



**Environmental Stewardship Department/
Conservation Commission**

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

**Meeting Minutes of the Conservation Meeting of
July 5, 2016
Room 314, City Hall**

Members Present

Craig Dixon, Vice-Chairman
Dennis Audette
Jacob Gonsalves

Members Absent

John Radcliffe, Chairman
Jacob Gonsalves

Staff Present

Agent Sarah Porter
Sandy Douglas, Admin., Specialist

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

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, 7/5/16) - 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 TO JULY 17, 2016.**
2. **SE49-0739 – (Continued from 6/7/16, 7/5/16) - 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 TO JULY 17, 2016.**

NEW HEARINGS:

1. **An Abbreviated Notice of Resource Area Delineation as filed by Erick D'Leon, City of New Bedford Airport Manager for property identified as 1569 Airport Rd, 735 Mount Pleasant St., north side of Old Plainville Rd. and north and south sides of New Plainville Rd. (Map 123 - Lots 3, 14, 15; Map 124 - Lots 10, 51, 58 & 82; Map 124C - Lot 36 and Map 128 – Lot 32).** Applicant seeks a verification of delineated Bordering Vegetated Wetland and Inland Bank. Representative is Amanda Atwell of Epsilon Associates, Inc.

Ms. Amanda Atwell of Epsilon Associates was present on behalf of the applicant, City of New Bedford Airport. Ms. Atwell advised that they are requesting approval for nine parcels for bordering vegetated wetland, bank and land under water. There is an existing variance order in effect until 2019 that approved certain wetland lines. There are a couple of culverts along New Plainville Road that convey water to

Turners Pond. The engineers have identified a study area and have only delineated certain parts of the runway. The north side of New Plainville Road is a BVW immediately adjacent to Turners Pond. Ms. Atwell is requesting that the limited areas, that were studied, be approved. Ms. Atwell advised that she and Agent Porter walked the majority of the flags on June 22nd and the flags have been moved, corrected and verified by Agent Porter.

In 2000, VHB delineated the stream which she believes to be an intermittent stream. Epsilon Associates is requesting approval of the back side of this because there are vegetated obstructions in this area. Ms. Atwell also stated that stream stats were performed and based on the results of these she is wondering if the stream could be called an intermittent stream instead of perennial stream and looked to the Commission for guidance.

Agent Porter stated that the only question here is the stream. The stream is relatively short length and when she was out there it was flowing. Agent Porter agrees that it is an intermittent stream with bank and land under water.

Ms. Atwell also advised that all the land is not owned by the Airport but there are active easements to allow the work to be done.

Agent Porter recommended the issuance of an Order of Resource Area Delineation with plans for approval being Runway 14 Wetlands and Wetlands Runway 32 both with a revised date of June 27, 2016.

Commissioner Dixon inquired whether there was anyone present who wished to comment on this matter. None heard.

Commissioner Pacheco made a motion to approve as recommended by the Agent. Motion was seconded by Commissioner Audette. All in favor. Motion carries.

NEW BUSINESS:

1. Osborn Street - Mr. David Bizarro invited to speak with the Commission.

Mr. David Bizarro was present as requested.

Agent Porter advised the Commission that she was notified by the Building Department that there is a temporary structure in the velocity zone and the Commission needs to decide as what action to take.

Mr. Bizzaro advised that when he purchased the lot he intended on installing lighting, cameras and alarms and when he contacted Eversource Electric to come and install the electric, they informed Mr. Bizarro that he needed a place to install the meter and that's when he purchased a storage container. His electrician, who applied for all the electrical permits, then informed him that he would also need a temperature controlled room for the alarms. Once the utilities and cameras were installed he was then informed by the Building Department that he now needs to raise the container and that's why he's here this evening.

Agent Porter stated that there is an elevation certificate and it shows that the structure is below the approved floodplain limit. The Agent also advised that she spoke with the Building Inspector and he needs an order from the Conservation Commission that this temporary structure has been approved and how can this container be moved in case of a flood event.

Mr. Bizarro was a little confused as to how the permits were all obtained and approved by the Building Department and now once everything is complete they are requesting additional information.

Commissioner Dixon stated it is his opinion that this since this is a temporary storage container that it could probably be moved in the event of a major storm.

Mr. Bizzaro stated that when he purchased the property he didn't know what he was going to do with the property so he intentionally placed this temporary storage container there so he could have electric service for the time being.

Agent Porter suggested to the Commission that Mr. Bizzaro should file an RDA for the container because he is in the velocity zone of a regulated area.

Commissioner Dixon agreed with the suggestion that Mr. Bizzaro file an RDA and that there be a condition that during a major storm the container could be hauled away to an upland site.

Commissioner Audette inquired as to whether the electrical service is on temporarily on the pole or attached to the container. Mr. Bizzaro replied that the temporary service is on the pole and the meter is on the container. Commissioner Audette stated that other option is to raise the container 5'. Agent Porter stated that either way he would still have to file an RDA.

Commissioner Dixon reiterated to Mr. Bizarro the possible options. One being raising the container 5' or see if there is a way to do a quick electrical disconnect in case that storage container needed to be moved immediately. Mr. Bizarro will contact his electrician to discuss whether or not disconnect is an option.

Agent Porter suggested that Mr. Bizzaro speak with his electrician so he could get a plan for a quick disconnect for the system because that is what is holding him back now. And he could file that plan along with a plan for hauling the container away together with an RDA application.

Mr. Bizzaro confirmed that the Commission is suggesting that he get a disconnect plan, a removal plan for the storage container and file an RDA application

2. Agent Updates

Agent Porter advised that Christian Farland has started up his stock piling area on his project.

Agent Porter also checked on the recycling facility (Tim Cusson's project) and that project is on hold.

Commissioner Audette advised that they have started working on the road at The Settlement project. And that an extension has been issued for this project.

3. General Correspondence

Commissioner Audette made a motion to adjourn at approximately 7:20. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

Respectfully submitted,

Sandy Douglas

