



**Environmental Stewardship Department/
Conservation Commission**

**City of New Bedford
Jonathan F. Mitchell, Mayor**

**Meeting Minutes of the Conservation Meeting of
December 19, 2017
Brooklawn Senior Center**

Members Absent

Dennis Audette

Staff Present

Agent Sarah Porter

Sandy Douglas, Admin., Coordinator

Chairman Dixon called the meeting to order at 6:30 p.m.

CALL MEETING TO ORDER

ROLL CALL OF COMMISSIONERS

Roll Call of all Commissioners' Present: Commissioner Jacob Gonsalves, Commissioner Peter Blanchard, Commissioner Chancery Perks, Commissioner Paul Pacheco, Chairman Craig Dixon.

Commissioner Pacheco made a motion to take item #3 out of order. Motion was seconded by Commissioner Gonsalves. All in favor. Motion carries.

OLD BUSINESS:

- 1. SE49-0722 – (Continued from 11/21/2017, 12/5/17) Request for Certificate of Compliance as filed by Leslie Braz for property located at 5 Ava's Way (Map 138, Lot 494).**

Agent Porter advised that the wetland boundary is 25' off of the split rail fence and that the prior distance was an error in survey. Agent Porter visited the site together with the builder and measured the distance with a tape measure and confirmed that it is 25' away. Agent Porter recommended the issuance of full Certificate of Compliance ongoing Conditions 53 and 54.

Commissioner Gonsalves made a motion to issue a full Certificate of Compliance as recommended by the Agent with special conditions as read. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

NEW BUSINESS:

1. **SE49-0692** - A Request for a Certificate of Compliance as filed by Petrel Properties, LLC for property located at Cardinal Street and Ava's Way (Map 138, Lots 492, 493, 494, 495, 496, 497 and 376). Representative is Hugh Rowlett of Petrel Properties.

Mr. Hugh Rowlett was present and advised that the as-built has been submitted and has been reviewed by the Agent. Bob Forbes from Prime Engineering advised that this request is for the roadway and not for the lots and that the detention basin and swale are complete and everything is stabilized.

Agent Porter stated in the Order of Conditions, Condition 51 states that prior to the Conservation Commission's endorsement of building permit applications or issuances of any further order on the property, the storm water management system shall be substantially complete and functional and as-built drawings for entire storm water management system and hydrological calculations submitted to the Conservation Commission, all of which have been submitted. Nitsch is satisfied with the storm water as-built and hydrological calculations.

Agent Porter recommended the issuance of a complete Certificate of Compliance with ongoing Condition that all storm water management devices shall be maintained as established in the approved Permanent Storm Water Maintenance and Operation Plan dated February 3, 2014 or as required by the Mass DEP Storm Water Management Handbook.

Commissioner Gonsalves made a motion to approve as recommended by the Agent with special conditions as read. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

CONTINUED HEARINGS:

1. **SE49-0735** – (Continued from 3/15/16, 4/5/16, 4/19/16, 5/3/16, 5/17/16, 6/7/16, 6/21/16, 7/5/16, 7/19/16, 8/16/16, 9/6/16, 9/20/16, 10/6/16, 10/18/16, 11/1/16, 11/15/16, 12/20/16, 12/27/16, 1/17/17, 2/7/17, 2/21/17, 3/7/17, 3/21/17, 4/4/17, 4/18/17, 5/2/17, 5/16/17, 6/6/17, 6/20/17, 7/5/17, 7/18/17, 8/8/17, 8/22/17, 9/5/17, 9/19/17, 10/3/17, 10/17/17, 11/7/17, 11/21/17, 12/5/17) - A Notice of Intent as filed by Anthony R. DeCosta d/b/a A-1 Asphalt for property located at 1861 Shawmut Avenue, New Bedford (Map 124, Lot 27). Applicant proposes improvements to a soil and aggregate re-cycling facility in the Buffer Zone to Bordering Vegetated Wetlands. Representative is Rick Charon of Charon Associates, Inc. **CONTINUED**
2. **SE49-0739** – (Continued from 6/7/16, 6/21/16, 7/5/16, 7/19/16, 8/16/16, 9/6/16, 9/20/16, 10/6/16, 10/18/16, 11/1/16, 11/15/16, 12/20/16, 12/27/16, 1/17/17, 2/7/17, 2/21/17, 3/7/17, 3/21/17, 4/4/17, 4/18/17, 5/2/17, 5/16/17, 6/6/17, 6/20/17, 7/5/17, 7/18/17, 8/8/17, 8/22/17, 9/5/17, 9/19/17, 10/3/17, 10/17/17, 11/7/17, 11/21/17, 12/5/17) - A Notice of Intent as filed by Michele Paul, Director of Environmental Stewardship for the City of New Bedford for property identified as Ruggles Street and Hathaway Boulevard (Map 69, Lots 86, 88-93, 96-100, and 125). The applicant proposes to conduct remediation activities to remove contaminated soils followed by construction of an athletic facility. Representative is David Sullivan of TRC Environmental. **CONTINUED**
3. **SE49-0777** - (Continued from 10/3/17, 10/17/17, 11/7/17, 11/21/17, 12/5/17) - A Notice of Intent as filed by Jean Fox of the Massachusetts Department of Transportation for property identified as 217 Herman Melville Boulevard (Map 72, Lot 275) New Bedford, Massachusetts. Applicant proposes to construct the Wamsutta Layover railroad facility, a portion

of which is in the buffer zone to a Bordering Vegetated Wetland. Representative is Lisa Standley of Vanasse, Hangen, Brustlin, Inc.

Mr. Lars Carlson of Vanasse, Hangen, Brustlin was present and advised that since the last meeting they have met with Nitsch Engineering and they recommended that there was some information that is lacking due to interface with project with DPI and suggested conditions when that information is available to provide it to the Commission and they are in agreement with that suggestion.

Agent Porter advised that they have provided all calculations and have satisfied Nitsch's comments. Agent Porter recommended the issuance of an Order of Conditions with the following special conditions: that final plans and hydrologic design be submitted to the Conservation Commission for review approval one month prior to construction onset, Storm Water Pollution Prevention Plans shall be submitted electronically two weeks prior to the onset of construction and that the weekly SWPPP reports be submitted electronically to the Conservation Commission; that the wetland boundary be delineated and surveyed at the west end of the tidal stream and shown on the plans submitted to the Conservation Commission one month prior to onset of construction; this Order of Conditions does not permit the alteration of State Resource Area protected under the Mass Wetland Protection Act.

Commissioner Gonsalves made a motion to approve as recommended by the Agent with special conditions as read. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

NEW HEARINGS:

None.

NEW BUSINESS:

1. Agent Updates

Agent Porter advised that she posted the Storm Water Pollution Prevention Plans comments from Nitsch on two projects about to undertake 61 John Vertente Boulevard and 100 Duchaine Blvd.

Agent Porter advised that Farland Corporation has purchased Stoneybrook Farms and she will be meeting with him on site tomorrow.

2. Meeting Minutes of 4/4/17, 4/18/17 and 8/22/17 for approval.

There being no additions, corrections or deletions of substance, a motion to approve the Meeting Minutes of April 4, 2017 was made by Commissioner Gonsalves. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

There being no additions, corrections or deletions of substance, a motion to approve the Meeting Minutes of April 18, 2017 was made by Commissioner Gonsalves. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

There being no additions, corrections or deletions of substance, a motion to approve the Meeting Minutes of August 22, 2017 was made by Commissioner Gonsalves. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

3. General Correspondence

ADJOURN

Commissioner Gonsalves made a motion to adjourn at approximately 6:49. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

Respectfully submitted,

Sandy Douglas
Administrative Coordinator