

June 23, 2022

New Bedford Conservation Commission  
133 Williams Street  
New Bedford, MA 02740

**RE: 781 CHURCH STREET  
NOTICE OF INTENT**

Dear Commission Members:

On behalf of Frades Disposal, Inc., we herewith submit this Notice of Intent for a rail spur from Mass Coastal Rail. The submittal consists of:

- This letter;
- Two copies of completed Notice of Intent forms;
- Two sets of plans;
- One copy of the Local Fee Calculation Worksheet;
- One copy of the deed;
- A check for \$4,367.50, which is based on the \$737.50 standard NOI filing fee and \$3,630 New Bedford fee;
- A copy of the Notification to Abutters and
- A certified list of the abutters.

We will provide a check for the legal ad as soon as we know the amount. Additionally, we have sent an electronic copy of the filing to the Commission.

We look forward to presenting to you.

Sincerely,  
**PRIME ENGINEERING, INC.**

Richard J. Rheume, P.E., LSP  
Chief Engineer



**Massachusetts Department of Environmental Protection**  
Bureau of Resource Protection - Wetlands

**WPA Form 3 – Notice of Intent**

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

Provided by MassDEP:

MassDEP File Number

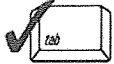
Document Transaction Number

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):

781 Church Street	New Bedford	02745
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	41D 41' 25" N	70D 56' 39" W
	d. Latitude	e. Longitude
Map 129, Lots 38, 41, 42, 52, 53 & 55	Map 125-1, Lot 10	
f. Assessors Map/Plat Number	g. Parcel /Lot Number	

2. Applicant:

Richard	Frade	
a. First Name	b. Last Name	
Frades Disposal, Inc.		
c. Organization		
781 Church Street		
d. Street Address		
New Bedford	MA	02745
e. City/Town	f. State	g. Zip Code
508-995-9121		
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	
Church Street, LLC		
c. Organization		
781 Church Street		
d. Street Address		
New Bedford	MA	02745
e. City/Town	f. State	g. Zip Code
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Richard	Rheaume	
a. First Name	b. Last Name	
Prime Engineering, Inc.		
c. Company		
P.O. Box 1088, 350 Bedford Street		
d. Street Address		
Lakeville	MA	02347
e. City/Town	f. State	g. Zip Code
508-947-0050	508-947-2004	rich@primeengineering.org
h. Phone Number	i. Fax Number	j. Email address

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

1450.	712.50	737.50
a. Total Fee Paid	b. State Fee Paid	c. City/Town Fee Paid



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**A. General Information (continued)**

6. General Project Description:

A rail spur from the Mass Coastal Rail

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)

Upland, not otherwise acceptable.

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 (SD)

a. County

6567

c. Book

b. Certificate # (if registered land)

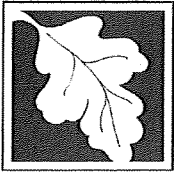
203

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.



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**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	9,481 1. square feet	19,000 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 type="checkbox"/> Riverfront Area	1. Name of Waterway (if available) - <b>specify coastal or inland</b>	

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: \_\_\_\_\_ square feet

4. Proposed alteration of the Riverfront Area:

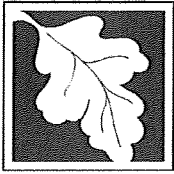
a. total square feet \_\_\_\_\_ b. square feet within 100 ft. \_\_\_\_\_ c. square feet between 100 ft. and 200 ft. \_\_\_\_\_

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.



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 Bureau of Resource Protection - Wetlands  
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Provided by MassDEP:

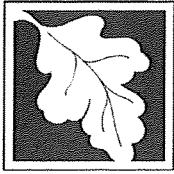
MassDEP File Number
Document Transaction Number
New Bedford
City/Town

**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.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	1. square feet _____	
	2. cubic yards dredged _____	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	1. square feet _____	2. cubic yards beach nourishment _____
e. <input type="checkbox"/> Coastal Dunes	1. square feet _____	2. cubic yards dune nourishment _____
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	1. linear feet _____	
g. <input type="checkbox"/> Rocky Intertidal Shores	1. square feet _____	
h. <input type="checkbox"/> Salt Marshes	1. square feet _____	2. sq ft restoration, rehab., creation _____
i. <input type="checkbox"/> Land Under Salt Ponds	1. square feet _____	
	2. cubic yards dredged _____	
j. <input type="checkbox"/> Land Containing Shellfish	1. square feet _____	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	1. cubic yards dredged _____	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	1. square feet _____	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	a. square feet of BWV _____	b. square feet of Salt Marsh _____
5. <input type="checkbox"/> Project Involves Stream Crossings		
	a. number of new stream crossings _____	b. number of replacement stream crossings _____



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**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 Limited Project Checklists – 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](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**

- b. 2022  
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.2.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

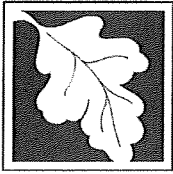
- 2.  Assessor's Map or right-of-way plan of site

- 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)  
(b)  Photographs representative of the site

\* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <https://www.mass.gov/endangered-species-act-mesa-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.



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

- (c)  MESA filing fee (fee information available at <https://www.mass.gov/how-to/how-to-file-for-a-mesa-project-review>).

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, <https://www.mass.gov/service-details/exemptions-from-review-for-projectsactivities-in-priority-habitat>; 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:

North Shore - Hull to New Hampshire border:

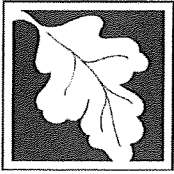
Division of Marine Fisheries -  
Southeast Marine Fisheries Station  
Attn: Environmental Reviewer  
836 South Rodney French Blvd.  
New Bedford, MA 02744  
Email: [dmf.envreview-south@mass.gov](mailto:dmf.envreview-south@mass.gov)

Division of Marine Fisheries -  
North Shore Office  
Attn: Environmental Reviewer  
30 Emerson Avenue  
Gloucester, MA 01930  
Email: [dmf.envreview-north@mass.gov](mailto:dmf.envreview-north@mass.gov)

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.

- c.  Is this an aquaculture project?      d.  Yes     No

If yes, include a copy of the Division of Marine Fisheries Certification Letter (M.G.L. c. 130, § 57).



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

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

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**

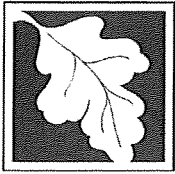
- This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

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 to the boundaries of each affected resource area.





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 Bureau of Resource Protection - Wetlands  
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Provided by MassDEP:  
 \_\_\_\_\_  
 MassDEP File Number  
 \_\_\_\_\_  
 Document Transaction Number  
 New Bedford  
 \_\_\_\_\_  
 City/Town

**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 Intermodal Terminal

a. Plan Title	Prime Engineerng, Inc.	Richard J. Rheaume, P.E., LSP
b. Prepared By	June 9, 2022	c. Signed and Stamped by As noted
d. Final Revision Date		e. Scale

f. Additional Plan or Document Title	g. Date
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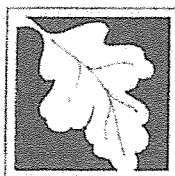
- 5.  If there is more than one property owner, please attach a list of these property owners not listed on this form.
- 6.  Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
- 7.  Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
- 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:

2. Municipal Check Number	23238	3. Check date	6/23/20
4. State Check Number	23237	5. Check date	6/23/20
6. Payor name on check: First Name	Prime Engineering	7. Payor name on check: Last Name	



# WPA Form 3 - Notice of Intent


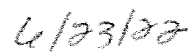
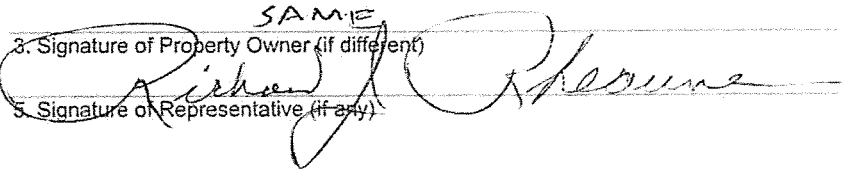

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

MassDEP File Number
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## 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
<i>SAME</i>	
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.

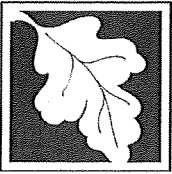
### For MassDEP:

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:

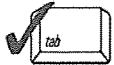
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



**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:

781 Church Street  
 a. Street Address  
 23237  
 c. Check number  
 New Bedford  
 b. City/Town  
 712.50  
 d. Fee amount

2. Applicant Mailing Address:

a. First Name  
 Frades Disposal, Inc.  
 c. Organization  
 781 Church Street  
 d. Mailing Address  
 New Bedford  
 e. City/Town  
 MA  
 f. State  
 02745  
 g. Zip Code  
 508-995-9121  
 h. Phone Number  
 i. Fax Number  
 j. Email Address

3. Property Owner (if different):

a. First Name  
 Church Street, LLC  
 c. Organization  
 781 Church Street  
 d. Mailing Address  
 New Bedford  
 e. City/Town  
 MA  
 f. State  
 02745  
 g. Zip Code  
 h. Phone Number  
 i. Fax Number  
 j. Email Address

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

**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.





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  
2022 FILING FEE CALCULATION WORKSHEET\***

**PROJECT LOCATION:** 781 Church Street

**MAP(S)** Map 125-1 Lot 10    **LOT(S)** Map 129, Lots 38, 41, 42, 52, 53 & 55

**APPLICANT:** Richard Frade, Frades Disposal, Inc.

**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 <u>9,481</u> SF Wetland Resource Area	<u>\$ 2,000</u>
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 14,300 SF of Buffer Zone altered \$ 1,430  
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:** \$ 3,630

**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.



QUITCLAIM DEED

I, Kevin S. Frade, Trustee of the Frade Family Nominee Trust, u/d/t dated April 26, 2000 and recorded with the Bristol County (S.D.) Registry of Deeds in Book 4674, Page 218, of 619 Old Fall River Road, Dartmouth, Massachusetts for consideration paid of Five Hundred Thousand (\$500,000.00) Dollars grant to **Church Street, LLC** a Massachusetts Limited Liability Company, of 781 Church Street, New Bedford, Massachusetts 02745

WITH QUITCLAIM COVENANTS

all of my right, title and interest in and to the premises known as and numbered 781 Church Street, New Bedford, Bristol County, Massachusetts and being more specifically described as follows:

See attached Exhibit "A".

Subject to the current fiscal year's real estate taxes which the grantee assumes and agrees to pay.

For title see deed of John S. Frade dated April 26, 2000 and recorded in the Bristol County (S.D.) Registry of Deeds at Book 4674, Page 225.

Street address of premises being conveyed: 781 Church Street  
New Bedford, MA

REG. OF DEEDS  
REG #07  
BRISTOL S

09/30/03 3:51PM  
000000 #7331

FEE \$2280.00

CASH \$2280.00

WITNESS my hand and seal this 29<sup>th</sup> day of September, 2003

Maria Francisco  
Witness

Kevin S. Frade  
Kevin S. Frade, Trustee of the  
Frade Family Nominee Trust

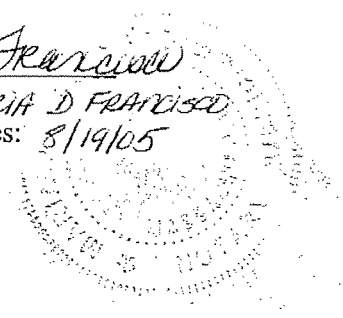
COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

September 29, 2003

Then personally appeared the above-named Kevin S. Frade, Trustee of the Frade Family Nominee Trust known to me to be the person described herein and who executed the foregoing instrument and acknowledged the same to be his free act and deed, before me,

Maria S. Francisco  
Notary Public- MARIA D FRANCISCO  
My commission expires: 8/19/05





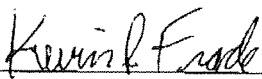
TRUSTEE'S CERTIFICATE

Kevin S. Frade surviving Trustee of The Frade Family Nominee Trust under a declaration of trust dated April 26, 2000 and recorded at Bristol County (S.D.) Registry of Deeds at Book 4674, Page 218 hereby certifies:

1. I am sole surviving Trustee. John S. Frade died on November 19, 2000. (See Death Certificate previously recorded);
2. The Trust has not been altered, amended or revoked; and
3. I have full power and authority and have been duly authorized by all of the beneficiaries of the Trust to convey all right, title and interest in and to the premises known as 781 Church Street, New Bedford, Massachusetts and as more particularly described in a deed being recorded simultaneously herewith for an aggregate consideration and purchase price of Five Hundred Thousand (\$500,000.00) Dollars for the entire premises and in connection therewith to execute, acknowledge and deliver any and all documents, instruments or certificates necessary or desirable in connection therewith including without limitation one or more deeds conveying all right, title and interest in and to said premises, such documents, instruments or certificates to be in such form and to contain such terms and conditions as Kevin S. Frade deems necessary or appropriate, and the execution of any such documents evidencing my authority to execute the same.
4. At no time has Kevin S. Frade been the sole beneficiary of the Trust; all persons

who are or ever were beneficiaries of the Trust are alive, and each party who is a beneficiary of the Trust is not a minor, is not a corporation selling all or substantially all of its assets in the Commonwealth of Massachusetts and is not a personal representative of an estate subject to estate tax liens.

Executed as an instrument under seal this 29<sup>th</sup> day of September, 2003.

  
\_\_\_\_\_  
Kevin S. Frade, Trustee

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

September 29, 2003

Then personally appeared the above named Kevin S. Frade, Trustee and acknowledged the foregoing instrument to be his free act and deed as Trustee, before me,

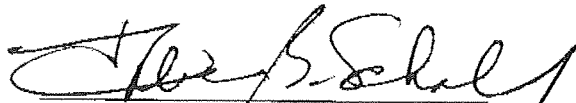
  
\_\_\_\_\_  
Notary Public: Irene B. Schall  
My commission expires: 10/18/07

EXHIBIT "A"

PARCEL ONE:

The land situated on the Westerly side of the railroad about one-half mile north of the Acushnet station on said railroad containing 20 acres, more or less, and being Lot 41 on Plat 129 of the Assessors' Plats of the City of New Bedford, together with all rights appurtenant thereto.

PARCEL TWO:

A parcel of land situated on the West side of the New York, New Haven and Hartford Railroad Company, containing 5 acres, 35,719 square feet, more or less, being Lot 42 on Plat 129 of the City of New Bedford Assessors' Plats.

PARCEL THREE:

A parcel of land North of Tarkiln Hill Road and West of the New York, New Haven and Hartford Railroad Company, containing 10 acres and 128 rods, more or less, and being lot 10 on Plat 125 in the Assessor's office in New Bedford, and also bounded and described as follows:

Bounded Northerly by lands now or formerly of John C. Motta et al and of the Old Colony Railroad, there measuring about 1,133 feet; Easterly by land now or formerly of the New York, New Haven and Hartford Railroad there measuring 432 feet Southerly by lands now or formerly of Edward C. Cronin, trustee, et als, there measuring 1,172 feet; and Westerly by land now or formerly of the Acushnet Saw Mills Company, there measuring 372 feet.

Containing 10 acres and 128 rods, more or less.

Parcel One through Three are less any lands taken by the Commonwealth of Massachusetts for the construction of Massachusetts Highway 140.

PARCEL FOUR:

Beginning at the southeasterly corner of the premises to be conveyed in the westerly line of land formerly of New York, New Haven and Hartford Railroad, now Penn Central Co.;

THENCE WESTERLY by land of Fernando Frade, et ali, one hundred forty-eight and no/100 (148.00) feet;

THENCE NORTHERLY by said last named land five hundred thirty-eight and no/100 (538.00) feet;

- THENCE WESTERLY by said last named land three hundred seventy-four and no/100 (374.00) feet;
- THENCE NORTHERLY by said last named land forty-one and no/100 (41.00) feet;
- THENCE WESTERLY by said last named land one hundred and no/100 (100.00) feet to the easterly line of Route #140, a state highway layout;
- THENCE NORTHERLY and NORTHEASTERLY by the easterly and southeasterly lines of said Route #140 one thousand six hundred seventy-five and no/100 (1,675.00) feet to the westerly line of the aforementioned Penn Central Co.; and
- THENCE SOUTHERLY by the westerly line of said last named land two thousand two hundred forty-five and no/100 (2,245.00) feet to the point of beginning.

Containing twelve and no/100 (12.00) acres more or less.

# INTERIM ILLICIT DISCHARGE STATEMENT

## 1.0 INTRODUCTION

The following is an Interim Illicit Discharge Statement based on existing conditions and design conditions. Once construction is complete, a final illicit discharge statement shall be issued to the New Bedford Conservation Commission based on as-built conditions.

## 2.0 EXISTING CONDITIONS

The existing facility is a warehouse and waste handling facility. There are no known illicit connections in this area. No sources of illicit discharges were uncovered when this system was recently surveyed. Based on this investigation, to the best of my knowledge, there are no current illicit discharges to the storm drainage system. If during construction, an illicit discharge is discovered, it shall be removed immediately.

## 3.0 PROPOSED DESIGN

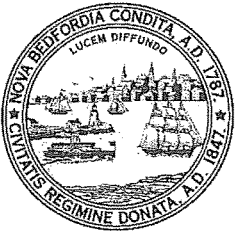
The proposed design calls for a standard stormwater collection system. There are no points in the proposed storm drainage system where illicit discharges are likely to occur.

Certain types of discharges are allowable under the U.S. Environmental Protection Agency Construction General Permit and it is the intent of the site's Long Term Pollution Prevention Plan to allow such discharges. These types of discharges shall be allowed under the conditions that no pollutants shall be allowed to come in contact with the water prior to or after its discharge. The control measures which have been outlined in the Long Term Pollution Prevention Plan shall be strictly followed to ensure that no contamination of these non-stormwater discharges takes place.

I hereby certify that the preceding is accurate.

A handwritten signature in cursive script that reads "Richard J. Rheume".

Richard J. Rheume, P.E., LSP  
Prime Engineering, Inc.



*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 #	125-1	LOT(S)#	10
ADDRESS: 781 Church Street			
OWNER INFORMATION			
NAME: Richard Frades, Frades Disposal, Inc.			
MAILING ADDRESS: 781 Church Street, New Bedford, MA			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Genny Reynolds, Prime Engineering, Inc.			
MAILING ADDRESS (IF DIFFERENT): 350 Bedford Street, Lakeville, MA 02347			
TELEPHONE #	508 947-0050 x123		
EMAIL ADDRESS:	greynolds@primeengineering.org		
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**

*Michael J Motta (JMS)*

**6/7/2022**

Printed Name

Signature

Date

Amount Due

\$7.00

Date Paid

6/8/2022

Confirmation Number

7562225

June 8, 2022  
Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 781 Church Street (Map: 125, Lot: 10). 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
125-110	ES ROUTE 140	CITY OF NEW BEDFORD, AIRPORT COMMISSION 131 WILLIAM ST NEW BEDFORD, MA 02740
125A-239	WS WORTHINGTON ST	GULLO SALVATORE, C/O JOHN LATORA 6 WORTHINGTON ST NEW BEDFORD, MA 02745
127-B-469	767 CHURCH ST	ALMA DEL MAR FOUNDATION INC, C/O DOMENIC TIBERI SR PROJ MGR, COMPASS PROJECT MANAGEMENT INC, 515 BELLEVILLE AVENUE NEW BEDFORD, MA 02740
125-37	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202
125-31	END OF LAMBETH ST	CITY OF NEW BEDFORD, PUBLIC BLDG 131 WILLIAM ST NEW BEDFORD, MA 02740
125-53	WS LAMBETH ST	MONIZ DANIEL P, 70 LAMBETH ST NEW BEDFORD, MA 02745
130F-40	RWS CHURCH ST	MILHENCH INC, C/O R A C SERVICES 121 DUCHAINE BLVD NEW BEDFORD, MA 02745
125-10	NS TARKILN HILL RD	CHURCH STREET LLC, 781 CHURCH STREET NEW BEDFORD, MA 02745
129-45	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202
125A-223	ES CONGRESS ST	CITY OF NEW BEDFORD, WARREN EDMUND M 131 WILLIAM ST NEW BEDFORD, MA 02740
125A-238	6 WORTHINGTON ST	MAGALHAES FAMILY TRUST (THE) 6 WORTHINGTON ST NEW BEDFORD, MA 02745-1013
125A-378	ES WORTHINGTON ST	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
125A-385	WS WESTMINSTER ST	CITY OF NEW BEDFORD, 133 WILLIAM ST NEW BEDFORD, MA 02740

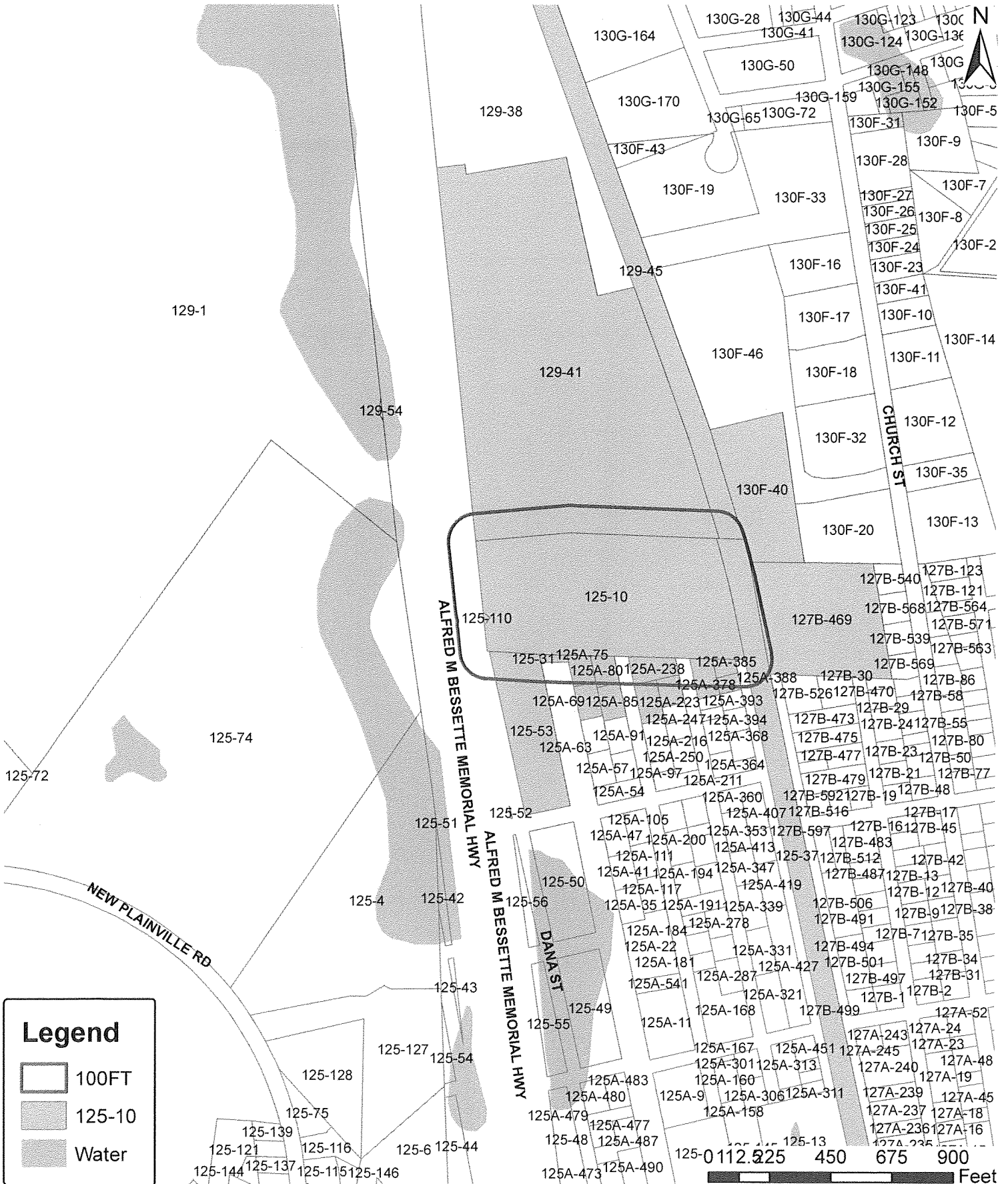
June 8, 2022  
Dear Applicant,

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


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<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
125A-388	WS WESTMINSTER ST	MANDEVILLE ARTHUR "TRUSTEE", ARTHUR MANDEVILLE REVOCABLE TRUST (THE) 132 ILLINOIS ST NEW BEDFORD, MA 02745-2516
125A-69	ES LAMBETH ST	MONIZ PROPERTIES INC, 70 LAMBETH STREET NEW BEDFORD, MA 02745
125A-75	ES LAMBETH ST	MONIZ PROPERTIES INC, 70 LAMBETH STREET NEW BEDFORD, MA 02745
125A-80	WS CONGRESS ST	MONIZ PROPERTIES INC, 70 LAMBETH STREET NEW BEDFORD, MA 02745
125A-85	WS CONGRESS ST	MONIZ PROPERTIES INC, 70 LAMBETH STREET NEW BEDFORD, MA 02745
129-41	781 CHURCH ST	CHURCH STREET LLC, 781 CHURCH STREET NEW BEDFORD, MA 02745





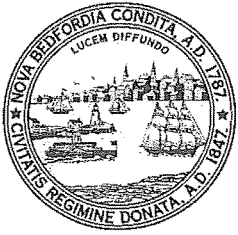
**Legend**

-  100FT
-  125-10
-  Water

City of New Bedford, Massachusetts  
 Department of City Planning

Parcel within 100FT





*City of New Bedford*  
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MAILING ADDRESS (IF DIFFERENT): 350 Bedford Street, Lakeville, MA 02347			
TELEPHONE #	508 947-0050 x123		
EMAIL ADDRESS:	greynolds@primeengineering.org		
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> ):		

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**Official Use Only:**

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**Michael J. Motta**

*Michael J Motta (JMS)*

**6/7/2022**

Printed Name

Signature

Date

Amount Due

\$7.00

Date Paid

6/8/2022

Confirmation Number

7562225

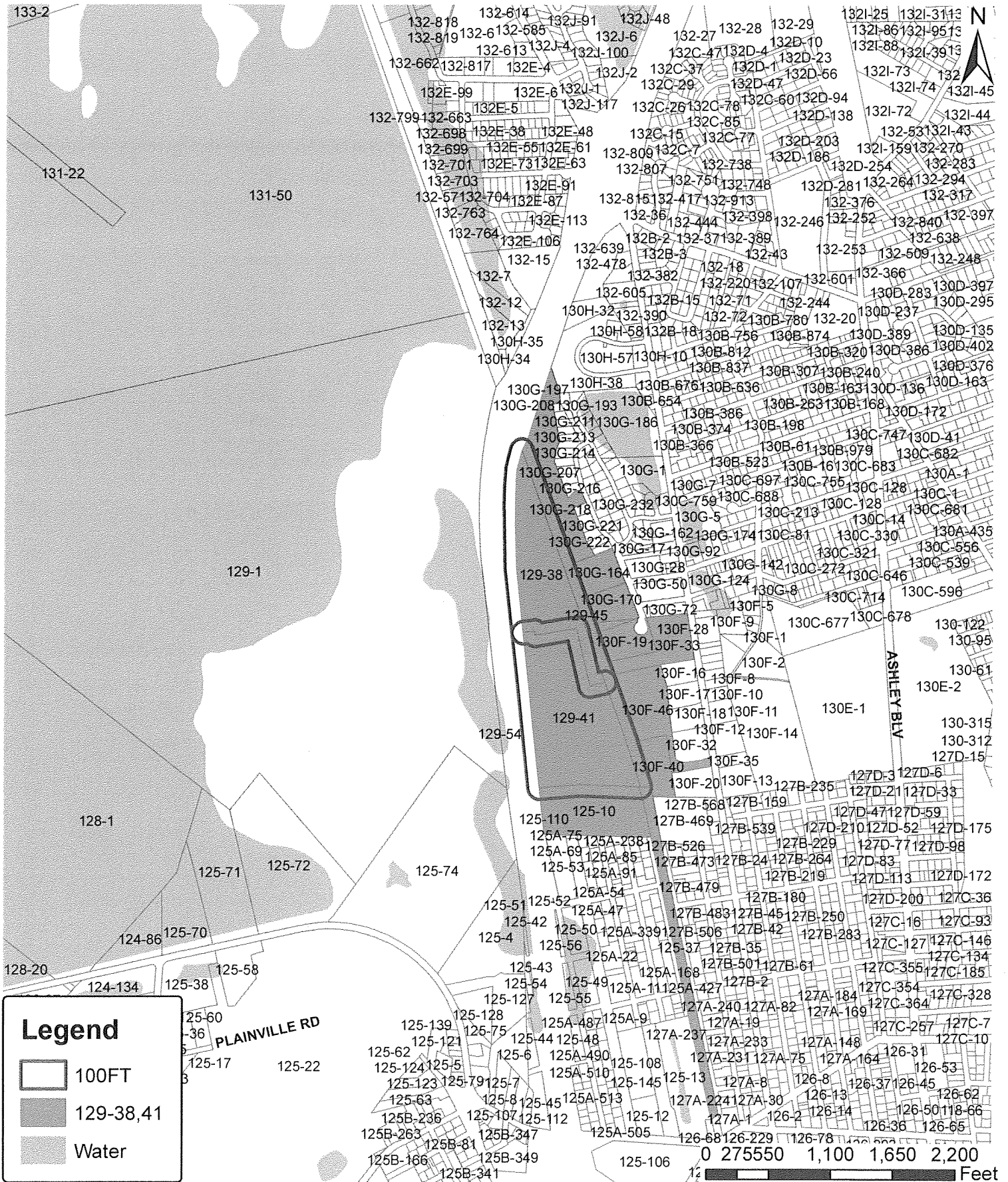
June 8, 2022

Dear Applicant,

Please find below the List of Abutters within 100 feet of the property known as 781 Church Street (Map: 129, Lot: 38,41). 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>
125-37	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202
130F-40	RWS CHURCH ST	MILHENCH INC, C/O R A C SERVICES 121 DUCHAINE BLVD NEW BEDFORD, MA 02745
130G-170	39 TARKILN PL	MCCOLLESTER 39 TARKILN PLACE, WARREN B MCCOLLESTER REVOCABLE TRUST-1998 39 TARKILN PLACE NEW BEDFORD, MA 02745
125-10	NS TARKILN HILL RD	CHURCH STREET LLC, 781 CHURCH STREET NEW BEDFORD, MA 02745
130F-43	E OF R OF WAY 129	MCCOLLESTER FAMILY LIMITED PARTNERSHIP (THE), 5 BROWNELL AVE DARTMOUTH, MA 02747-3732
130F-19	9 TARKILN PL	TRIPLE HORN LLC, 9 TARKILN PLACE NEW BEDFORD, MA 02745
130F-33	919 CHURCH ST	CHURCH STREET ASSOCIATES LLC, F . W. WEBB COMPANY 160 MIDDLESEX TURNPIKE BEDFORD, MA 01730
129-45	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202
130G-207	ES ROUTE 140	CASTIGNETTI LEE JR "TRUSTEE", WHALERS WOODS REALTY TRUST 158 CHARLES MCCOMBS BLVD NEW BEDFORD, MA 02745
130F-46	WS CHURCH ST	COLONIAL AUTOMOTIVE SOUTH INC 171 GREAT ROAD ACTON , MA 01729
130G-164	59 TARKILN PL	JAZ BRUSH U.S.A. INC 59 TARKILN PLACE NEW BEDFORD , MA 02745
129-38	R NS TARKILN PL	CHURCH STREET LLC, 781 CHURCH STREET NEW BEDFORD, MA 02745
129-41	781 CHURCH ST	CHURCH STREET LLC, 781 CHURCH STREET NEW BEDFORD, MA 02745



City of New Bedford, Massachusetts  
Department of City Planning

Parcel within 100FT



**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: Richard Frade, Frades Disposal, 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: 781 Church Street  
Assessors Map 125-1 Lot 10 ; ~~Lot~~ XXX Map 129, Lots 38, 41, 42, 52, 53 & 55

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 508 947-0050 x123 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.