KOLDYS & KELLEHER P.C.

449A Faunce Corner Road
Dartmouth, MA 02747
Ph. (508) 998-0000
Fax (508) 998-0300

Gregory J. Koldys, Esq.*
Mary E. Kelleher, Esq.
Virginia C. Beams, Esq. of Counsel**
Jay L. Horowitz, Esq. of Counsel

Also Admitted To Practice In
* **Connecticut**
** **Florida**

RECEIVED
JAN 25 2016

January 19, 2016

Mayor Jon Mitchell
New Bedford City Hall
133 William Street
New Bedford, MA 02740

New Bedford City Council
New Bedford City Hall
133 William Street, #215
New Bedford, MA 02740

Planning Board
c/o Jill Maclean, City Planner
New Bedford City Hall
133 William Street, #303
New Bedford, MA 02740

Conservation Commission
c/o Sarah Porter, Conservation Agent
(Subject of RDA)
New Bedford City Hall
133 William Street, #304
New Bedford, MA 02740

City of New Bedford
Harbor Development Commission
52 Fishermen's Wharf
New Bedford, MA 02740

Department of Fish and Game
Natural Heritage Program
1 Rabbit Hill Road
Westborough, MA 01581

U.S. Army Corps of Engineers
New England Division
696 Virginia Road
Concord, MA 01742

Bob Boeri
Coastal Zone Management & Ocean
Sanctuary Program
251 Causeway Street, Ste. 800
Boston, MA 02114

Division of Marine Fisheries-South Shore Office
Attn: Eileen Feeney
1213 Purchase Street, 3rd Floor
New Bedford, MA 02744

New Bedford/Fairhaven Harbor Planning Committee
c/o Jeffrey Stieb
New Bedford Harbor Development Commission
52 Fishermen's Wharf
New Bedford, MA 02740

Dear Sir or Madam:

Enclosed please find Notice of License Application re: M.G.L. Ch. 91 Waterways License Application Number W15-4535 and project site plans for your information.

DEPARTMENT OF ENVIRONMENTAL PROTECTION
WATERWAYS REGULATION PROGRAM

Notice of License Application pursuant to M. G. L. Chapter 91
Waterways License Application number w15-4535

Applicant: Nordic Fisheries & New Bedford Harbor Development Commission
Agent: Mary Kelleher Esq., 449A Faunce Corner Rd, Dartmouth MA 02747

Project Location: 216 Herman Melville Blvd, New Bedford
Scheduled Public Hearing: Wednesday February 17, 2016
Public Comments Deadline: Friday February 19, 2016

NOTIFICATION DATE: January 20, 2016

Public notice is hereby given of the Waterways application by Nordic Fisheries and the New Bedford Harbor Development Commission to maintain an existing 2-story building and parking areas at 216 Herman Melville Boulevard in the municipality of New Bedford in and over filled tidelands of the Acushnet River on filled tidelands of the New Bedford/Fairhaven Designated Port Area. The proposed uses are: restaurant and employment office on the second floor use, which the Department has determined to be nonwater-dependent supporting DPA uses. An alternative use of the first floor is a marine diesel mechanic shop, a water-dependent industrial use.

The Department of Environmental Protection, Waterways Regulation Program, will conduct a public hearing on the aforesaid project proposal on Wednesday February 17, 2016, at 10:00 A.M. in the Main Library on 613 Pleasant Street in New Bedford. The Department will conduct this public hearing in order to receive information to be used in its decision on whether to grant a Waterways License pursuant to M.G.L. Chapter 91.

The Department will consider all written comments on this Waterways application received by Friday, February 19, 2016 (Public Comments Deadline). Failure of any aggrieved person or group of ten citizens or more to submit written comments to the Waterways Regulation Program by the Public Comments Deadline will result in the waiver of any right to an adjudicatory hearing in accordance with 310 CMR 9.13(4)(c). The group of citizens must include no less than five citizens who are residents of the municipality in which the proposed project is located.

Additional information regarding this application may be obtained by contacting the Waterways Regulation Program at (617) 556-1134. Project plans and documents for this application are on file with the Waterways Regulation Program for public viewing, by appointment only, at the address below.

Written comments must be addressed to: Andrea Langhauser at MassDEP Waterways Regulation Program, One Winter Street - 5th Floor, Boston, MA 02108 OR Andrea.Langhauser@state.ma.us

Yours truly,

KOLDYS & KELLEHER P.C.

Mary E. Kelleher

Mary E. Kelleher
MEK@kklawpc.com

MEK/gt
Enclosures
cc: Nordic Fisheries, Inc.

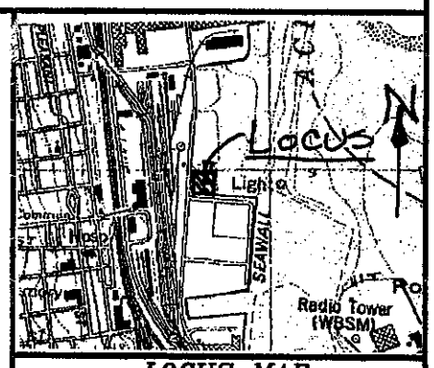
z:\mek\nordic fisheries\ch. 91-waterways\216 hermanmelville (2015)\notice.docx (9326)

"I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

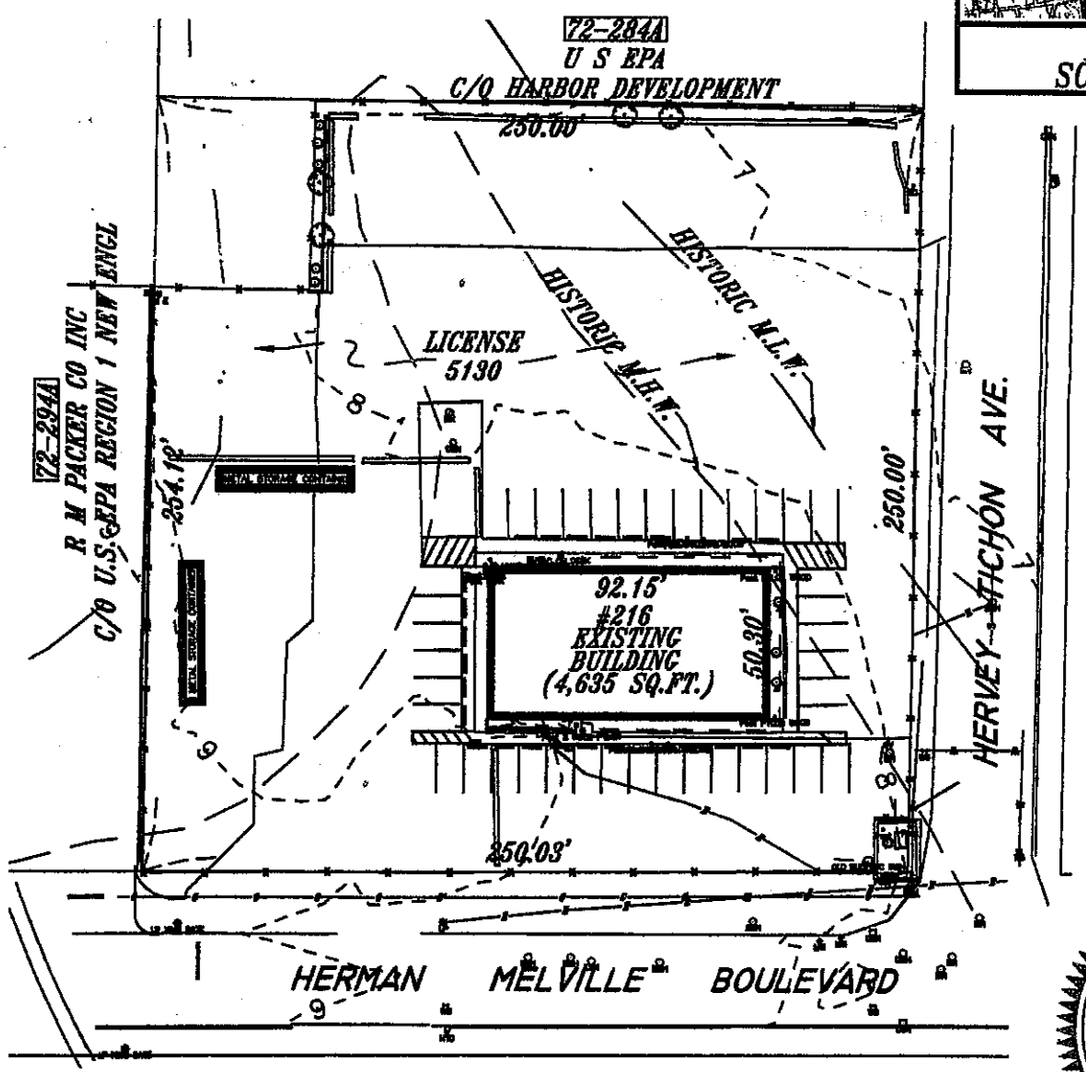
PREPARER

NOTES:

1. ALL ELEVATIONS SHOWN REFER TO NAVD 1988 DATUM.
2. THE ENTIRE LOT SHOWN IS LOCATED IN FLOOD ZONE X AS DELINEATED ON FIRM MAP 25005C0393G DATED: 07/16/2014.
3. BEING SHOWN AS LOT #283 ON NEW BEDFORD ASSESSORS PLAT #72.
4. LOT NUMBERS IN RECTANGLES REFER TO CITY OF NEW BEDFORD ASSESSORS PLATS & LOTS.



LOCUS MAP
SCALE:1"=2000'



COMMONWEALTH OF MASSACHUSETTS
ALAN EWING
CIVIL
No. 38567
REGISTERED PROFESSIONAL ENGINEER

0' 60' 120' 180'

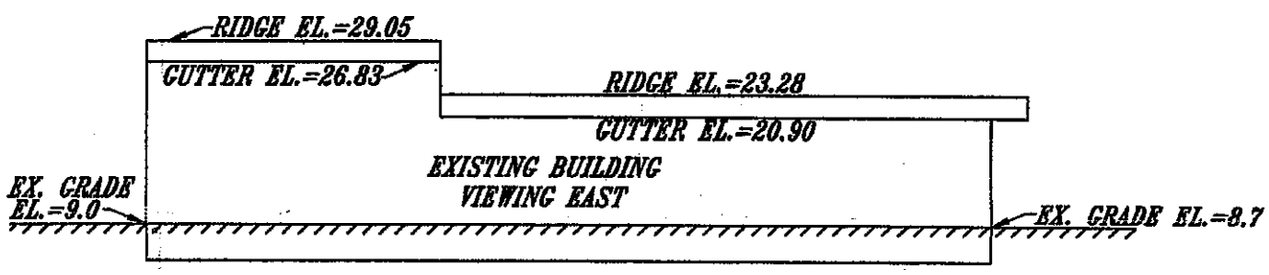
PLAN ACCOMPANYING PETITION OF
CITY OF NEW BEDFORD HARBOR DEVELOPMENT COMMISSION, LESSOR
NORDIC FISHERIES, INC., LESSEE
TO LICENSE AND MAINTAIN

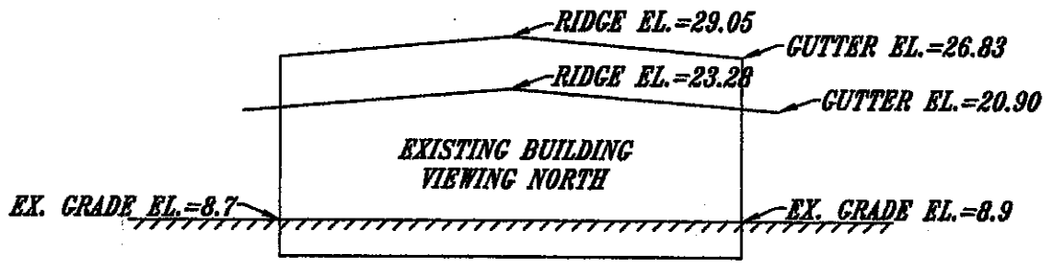
NO	REVISION DATE	DESCRIPTION

"I CERTIFY THAT THIS PLAN CONFORMS WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS."

Alan Ewing

PREPARER





COMMONWEALTH OF MASSACHUSETTS
ALAN EWING
CIVIL
No. 38567
REGISTERED PROFESSIONAL ENGINEER

Alan Ewing

PLAN ACCOMPANYING PETITION OF

CITY OF NEW BEDFORD HARBOR DEVELOPMENT COMMISSION, LESSOR NORDIC FISHERIES, INC., LESSEE

TO LICENSE AND MAINTAIN

0' 20' 40' 60'