

June 22, 2022

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

**RE: JOHN VERTENTE BOULEVARD, SOLAR ARRAY
NOTICE OF INTENT**

Dear Commission Members:

On behalf of Kearsarge Energy, LE, LLC, we herewith submit this after-the-fact Notice of Intent for tree clearing that occurred at the above-referenced site. The submittal consists of:

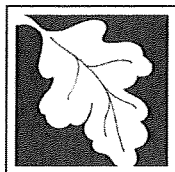
- This letter;
- Two copies of completed Notice of Intent forms;
- Two sets of plans;
- One copy of the Local Fee Calculation Worksheet;
- One copy of the deed;
- A check for \$1,012.50, which is based on \$500 after-the-fact NOI; \$262.50 standard NOI filing fee, \$200 New Bedford fee and \$50 for 100 square feet of impact;
- 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):

John Vertente Boulevard	New Bedford	02745
a. Street Address	b. City/Town	c. Zip Code
Latitude and Longitude:	41D 43' 50"N	70D 57' 55"W
135	d. Latitude	e. Longitude
f. Assessors Map/Plat Number	1, 3, 15 & 47	
	g. Parcel /Lot Number	

2. Applicant:

Andrew	Bernstein	
a. First Name	b. Last Name	
Kearsarge Energy, LP		
c. Organization		
1380 Soldiers Field Road, Sute 3-1		
d. Street Address		
Boston	MA	02135
e. City/Town	f. State	g. Zip Code
617-393-4222	617-608-9020	abernstein@kearsargeenergy.com
h. Phone Number	i. Fax Number	j. Email Address

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

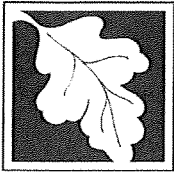
a. First Name	b. Last Name	
Kearsarge New Bedford RE LLC		
c. Organization		
1380 Soldiers Field Road, Suite 3-1		
d. Street Address		
Boston	MA	02135
e. City/Town	f. State	g. Zip Code
617-393-4222	617-608-9020	abernstein@kearsargeenergy.com
h. Phone Number	i. Fax Number	j. Email address

4. Representative (if any):

Richard	Rheaume	
a. First Name	b. Last Name	
Prime Engineering, Inc.		
c. Company		
P.O. Box 1088		
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):

\$500.	\$237.50	\$262.50
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:

Tree clearing at a ground-mounted, photovoltaic solar array.

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 SD

a. County

13482

c. Book

b. Certificate # (if registered land)

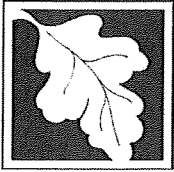
29

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 type="checkbox"/> Bordering Vegetated Wetland	1. square feet _____	2. square feet _____
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet _____	2. square feet _____
	3. cubic yards dredged _____	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet _____	2. square feet _____
e. <input checked="" type="checkbox"/> Isolated Land Subject to Flooding	3. cubic feet of flood storage lost _____	4. cubic feet replaced _____
	100 1. square feet _____	
f. <input type="checkbox"/> Riverfront Area	2. cubic feet of flood storage lost _____	3. cubic feet replaced _____
	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: _____ square feet

4. Proposed alteration of the Riverfront Area:

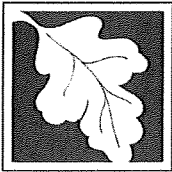
a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

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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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 BVW	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.

- 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. Date of map 2022

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

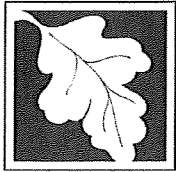
- 2. Assessor's Map or right-of-way plan of site

- 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/mass-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:

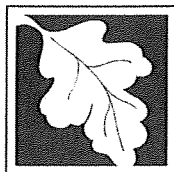
Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
836 South Rodney French Blvd.
New Bedford, MA 02744
Email: dmf.envreview-south@mass.gov

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: 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.

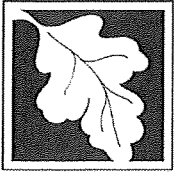
D. Additional Information

- 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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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 Vegetation Remediation Plan

a. Plan Title

Prime Engineering, Inc.

Richard J. Rheume

b. Prepared By

c. Signed and Stamped by

July 7, 2022

As Noted

d. Final Revision Date

e. Scale

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:

23231

6/21/2022

2. Municipal Check Number

3. Check date

23230

6/21/2022

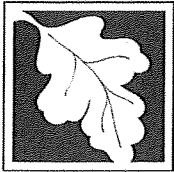
4. State Check Number

5. Check date

Prime Engineering, Inc.

6. Payor name on check: First Name

7. Payor name on check: Last Name



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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.

Ana J. Bunker
1. Signature of Applicant

June 21, 2022
2. Date

3. Signature of Property Owner (if different)

4. Date

Richard J. Sheave
5. Signature of Representative (if any)

June 22, 2022
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.

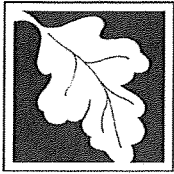
For MassDEP:

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:

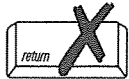
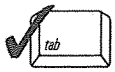
If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

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.



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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:

John Vertente Boulevard	New Bedford
a. Street Address	b. City/Town
23230	\$237.50
c. Check number	d. Fee amount

2. Applicant Mailing Address:

Andrew	Bernstein	
a. First Name	b. Last Name	
Kearsarge Energy LP		
c. Organization		
1380 Soldiers Field Road, Suite 3-1		
d. Mailing Address		
Boston	MA	02135
e. City/Town	f. State	g. Zip Code
617-393-4222	617-608-9020	abernstein@kearsargeenergy.com
h. Phone Number	i. Fax Number	j. Email Address

3. Property Owner (if different):

a. First Name	b. Last Name	
Kearsarge New Bedford RE LLC		
c. Organization		
1380 Soldiers Field Road, Sute 3-1		
d. Mailing Address		
Boston	MA	02135
e. City/Town	f. State	g. Zip Code
617-393-4222	617-608-9020	abernstein@kearsargeenergy.com
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.

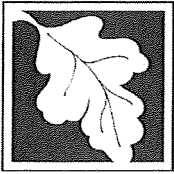
Step 2/Number of Activities: Identify the number of each type of activity.

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.



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B. Fees (continued)

Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
2H. Vegetation Control	1	500.	500.

Step 5/Total Project Fee: 500.

Step 6/Fee Payments:

Total Project Fee:	500.
a. Total Fee from Step 5	500.
State share of filing Fee:	237.50
b. 1/2 Total Fee less \$12.50	237.50
City/Town share of filling Fee:	262.50
c. 1/2 Total Fee plus \$12.50	262.50

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.)



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: John Vertente Boulevard Extension

MAP(S) 135 **LOT(S)** 1, 3, 15 and 47

APPLICANT: Kearsarge Energy, LP

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>100</u> SF Wetland Resource Area Fee shall not exceed \$2000.00 per project	<u>\$ 50.00</u>
• \$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	<u>\$ _____</u>
• \$0.50 X _____ SF of altered 25' Riverfront Area Fee shall not exceed \$1,500.00	<u>\$ _____</u>
• \$1.00 X _____ SF of undeveloped 25' Riverfront Area Fee shall not exceed \$2000.00	<u>\$ _____</u>
• \$5.00 X _____ LF of Coastal or Inland Bank Fee shall not exceed \$750.00	<u>\$ _____</u>



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

(B) EXTENSION OF AN ORDER OF CONDITIONS:

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

(C) AMENDING A PERMIT

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

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

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

(E) CERTIFICATES OF COMPLIANCE

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

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

(F) AFTER THE FACT FILING FEE

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

TOTAL AMOUNT DUE: \$ 1,012.50 (Includes \$262.50 NOI) _____

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.



**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: Kearsarge Energy LP

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: John Vertente Boulevard
Assessors Map 135 ; Lot 1, 3, 15 & 47.

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.

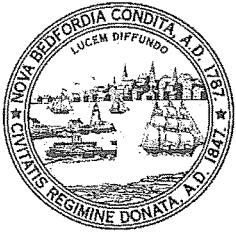
Copies of the Notice of Intent may be obtained from either (check one) the applicant _____ or the applicant's representative X by calling this telephone number 508-947-0050 between the hours of 8:00 AM and 4:00 PM Monday through Friday.

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.



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 #	135
LOT(S)#	1, 3, 15 & 47
ADDRESS: John Vertente Blvd.	
OWNER INFORMATION	
NAME: Kearsarge New Bedford RE LLC	
MAILING ADDRESS: 1380 Soldier's Field Road, Suite 3-1, Boston, MA 02135	
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT): Genny Reynolds/Prime Engineering	
MAILING ADDRESS (IF DIFFERENT): P.O. Box 1088, 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. 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	<i>Michael J Motta (JMS)</i>	06/22/2022
Printed Name	Signature	Date

Amount Due	\$5.00
Date Paid	7/5/2022
Confirmation Number	1868015

CITY OF NEW BEDFORD
Schedule of Departmental Payments to Treasurer
Single Charge Code

Department/Contact:
 GL String:
 Treasury:

Date:
 Charge Code:

From Whom	Source (cash, check, etc)	Amount	Total
135-1,3,15,47		\$ 5.00	
John Vertente Blvd	1868015		
Genny Reynolds			

To the City Treasurer:

The above is a detailed list of revenue collected by me, amounting in the aggregate of

Dollars

Receipt#

Signature: _____

Title:

CITY OF NEW BEDFORD
Schedule of Departmental Payments to Treasurer
Single Charge Code

Department/Contact:
 GL String:
 Treasury:

Date:
 Charge Code:

From Whom	Source (cash, check, etc)	Amount	Total
135-1,3,15,47		\$ 5.00	
John Vertente Blvd	CHECK		
Genny Reynolds			

To the Departmental Officer making the Payment

Received in Treasurer's Office _____, the sum of

_____ Dollars

for collections, as per schedule of this date, filed in my office

 City Treasurer

Receipt#

By _____

June 28, 2022
Dear Applicant,



Please find below the List of Abutters within 100 feet of the property known as John Vertente Blvd (Map: 135, Lot: 1,3,15,47). 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.

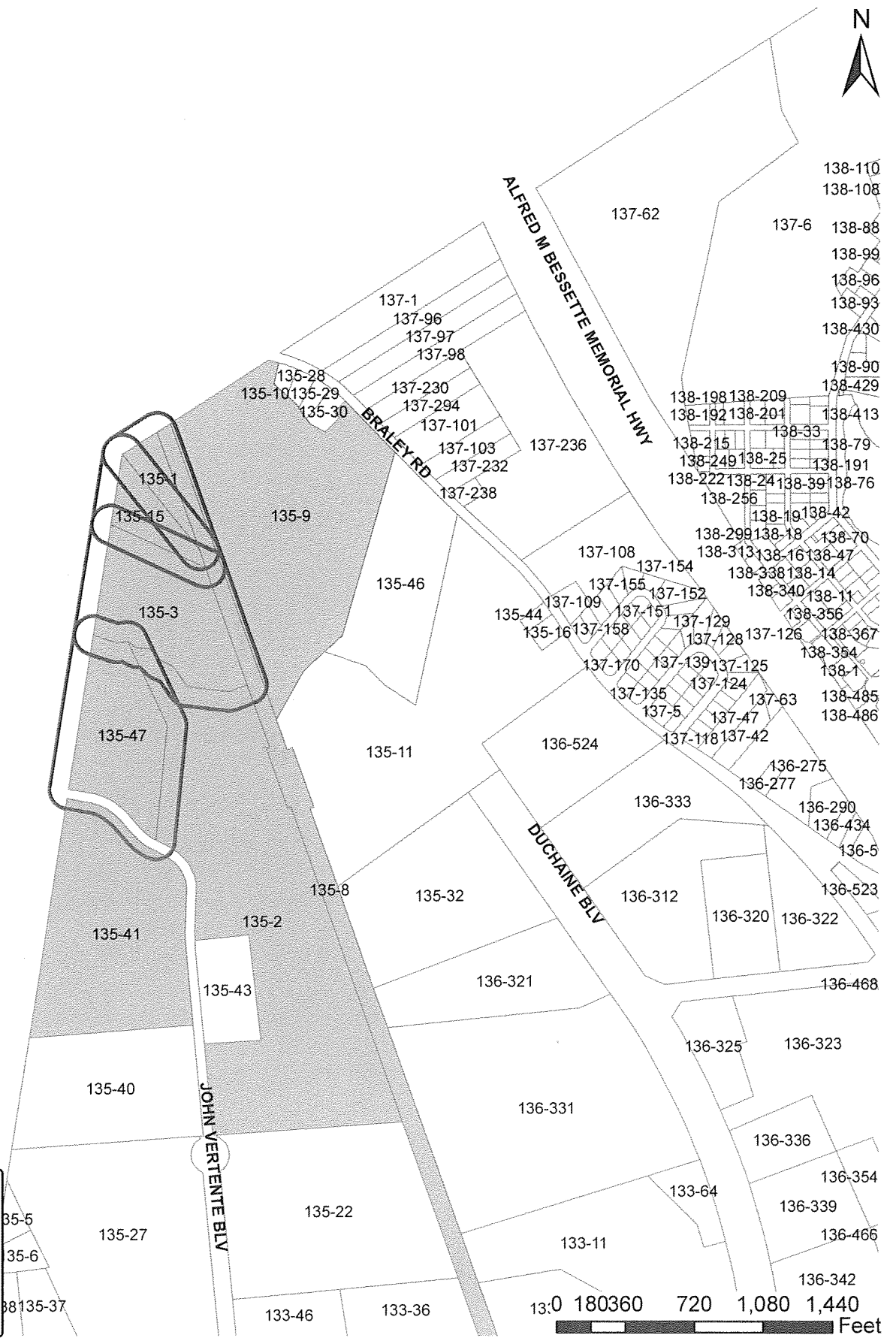
Please note that multiple listed properties with identical owner name and mailing address shall be considered duplicates and shall require only 1 mailing. Additionally, City of New Bedford-Owned properties shall not require mailed notice.

<u>Parcel</u>	<u>Location</u>	<u>Owner and Mailing Address</u>
135-41	WS JOHN VERTENTE BLVD	NEW BEDFORD REDEVELOPMENT AUTHORITY, 700 PLEASANT STREET NEW BEDFORD, MA 02740
135-9	WS BRALEY RD	PILLAR LLC, C/O NBD SOLAR LLC, 80 FRONT ST MARION, MA 02738
135-2	ES JOHN VERTENTE BLVD	CITY OF NEW BEDFORD, 131 WILLIAM STREET NEW BEDFORD, MA 02740
135-1	NS JOHN VERTENTE BLVD	KEARSARGE NEW BEDFORD RE LLC 1380 SOLDIERS FIELD ROAD STE-3-1- BOSTON, MA 02135
135-8	RIGHT OF WAY	PENN CENTRAL CO, CONSOLIDATED RAIL CORP 500 WATER STREET DEPT J910 JACKSONVILLE, FL 32202



Legend

-  100FT
-  135-1,3,15,47

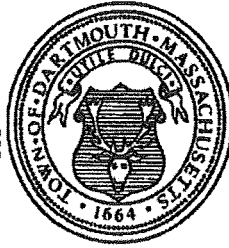


City of New Bedford, Massachusetts
Department of City Planning

Parcel within 100FT



DARTMOUTH



MASSACHUSETTS

OFFICE OF BOARD OF ASSESSORS
400 SLOCUM ROAD
DARTMOUTH, MA 02747-0985

ADMINISTRATOR OF ASSESSING
RICHARD GONSALVES
TEL: 508-910-1809 * FAX: 508 -910-1867

CERTIFIED ABUTTER'S LIST

I, *Richard B. Michaud*, Assessor for the Town of Dartmouth, certify
that the attached list complies with M.G.L. Chapter 40A, Section 11 on this
5th day of April, 2022.

Subject parcel: Map 85 Lot 8-3
of abutters certified: 6

fee: \$25.00

84/ 5/ / /
 NEW BEDFORD CITY OF
 RIGHT OF WAY
 133 WILLIAM ST
 NEW BEDFORD, MA 02740

85/ 1/ / /
 TURNER BRENDA L
 593 QUANAPOAG RD
 N DARTMOUTH, MA 02747

85/ 2/ / /
 ABDELJALIL KADER
 593 QUANAPOAG RD
 DARTMOUTH, MA 02747

85/ 9/ / /
 NBD SOLLAR LLC
 80 FRONT ST
 MARION, MA 02378

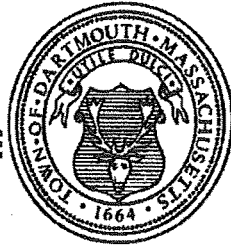
85/ 8/ 2/ /
 DARTMOUTH PILLAR LLC
 150 JOHN VERTENTE BLVD
 NEW BEDFORD, MA 02745

85/ 8/ 3/ /
 NBD SOLLAR LLC
 80 FRONT ST
 MARION, MA 02378

85/ 8/ 4/ /
 NBD SOLAR
 80 FRONT ST
 MARION, MA 02378

* SUBJECT

DARTMOUTH



MASSACHUSETTS

OFFICE OF BOARD OF ASSESSORS
400 SLOCUM ROAD
DARTMOUTH, MA 02747-0985

ADMINISTRATOR OF ASSESSING
RICHARD GONSALVES
TEL: 508-910-1809 * FAX: 508 -910-1867

CERTIFIED ABUTTER'S LIST

I, Richard, Assessor for the Town of Dartmouth, certify
that the attached list complies with M.G.L. Chapter 40A, Section 11 on this
5th day of April, 2022.

Subject parcel: Map 85 Lot 8-4
of abutters certified: 4

fee: \$25.00

87/0-1

100

85/ 9/ 1/ 1/
NBD SOLLAR LLC
80 FRONT ST
MARION, MA 02378

85/ 8/ 1/ 1/
THREE TOWERS LLC
135 JOHN VERTENTE BLVD
NEW BEDFORD, MA 02745

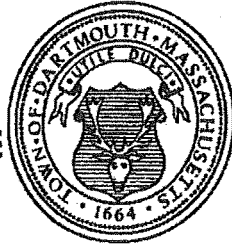
85/ 8/ 3/ 1/
NBD SOLLAR LLC
80 FRONT ST
MARION, MA 02738

85/ 8/ 4/ 1/
NBD SOLAR
80 FRONT ST
MARION, MA 02738

* SUBJECT

85/ 8/ 5/ 1/
TOWN OF DARTMOUTH
400 SLOCUM RD
N DARTMOUTH, MA 02747

DARTMOUTH



MASSACHUSETTS

OFFICE OF BOARD OF ASSESSORS
400 SLOCUM ROAD
DARTMOUTH, MA 02747-0985

ADMINISTRATOR OF ASSESSING
RICHARD GONSALVES
TEL: 508-910-1809 * FAX: 508 -910-1867

CERTIFIED ABUTTER'S LIST

I, Michael B., Assessor for the Town of Dartmouth, certify
that the attached list complies with M.G.L. Chapter 40A, Section 11 on this
5th day of April, 2022.

Subject parcel: Map 85 Lot 9
of abutters certified: 2

fee: \$25.00

00/1

85/ 9/ / /
NBD SOLLAR LLC
80 FRONT ST
MARION, MA 02378

* SUBJECT

85/ 8/ 3/ /
NBD SOLLAR LLC
80 FRONT ST
MARION, MA 02738

85/ 8/ 4/ /
NBD SOLAR
80 FRONT ST
MARION, MA 02738

**ABUTTERS FOR NEW BEDFORD CONSERVATION FILING
NEW BEDFORD ASSESSOR'S MAP 135, LOTS 1, 3, 15 & 47**

Dartmouth and Freetown Abutters to be Notified

DARTMOUTH

Dartmouth Parcel 84-5

City of New Bedford
Right of Way
133 William Street
New Bedford, MA 02740

Dartmouth Parcel 85-1

Brenda L Turner
593 Quanapoag Road
North Dartmouth, MA 02747

Dartmouth Parcel 85-2

Abdeljalil Kader
593 Quanapoag Road
Dartmouth, MA 02747

Dartmouth Parcel 85 8-3, 85 8-4, 85-9

NBD Solar LLC
80 Front Street
Marion, MA 02378

Dartmouth Parcel 85 8-2

Dartmouth Pillar LLC
150 John Vertente Blvd
New Bedford, MA 02745

Dartmouth 85 8-1

Three Towers LLC
135 John Vertente BLVD
New Bedford, MA 02745

Dartmouth 85 8-5

Town of Dartmouth
400 Slocum Road
N Dartmouth, MA 02747

FREETOWN

Freetown Parcel 254-38

Jonathan & Donna Costa
21 Quanapoag Road
E. Freetown, MA 02717

Freetown Parcel 254-39

Alan & Carol Dulong Trustee
Dulong Family Nominee Trust
37 Chipaway Road
E. Freetown, MA 02717

Freetown Parcel 253-45

Marilyn P. Lecuyer
15 Quanapoag Road
E. Freetown, MA 02717

Freetown Parcel 253-46

Andrew C. Kadak, Trustee
15A Quanapoag Road
E. Freetown, MA 02717

Freetown Parcel 253-48

Chris Cunningham
7 Quanapoag Road
E. Freetown, MA 02717

Southern Bristol Registry of Deeds
Electronically Recorded Document

This is the first page of the document - Do not remove

Recording Information

Document Number : 27967
Document Type : DEED
Recorded Date : November 05, 2020
Recorded Time : 02:41:15 PM

Recorded Book and Page : 13482 / 28
Number of Pages(including cover sheet) : 5
Receipt Number : 112460
Recording Fee (including excise) : \$11,012.36

MASSACHUSETTS EXCISE TAX
Bristol ROD South 001
Date: 11/05/2020 02:41 PM
Ctrl# 032097 01515 Doc# 00027967
Fee: \$10.857.36 Cons: \$2.380.900.00

Southern Bristol Registry of Deeds
Frederick M. Kalisz, Jr., Register
25 N. 6th Street
New Bedford, MA 02740
508-993-2603
www.NewBedfordDeeds.com

Braley Road, New Bedford & John Vertente Boulevard Extension, Dartmouth & New Bedford

QUITCLAIM DEED

NBD Solar, LLC, a Massachusetts limited liability company (“Grantor”) having a principal place of business at 80 Front Street, Marion, Massachusetts 02738

for consideration paid and in full consideration of Two Million Three Hundred Eighty Thousand Nine Hundred and 00/100 (\$2,380,900.00) Dollars,

Grants to **Kearsarge New Bedford RE LLC**, a limited liability company organized under the laws of the Commonwealth of Massachusetts (“Grantee”), with an address of 1380 Soldiers Field Road, Suite 3-1, Boston, MA 02135

With QUITCLAIM COVENANTS

The land in Dartmouth and New Bedford, Massachusetts, described in Exhibit A attached hereto (the “Premises”). The Premises are granted together with the benefit of an Insolation Easement set forth on Exhibit B, attached hereto and incorporated herein by reference, over the Grantor’s remaining land, being Lot 2A on the “Approval Under the Subdivision Control Law Not Required Plan of Land on Braley Road, New Bedford, Massachusetts Prepared for NBD Solar LLC” dated July 6, 2020, recorded with the Bristol County Southern District Registry of Deeds in Plan Book 181, Page 62.

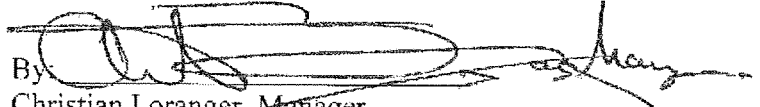
This sale is in the ordinary course of business of the Grantor, and Grantor certifies that it is not classified for the current taxable year as a corporation for federal income tax purposes, and is not taxed as a corporation.

Further, for the consideration paid, Grantor does hereby assign, set over and transfer to Grantee all of the rights set forth in that certain agreement entitled “License Agreement – NBD Solar, LLC – New Bedford Secondary Line” dated October 16, 2020 by and between Massachusetts Department of Transportation, the Massachusetts Bay Transportation Authority and NBD Solar, LLC the Grantee being a permitted assignee under the terms of the License Agreement.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

IN WITNESS WHEREOF, the said NBD SOLAR, LLC has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Christian Loranger, its Manager, this 3rd day of November, 2020.

NBD SOLAR, LLC

By 
Christian Loranger, Manager

COMMONWEALTH OF MASSACHUSETTS

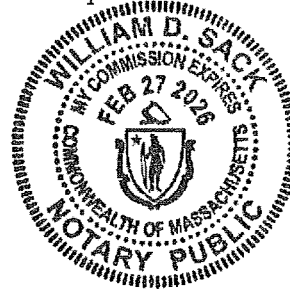
Norfolk, ss.

November 3, 2020

On this 3rd day of November, 2020, before me, the undersigned notary public, personally appeared Christian Loranger, proved to me through satisfactory evidence of identification, which was a Driver's License, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose as the duly authorized Manager of NBD Solar, LLC.


_____, Notary Public

My Commission Expires:



EXHIBITA

PARCEL 1

The land in Dartmouth and New Bedford, Bristol County, Massachusetts situated on John Vertente Boulevard Extension, containing approximately 45.879 Acres and shown on a plan of land entitled, "Plan of Land on John Vertente Blvd. Ext. in Dartmouth & New Bedford, Massachusetts Prepared For NBD Solar, LLC." dated December 4, 2019, recorded with the Bristol County Southern District Registry of Deeds in Plan Book 180, Page 53.

Being the same premises conveyed to SELLER by the following Deeds:

Book 12887, Page 13, Book 12887, Page 15, Book 13023, Page 107 and Book 13023, Page 111

PARCEL 2

The land in New Bedford, Bristol County, Massachusetts situated off Braley Road, and shown as Lot 2B on a plan of land entitled, "Approval Under the Subdivision Control Law Not Required Plan of Land on Braley Road, New Bedford, Massachusetts Prepared for NBD Solar LLC" dated July 6, 2020, recorded with the Bristol County Southern District Registry of Deeds in Plan Book 181, Page 62.

Being a portion of the premises conveyed to SELLER by Deeds recorded with the Bristol County Southern District Registry of Deeds in Book 13218, Page 341 and Book 13311, Page 10.

EXHIBIT B

Insolation Easement

Insolation. Grantor acknowledges and agrees that the free and unobstructed flow of sunlight ("**Insolation**") is essential to the value to Grantee of the Premises acquired hereunder, and is a material inducement to Grantee agreeing to purchase the Premises. Accordingly, Grantor's remaining land (the "**Remaining Land**") is subject to the following Insolation Easement benefitting the Premises. Grantor's Remaining Land may only be developed for residential use with structures that may not exceed a height limit of $1/3^{\text{rd}}$ of the distance of the structure measured at the highest point of the structure from the property line with the Premises. Grantor shall not cause or knowingly permit any interference with Insolation reaching the Premises. Without limiting the foregoing, neither Grantor, nor its successors or assigns as the owners of the Remaining Land shall construct or knowingly permit to be constructed any structure on the Remaining Land that could adversely affect Insolation levels, permit the growth of foliage that could adversely affect Insolation levels, or emit or knowingly permit the emission of suspended particulate matter, smoke, fog or steam or other air-borne impediments to Insolation. In addition, Grantor hereby grants to Grantee the right and easement, exercisable with not less than seven (7) days' prior notice to Grantor, (i) to remove, trim, prune, top or otherwise control the growth of any tree, shrub, plant or other vegetation on the Remaining Land to the extent it prevents or otherwise obstructs Insolation to the Premises, and (ii) to dismantle, demolish or remove any improvement, structure, embankment, impediment, berm, wall, fence or other object, that prevents or otherwise obstructs Insolation to the Premises. Grantor and Grantee further agree that (a) Grantee would be irreparably harmed by a violation of the Insolation Easement, (b) an award of monetary damages would be inadequate to remedy such a violation, and (c) Grantee shall be entitled to seek equitable relief, including specific performance, to compel compliance with the Insolation Easement. In exchange for the granting of this Insolation Easement, Grantee agrees that it shall not oppose the development of the Remaining Land for residential development, provided that the proposed plans for such development are in conformance with this Insolation Easement. Grantee agrees to promptly execute a certificate evidencing its approval of any development of the Remaining Land that conforms to this Insolation Easement.