



MAYOR
JON MITCHELL

**City of New Bedford Conservation Commission •
Department of Environmental Stewardship**

133 William Street · Room 304 · New Bedford, Massachusetts 02740

Telephone: (508) 991.6188

Conservation • Environmental Stewardship • Resilience

**Meeting Minutes of the Conservation Meeting of
October 26, 2021**

**PUBLIC HEARING held at the Brooklawn Senior center,
1997 Acushnet Avenue, New Bedford, MA**

Members Absent

Peter Blanchard, Vice-Chairman

Staff Present

Chancery Perks, Conservation Agent
Teresa Alves, Admin. Coordinator

CALL MEETING TO ORDER

Chairman Audette called the meeting to order at 6:30 pm

ROLL CALL OF COMMISSIONERS

Chairman, Dennis Audette, Commissioner Sean Carney, Commissioner Kimberly Rioux.

GENERAL PROCUEDEURES FOR HEARING

Chairman Audette read General Procedure for Hearings for the record.

OLD BUSINESS:

1. (Continued from 8/17/21, 9/9/21, 9/21/21, 10/5/21) - Request for Determination of Applicability as filed by Phillips Road Business Park, LLC for property identified as Phillips Road, New Bedford, MA, (Map 136, Lot 467). The applicant is requesting verification of the wetland line and to determine if area is subject to Jurisdiction of any applicable NB Wetlands Ordinance and/or the Wetlands Protection Act. Representative is Alison Cesar, SITEC/CEC, Inc. **CONTINUED TO 11/2/21**



Commissioner Carney made a motion to continue to Nov 2, 2021.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

All in favor. Motion carries.

NEW BUSINESS:

1. **SE49-0819** A Request to Amend Order of Conditions as filed by Vaz Construction for property identified as Farland Circle (Map 130D, Lot 472). The applicant is proposing to update the plans to reflect the changes made to the house and driveway location. Representative is Jack Tabares of Farland Corp.

Mr. Jack Tabares stated that an Order of Conditions was approved on August 2019 and since then, no Amended Order of Conditions was done.

Agent Perks visited the property and noted that the house appears to be the same as the original footprint with the only difference being there was no garage.

Agent Perks recommended issuing an Amended Order of Conditions based on the revised plans and recommended issuing a Certificate of Compliance with the standard inland resource are special condition 49 contingent on the split rale fence marked, installed, and inspected by Agent Perks.

Chairman Audette requested that this be broken up into two motions.

Commissioner Carney made a motion to Amend original Order of Conditions.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

All in favor. Motion carries.



Commissioner Carney made a motion to issue a Certificate of Compliance.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

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, 12/19/17, 1/2/18, 1/16/18, 2/6/18, 2/20/18, 3/6/18, 3/20/18, 4/3/18, 4/17/18, 5/1/18, 5/15/18, 6/5/18, 6/19/18, 7/3/18, 7/17/18, 8/7/18, 8/21/18, 9/4/18, 9/17/18, 10/2/18, 10/16/18, 11/6/18, 1/20/18, 12/4/18, 12/18/18, 01/8/19, 1/22/19, 2/5/19, 2/19/19, 3/5/19, 3/19/19, 4/4/19, 4/16/19, 5/7/19, 5/21/19, 6/4/19, 6/18/19, 7/2/19, 7/16/19, 8/6/19, 8/27/19, 9/3/19, 9/17/19, 10/2/19, 10/15/19, 11/5/19, 11/19/19, 12/3/19, 12/17/19, 1/7/20, 1/21/20, 2/4/20, 2/18/20, 3/10/20, 3/24/20, 6/16/20, 7/7/20, 7/21/20, 8/3/20, 8/18/20, 9/1/20, 9/15/20, 10/6/20, 11/3/20, 11/17/20, 12/1/20, 12/15/20, 1/5/21, 1/19/21, 2/16/21, 3/2/21, 3/16/21, 4/6/21, 4/20/21, 5/4/21, 5/18/21, 6/1/21, 6/15/21, 7/6/21, 7/20/21, 8/3/21, 8/17/21, 9/9/21, 9/21/21, 10/5/21) - 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 Tom Crotty, Esquire. **CONTINUED TO 11/2/21**

Commissioner Carney made a motion to continue to Nov 2, 2021.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.



2. **SE49-0865** - (Continued from 2/6/21, 3/2/21, 3/16/21, 4/6/21, 4/20/21, 5/4/21, 5/18/21, 6/1/21, 6/15/21, 7/6/21, 7/20/21, 8/3/21, 8/17/21, 9/9/21, 9/21/21, 10/5/21) - A Notice of Intent as filed by Joseph Swift of Crystal Ice Co., Inc. The applicant proposes to repair/replace portions of the timber wharf structure which are moderately to severely damaged due to vessel impact and timber deterioration. Representative is Richard Fitzgerald of AGM Marine. **CONTINUED TO 11/2/21**

Commissioner Carney made a motion to continue to Nov 2, 2021.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

All in favor. Motion carries.

3. **SE49-0876** - (Continued from 8/17/21, 9/9/21, 9/21/21, 10/05/21) - A Notice of Intent as filed by Steven Silverstein of Cisco New Bedford, LLC for property identified as 1494 East Rodney French Boulevard, New Bedford, MA (Map 12, Lot 77). The applicant is proposing to install a gangway and floating dock on the north side of the existing timber pier. Representative is Susan Nilson of Foth Infrastructure & Environmental, LLC. **CONTINUED TO 11/16/21**

Commissioner Carney made a motion to continue to Nov 16, 2021.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

All in favor. Motion carries.



4. **SE49-0877** – (Continued from 9/21/21, 10/05/21) - A Notice of Intent as filed by Harborview, LLC for property identified as 226 Popes Island (Map 60, Lot 11). The applicant is proposing to improve the commercial docking capabilities of the facility by removing an aged pile supported timber pier and replacing it with a concrete wave attenuator floating dock in the same general location. Representative is David M. Davignon, PE of Schneider, Davignon & Leone, Inc. **CONTINUED TO 11/2/21**

Commissioner Carney made a motion to continue to Nov 2, 2021.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

All in favor. Motion carries.

NEW HEARINGS:

1. **1.** A Notice of Intent as filed by Jo-Ann Burnett for property identified as 139 Stevenson Street New Bedford, Ma (Map 132D, Lots 191 & 206). The applicant is proposing addition to single family home with infiltration system, roof drain, patio, and fence. Representative is Christopher Gilbert of Farland Corp.

Mr. Christopher Gilbert explained that the majority of the project didn't fall in the buffer zone and proposed using a silk fence for erosion control.

Chairman Audette stated an update on the recharge system is needed.

Commissioner Carney made a motion to continue to Nov 2, 2021.

Motion was seconded by Commissioner Rioux.

Commissioner Sean Carney-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor

All in favor. Motion carries.



NEW BUSINESS CONTINUED:

1. Agent Updates/General Correspondence

Agent Perks informed that he has emailed Tom Crotty and A-1 Asphalt about the amount of time they have been on the agenda and having no updates. Agent Perks will be onsite with them this week.

Chairman Audette inquired about the City of New Bedford Guide for Boards & Commissions.

Chairman Audette made a motion to get 7 Guides made for all Commissioners.
Motion was second by Commissioner Carney.

ADJOURN

Commissioner Carney made a motion to adjourn at approximately 6:56pm. Motion was seconded by Commissioner Rioux.

Roll Call Vote:

*Commissioner Sean Carney-Vote in favor.
Commissioner Kimberly Rioux-Vote in favor.
Chairman Dennis Audette- Vote in favor.*

Respectfully submitted,

Teresa Alves, Administrative Coordinator



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