



July 1, 2014

City of New Bedford  
Conservation Commission  
Office of Environmental Stewardship  
133 William Street, Room 304  
New Bedford, MA 02740  
ATTN: Ms. Sarah Porter

Re: Notice of Intent Filing - MA DEP File No. SE-049-0705  
1277 Kempton Street, New Bedford Assessor's Map 61 Parcel 2

Dear Ms. Porter:

On behalf of our client, the Massachusetts Clean Energy Technology Center (MACREC), and the City of New Bedford (the property owner for above referenced parcel), Apex Companies, LLC is pleased to provide the enclosed revisions to the Notice of Intent (NOI) filing under the Wetlands Protection Act and the City of New Bedford Wetlands Regulations for the above referenced parcel. The enclosed revisions are intended to address review comments we received from you on June 30, 2014, and from the Nitsch Engineering review letter dated June 30, 2014.

The following list summarizes each revision made from the original filing and the reasons why the revisions were made:

1. The Erosion and Sedimentation Control Plan (Sheet ES-1) was revised to show the mitigation replanting areas. With that information shown, the limit of work and the limits of the erosion and sedimentation controls were extended to include all of this proposed work. Specifically, the erosion control limits around Wetland Flags WF-11 and WF-12 were extended to the west up to the limit of the wetlands to accommodate the plantings in this area.
2. The Operation Maintenance and Monitoring Plan was revised to clarify how the re-establishment of trees will be handled in the post-construction phase. The text provided (see Page 9 of 11 of the OM&M Plan) is more consistent with what was discussed at the June 17<sup>th</sup> public hearing regarding protection of the guy wire foundations from falling trees.
3. The Proposed Condition Plan (Sheet P-1) was revised to show a proposed grading scheme consistent with Comment 3 of Nitsch Engineering's review letter. Because, as described in the NOI filing, the goal of the development was to maintain the existing topography, there are only a few proposed grades shown. Where applicable, we have added spot grades and extended a few contours to the proposed conditions to show consistency with the grading requirements shown in the construction details for the vegetated swale and the bioretention raingarden.
4. In Nitsch Engineering's review letter, they also state that they "... recommend that the project confirm the elevation of the groundwater in the vicinity of the proposed recharge galley, as well as the bioretention basin, during construction..." We are amenable to this recommendation as a condition of the project, however there does not appear to be any action to be taken at this time.

Groundwater levels for all stormwater BMPs were estimated based on the groundwater levels shown during the geotechnical exploration program for the tower and guy wire foundations.

This revised information is provided in a revised set of drawings, revision date 6/30/14 stamped 7/1/14 and a revised Operations, Maintenance & Monitoring Plan, revised 6/30/14. To more easily highlight the changes made to the plans, we are also including electronically a copy of the revised plans with revision clouds surrounding the areas where the edits were made. We look forward to meeting with the Commission to discuss the proposed work. In the meantime, should you have any questions, please do not hesitate to contact me at (617) 936-9024.

Sincerely,  
Apex Companies, LLC



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John B. McAllister, P.E.  
Senior Project Engineer

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