

# SITEC

Civil and Environmental Engineering  
Land Use Planning

SITEC, Inc.  
449 Faunce Corner Road  
Dartmouth, MA 02747  
Tel. (508) 998-2125 FAX (508) 998-7554

Unit C  
769 Plain Street  
Marshfield, MA 02050  
Tel. (781) 319-0100 FAX (781) 834-4783

**CISCO NEW BEDFORD**  
**1480 EAST RODNEY FRENCH BOULEVARD**  
**NEW BEDFORD, MASSACHUSETTS**

**MAY 6, 2019**



**PROJECT NARRATIVE**

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## PROJECT NARRATIVE MAY 6, 2019

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PROJECT: CISCO NEW BEDFORD RESTAURANT FACILITY  
1480 EAST RODNEY FRENCH BOULEVARD  
NEW BEDFORD, MASSACHUSETTS  
ASSESSORS MAP 12 – LOTS 77, 264, 287-291

APPLICANT: SERVEDWELL NEW BEDFORD, LLC  
307 SMITH NECK ROAD  
DARTMOUTH, MA 02748

ZONING DISTRICTS: MIXED USE BUSINESS / INDUSTRIAL

### EXISTING SITE CONDITIONS

The subject property is a 2.55 acre parcel located on the east side of East Rodney French Boulevard between Clara Street and Frederick Street in the south end of New Bedford. The property is bordered by a parking lot on the north, East Rodney French Boulevard on the west, a paper street Clara Street on the south and Buzzards Bay on the east.

The southern portion of the property contains a restaurant building with attached deck for outdoor seating and a paved parking lot. The northerly portion of the site contains a small structure, broken paved surfaces and formerly included a wood frame structure that was recently demolished.

Access to the properties is available via several curb cuts located on East Rodney French Boulevard and the restaurant is served by municipal water and sewer.

### PROPOSED DEVELOPMENT

The Applicant, Servedwell New Bedford, LLC is proposing to redevelop and upgrade the property as follows:

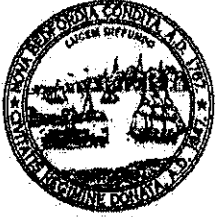
1. Convert upgrade the existing restaurant to a Cisco Kitchen & Bar Restaurant;

2. Remove and replace the existing restaurant parking lot to improve drainage and pedestrian access;
3. Increase pervious space by converting a portion of the existing parking lot to a sand/children's recreation area with a boardwalk and fire pit seating area for restaurant patrons;
4. Expand the existing deck for improved seasonal use;
5. Establish a new parking lot on the north side of the restaurant;
6. Create a turf event area for outside live music, food, and beverage service;
7. Addition of portable kiosks for food and beverage service (Seasonal – May through October);
8. Improve waterfront access with extensive boardwalk connecting East Rodney French on the southwest corner of the site to the City owned pedestrian area located to the north of the project;
9. Install an enhanced stormwater treatment and onsite recharge system for improved water quality and runoff control; and
10. Provide improved curb cuts, ADA parking, public walkway along East Rodney French Boulevard, and extensive landscaping.

The completed project will significantly increase green space on the site while providing a significant amount of public access improvements along the waterfront.

It is anticipated that the project will take 6-8 months to complete. Preliminary cost estimates for this project range from \$2,000,000 to \$2,200,000.

**SITE PLAN REVIEW  
APPLICATION / CHECKLIST**



# PLANNING BOARD

CITY OF NEW BEDFORD  
JONATHAN F. MITCHELL, MAYOR

SUBMIT TO:  
Planning Department  
133 William Street  
Room 303  
New Bedford, MA 0274

## SITE PLAN REVIEW APPLICATION

The undersigned, being the Applicant, seeks Site Plan Approval for property depicted on a plan entitled: Cisco New Bedford by: SITEC, Inc. dated: March 15, 2019

### 1. Application Information

Street Address: 1480 East Rodney French Blvd

Assessor's Map(s): 12 Lot(s) 77, 264, 287-291

Registry of Deeds Book: 11031/11004 Page: 159/138

Zoning District: Mixed Use Business/Industrial A

Applicant's Name (printed): Servedwell New Bedford, LLC

Mailing Address: 307 Smith Neck Rd Dartmouth MA 02748  
(Street) (City) (State) (Zip)

Contact Information: (508)328-9859 steve@nyajdartmouth.com  
Telephone Number Email Address

Applicant's Relationship to Property:  Owner  Contract Vendee  Other Developer

List all submitted materials (include document titles & volume numbers where applicable) below:

Site Plans - Cover Sheet and Sheets 1-11  
 Building Floor Plans/Elevations  
 Project Report w/Drainage Calculations

By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval (s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

5/4/19  
Date

[Signature]  
Signature of Applicant

**2. Review Applicability (Check All That Apply to Your Proposal)**

**Category**

- Residential
- Commercial
- Industrial
- Mixed (Check all categories that apply)

**Construction**

- New Construction
- Expansion of Existing
- Conversion
- Rehabilitation

**Scale**

- < 2,000 gross sq feet
- > 2,000 gross sq feet
- 3 or more new residential units
- 1 or more new units in existing res. multi-unit
- Drive Thru Proposed
- Ground Sign Proposed
- Residential Driveway With > 1 curbcut

**3. Zoning Classifications**

Present Use of Premises: Restaurant with Parking Facility

Proposed Use of Premises: Restaurant with Parking Facility and outdoor entertainment area

Zoning Relief Previously Granted (Variances, Special Permits, with Dates Granted):  
 \_\_\_\_\_

**4. Briefly Describe the Proposed Project:**

The Applicant proposes to upgrade and redevelop the existing parking facility and restaurant to accommodate a new parking facility and exterior entertainment complex. Exterior entertainment will include improved pedestrian access along the shoreline, removal of pavement and creation of a sand play area. An expansion of the restaurant deck and outdoor amenities including block walkways and a fire pit seating area is proposed. Additionally, a seasonal facility consisting of portable kiosks for food and drink service together with a turf event area for musical entertainment. In order to maintain a coastal feel, the main parking area to the north of the restaurant is proposed to have a crushed seashell surface with enhanced drainage control.

**5. Please complete the following:**

	<u>Existing</u>	<u>Allowed/Required</u>	<u>Proposed</u>
Lot Area (sq ft)	2.55 acres	0	2.55 acres
Lot Width (ft)	395'	0	395'
Number of Dwelling Units	0	-	0
Total Gross Floor Area (sq ft)	6415 SF	-	10,050 SF
Residential Gross Floor Area (sq ft)	0	-	0
Non-Residential Gross Floor Area (sq ft)	6415 SF	-	10,050 SF
Building Height (ft)	25'	100'	25'
Front Setback (ft)	30'	25'	30'
Side Setback (ft)	70'	25'	70'
Side Setback (ft)	230'	25'	230'

Rear Setback (ft)	103'	25'	103'
Lot Coverage by Buildings (% of Lot Area)	6%	50%	7%
Permeable Open Space (% of Lot Area)	5%	20%	17%
Green Space (% of Lot Area)	5%	20%	17%
Off-Street Parking Spaces	57	86	142
Long-Term Bicycle Parking Spaces	0	0	0
Short-Term Bicycle Parking Spaces	0	0	18
Loading Bays	1	1	1

**6. Please complete the following:**

	Existing	Proposed
a) Number of customers per day:	Vacant	500
b) Number of employees:	Vacant	30/shift
c) Hours of operation:	Vacant	11AM-10PM Su-Th 11AM-12AM FR-SA
d) Days of operation:	Vacant	Su-Sa
e) Hours of deliveries:	Vacant	7AM-11AM
f) Frequency of deliveries:	<input type="checkbox"/> Daily <input type="checkbox"/> Weekly <input type="checkbox"/> Monthly	<input checked="" type="checkbox"/> Other: 3-4 times/week

**7. Planning Board Special Permits:**

The applicant is also requesting a Special Permit from the Planning Board.

Specify the requested Special Permit(s) below, and set forth within attached Development Impact Statement how the request meets approval criteria listed in §5320 of the zoning code.

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**8. ZBA Variances and Special Permits:**

**NOTICE: Checking below does not constitute application for a special permit or a variance. The applicant must also file the proper application form and fee with the Zoning Board of Appeals.**

The applicant is also requesting a special permit from the ZBA:

Specify zoning code section & title

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The applicant is also requesting a variance from the ZBA:

Specify zoning code section & title

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9. OWNERSHIP VERIFICATION

This section is to be completed & signed by the property owner:

I hereby authorize the following Applicant: Servedwell New Bedford, LLC

at the following address: 307 Smith Neck Rd, Dartmouth, MA 02748

to apply for: Site Plan Review

on premises located at: 1480 East Rodney French Blvd

in current ownership since: January 31, 2014/March 14, 2014

whose address is: 1480 East Rodney French Blvd

for which the record title stands in the name of: G GK Realty LLC/VVK Realty LLC

whose address is: 1480 E Rodney French Blvd, New Bedford, MA 02744/P.O. Box 127, Fairhaven, MA 02719

by a deed duly recorded in the:

Registry of Deeds of County: Bristol Book: 11031/11004 Page: 159/138

OR Registry District of the Land Court, Certificate No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). I/we also give Planning Department staff and Planning Board Members the right to access the premises (both interior and exterior) at reasonable times and upon reasonable notice for the purpose of taking photographs and conducting other visual inspections.

May 6/19  
Date

[Signature]  
Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)



*City of New Bedford*  
**REQUEST FOR WAIVER**

**CASE #:** \_\_\_\_\_

**APPLICATION FOR WAIVER FROM SITE PLAN REVIEW REQUIREMENTS**

In certain instances, after consulting with the City Planner, the applicant may submit, in writing, a request for waiver for any of the submittal or technical requirements of Section 5430 and 5440 where the project involves relatively simple development plans. The Planning Board will take a separate vote on written waiver requests by the applicant. Each request for waiver must be submitted individually to be considered by the Board. Please provide one (1) original and fifteen (15) copies of the request.

**Any granted waivers must be disclosed on the final submitted and approved site plan.**

SUBJECT PROPERTY			
ASSESSOR'S MAP PLOT#	12	LOT(S)#	77, 264, 287-291
REGISTRY OF DEEDS BOOK:	11031/11004	PAGE #	159/138
PROPERTY ADDRESS: 1480 East Rodney French Blvd.			
ZONING DISTRICT: Mixed Use Business / Industrial A			
OWNER INFORMATION			
NAME: GGK Realty, LLC / VVK Realty, LLC			
MAILING ADDRESS: 1480 E. Rodney French Blvd, New Bedford, MA 02744 ; P.O. Box 127, Fairhaven, MA 02719			
APPLICANT/CONTACT PERSON INFORMATION			
NAME (IF DIFFERENT): Servedwell New Bedford, LLC			
APPLICANT'S RELATIONSHIP TO THE PROPERTY: <i>Check one;</i>	OWNER <input type="checkbox"/>	CONTRACT VENDEE <input type="checkbox"/>	OTHER <i>Describe</i> <input checked="" type="checkbox"/> <u>Developer</u>
MAILING ADDRESS (IF DIFFERENT): 307 Smith Neck Rd, Dartmouth, MA 02748			
TELEPHONE #	(508)328-9859		
EMAIL ADDRESS:	steve@nyajdartmouth.com		

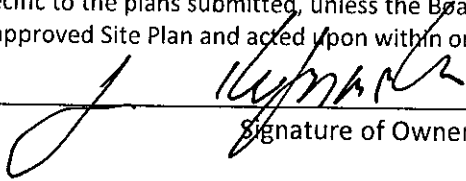
By signing below, I/we acknowledge that all information presented herein is true to the best of my/our knowledge. I/we further understand that any false information intentionally provided or omitted is grounds for the revocation of the approval(s). If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.

\_\_\_\_\_  
Signature of Applicant/s

May 6, 2019  
\_\_\_\_\_  
Date

If the applicant differs from the owner, this section must be completed/signed by the property owner/s:

I hereby authorize the applicant represented above and throughout this application to apply and to represent my/our interests on my/our behalf for the relief requested herein for the premises I/we own noted as "property address" above and presented throughout this application. Furthermore, by signing this application I/we acknowledge having read and understood this application and the accompanying instructions and information. If petition is granted, I/we understand the approvals are specific to the plans submitted, unless the Board states otherwise and that if granted, that the waiver(s) must be noted on the approved Site Plan and acted upon within one year.

  
 \_\_\_\_\_  
 Signature of Owner/s

May 6, 2019  
 \_\_\_\_\_  
 Date

DESCRIPTION	Ordinance Section	CLEARLY Describe why this request is being made.
	1	***Example*** 5451. b. Topography and Drainage Plan
2	5450 Contents of Plan 5451.d Floor Plan	The existing restaurant floor plan has not been evaluated for renovation at this time.
3		
4		

Additional pages describing the waiver request may be attached to this form following the same chart format, if necessary.

Please check here if additional pages are attached.

Number of Waiver requests submitted for consideration:



# Site Plan Review Application Checklist

In order for the City of New Bedford Planning Board to accurately review your project in a timely manner, plan sets submitted with applications must be complete and thorough. A comprehensive understanding of this handout and submittal of all required documents and plans ensures an efficient review of your project.

Unless otherwise noted or determined by Planning Division Staff to not be required, the following information and drawings must be included in the submittal package for your application. For an application to be accepted, each and every item is required at the time of application submittal.

In certain instances, plans, or portions of plans, may be waived when not applicable for the review of a particular type of development, at the discretion of the City Planner. Requests for any such waiver(s) must be submitted, in writing, to Planning Division for consideration prior to application submittal.

All submitted materials must be legible, organized & bound (where appropriate) in a manner that allows for distribution of all proposal materials as 1 package. Please utilize double-sided printing for submitted reports, studies and statements when possible.

Initials Indicate  
in Submitted.

For subparts of the required plans, please mark as follows:

= Shown on Plans     = Waiver Requested     = Not Applicable

Staff    Applicant

- 1. Completed Application Form (with all required signatures; 16 Copies)
- 2. Completed Site Plan Review Application Checklist (1 original & 15 copies)
- 3. Plans
  - Four (4) stapled and folded sets of full-sized plans (24" x 36") and Twelve (12) sets of reduced plans (11" x 17") are required for all applications. Staff reserves the right to require additional copies.
  - One (1) electronic copy (PDF & CAD) of all proposed activity plans (See Section 10 of Checklist for Requirements)
  - All plans oriented so that north arrow points to top of sheet
  - Plans shall be drawn at a minimum scale of 1" = 40' or less
  - All plans shall be stamped by Commonwealth of Massachusetts-registered Professional Engineer, Professional Land Surveyor, and/or Professional Landscape Architect, as appropriate
  - Plan sets shall be comprised of separate sheets as listed below unless otherwise approved by the City Planner
  - All plans shall have a title block comprised of the following: Project Title, Sheet Title, Sheet Number; Registrant Stamp (i.e. PE, PLS, LA); Registrant's name and address; Street addresses of the project area parcels; Scale at which the plan is drawn; Plan Issue Date; and all plan revision dates (with corresponding revision descriptions).

*M*

3a. Cover Sheet, to include the following information:

- Title Block**
  - Project name/title
  - Assessor's map and parcel number(s)
  - Registry Book and Page
  - Name and address of property owner
  - Name and address of Engineer / Architect / Landscape Architect
  - Name and address of developer
  - Revision Date Block
  - Street Number and/or Lot Number
- Zoning Requirements Table (Indicate Required vs. Provided)**
  - Zoning District
  - Lot Area
  - Lot Frontage
  - Front, Side & Rear Setbacks of Buildings and Parking Areas
  - Building Height
  - Lot Coverage
  - Green Space
  - Off-Street Parking Spaces
  - Compact Parking Spaces
  - Accessible Parking Spaces
  - Van Accessible Parking Spaces
  - Screening Buffers
  - Percentage of Lot that is Upland
  - Total Square Footage of Upland
- Locus Map** (At a scale of 1 inch = 100 feet, showing the entire project and its relation to existing areas, buildings and roads within a distance of 1,000 feet from the project boundaries or such other distances as may be approved or required by the Planning Board.)
- Plan Index** with latest revision date of each individual plan

*EM*

3b. Existing Conditions Plan

- Name of Surveyor or Surveyor Firm
- Date of survey
- Property lines with bearings and distances
- Monuments set/found at all lot corners
- Easements with bearings and distances suitable for registry filing
- Names of all abutters
- Street names
- Benchmark locations (Based on USGS NGVD - show year)
- NHESP mapped areas (Areas of Estimated and Priority Habitats)
- Existing 21E Contaminated Site Information
- Existing Buildings and Structures
  - Area of building
  - Number of stories
  - Principal use
  - Setbacks from property lines
  - Floor elevations
  - Door locations with sill elevations

**Staff Applicant**

- Existing Topography:
  - Contours at 2' intervals (1' contours or additional spot grades if site is flat)
  - Overhead and underground utilities including but not limited to water, sewer, drainage, electric, telephone, cable TV, gas, septic systems, detention structures, wells
  - Existing parking/paved areas including pavement type (parking, walkways, etc.)
  - All Existing Curbcuts
  - Listing of all existing utility owners and contact info located within the project limits
  - Adequate utility information outside the site to verify proposed utility connections
  - All utility pipe types, sizes, lengths, and slopes
  - All utility structure information including rim and invert elevations
  - All existing easements within 50 feet of property line-Identify any utility within the easement
  - All existing utility easements with bearings and distances
  - Existing pavement markings within site and on connecting roads
  - Existing features such as walls, curbing, landscaping, trees, walks, fences, trees over 12" caliper, lighting, poles, guys, signs, loading areas, fire hydrants, dumpster locations, known buried slabs, etc...
  - Wetlands, floodplain, water protection district delineation including offsets and buffer zones
  - Streams, water courses, swales and all flood hazard areas
  - Rock Outcroppings
  - Test pit locations including groundwater depths when encountered
  - Historic buildings within 250 feet of the subject property

84

**3c. Demolition Plan**

- Existing Conditions Plan plus:**
  - Existing Buildings and Structures to be removed/demolished
  - Existing parking/paved areas to be removed/demolished
  - Existing utilities to be removed/demolished
  - Existing hydrants to be removed
  - Existing features to be removed/ demolished such as walls, curbing, landscaping trees, walks, fences, trees over 6" caliper, lighting, poles, guys, signs, etc.
  - Dust Control Measures
  - Proposed construction phase drainage infrastructure plan including (but not limited to) piping and natural watercourse profiles & cross-sections, retention/detention structures, drain manholes, catch basins, gutter inlets, headwalls, water quality BMPs, and erosion & sedimentation control features, etc.

FM

**3d. Construction/Layout Plan**

- Proposed Buildings and Structures

**Staff Applicant**

- Area of building or additions
- Number of stories
- Principal use
- Floor elevations
- Door locations with sill elevations
- Setback dimensions from property lines
- Out-buildings, detached garages, temp. construction trailers, etc.
- Proposed Topography, including but not limited to:
  - Proposed contours at 2' intervals
  - Curb type(s) and limits
  - Parking lot setbacks to property line
  - Lighting / Poles / Guys
  - Parking lot grades (not to exceed 5% or be less than 0.5%)
  - Signs (include sign schedule)
  - Walls
  - Pavement markings
  - Parking spaces (delineated and dimensioned)
  - Loading areas / Loading Docks / Platforms
  - Accessible parking spaces & aisles
  - Fences
  - Wheelchair ramps
  - Landscape areas
  - Sidewalks
  - Dumpster(s), Compactor(s) & Pads
  - Pavement type(s)
  - Spot Grades at 4 Building Corners
  - Overall Plan Showing Areas of Cut & Fill
- Critical dimensions including aisle widths, parking stall dimensions, curb radius, driveway openings, etc.
- Grading at entrance-show spot grades if required
- Emergency Vehicle Access
- Truck Access (WB-50 unless otherwise approved by City Engineer)
- Snow Storage Areas, with limits of any fence protection (if applicable)
- Construction notes, including the following notes:
  - Any minor modifications (as determined by the City Engineer) to the information shown on the approved site plans shall be submitted to the City Engineer as a Minor Plan Revision for approval prior to the work being performed.
  - Any work and material within the City right-of-way shall conform to the City of New Bedford requirements
  - All handicap parking, ramps, and access shall conform to AAB & MAAB requirements
  - All erosion control measures shall be in place prior to construction. Erosion Control shall conform to the City of New Bedford Conservation Commission requirements as stated in the Order of Conditions. (Refer to Erosion Control Plan if part of submission)
  - All pavement markings and signs shall conform to MUTCD requirements

**2e. Grading and Drainage Plan**

- Existing Conditions Plan and Construction/ Layout Plan plus:
- Existing and proposed site grading/ topography-Contours at 2' intervals (1' contours or additional spot grades if site is flat)

- Proposed parking lots, sidewalks, islands, etc.
  - Parking lot grades shall not exceed 5% or be less than 0.5 %
- Floor elevations & door locations
- Proposed drainage infrastructure plan including but not limited to piping and natural watercourse profiles & cross-sections, infiltration/ retention / detention structures, drain manholes, headwalls, roof recharge systems, flow direction, water quality BMPs, etc.
- Adequate information off site to verify proposed drain connections
- Drainage system profiles including rim and invert elevations, material, types, sizes, lengths, utility crossings and slopes
- Utility easements with bearings and distances suitable for registry filing
- Delineation of all stockpile areas
- Provide safety fencing around stockpiles over 10' in height or otherwise restrict site access
- For applications associated with residential or commercial/industrial subdivisions, include an overall development plan showing all construction activity and proposed grading for all project phases, and show the proposed building envelope within each house lot and the proposed grading, drainage, and storm water disposal for each lot.
- A design for the stormwater drainage systems prepared by a Registered Professional Engineer demonstrating that proposed development rates of runoff do not exceed pre-development rates, as required under Massachusetts Stormwater Management Standards.

FK

**3f. Utility and Grading Plan** (Show appropriate info from Existing Conditions & Construction/Layout Plan)

- Include all proposed utilities, including, but not limited to, Water, Sewer, Drainage, Electric, Telephone, Cable TV, Gas, Lighting, Title V Septic Systems & Detention and Retention Structures
  - Adequate utility information outside the site to verify proposed utility connections
  - All utility pipe types, sizes, lengths, and slopes
  - All utility structure information including rim and invert elevations
  - Any utility access vaults
  - All utility access handholes
  - All water services, hydrants, gates, shutoffs, tees
  - Utilities shall be underground if possible
  - All transformer locations
  - Required utility easements with dimensional bearings and distances
- Force main, if required, conforming to City of New Bedford requirements
- Water main loop
- Sewer profile showing all utility crossings
- Sections through detention basin(s)
- Include the following notes:
  - The contractor shall obtain a Street Disturbance & Obstruction Permit prior to any construction within the right-of-way
  - All water and sewer material and construction shall conform to the City of New Bedford requirements



**Staff**   **Applicant**

- All water and sewer construction shall be inspected by the City Of New Bedford before being backfilled
- The City shall be notified at least 24 hours prior to the required inspections
- Detention basin, retention basin or other stormwater mechanisms (such as infiltration devices), if proposed.

SK

**3g. Landscape Plan**

- Location, species & size of all proposed plantings
- All existing landscaping to be removed or retained
- Plant and tree legend
- Delineate & label all existing and proposed groundcovers, lawn areas, driveways, walkways, patios and other surface treatments
- Snow storage areas
- Proposed irrigation methods (on-site wells to be used unless otherwise approved)
- Verify sight distances at entrances

SK

**3h. Erosion Control Plan** (show appropriate information from Existing Conditions and Construction/Layout Plans)

- Straw bales or straw bale/silt fence combination and compost filter tubes
- Anti-tracking BMP area at all construction entrances
- Dust Control (Methods of)
- Protection of existing and proposed drainage structures with straw bales and/or silt sacks
- Delineation of all temporary stockpile areas
- Safety fencing around stockpiles over 10' in height or otherwise restricted site access
- Straw bales or straw bale/silt fence combination around all stockpiles
- Include the following notes:
  - All BMP erosion control measures shall be in place prior to demolition or any site work.
  - Erosion Control BMPs shall conform to US EPA, NPDES, MA DEP and Massachusetts Erosion and Sedimentation Control Guidelines for Urban and Suburban Areas.
  - Maintenance specifications for all proposed erosion and sedimentation controls.

SK

**3i. Floor Plan**

- Include complete floor plan of all floors (entire building), including existing & proposed work
- Label all rooms (e.g., bedroom, kitchen, bathroom), and include dimensions of room sizes
- Show the location of all existing and proposed doors, windows, and walls
- For non-residential projects: show all existing and proposed seating areas, mechanical/kitchen equipment, backup generators and/or other major functional components of the proposed project

- Identify waste storage and disposal area(s), including detail(s) for dumpster(s) and dumpster pick-up and trash & garbage compaction areas (if any)

PK

**3j. Building Elevations**

- Show all structural building elevations (front, sides and rear façades) that will be affected by the proposed project
- For additions/alterations: label existing and new construction, as well as items to be removed
- Identify all existing and proposed exterior materials, treatments and colors- including roofing, roof eaves, eave brackets, siding, doors, trim, sills, windows, fences, and railings. Show details of proposed new exterior elements
- Show any exterior mechanical, duct work, and/or utility boxes
- Include dimensions for building height, wall length and identify existing and proposed floor elevations

PM

**3k. Sign Plan**

- Fully-dimensioned color elevations for all proposed signs
- Total square footage of existing signs and total square footage of proposed signs
- Existing and proposed sign locations on site plan
- Existing and proposed materials and methods of lighting for all signs

PM

**3l. Lighting Plan**

- Location and orientation of all existing and proposed exterior lighting, including building and ground lighting and emergency spot lighting (if any)
- Height and initial foot-candle readings on the ground and the types of fixtures to be used
- Plan Must Show Illumination Patterns On-Site and Areas Off-Site
- New Bedford Washingtonian Type Fixtures Should Be Used, Where Applicable
- Provide Cut Sheet for All Lighting Fixtures

WA

**3m. Detail Sheets (Typical Details)**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Pavement Section Detail                   | <input type="checkbox"/> Sewer Manhole Detail (26" cover)                                   |
| <input checked="" type="checkbox"/> Sidewalk Detail                           | <input checked="" type="checkbox"/> Detention / Retention Basin Sections (from plan)        |
| <input checked="" type="checkbox"/> Curb Detail                               | <input checked="" type="checkbox"/> Detention Basin Outlet Structure Detail                 |
| <input checked="" type="checkbox"/> Driveway Detail                           | <input checked="" type="checkbox"/> Miscellaneous Detention / Retention Basin Details       |
| <input checked="" type="checkbox"/> Wheel Chair Ramp Detail                   | <input checked="" type="checkbox"/> Infiltration Device Details                             |
| <input checked="" type="checkbox"/> Concrete Pad Detail                       | <input checked="" type="checkbox"/> Stormwater BMPs (Water Quality Structure Details, etc.) |
| <input checked="" type="checkbox"/> Catch Basin Detail                        | <input type="checkbox"/> Bollards   |
| <input checked="" type="checkbox"/> Drainage Manhole Detail                   |   |
| <input checked="" type="checkbox"/> Water/Sewer Trench Details (12" envelope) |   |

**Staff** | **Applicant**

- |  |  |
|--|--|
| <input type="checkbox"/> Water and Sewer Trench Sections       | <input type="checkbox"/> Sign Detail   |
| <input type="checkbox"/> Anti-Seepage Collar Detail            | <input type="checkbox"/> Fence Detail  |
| <input type="checkbox"/> Flared End Detail                     | <input type="checkbox"/> Flowable Fill Trench  |
| <input type="checkbox"/> Rip Rap Detail                        | <input type="checkbox"/> Pavement Marking Details  |
| <input type="checkbox"/> Straw bales/Silt Fence Detail         | <input checked="" type="checkbox"/> Handicap Parking/Compact Parking Signs   |
| <input type="checkbox"/> Silt Sac Detail                       | <input type="checkbox"/> Hydrant Detail (American -Darling B-62-B (Open Right) or Mueller Super Centurion Hydrant (Open Right) |
| <input type="checkbox"/> Compost Filter Tube Detail            | <input type="checkbox"/> Thrust Block Detail   |
| <input type="checkbox"/> Light Pole Foundation Detail          |  |
| <input type="checkbox"/> Retaining Wall Details                |  |
| <input checked="" type="checkbox"/> Tree/Shrub Planting Detail |  |

SN

4. **Project Narrative** (16 Copies), to include adequate summary & description of the proposed project and indicating, where appropriate:

- The number of dwelling units to be built and the acreage in residential use
- Evidence of compliance with parking and off-street loading requirements
- The forms of ownership contemplated for the property and a summary of the provisions of any ownership or maintenance thereof
- Identification of all land that will become common or public land
- Any other evidence necessary to indicate compliance with the zoning ordinance
- A written statement indicating the estimated time required to complete the proposed project and any and all phases thereof
- A written estimate showing, in detail, the projected costs of all site improvements (and off-site improvement) planned
- Drainage calculations by a registered professional engineer, with storm drainage design conforming to City of New Bedford subdivision regulations, as well as wetland delineations determined by a certified wetland scientist if applicable, for 1, 10, 25 & 100 year storm events

SN

5. **Certified Abutters List** (16 copies)

SN

6. **Proof of Ownership** (Copy of Deed(s) for All Involved Parcels; 16 Copies)

SN

7. **Development Impact Statement (DIS)**, completed per §5350 of Zoning Code, (16 Copies), if required by Board

SN

8. **Traffic Impact & Access Study (TIAS)** (16 Copies), if required by Board

SN

9. **Stormwater Management Report** (9 Copies), if required, comprised of the following:

- MADEP Stormwater Standards Compliance Checklist (signed & stamped)
- Overall Project Description
- Existing Conditions

**Staff Applicant**

- Proposed Improvements
- Proposed Conditions
- Hydrologic Analysis for Existing & Proposed Conditions for Milestone Storm Event Intensities
- Stormwater Management Regulations
- Summary
- Appendix - Existing/Proposed Conditions Plans showing the following:
  - Overall Existing Subcatchment Area Table
    - Subcatchment Labeled, Design Point, Area, Curve number, Tc (min.)
  - Soil Classifications Table (Existing Soils)
    - Map Unit Symbol, Map Unit Name, Hydrologic Soil Code
  - Overall Proposed Subcatchment Area Table
    - Subcatchment Labeled, Design Point, Area, Curve number, Tc (min.)
  - Soil Classifications Table (Including Proposed Boron Soils, Etc., if applicable)
    - Map Unit Symbol, Map Unit Name, Hydrologic Soil Code
- Appendix - Hydrologic Analyses
  - HydroCAD Software Analyses (or equivalent software) Analyses (Existing & Proposed Conditions)
- Appendix - Illicit Discharge Certification (signed & dated)

**8.10. Electronic PDF and AutoCAD Files**

- Shall consist of a CD with a printed CD Label in a CD case
- CAD files shall be 2010 format or the latest revision of AutoCAD Civil 3D
- All project submissions shall include the following file types. All project related Drawing Files shall be provided in all 2 supported formats, listed below.
  - AutoCAD Drawing format (.dwg)
  - Adobe Portable Document Format (.pdf)
- PDF files shall be created from within the AutoCAD environment and contain Layer information.
- It is a requirement that each project drawing/sheet created for a project shall be published/plotted to DWG and PDF, and placed in the appropriate folder in the CD submission. All external references (DWG, DWF, DGN, PDF, TIFF, MrSID, JPG, etc.) which are used in support of the creation of these project sheets shall be stored within the XREF folder only (Subfolder of DWG) on the CD. Also the AutoCAD support files (fonts, plot style, etc.) should be supplied on the CD.
- File Naming:**

The following file naming standard for all CAD related files created, used, or submitted to the Planning Department shall be followed. This applies to all CAD drawings, DWF's, PDF's used in support of, or used in conjunction with this CAD Standard.

**Staff** | **Applicant**

File names shall begin with their project Planning Board Case number assigned (available through the Planning Department), followed by an underscore and the appropriate discipline code. In the instance where there is more than one file, assign an appropriate sequential number to the end (ex. 1,2,3). Special characters are not permitted except for the following; hyphens [ - ], underscores [ \_ ], and/or parenthesis [ ( ) ].

*Example 1.*

A set of engineering design plans and documents were prepared for project file number 12-34; acceptable filenames would be as follows:

- 12-34\_Existing Conditions1.dwg*
- 12-34\_Existing Conditions2.dwg*
- 12-34\_General1.dwg*
- 12-34\_Generale.dwg*

*PM*

**II. Application Fee** (All fees are due at time of application submission)

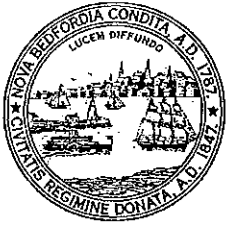
**Official Use Only:**

For the Planning Board, this application has been received by the Planning Division of the Department of Planning, Housing & Community Development on the date specified below:

Review date: \_\_\_\_\_ All materials submitted: Yes No

Signature: \_\_\_\_\_ Fee: \_\_\_\_\_

**CERTIFIED ABUTTERS LIST**



*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).

APR 26 2019

SUBJECT PROPERTY	
MAP #	12
LOT(S)#	77, 287, & 290
ADDRESS: 1480 & 1494 East Roadney French Boulevard	
OWNER INFORMATION	
NAME: GGK Realty, LLC. & VVK Realty, LLC.	
MAILING ADDRESS: 1480 East Rodney French Boulevard, New Bedford, MA 02744	
APPLICANT/CONTACT PERSON INFORMATION	
NAME (IF DIFFERENT): Representative: Alison Cesar for SITEC, Inc.	
MAILING ADDRESS (IF DIFFERENT): 449 Faunce Corner Road, Dartmouth, MA 02747	
TELEPHONE #	(508)998-2125
EMAIL ADDRESS:	ACesar@Sitec-Engineering.com
REASON FOR THIS REQUEST: <i>Check appropriate</i>	
<input type="checkbox"/>	ZONING BOARD OF APPEALS APPLICATION
<input checked="" type="checkbox"/>	PLANNING BOARD APPLICATION <i>only per Applicant</i>
<input checked="" type="checkbox"/>	CONSERVATION COMMISSION APPLICATION
<input type="checkbox"/>	LICENSING BOARD APPLICATION
<input type="checkbox"/>	OTHER (Please explain):

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

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

**Official Use Only:**

As Administrative Assistant to the City of New Bedford's Board of Assessors, I do hereby certify that the names and addresses as identified on the attached "abutters list" are duly recorded and appear on the most recent tax.

Carlos Amado

Printed Name

*Carlos Amado*

Signature

4/29/2019  
Date

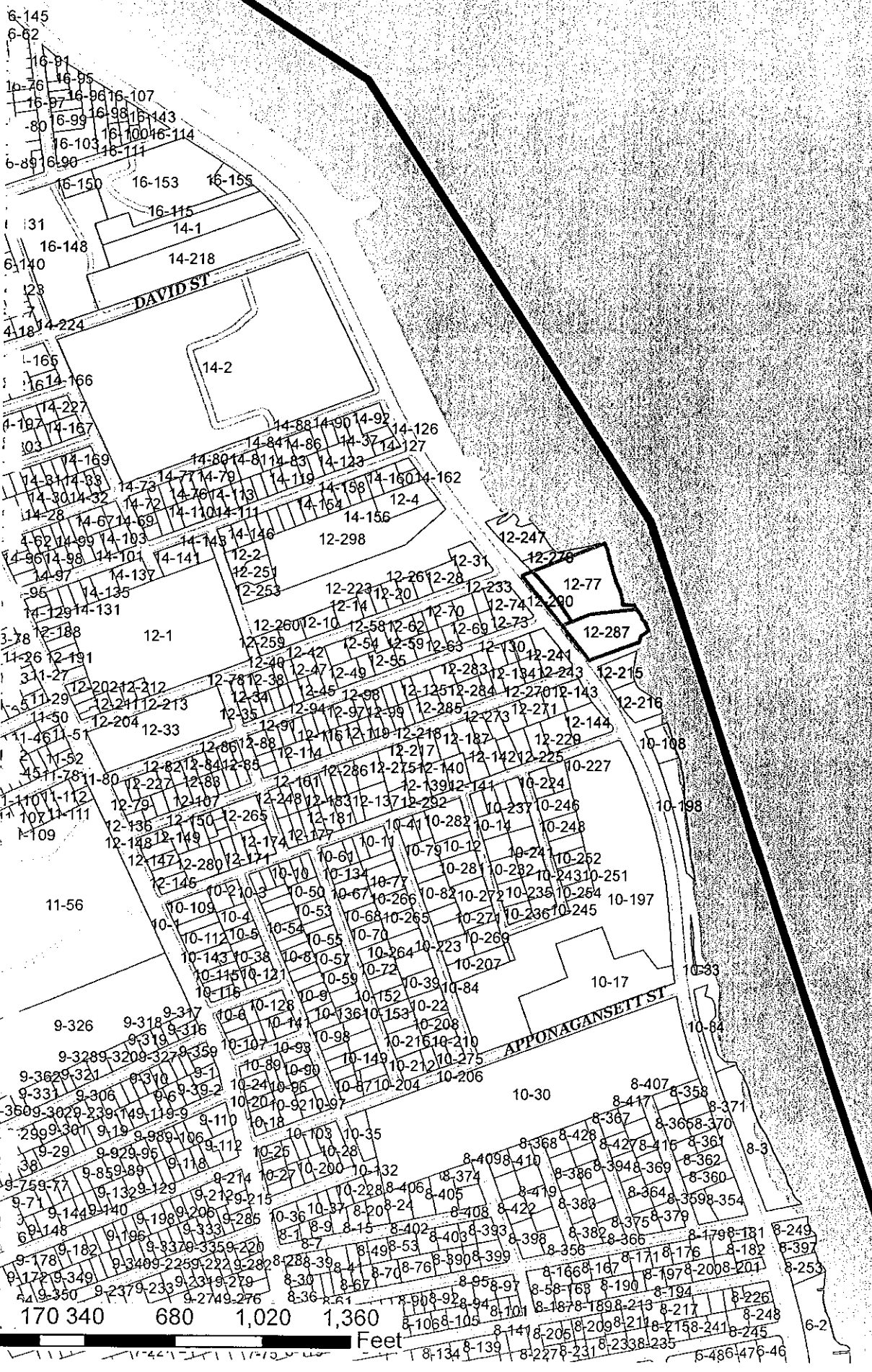
April 26, 2019  
Dear Applicant,

Please find below the List of Abutters within 300 feet of the property known as 1480 & 1494 East Rodney French Blvd (Map: 12, Lot: 77,287,290). 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
12-143	1465 E RODNEY FRENCH BLVD	CROOK STEVEN, CROOK SUSAN J 1465 E RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
12-216 ES	E RODNEY FRENCH BLVD	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
12-215	E RODNEY FRENCH BLVD	CROOK STEVEN, CROOK SUSAN J 1465 E RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
12-144	E RODNEY FRENCH BLVD	BRUNER REUBEN SIMEON, C/O ALLEGHENY LUDLUM- P DREHER, Milburn Realty LLC 1357 E RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
12-74	1501 E RODNEY FRENCH BLVD	FORD JOHN P "TRUSTEE", FORD PATRICIA E "TRUSTEE", Ford Family Revocable Trust 81 CAROLINE STREET NEW BEDFORD, MA 02740
12-77	1494 E RODNEY FRENCH BLVD	VVK REALTY LLC, 99 FLAG SWAMP ROAD PO BOX 127 DARTMOUTH, MA 02747 Fairhaven, MA 02719
12-279	E RODNEY FRENCH BLVD	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
12-31	1527 E RODNEY FRENCH BLVD	CARREIRO LEONORA L, 1527 E RODNEY FRENCH BLVD NEW BEDFORD, MA 02744
12-247 ES	E RODNEY FRENCH BLVD	CITY OF NEW BEDFORD, 131 WILLIAM ST NEW BEDFORD, MA 02740
12-241	1475 E RODNEY FRENCH BLVD	ROCHE LEONARD J "TRS", ROCHE MARY A "TRS", Roche Family Trust - 2014 1475 E RODNEY FRENCH BLVD NEW BEDFORD, MA 02744-2235
12-287	1480 E RODNEY FRENCH BLVD	GGK REALTY LLC, 1480 E RODNEY FRENCH BLVD PO Box 127 NEW BEDFORD, MA 02744 Fairhaven, MA 02719
12-290	2 E RODNEY FRENCH BLVD	VVK REALTY LLC, 1494 E RODNEY FRENCH BLVD PO Box 127 NEW BEDFORD, MA 02744 Fairhaven, MA 02719





**Legend**

-  12-77.287.290
-  City Border
-  Water

**SITE PHOTOGRAPHS**

# 1480 East Rodney French Blvd

## Legend



300 ft



Google Earth

© 2015 Google





**PROPERTY DEEDS**

June 9, 2019

Reference: Servedwell New Bedford, LLC (Edge property)

Dear Planning Board,

I hereby authorize SITEC, Inc to complete an application with the City for Site Plan Review and Conservation Commission review of the proposed redevelopment of the former Edge Restaurant and adjacent former Smuggler's Den property located on the East side of East Rodney French Blvd. in New Bedford.

Thank you for your consideration.



Stephen Silverstein  
Manager - Servedwell New Bedford, LLC

LOCUS  
1494 East Rodney French Boulevard  
New Bedford, MA

BK 11031 PG 159  
03/13/14 01:02 DOC. 4720  
Bristol Co, S.D.

**MASSACHUSETTS QUITCLAIM DEED**  
**BY LIMITED LIABILITY COMPANY**

Billy Woods Wharf Property, LLC a Limited Liability Corporation duly established under the laws of Commonwealth of Massachusetts and having its usual place of business at 796 Smith Neck Road, Dartmouth, MA

in consideration Four Hundred Thousand and 00/100 (\$400,000.00) Dollars

grant to VVK Realty, LLC with business address at 1494 E. Rodney French Boulevard, New Bedford, Bristol County, Massachusetts


with *quitclaim covenants*

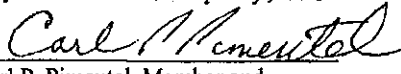
the land, with any buildings thereon, located at 1494 East Rodney French Boulevard, Bristol County, Massachusetts, bounded and described as follows:

SEE ATTACHED EXHIBIT "A"

For title, see deed recorded on August 28<sup>th</sup>, 2012 in the Bristol County (S.D.) Registry of Deeds in Book 10496, Page 43. See Corrective Deed in Book 11031 Page 154

WITNESS my hand and seal this 5<sup>th</sup> day of March 2014.

  
Witness

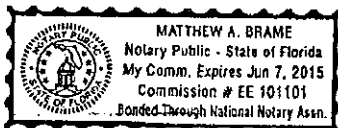
Billy Woods Wharf Property, LLC  
  
Carl P. Pimentel, Member and  
Authorized Signatory

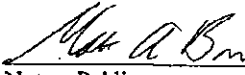
**STATE OF FLORIDA**

Sarasota County

March 5, 2014

Then personally appeared the above-named Carl P. Pimentel, Member and Authorized Signatory, proved to me through satisfactory evidence of identification, which was a Drivers License, to be the person whose name is signed on the within document, and acknowledged the foregoing Instrument to be his free act and deed, as Member and Authorized Signatory, before me



  
Notary Public  
My Commission Expires: June 7, 2015

REG OF DEEDS  
REG #07  
BRISTOL S  
03/13/14 10:48 AM  
00000 #0727  
FEE \$1824.00  
CASH \$1824.00



EXHIBIT "A"

**RE: 1494 East Rodney French Boulevard, New Bedford, MA 02744**

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

**PARCEL 1:            1494 E. Rodney French Boulevard, New Bedford, Massachusetts  
(New Bedford Assessor's Plat 12, Lot 77)**

BEGINNING at a stake on the east side of Rodney French Boulevard, it being the northwest corner of land herein conveyed and being Parcel A on plan of land hereinafter described; thence

- SOUTHERLY            along the arc of East Rodney French Boulevard two hundred fifty (250) feet, more or less, to a stake and chain link fence to land now or formerly of David Dolinsky; thence
- NORTH                82° 29' 4" east one hundred and 78/100 (100.78) feet to an angle along said chain link fence; thence
- SOUTH                82° 29' 54" east one hundred fifty-seven and 55/100 (157.55) feet along riprap to an angle; thence
- NORTH                82° 29' 4" east into the Acushnet River to the limits of riparian rights; thence back to the point of beginning on the east side of East Rodney French Boulevard
- NORTH                84° 17' 33" east one hundred (100) feet, more or less, to normal high water; thence parallel to Frederick Street easterly into the Acushnet River to the limits of riparian rights; thence
- SOUTHERLY            by the channel of the Acushnet River to the south border of land herein conveyed.

Subject to the restrictions recorded in the Bristol County (S.D.) Registry of Deeds in Book 1695, Page 375, and Book 1695, Page 380, to the extent the same are still in effect and applicable.

BEING Parcel A on plan of land prepared by Garcia, Hanack & Richard Engineering Corporation dated December 31, 1974, and recorded in the Bristol County (S.D.) Registry of Deeds in Plan Book 94, Page 32.

For Grantor's title to Parcel 1 see deed dated August 28, 2012 and recorded in the Bristol County (S.D.) Registry of Deeds in Book 10496 at Page 43.

**PARCEL 2:**            **East Side E. Rodney French Boulevard, New Bedford, Massachusetts**  
**(New Bedford Assessor's Plat 12, Lot 290, including Lot 291, which**  
**has been merged into 290)**

BEGINNING at the intersection of the easterly line of Rodney French Boulevard (E) and the northerly line of Clara Street; thence

- N                    86°28' 30" W in said northerly line of Clara Street extended a distance of nine and 09/100 (9.09) feet to a point; thence
- N                    15° 42' 10" W a distance of four hundred nineteen and 15/100 (419.15) feet to a point in the southerly line of Frederick Street extended; thence
- S                    86° 14' 37" E in said southerly line of Frederick Street extended a distance of thirty-nine and 43/100 (39.43) feet more or less to a point; thence
- SOUTHERLY        in the easterly curved line of Rodney French Boulevard (E) a distance of four hundred six and 46/100 (406.46) feet more or less to a point; thence
- S                    15° 13' 30" E still in the easterly line of Rodney French Boulevard (E) a distance of eight and 90/100 (8.90) feet to the point of beginning, containing 17,630 square feet more or less.

See also plan entitled "Proposed Alteration of Rodney French Boulevard (E) variable width, from Clara Street to Frederick Street" signed by George H. Brightman, Commissioner of Public Works, dated August 22, 1975, on file in the office of the City Clerk.

Being a portion of the Street Discontinuance dated January 22, 1976 and recorded in the Bristol County (S.D.) Registry of Deeds in Book 1713, Page 77.

REG OF DEEDS  
REG #07  
BRISTOL S

01/31/14 3:08PM 01  
000000 #8776

FEE \$3648.00

CASH \$3648.00

BK 11004 PG 138  
01/31/14 03:04 DOC. 1957  
Bristol Co. S.D.

**QUITCLAIM DEED**

Davy's Locker, Inc. of 1480 E. Rodney French Boulevard, New Bedford, Massachusetts in consideration of Eight Hundred Thousand and 00/100 (\$800,000.00) Dollars grants to GGK Realty, LLC, whose principal office address is 1480 E. Rodney French Boulevard, New Bedford, MA 02740 with Quitclaim Covenants, the land with buildings and improvements thereon located in New Bedford, Bristol County, Massachusetts, bounded and described as follows:

**Address of property:** 1480 E. Rodney French Boulevard, New Bedford

**Parcel 1**

Beginning at a point in the easterly line of Rodney French Blvd. (E), said point being distant northerly therein eleven and 10/100 (11.10) feet from a point of curvature;

Thence northerly in a curved line having a radius of 3,900 feet and said line being the easterly line of Rodney French Blvd. (E) a distance of ninety-one (91) feet to a point of compound curvature;

Thence continuing northerly in a curved line having a radius of 1,178 feet and still in the easterly line of Rodney French Blvd. (E) a distance of fifty-two (52) feet to a point;

Thence N 80° 09' 16" E in the southerly line of land now or formerly belonging to M.J. Medeiros Shipyard, Inc. a distance of seventy-five and 41/100 (75.41) feet to an angle point;

Thence S 19° 05' 30" E in a straight line a distance of one hundred fifty-five and 79/100 (155.79) feet to a point;

Thence S 86° 30' 00" W in a straight line a distance of ninety-six and 9/10 (96.9) feet to the point of beginning, containing 12,866 square feet.

Being Parcel "A" on a Plan of Land entitled "Subdivision of Land in New Bedford belonging to D & D Seafood, Inc. made by Alpha Engineering Company and dated January 31, 1972", recorded in the Bristol County (S.D.) Registry of Deeds at Book 87, Page 22.

For title see deed dated March 23, 1972 and recorded in the Bristol County (S.D.) Registry of Deeds in Book 1637, Page 825.

Parcel Two

Beginning at the intersection of the easterly line of Rodney French Blvd. (E) and the northerly line of Clara Street extended; thence

N 10°35'04" E in the easterly line of said Rodney French Blvd. (E) a distance of eight and 90/100 (8.90) feet to a point of curvature; thence

Northerly in the easterly curve line of said Rodney French Blvd. (E) having a radius of 3,900 feet a distance of eleven and 10/100 (11.10) feet to a point; thence

N 86°30'00" E in a line parallel to and twenty (20) feet distant from the northerly line of Clara Street extended a distance of ninety-six and 9/10 (96.9) feet to a corner; thence

N 19° 05' 30" W in a straight line a distance of one hundred fifty-five and 79/100 (155.79) feet to a point in the southerly line of land now or formerly belonging to M.J. Medeiros Shipyard, Inc.; thence

S 80° 50' 44" E in said southerly line of M.J. Medeiros Shipyard, Inc. a distance of one hundred eighty and 5/10 (180.5) feet more or less to a point in an existing bulkhead; thence

Southerly in said bulkhead a distance of one hundred forty-four and 38/100 (144.38) feet more or less to a point in the northerly line of Clara Street extended; thence

S 86° 30' 00" W in said northerly line of Clara Street extended a distance of two hundred fifty-one and 58/100 (251.58) feet more or less to the point of beginning. Containing 24,623 square feet.

Being shown as Parcel "B" on a Plan of Land entitled "Subdivision of Land in New Bedford belonging to D & D Seafood, Inc. made by Alpha Engineering Company dated January 31, 1972", recorded in said Registry in Book 87, Page 22.

For title see deed of Southeastern Bank and Trust Company dated April 20, 1978 and recorded in the Bristol County (S.D.) Registry of Deeds at Book 1759, Page 1152.

Parcel 3

Beginning at a point in the easterly line of East Rodney French Boulevard at a stake and a chain link fence;

Thence North 84° 42' 29" East, seventy-five (75) feet to a p.k. nail;

Thence at an angle of 161° South 76° 17' 31" East, thirty and 61/100 (30.61) feet to an angle;

Thence South  $76^{\circ}$  East, one hundred fifty and  $\frac{3}{10}$  (150.3) feet, more or less; to edge of bulkhead;

Thence South  $76^{\circ}$  East into the Acushnet River to the limits of riparian rights; thence

BEGINNING again at the point of beginning;

Thence North  $82^{\circ} 29' 4''$  East, one hundred and  $\frac{78}{100}$  (100.78) feet along the chain link fence to the edge of riprap to an angle;

Thence South  $82^{\circ} 29' 54''$  East, one hundred fifty-seven and  $\frac{55}{100}$  (157.55) feet along said riprap to the edge of the bulkhead and an angle;

Thence North  $82^{\circ} 29' 4''$  East into the Acushnet River to the limits of riparian rights; and

Thence Southerly by the channel of the Acushnet River as far as riparian rights extend to the south border.

Being shown as Parcel "B" on plan entitled "Plan of Land, New Bedford, Mass. Prepared for Carl Pimentel, Scale  $1''=30'$ , Dec. 31, 1974, Garcia, Hanack & Richard Engineering Corp. New Bedford, Mass.", filed with Bristol County (S.D.) Registry of Deeds in Plan Book 94, Page 32.

Together with the benefit of Chapter 18 of the Acts of 1806 and two (2) licenses issued by the Department of Public Works of the Commonwealth of Massachusetts dated October 14, 1964 recorded in the Bristol County (S.D.) Registry of Deeds in Book 1466, Page 10, see also plan filed with said license in said Registry, Plan Book 68, Page 38, and license dated August 11, 1965, recorded in said Registry in Book 1506, Page 496, see also plan filed with said license in said Registry in Plan Book 71, Page 26.

Subject to easements of record insofar as the same may be in force and effect.

For title see deed of Southeastern Bank and Trust Company dated April 20, 1978 and recorded in the Bristol County (S.D.) Registry of Deeds at Book 1759, Page 1152.

#### Parcel 4

BEGINNING at the Southwesterly corner of the premises to be described, said point forming the Northeast intersection of Clara Street and Rodney French Boulevard, in New Bedford, Massachusetts;

Thence running in a general Northwesterly direction a distance of 21.12 feet to a point;

Thence continuing in said general Northwesterly direction a distance of 140.00 feet to a point for a corner;

Thence turning and running Easterly a distance of 38.00 feet to land now or formerly of Davy's Locker, Inc. to a point for corner;

Thence turning and running Southerly a distance of 52.00 feet to a point, along the Westerly boundary of land now or formerly of Davy's Locker, Inc.;

Thence continuing in said Southerly direction 91.00 feet to a point, along the Westerly boundary of land now or formerly of Davy's Locker, Inc.;

Thence continuing in said Southerly direction 12.81 feet to a point, along the Westerly boundary of land now or formerly of Davy's Locker, Inc.;

Thence continuing in said Southerly direction 8.9 feet to a point for a corner, along the Westerly boundary of land now or formerly of Davy's Locker, Inc.;

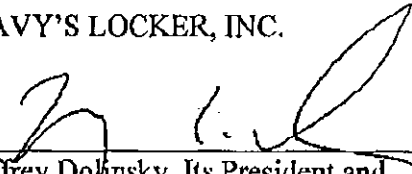
Thence turning and running Westerly 9.09 feet to the point and place of beginning.

Being the same premises acquired by Davy's Locker, Inc. in conjunction with the discontinuance of East Rodney French Boulevard by virtue of the Resolution of the New Bedford City Counsel, dated January 22, 1976, and recorded with the Bristol County, Registry of Deeds at Book 1713 Page 177. See also Affidavit given pursuant to Massachusetts General Laws Chapter 183, Section 5(b) to be recorded concurrently herewith.

All of the property conveyed by this deed is conveyed subject to an outstanding Administrative Consent Order of the Massachusetts Department of Environmental Protection, as amended, which Grantee hereby agrees to assume.

Witness its hand and seal this 31<sup>st</sup> day of January, 2014.

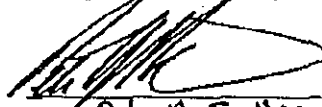
DAVY'S LOCKER, INC.

  
\_\_\_\_\_  
Jeffrey Dolinsky, Its President and  
Treasurer

COMMONWEALTH OF MASSACHUSETTS

Bristol, ss.

On this 31<sup>st</sup> day of January, 2014, before me, the undersigned Notary Public, personally appeared Jeffrey Dolinsky, personally known to me 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 President and Treasurer of Davy's Locker, Inc.

  
\_\_\_\_\_  
Peter A. Saulino, Notary Public  
My commission expires: 7/2/16

