



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
December 21, 2021
PUBLIC HEARING held at the Brooklawn Senior center,
1997 Acushnet Avenue, New Bedford, MA**

Members Absent

Sean Carney, Commissioner

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, Vice-Chairman Peter Blanchard, Commissioner Kimberly Rioux, Commissioner Rebeca Linhart.

GENERAL PROCUEURES FOR HEARING

Chairman Audette read General Procedure for Hearings for the record.

OLD BUSINESS:

NONE



NEW BUSINESS:

1. **SE049-0863 -A Request for a Certificate of Compliance as filed by Kathy Downey of Trio Algarvio, Inc. for property identified as 26 Green and Wood Pier (Map 42, Lot 268).** Representative is Kathy Downey.

Blake Peters from GEI spoke on behalf of Kathy Downey. Mr. Peters informed the commission that an Order of Conditions SE049-0213 was issued in 1996 but no Certificate of Compliance was issued. The applicant is looking to close out this Order of Conditions and has presented a stamped affidavit which replaces As-Builts.

Chairman Audette required this letter be updated to reflect that there was no plans that show what work was done.

Agent Perks recommended the issuance of a Certificate of Compliance once a revised letter is submitted by Mr. Peters stating that he acknowledges all work was done from the 1996 Order of Conditions.

Vice -Chairman Blanchard made a motion to continue to Jan. 4,2022

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

2. **SE049-0851-A Request for a Certificate of Compliance as filed by William Gardner of Alma Del Mar Foundation for property identified as 767 (formerly 739) Church Street (Overview & Detail 5496133.2S, Parcel ID 127B-569 & 127B-469).** Representative is Jerry Emond of Dellbrook JKS City

Mr. Dom Tiberi was present in place of Jerry Emond for Alma Del Mar Foundation.

Agent Perks informed the Commission that he had met with Mr. Emond the past week and walked the site twice. Agent Perks asked Mr. Emond to have the small areas hydroseeded and mixed with Winter Rye before winter season.

Agent Perks recommended the issuance of a Certificate of Compliance.



Vice -Chairman Blanchard made a motion to issue a Certificate of Compliance.

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

3. **SE049-0856 -A Request for a Certificate of Compliance as filed by Jack Tabares of Farland Corp. for property identified as 39 Farland Circle (Map 130D, Lot 476). Representative Jack Tabares.**

Agent Perks stated that he had been on site a few times and confirmed that a split rail fence was installed, grass has stabilized the site, and seeding done. Agent Perks recommended the issuance of a Certificate of Compliance.

Vice -Chairman Blanchard made a motion to issue a Certificate of Compliance.

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- 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 1/4/22**

Agent Perks noted that Mr. Tom Crotty was not present due to a personal matter and asked for a continuance to 1/4/22.

Vice -Chairman Blanchard made a motion to continue to Jan. 4,2022

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

2. **SE049-087** - (Continued from 8/17/21, 9/9/21, 9/21/21, 10/5/21, 10/26/21, 11/2/21, 11/16/21,12/7/21) - 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 1/4/22**

Vice -Chairman Blanchard made a motion to continue to Jan. 4,2022

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.



3. **SE049-0867** – (Continued from 11/16/21,12/7/21) - A Request to Amend Order of Conditions as filed by Shoreline Resources, LLC for property identified as 10 & 26 N Front St (Map 79, Lot 2 & 5). The applicant is proposing to amend the Order of Conditions. Representative is Alan Hanscom of Pare Corporation. **CONTINUED TO 1/4/22**

Vice -Chairman Blanchard made a motion to continue to Jan. 4,2022

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

4. **SE049-0881**– (Continued from 12/7/21) - A Notice of Intent as filed by Emanuel Andrade for property identified as Farland Circle Lot 8 New Bedford, Ma (Map 130D, Lot 473). The applicant is proposing construction of a single-family home with all associated grading and utilities. Representative is Jack Tabares of Farland Corp.

Mr. Jack Tabares stated there was a continuance due to no DEP number and some modifications to the plan that was requested at the last meeting, Mr. Tabares explained all the modifications requested; stock piling area identified on plans and the placement of hay bales along chain link fence line.

Commissioner Linhart asked about whether hay bales or silk fences were used.

Mr. Tabares explained that they used hay bales and also used them in front of the silk fences.

Agent Perks recommends the issuance of an Order of Conditions that includes the standard Inland Resource Area Special Conditions and Special Condition stating easement on the south side of property which is to be kept clear of permanent structures to allow for detention pond maintenance by the city.

Vice -Chairman Blanchard made a motion to issue an Order of Conditions.

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.



All in favor. Motion carries.

NEW HEARINGS:

NONE

AGENT UPDATES/GENERAL CORRESPONDENCE

1. SASSAQUIN POND SAMPLING

Agent Perks stated that on Jan 2 SMAST will be taking samples from Sassaquin Pond, which includes 5 gallons of mud for testing and used as part of the MicroLift efficacy study that will be done in a controlled lab setting in conjunction with UMass Dartmouth, Coastal Systems Science Lab.

Mr. Jeff Young of AMT Bioproducts Corp. was present for explanation of the testing and gave a brief summary of the use of bacteria that was going to be used in the testing.

Chairman Audette required to see the report of the findings from the study before the discussion for extension of Order of Conditions as stated in the Special Conditions.

2. BUTTONWOOD BROOK PROJECT KICKOFF

Agent Perks stated that Buzzards Bay Coalition (BBC) is spearheading a 5 year study and implementing a restoration project along Buttonwood Brook.

3. RIVERSIDE PARK DPI UPDATE

Agent Perks submitted a letter from Department of Public Infrastructure (DPI) asking to consider the fine tune work Parks Recreation & Beaches (PRB) started as a administrative minor alteration. DPI would like to remove tree stumps, fill, and level off areas of the existing work zone permitted under file #SE049-0844.

Vice -Chairman Blanchard made a motion to accept DPI actions as minor alterations.

Motion was seconded by Commissioner Rioux.

Vice -Chairman Peter Blanchard-Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.



ADJOURN

*Vice-chairman Blanchard made a motion to adjourn at approximately 7:03pm.
Motion was seconded by Commissioner Rioux.*

Roll Call Vote:

*Vice-Chairman Peter Blanchard-Vote in favor.
Commissioner Kimberly Rioux-Vote in favor.
Commissioner Rebeca Linhart-Vote in favor.
Chairman Dennis Audette- Vote in favor.*

Respectfully submitted,

Teresa Alves, Administrative Coordinator

