPP will be updated as necessary during construction and maintained throughout the period of construction.

4.0 WETLAND AND BUFFER ZONE IMPACT MINIMIZATION AND MITIGATION MEASURES

The Project Proponent has avoided, minimized and mitigated impacts to wetland resource areas and the buffer zone to the maximum extent practicable consistent with state and local regulatory performance standards. A number of impact minimization and mitigation measures have been proposed to contribute to the protection of the interests of the Wetlands Protection Act and Bylaw for the affected wetland resource areas. These measures include (i) wetland replication; (ii) protection of open space / land preservation; (iii) wildlife habitat enhancements; (iv) erosion and sedimentation controls; (v) stormwater management; and (vi) Best Management Practices ("BMPs") associated with site access. Additional information on these impact minimization and mitigation measures is provided below.

4.1 WETLAND REPLICATION

Approximately 4,640 s.f. of BVW will be permanently filled in order to construct the proposed rail spur to service the building. The Project Proponent will mitigate these permanent impacts by creating approximately 7,400 s.f. of new forested wetlands in the vicinity of the impact areas (providing approximately 1.6:1 replication to impact ratio, greater than the 1:1 ratio required by the DEP). The BVW replication area has been designed in accordance with 310 CMR 10.55(4)(b) and the Massachusetts Department of Environmental Protection's ("MassDEP") "Massachusetts Inland Wetland Replication

Guidelines” (MassDEP, March 2002). The BVW replication area will function in a manner similar to the BVW that will be lost with regard to surface area, groundwater and surface elevations, hydrology, wetland plant species and soil types. The details and design of the wetland replication are provided on Sheet 8 of the Site Development Plans. A qualified wetland scientist will supervise all work and will inspect and approve all imported planted materials. Within 30 days following construction of the wetland replication area, the wetland scientist will certify that the area has been constructed in compliance with the Final Order of Conditions. The certification will be accompanied by an “as-built” plan prepared by a registered professional land surveyor showing the limits and final grading of the replication area. The wetland replication area will be monitored on an ongoing basis for a period of two complete growing seasons by a qualified wetland scientist. Written reports will be submitted twice per year to the New Bedford Conservation Commission (June and October). Vegetation cover percentages will be determined during each monitoring event. These visual estimates will encompass the total percent cover for the wetland replication area. As required by the Wetlands Protection Act regulations, at least 75% of the surface of the restoration area should be established with native plant species within two growing seasons.

4.2 BUFFER ZONE ALTERATION AND MITIGATION

Approximately 800 SF of the Conservation Commissions 25’ “No Touch” buffer zone will also be disturbed to construct the proposed access driveway as shown on the attached plans. A proposed concrete block retaining wall is shown on the plans to minimize the amount of alteration to the 25’ “No Touch” buffer. In addition to constructing the wall to minimize alteration, the applicant is also proposing to retain a larger “No Touch” buffer on a portion of the site to offset the alteration. Approximately 3,500 SF of buffer zone outside the 25’ “No Touch” will be retained undisturbed as shown on the plans.

4.3 RAIL SPUR STREAM CROSSING

To minimize alterations to BVW and also minimize alterations to the existing perennial stream, the applicant is proposing to construct the rail spur with the minimum width allowed by the rail company. In addition, the applicant is proposing to a clear span construction of the spur over the existing stream in order to comply with the Stream Crossing Standards and minimize disturbance to the existing stream bed.

4.4 WILDLIFE HABITAT ENHANCEMENTS

The Project Proponent is proposing to enhance wildlife habitat within the wetland replication area. The wildlife habitat will be enhanced with the installation of brush piles to provide cover, shelter and overwintering habitat for small mammals and reptiles (e.g., eastern box turtle). Brush piles will be constructed in random locations using some of

the felled trees and construction will be supervised by a qualified wetland scientist. Brush piles will be constructed from the cut tree branches.

Also, bird boxes will be installed to provide nesting habitat for species suitable along edge habitats. Bird box locations and quantities will be identified by a wildlife ecologist upon completion of cutting activities.

4.5 SEDIMENTATION AND EROSION CONTROLS

The site contractor will use appropriate erosion control and best management practices during construction. This includes appropriately sized sediment basins for dewatering, the installation of silt fence and hay bales or compost filter socks along the perimeter of the property, the use of erosion control blankets or mats or straw mulch on exposed slopes for stabilization, and the use of designated construction entrances enhanced with crushed stone to prevent off-site vehicle tracking.

5.0 COMPLIANCE WITH WETLANDS PROTECTION ACT PERFORMANCE STANDARDS

Inland Bank

[310 CMR 10.54(4)(a)] Where the presumption set forth in 310 CMR 10.54(3) is not overcome, any proposed work within Inland Bank shall not impair the following:

The physical stability of the Bank; (2) The water carrying capacity within the defined channel, which is provided by said land in conjunction with the banks; (3) Ground and surface water quality; (4) The capacity of the Bank to provide breeding habitat, escape cover and food for fisheries; and (5) The capacity of the Bank to provide important wildlife habitat function. A project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 50 feet (whichever is less) of the length of the Bank found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions ...

No Inland Bank will be permanently altered during construction of this project. Temporary alteration will be kept to a minimum during placement of the spans for the proposed rail spur crossing. The proposed crossing has been designed to comply with U.S. Army Corp Stream Crossing standards.

Bordering Vegetated Wetlands

Activities on the Project Site in BVW include the construction of the proposed rail spur off the existing rail line to the west of the proposed building.

310 CMR 10.55(4)(a) – Where the presumption set forth in 310 CMR 10.55(3) is not overcome, any proposed work in a Bordering Vegetated Wetland shall not destroy or otherwise impair any portion of said area.

See 310 CMR 10.55(4)(b) below.

310 CMR 10.55(4)(b) - Notwithstanding the provisions of 310 CMR 10.55(4)(a), the issuing authority may issue an Order of Conditions permitting work which results in the loss of up to 5,000 square feet of Bordering Vegetated Wetland when said area is replaced in accordance with the following general conditions and any additional, specific conditions the issuing authority deems necessary to ensure that the replacement area will function in a manner similar to the area that will be lost:

The surface of the replacement area to be created ("the replacement area") shall be equal to that of the area that will be lost ("the lost area");

Activities on the Project Site will result in the loss of approximately 4,640 s.f. of BVW during construction of the proposed rail spur. The Project Proponent will mitigate these impacts by creating approximately 7,400 s.f. of new scrub-shrub wetlands in the vicinity of the impact areas (a 1:6 replication-to-impact ratio). The details and design of the wetland replication are provided on Sheet 8 of the Site Development Plans.

The ground water and surface elevation of the replacement area shall be approximately equal to that of the lost area;

The proposed replication area has been designed so that the ground water and surface elevations are approximately equal to those of the lost areas. The replication area will have shallow pit and mound micro-topography to mimic the impacted wetland surfaces.

The overall horizontal configuration and location of the replacement area with respect to the bank shall be similar to that of the lost area;

As depicted on Sheet 8 of the Site Development Plans, the replication area is located within the same wetland complex and hydrologic system as the impacted wetland resource areas. The site was selected to provide in-kind wetland mitigation. The horizontal configuration of the wetland replication area(s) has been designed to approximate that of the BVW impact areas.

The replacement area shall have an unrestricted hydraulic connection to the same waterbody or waterway associated with the lost area;

The proposed wetland replication area has an unrestricted hydraulic connection to the same contiguous BVW system that contains the BVW impact areas and related water bodies. The primary hydrologic input to the wetland replication area will be derived from

the same existing groundwater and surface runoff sources that currently contribute to the BVW impact areas.

The replacement area shall be located within the same general area of the water body or reach of the waterway as the lost area;

The proposed wetland replication area(s) is located within the same general area of the waterbodies or reach of the waterways as the lost areas. See Sheet 8 of the Site Development Plans.

At least 75% of the surface of the replacement area shall be reestablished with indigenous wetland plant species within two growing seasons, and prior to said vegetative reestablishment any exposed soil in the replacement area shall be temporarily stabilized to prevent erosion in accordance with standard U.S. Soil Conservation Service methods;

The wetland replication plan depicted on Sheet 8 of the Site Development Plans proposes to create a forested habitat within two growing seasons, providing a minimum of 75 percent surface coverage with indigenous wetland plant species. Exposed substrates will be protected against erosion until re-establishment of wetland vegetation occurs. Exposed soils will be temporarily stabilized using straw mulch or other appropriate erosion control measures in the event that seasonal conditions result in a delay in seeding. Following final grading, an entrenched staked haybale and silt fence barrier will be installed around the outside perimeter of the wetland replication area, as necessary.

7. The replacement area shall be provided in a manner which is consistent with all other General Performance Standards for each resource area in Part III of 310 CMR 10.00.

The proposed replacement area is being provided in a manner that is consistent with all other General Performance Standards.

310 CMR 10.55(4)(d) - Notwithstanding the provisions of 310 CMR 10.55(4)(a),(b) and (c), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.

No portion of the Project site is located within mapped priority habitat for state-protected rare species and mapped estimated habitat for rare wetland wildlife according to the current Massachusetts Natural Heritage and Endangered Species Program ("NHESP") Atlas (MassGIS, 2008). However, a portion of the proposed rail spur within the existing rail corridor is located within the mapped habitat. On October 12, 2004, the NHESP issued a Conservation Management Permit ("CMP") to the Greater New Bedford

Industrial Foundation (“GNBIF”) authorizing the “taking” of state protected species (eastern box turtle) with certain mitigation areas as a result of certain phased developments within the industrial park. Conservation restrictions were placed in select locations throughout the business park for habitat protection. Condition 14 of the CMP indicates that work in the buffer zone to wetlands on the Project Site is covered under the previously issued CMP and does not require further review by NHESP. A copy of this NOI has been forwarded to NHESP for review relative to work in BVW, as required by the CMP and Wetlands Protection Act regulations. A copy of the CMP is included with the Notice of Intent.

310 CMR 10.55(4)(e) does not apply to the Project. No portion of the proposed project is located within an Area of Critical Environmental Concern.

Inland Bank

[310 CMR 10.54(4)(a)] Where the presumption set forth in 310 CMR 10.54(3) is not overcome, any proposed work within Inland Bank shall not impair the following:

The physical stability of the Bank; (2) The water carrying capacity within the defined channel, which is provided by said land in conjunction with the banks; (3) Ground and surface water quality; (4) The capacity of the Bank to provide breeding habitat, escape cover and food for fisheries; and (5) The capacity of the Bank to provide important wildlife habitat function. A project or projects on a single lot, for which Notice(s) of Intent is filed on or after November 1, 1987, that (cumulatively) alter(s) up to 10% or 50 feet (whichever is less) of the length of the Bank found to be significant to the protection of wildlife habitat, shall not be deemed to impair its capacity to provide important wildlife habitat functions ...

A total of 70 linear feet of Inland Bank may be temporarily altered during construction of the proposed rail spur. This work will not impair the capacity of the Bank to provide important wildlife habitat functions (to the extent such functions exist in this location). The rail spur crossing will consist of an engineering span to cross over the existing perennial stream channel with minimal disturbance to the stream.

During construction, erosion and sediment control measures and proper de-watering practices will be implemented to ensure that ground and surface water quality is not impaired.

[310 CMR 10.54 (4)(b)] Notwithstanding the provisions of 310 CMR 10.54(4)(a), structures may be permitted in or on a Bank when required to prevent flood damage to facilities, buildings and roads . . .

This standard is not applicable. There are no structures proposed for construction on the Inland Bank that are related to preventing flood damage to facilities, buildings and roads.

[310 CMR 10.54 (4)(c)] Notwithstanding the provisions of 310 CMR(4)(a) or (b), no project may be permitted which will have any adverse effect on specified habitat sites of rare vertebrate or invertebrate species, as identified by procedures established under 310 CMR 10.59.

While no portion of the Project site is located within mapped priority habitat for state-protected rare species and mapped estimated habitat for rare wetland wildlife according to the current Massachusetts Natural Heritage and Endangered Species Program (“NHESP”) Atlas (MassGIS, 2008), a portion of the work associated with the rail spur will be located within the mapped habitat. On October 12, 2004, the NHESP issued a Conservation Management Permit (“CMP”) to the Greater New Bedford Industrial Foundation (“GNBIF”) authorizing the “taking” of state protected species (eastern box turtle) with certain mitigation areas as a result of certain phased developments within the industrial park. Conservation restrictions were placed in select locations throughout the business park for habitat protection. Condition 14 of the CMP indicates that work in the buffer zone to wetlands on the Project Site is covered under the previously issued CMP and does not require further review by NHESP. A copy of this NOI has been forwarded to NHESP for review relative to work in BVW, as required by the CMP and Wetlands Protection Act regulations.

Riverfront Area

As previously described, approximately 3,290 s.f. of Riverfront Area will be altered as a result of the construction of the proposed rail spur from the adjacent rail tracks. This equals approximately 6.2% of the total Riverfront Area on the subject property. This number represents the minimum amount of alteration required to construct the proposed clear span spur over the existing perennial stream.

[310 CMR 10.58(3)] Where a proposed activity involves work within the riverfront area, the issuing authority shall presume that the area is significant to protect the private or public water supply; to protect the groundwater; to provide flood control; to prevent storm damage; to prevent pollution; to protect land containing shellfish; to protect wildlife habitat; and to protect fisheries.

[310 CMR 10.58(4)] Where the presumption set forth in 310 CMR 10.58(3) is not overcome, the applicant shall prove by a preponderance of the evidence that there are no practicable and substantially equivalent economic alternatives to the proposed project with less adverse effects on the interests identified in M.G.L. c.131 § 40.

(a) Protection of Other Resource Areas. The work shall meet the performance standards for all other resource areas within the riverfront area.

As detailed above, the work meets the performance standards for all other resource areas within the Riverfront Area. There are no proposed alterations to Inland Bank, Land Under Water, or Lands subject to flooding. The proposed alteration to Bordering Vegetated Wetland associated with the rail spur meets the performance standards for work with the resource area.

(b) Protection of Rare Species. No project may be permitted within the riverfront area which will have any adverse effect on specified habitat sites of rare wetland or upland, vertebrate or invertebrate species.

No portion of the Project site is located within mapped priority habitat for state-protected rare species and mapped estimated habitat for rare wetland wildlife according to the current Massachusetts Natural Heritage and Endangered Species Program ("NHESP") Atlas (MassGIS, 2008). A portion of the existing railroad right of way is located within the mapped habitat areas and a copy of the NOI has been submitted to NHESP.

[310 CMR 10.58(4)(c)1.] Practicable and Substantially Equivalent Economic Alternatives. There must be no practicable and substantially equivalent economic alternative to the proposed project with less adverse effects on the interests identified. An alternative is practicable and substantially equivalent economically if it is available and capable of being done after taking into consideration costs, existing technology, proposed use, and logistics, in light of overall project purposes.

Practicable and Substantially Equivalent Economic Alternatives were considered for this project.

[310 CMR 10.58(4)(c)2.] Scope of Alternatives - The scope of alternatives under consideration shall be commensurate with the type and size of the project.

The proponent has considered four different alternatives for this project: 1) no build, 2) build with smaller footprint, 3) build elsewhere on the property, or 4) build at the selected location.

[310 CMR 10.58(4)(c)3.] Evaluation of Alternatives - The applicant shall demonstrate that there are no practicable and substantially equivalent economic alternatives as defined in 310 CMR 10.58(4)(c)1., within the scope of alternatives as set forth in 310 CMR 10.58(4)(c)2., with less adverse effects on the interests identified in M.G.L. c. 131 § 40.

1. No Build

Construction of the rail spur is an integral part of the proposed development program being considered by the applicant. The subject parcel is one of the only parcels of land of this size available within the area with adjacent rail access and therefore desirable to the developers of the parcel. The proposed rail spur will support development that could reduce the number of truck trips over existing roadways by providing the opportunity to utilize the existing rail system to distribute goods that may be produced or stored within this facility. By having rail access at their new facility, the applicant's operations will become more efficient, minimizing the travel time on existing roadways to handle and process their products. Based on this information the "No Build" alternative is not an option for the applicant.

2. Build with Smaller Footprint

The size of the alteration has been kept to a minimum while still providing the necessary width required to build the rail spur. The applicant is proposing to construct an expensive clear span over the existing perennial stream in order to meet all required stream crossing standards. It is not feasible to construct the rail spur with a smaller footprint.

3. Build Elsewhere on the Property

The applicant is proposing to construct the rail spur across the narrowest portion of the wetland available along the westerly side of the project site. The existing perennial stream runs along the entire westerly side of the site, therefore there is no way to avoid crossing the stream to provide the rail spur. The applicant is limited to the location of the proposed rail spur by the required geometry to construct the tracks, the size and location of the proposed building, and the location of utility poles within the utility easement between the existing stream and building. Therefore, it is not feasible to build the rail spur elsewhere on the property.

4. Build at the Selected Location

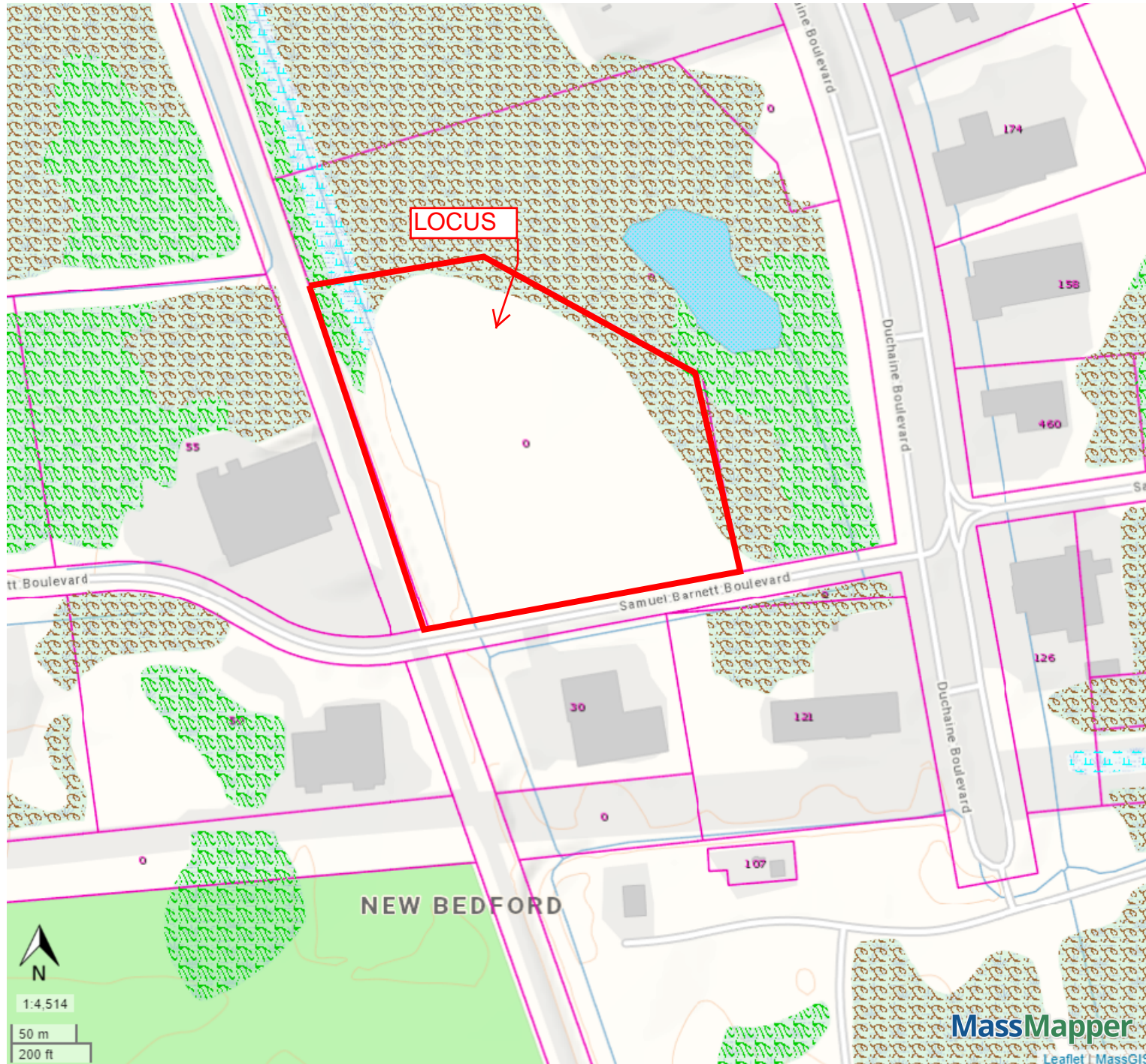
The proposed development is preferred for the following reasons:

- The parcel is available now.
- The parcel is of suitable size to contain such a development.
- The parcel is zoned industrial and the use is compatible with surrounding uses;
- The proposed use would be a benefit to the City of New Bedford, providing an additional commercial building within the New Bedford Business Park on an existing vacant piece of land.
- The proposed rail spur is integral to the potential operations within the building as this is one of the only parcels of this size available for rail access.

In summary, the Project Proponent has avoided, minimized and mitigated impacts to wetland resource areas, riverfront area, and the buffer zone to the maximum extent practicable consistent with state and local regulatory performance standards. A number of impact minimization and mitigation measures have been proposed to contribute to the protection of the interests of the Wetlands Protection Act for the affected wetland resource areas. These measures include (i) wetland replication; (ii) protection of open space / land preservation; (iii) wildlife habitat enhancements; (iv) erosion and sedimentation controls; (v) stormwater management; and (vi) Best Management Practices (“BMPs”) associated with construction of the rail spur. Therefore, constructing the proposed facility with the integral rail spur at the selected location is considered the most practicable alternative for the project site.

Section 4 – Map References

Wetland Map

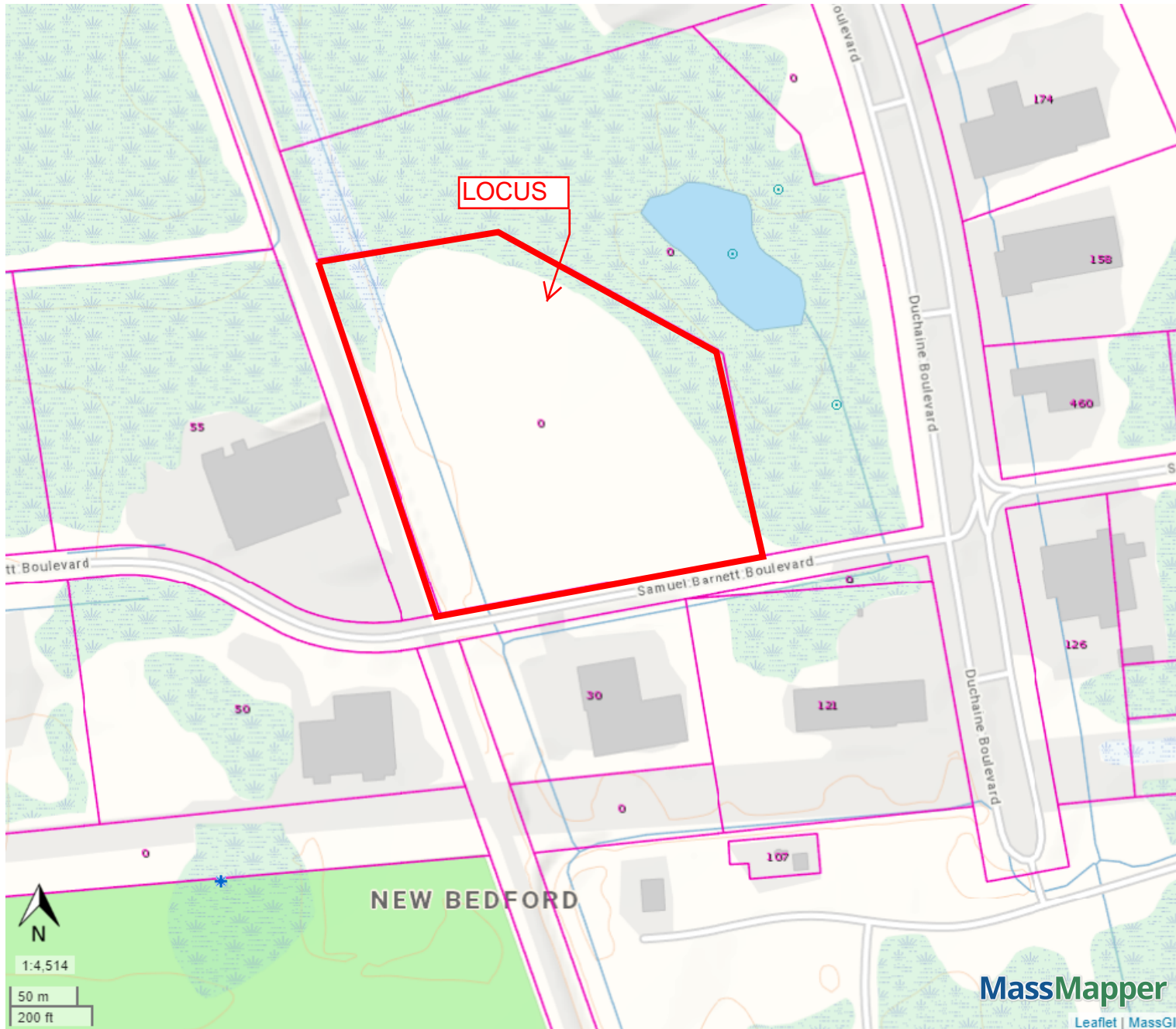


DEP Wetlands Detailed

- Barrier Beach System
- Barrier Beach-Deep Marsh
- Barrier Beach-Wooded Swamp Mixed Trees
- Barrier Beach-Coastal Beach
- Barrier Beach-Coastal Dune
- Barrier Beach-Marsh
- Barrier Beach-Salt Marsh
- Barrier Beach-Shrub Swamp
- Barrier Beach-Wooded Swamp Coniferous
- Barrier Beach-Wooded Swamp Deciduous
- Bog
- Coastal Bank Bluff or Sea Cliff
- Coastal Beach
- Coastal Dune
- Cranberry Bog
- Deep Marsh
- Barrier Beach-Open Water
- Open Water
- Rocky Intertidal Shore
- Salt Marsh
- Shallow Marsh Meadow or Fen
- Shrub Swamp
- Tidal Flat
- Wooded Swamp Coniferous
- Wooded Swamp Deciduous
- Wooded Swamp Mixed Trees

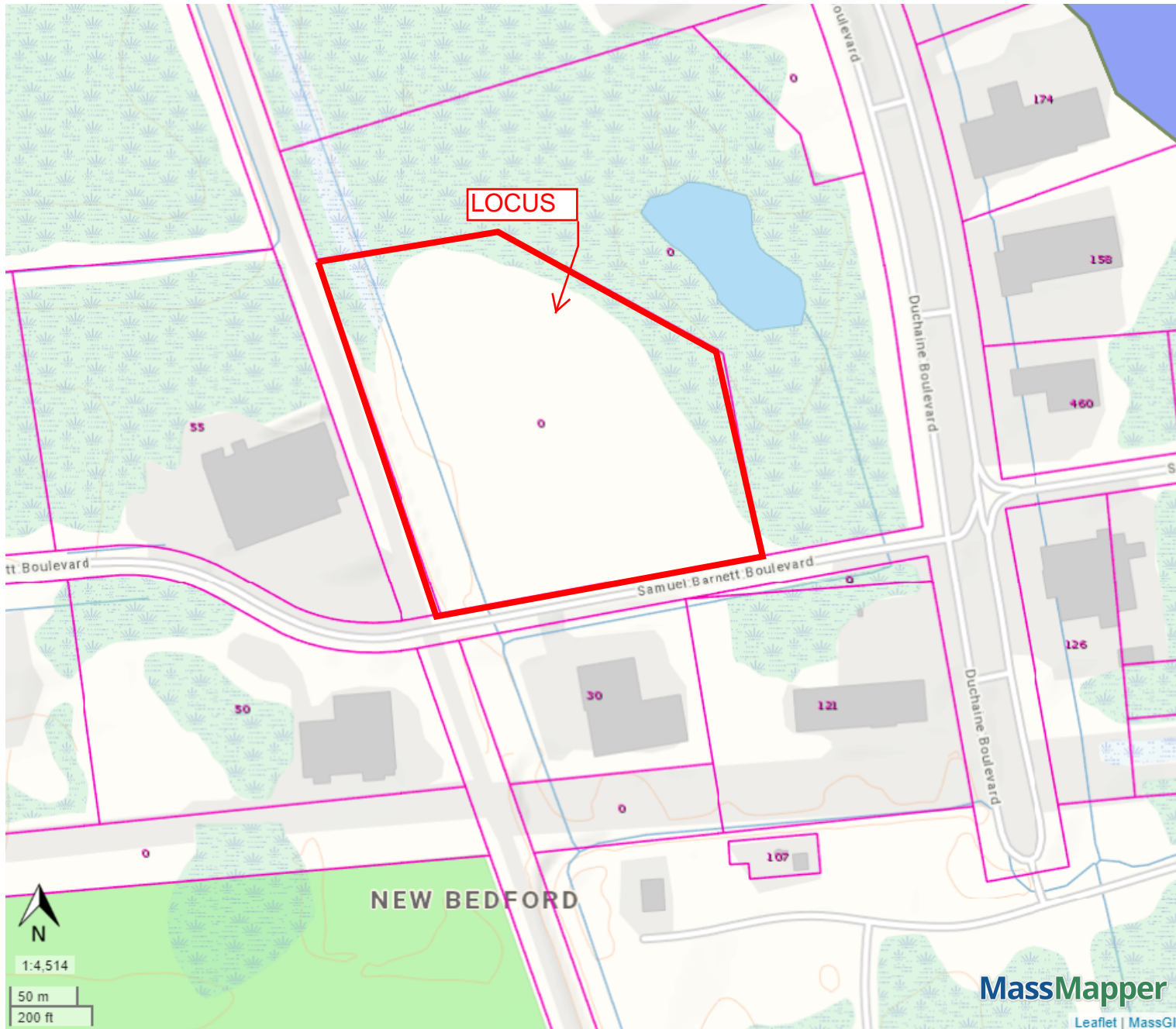
Property Tax Parcels

NHESP Map



- Potential Vernal Pools
○
- NHESP Priority Habitats of Rare Species
□
- NHESP Estimated Habitats of Rare Wildlife
□
- NHESP Certified Vernal Pools
*
- Property Tax Parcels

ORW Map

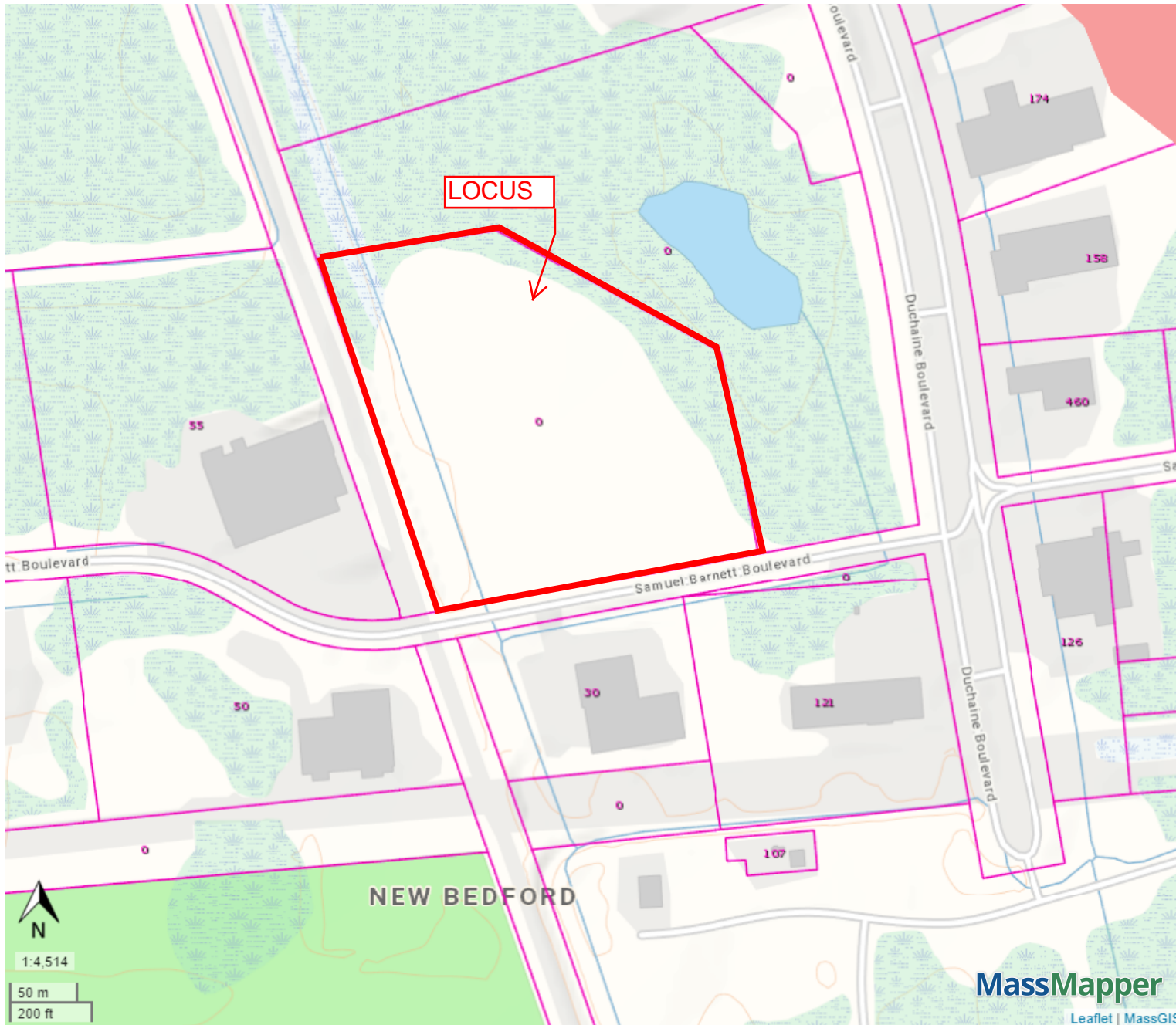


Outstanding Resource Waters

- ACEC
- Cape Cod National Seashore
- Protected Shoreline
- Public Water Supply Watershed
- Retired Public Water Supply
- Scenic/Protected River
- Wildlife Refuge

Property Tax Parcels

Surface Water Protection Map

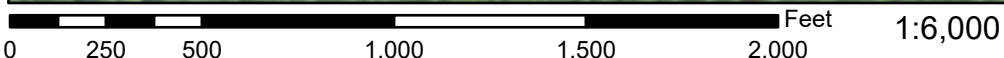


- Zone C
- Zone B
- Zone A
- Property Tax Parcels

National Flood Hazard Layer FIRMMette



70°57'49"W 41°43'24"N



70°57'12"W 41°42'58"N

Basemap: USGS National Map: Orthoimagery: Data refreshed October, 2020

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
		With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
		Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
		Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
		Area with Flood Risk due to Levee <i>Zone D</i>
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard <i>Zone D</i>
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance
		17.5 Water Surface Elevation
		8 Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
MAP PANELS		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped
		The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.



This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/26/2022 at 3:20 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

Section 5 – Certified Abutters List and Abutters Notification



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 #		LOT(S)#	
ADDRESS:			
OWNER INFORMATION			
NAME:			
MAILING ADDRESS:			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT):			
MAILING ADDRESS (IF DIFFERENT):			
TELEPHONE #			
EMAIL ADDRESS:			
REASON FOR THIS REQUEST: <i>Check appropriate</i>			
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION		
<input type="checkbox"/>	PLANNING BOARD APPLICATION		
<input 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. 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

Signature

Date

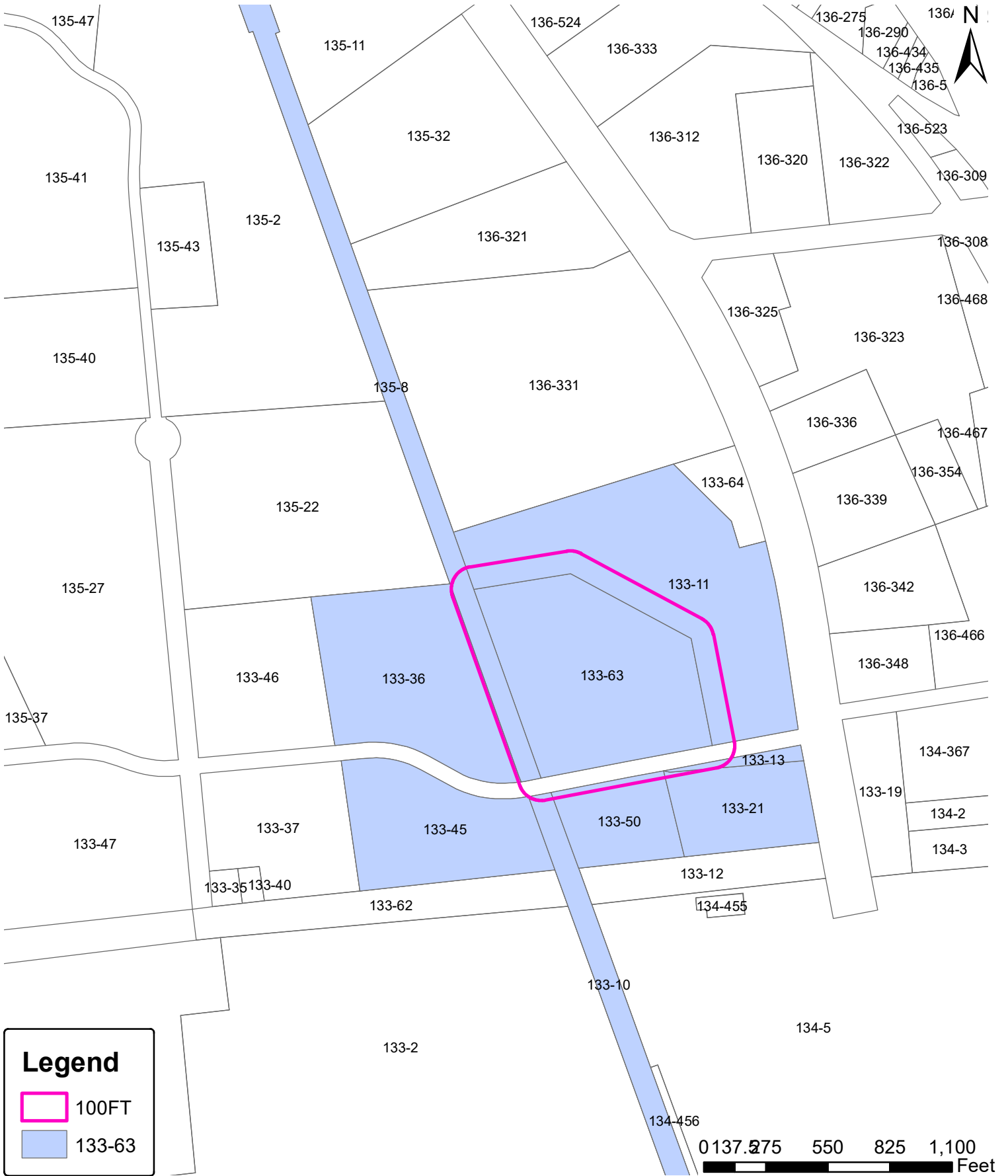
January 4, 2022

Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as NS Samuel Barnet Blvd (Map: 133, Lot: 63). 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.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
133-45	50 SAMUEL BARNETT BLVD	C P BOURG INC, 50 SAMUEL BARNET BLV NEW BEDFORD, MA 02745
133-10	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202
133-50	30 SAMUEL BARNETT BLVD	IMTRA CORPORATION, 30 SAMUEL BARNET BLVD NEW BEDFORD, MA 02745
133-21	127/ 127 R DUCHAINE BLVD	MILHENCH LLC 127-127 D DUCHAINE BLVD NEW BEDFORD, MA 02745
133-13	WS DUCHAINE BLVD	GREATER NEW BEDFORD, INDUSTRIAL FOUNDATION 1213 PURCHASE STREET UNIT 2 NEW BEDFORD, MA 02740
133-63	NS SAMUEL BARNETT BLVD	GREATER NEW BEDFORD INDUSTRIAL FOUNDATION, DEVELOPMENT CORPORATION 1213 PURCHASE STREET UNIT 2 NEW BEDFORD, MA 02740
133-11	WS DUCHAINE BLVD	GREATER NEW BEDFORD INDUSTRIAL FOUNDATION, DEVELOPMENT CORPORATION 1213 PURCHASE STREET UNIT 2 NEW BEDFORD, MA 02740
135-8	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202
133-36	55 SAMUEL BARNETT BLVD	83 SEIP BARNETT OWNER LLC 7121 FAIRWAY DRIVE SUITE 410 PALM BEACH, FL 33418





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)#	63
ADDRESS: NS Samuel Barnet Boulevard			
OWNER INFORMATION			
NAME: Greater New Bedford Industrial Development Corporation			
MAILING ADDRESS: 1213 Purchase Street, Unit 2, New Bedford, MA 02740			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Rebecca Carvalho - Field Engineering Co., Inc.			
MAILING ADDRESS (IF DIFFERENT): PO Box 1178, Mattapoisett, MA 02739			
TELEPHONE #	(508) 758-2749		
EMAIL ADDRESS:	rcarvalho@fieldengrg.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

Signature

Date

**NOTIFICATION TO ABUTTERS UNDER THE CITY OF NEW BEDFORD WETLANDS
ORDINANCE AND THE MA WETLANDS PROTECTION ACT**

In accordance with the City of New Bedford Wetlands Ordinance (New Bedford Code of Ordinances Sections 15-101 through 15-112) and the MA Wetlands Protection Act (M.G.L. c. 131 S.40) you are hereby notified of the following:

The name of the applicant is: D.F. Pray, Inc.

The applicant has filed a Notice of Intent 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 and MA Wetlands Protection Act.

The address of the lot where the activity is proposed is: Samuel Barnet Boulevard
Assessors Map 133 ; Lot 63

Copies of the Notice of Intent may be examined at the New Bedford Conservation Commission, Room 304 – City Hall, 133 William St. New Bedford, MA 02740 between the hours of 8:00 AM and 4:00 PM, Monday through Friday. For more information contact the New Bedford Conservation Commission at 508-991-6188.

Copies of the Notice of Intent may be obtained from either (check one) the applicant _____ or the applicant’s representative X by calling this telephone number (508) 758-2749 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

Information regarding the date, time and place of the Public Hearing may be obtained from the 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 of the Public Hearing in the Standard Times newspaper.

Note: You may also contact the New Bedford Conservation Commission at 508-991-6188 for more information about this publication, the City of New Bedford Wetlands Ordinance or the MA Wetlands Protection Act.