



**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  
May 4, 2021  
REMOTE PUBLIC HEARING VIA ZOOM**

**Members Absent**

**Staff Present**

Chancery Perks, Conservation Agent  
Sandy Douglas, Administrative  
Coordinator

**CALL MEETING TO ORDER**

**Chairman Audette read Conservation Commission Remote Open Meeting  
Procedures as follows:**

This is Conservation Commission Chairman Dennis Audette speaking and opening the remote Conservation Commission meeting of May 4, 2021, at 6:30 PM.

Please permit me to confirm that all members and persons anticipated on the agenda are present and can hear me:

Conservation Commission members when I call your name please respond in the affirmative: Vice Chairman Peter Blanchard-Present, Commissioner Paul Pacheco-Present, Commissioner Sean Carney.

Conservation Commission staff please respond in the affirmative: Conservation Agent Chancery Perks-Present, Administrative Coordinator Sandy Douglas-Present.

Anticipated speakers on the Agenda please respond in the affirmative:

**Adam Wolfrey of Centerline Communications for 127 Duchaine Blvd, New Bedford MA-  
PRESENT**

**Tom Lewis of TEC Associates Consulting Engineers for Mass Coastal Railroads-  
PRESENT**



133 William Street-Room 304, New Bedford, MA 02740 - Telephone 508-991-6188

**Richard Fitzgerald of AGM Marine for 1482R East Rodney French Boulevard-PRESENT**

**Val Costa of City of New Bedford Parks, Recreations and Beaches for 86 Popes Island-PRESENT**

**Richard Rheaume of Prime Engineering for John Vertente Boulevard Solar Project-PRESENT**

**Lauren Gluck of Pare Corp., for 10 & 26 North Front Street-PRESENT along with Victoria Howland and Alan Hanscom**

**Jamie Bissonnette of Zenith Consulting Engineers for Almy Street-PRESENT**

**Dan Gioiosa of SITEC for Phillips Road-PRESENT**

**Stephen Silverstein for CISCO-Present**

This Open meeting of the Conservation Commission is being conducted remotely consistent with Governor Baker's Executive Order of March 12, 2020, due to the current State of Emergency in the Commonwealth due to the outbreak of the COVID-19 Virus.

The Order allows public bodies to meet entirely remotely so long as reasonable public access is afforded so that the public can follow along with the deliberations of the meeting.

Ensuring public access does not ensure public participation unless such participation is required by law. This meeting will feature public comment.

Meeting Materials: All supporting materials have been provided to members of this body and are available on the City website unless otherwise noted. The public is encouraged to follow along using the posted agenda.

#### Meeting Ground Rules

Before turning to the first item on the agenda, I will review the ground rules for effective and clear conduct of our business and to ensure accurate meeting minutes:

I will introduce each speaker on the agenda. After they conclude their remarks, I will go down the list of Commissioners, inviting each by name to provide any comment, questions, or motions. Please hold until your name is called. Further,

- Please mute your phone or computer when you are not speaking
- Please remember to speak clearly and in a way that helps generate accurate meeting minutes.

For any response, please wait until the Chair yields the floor to you and state your name before speaking.

If Commissioners wish to engage in colloquy with other members, please do so through the Chair, taking care to identify yourself.

After Commissioners have spoken, I will afford public comments as follows:



- I will first ask whether there are any written public comments submitted via email and whether such comments were distributed to the commission prior to the meeting. If time has not allowed for the email comments to be reviewed by the commission prior to the meeting, I will ask that those comments be read aloud by the Conservation Agent.
- I will first ask members of the public who wish to speak to identify with their names and addresses
- Once I have a list of all public commenters, I will call on each by name and afford 3 minutes for any comments.

**Finally, each vote taken in this meeting will be conducted by roll call vote.**

## **CHAIRMAN AUDETTE CALLED MEETING TO ORDER** **ROLL CALL OF COMMISSIONERS**

### **OLD BUSINESS:** **NONE.**

### **NEW BUSINESS:**

1. **A Request for Determination of Applicability as filed by Adam Wolfrey, Centerline Communications, for property identified as 127 Duchaine Blvd, New Bedford MA (Map 133, Lot 21).** Applicant proposes to replace telecommunication equipment adjacent to cell tower. Representative is Adam Wolfrey, Centerline Communications.

Mr. Adam Wolfrey of Centerline Communications was present on behalf of the applicant. Mr. Wolfrey advised that Centerline Communications is the authorized agent for T-Mobile. There is an existing cell site on Duchaine Blvd. T-Mobile acquired Sprint and the purpose of the work is to make that cell site so it can function for T-Mobile's new customers. They are proposing to replace all the antennas and a few of the radio head units on the ground including expanding the concrete pad where T-Mobile's equipment is. They will also be installing new cabinets to accommodate the equipment.

Vice-Chairman Blanchard inquired as to what is a cabinet. Mr. Wolfrey explained that the cabinet is mainly the computer signal for the new equipment.

Chairman Audette inquired if they are removing the pad that is there and placing a new one, since that is what shows on the plan. Mr. Wolfrey replied that it's just an expansion of the existing concrete pad from a 5'x7' to a 10'x8'.

Chairman Audette inquired whether there was any work proposed on the tower itself. Mr. Wolfrey replied that they are just replacing the antennas and radio head units and placing new



mounts for the antennas. Chairman Audette also inquired if they are going to place straw wattles.

Agent Perks added that it shows on their plan that straw wattles will be used and remain during the duration of the project. Mr. Wolfrey stated that they will abide by what is on the plans.

Chairman Audette suggested the following special conditions that they need to contact the Conservation Agent prior to commencing construction to confirm straw wattles are in place and also at the end of the project to confirm the site is in order.

Commissioner Pacheco made a Motion to issue a negative determination of Box 5 with two special conditions that Agent is to be notified prior to construction and at the completion of construction. Motion was seconded by Commissioner Carney.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

- 2. A Request for Determination of Applicability as filed by Tom Lewis for property identified as Mass. Coastal Railroads.** Applicant proposes to manage vegetation within railroad Right-of-Way within the 100' buffer zone. Representative is Tom Lewis of TEC Associates Consulting Engineers.

Mr. Tom Lewis of TEC Associates was present on behalf of the applicant. Mr. Lewis advised that they are required to have a five-year vegetation management plan and the recent one has expired at the end of last year. A new plan is in the process of renewal and in the process of that renewal they are obligated to go to each Municipality to get a determination of the boundary delineation of the resource areas. Mr. Lewis stated that he did a field review and walked the right-of-way with Agent Perks, and they have made edits to protect a stream along one side of the tracks. All updated maps from that field review have been submitted.

No comments were heard in favor or in opposition of said project.

Agent Perks stated that some alterations to expand a protected area along one side of the track were made and recommended a negative determination of Box 5 for ROW Railway exemption.

Vice-Chairman Blanchard made a Motion to issue a negative determination of Box 5. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.



Chairman Dennis Audette- Vote in favor.

- 3. A Request for Determination of Applicability as filed by Stephen Silverstein for property identified as 1482R East Rodney French (Map 012, Lot 77).** Applicant proposes to repair a 142-foot x 13-foot pier for restaurant patron use. Representative is Richard FitzGerald of AGM Marine Contractors, Inc.

Mr. Richard FitzGerald of AGM Marine was present together with Mr. Stephen Silverstein.

Mr. FitzGerald advised that the pier is located in the outer New Bedford harbor its 142' long by 13' wide. The proposed repairs are all above the water, the areas of environmental concern are land under the water and outer bank to shoreline bank. They are not proposing to drive any piles, posting one pile, and putting in new pile, replacing 54 pieces of decking and replacing some stringers and supporting some pile caps. The overall footprint of the pier will not change, and the use of the pier will not change. The pier has been licensed since 1925 latest one in 2014.

Commissioner Carney inquired if there would be any impact to Marine Wildlife and if there is any suspected impact to season.

Agent Perks inquired as to the proposed timeline. Mr. Fitzgerald replied that they would like to start construction in 2 weeks and construction would last about three weeks. Chairman Perks advised that the current wildlife protection season that the City has started to consistently employ only pertains to beach resource and this project does not seem to interfere with any aforementioned species protection.

Commissioner Carney questioned the proposed process that says water treated with CCA and timber and deck treated with CCA. Mr. Fitzgerald replied that CCA treatment is used in the water and MCA is a topside or splash zone treatment and would not do anything against marine activity. Commissioner Carney inquired if CCA would have an adverse effect in water quality in that area. Mr. Fitzgerald replied that it does not leach but will overtime but has been approved by EPA as a treatment for salt water marine activity.

Chairman Audette inquired as to where the cutting of deck would be done. Mr. Fitzgerald replied that it will be cut beforehand on the barge and there will be a debris boom on the water. Chairman Audette confirmed that he was proposing to not do this all top deck? Mr. Fitzgerald replied that it would not all be done top deck and would be working from a barge.

Chairman Audette would like a preconstruction meeting with the Agent and another meeting upon completion of the project.

Vice-Chairman Blanchard made a Motion to issue a negative determination of Box 2 with two special conditions that the Agent be contacted prior to construction and at the end construction. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.



Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

**4. SE49-0754 - A Request for a Certificate of Compliance as filed by Mary Rapoza of City of New Bedford Parks, Recreation and Beaches for property identified as 86 Popes Island (Map 60, Lot 2). Representative is Mary Rapoza.**

Mr. Val Costa from the City of New Bedford Parks, Recreation and Beaches was present. Mr. Costa advised that the work has been completed and is requesting a Certificate of Compliance.

Agent Perks recommended the issuance of a full Certificate of Compliance.

Commissioner Pacheco made a Motion to issue a Certificate of Compliance. Motion was seconded by Vice-Chairman Blanchard.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

**5. SE49-0838 - A Request for a Certificate of Compliance as filed by Christian Loranger/NBD Solar, LLC for property identified as John Vertente Boulevard (Map 135, Lots 1, 3, 15 & 47. Representative is Richard Rheume of Prime Engineering.**

Mr. Richard Rheume of Prime Engineering was present on behalf of the applicant and advised that this was the solar project off of John Vertente Boulevard. The project consisted of a series of little solar arrays, they avoided wetland and kept 25' no disturb, reached into the no disturb and cut some trees, there was one minor wetland crossing to get to upland not otherwise accessible and that involved a replication area which was constructed and trees planted and wetland seed mix. It was reseeded again last week with 8,000 lbs. of grass seed because of the drought last year and is only now coming up.

Vice-Chairman Blanchard stated that he drove by there today and it did not look like there was any growth at all and requested an update on the plantings and trees that had to be taken down because of the sun. Mr. Rheume replied that the planting was done in the buffer zone was on the Braley Road solar array and have not filed for that yet and they have not been installed yet and this is for the John Vertente project and there were no proposed plantings in the no disturb zone but were allowed to reach in with a machine to remove the taller trees without trespassing and there is good understory growth there.

No comments were heard in favor or in opposition of said project.



Agent Perks thanked Mr. Rheume for clarifying the difference between the two projects on Braley Road and John Vertente Boulevard. Agent Perks advised that they did a site visit with Christian Loranger and Richard Rheume and the general seeding under the solar arrays is coming up pretty uniformly. Agent requested they do a reseed with wetland mix in the replication area. Agent Perks asked Mr. Rheume to have Mr. Loranger send him a photo of the reseeded area, and recommended a partial COC to require a two year Monitoring Plan of the replication area to achieve a minimum of 75% coverage of native flora and requested they remove silt fence and some debris that's on site.

Mr. Rheume agreed to the partial COC with a two-year monitoring plan.

Commissioner Carney made a motion to issue a partial Certificate of Compliance with a two-year monitoring plan and to remove silt fence and other construction materials is removed rubbish from the site. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

## **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) - 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**

Commissioner Pacheco made a motion to continue to May 18<sup>th</sup>. Motion was seconded by Commissioner Carney.

Roll Call Vote:





Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

2. **SE49-0865** - (Continued from 2/6/21, 3/2/21, 3/16/21, 4/6/21, 4/20/21) - A Notice of Intent as filed by Joseph Swift of Crystal Ice Co., Inc., for property identified as 155, 178 Front Street, (Map 53, Lots 116-119, 241). 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.

Mr. Richard Fitzgerald of AGM Marine was present on behalf of the applicant. Mr. Fitzgerald advised that they are continuing the NOI because they are looking to continue the process of getting a Chapter 91 License for the structure, it was never licensed. Approximately one week ago a fishing vessel broke a number of fender pile and some of the support pile and would like to fix those areas while in the process of getting the Chapter 91 License.

Mr. Fitzgerald advised that they are following the same drawing from the NOI starting at the south end bend 1 & 2 fender piles are broken and fender pile caulks are to be replaced, bend 14 fender pile is broken and in that area there have been some substantial prior damage the wharf deck settled cause of rot, proposing to repair from bend 13-15, replacing decking, replace pile caps and replace stringers and replace broken fender pile under an Emergency Certification.

Chairman Audette inquire as to what stringers are to be replaced? Mr. Fitzgerald replied that they run from bend 13-14 and 14-15 along the wharf.

Mr. Fitzgerald advised that they intend on installing a debris boom in and can put in a siltation curtain if the Commission would like.

Commissioner Carney inquired if the dock or the pier is licensed through the state? Mr. Fitzgerald advised that he has been in discussions with DEP and as far as he can tell no one has any record of it. Commissioner Carney inquired if the was dock pre-existing when his client acquired this property. Mr. Fitzgerald replied that it was already existing.

Commissioner Carney inquired if they are proposing impact to marine wildlife in the area because of the proposed pile driving. Mr. Fitzgerald replied that everything is being done above water. Commissioner Carney inquired as to how much of the dock will have to come out and if it falls into the water and will it be caught by the boom. Mr. Fitzgerald because they are unsure of structure, but they can contain any debris easily with the boom

Chairman Audette inquired as to how many piles will be driven. Mr. Fitzgerald replied between 5-6 and there is no increase in footprint or number of piles being installed. Only replacing 10-12 piles not all of them. Chairman Audette inquired if these piles part of original NOI. Mr. Fitzgerald replied, yes bend 2, bend 15 and bend 14 support piles.





Chairman Audette advised that the applicant still has to file for the additional piles. Mr. Fitzgerald understood.

Chairman Audette advised that they are to install hanging silt fence with boom and no work other than what is agreed upon tonight and will have to come back for additional work under a new filing. Mr. Fitzgerald agreed and added that most of the work is included in the original NOI that they are proposing to do just a couple of extra pilings and will revise the NOI to include those.

Agent Perks added that having a turbidity curtain and/or floating boom is important, DMF commented that while doing pile driving to do a slow start when doing pilings and if can put turbidity curtain around each bend and then move on. Mr. Fitzgerald said that's how being proposed to start at south end and move down.

Agent Perks added that he did site visit with Mr. Fitzgerald and concurs that damage done was extensive, entire pier was moving and qualifies for an Emergency Certification.

Special conditions are as follows: that no extra work shall be performed other than what is discussed here tonight, turbidity curtain to be installed around specific pile installation locations, Agent to do site visit once turbidity curtain is in place but before piles are removed and Agent to be included in all Chapter 91 License correspondence with Carlos Fregatta from MA DEP and that they use slow start to drive piles.

Commissioner Carney made a motion to issue an Emergency Certification with all special conditions as read by the agent. Motion was seconded by Vice-Chairman Blanchard.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.

Vice-Chairman Peter Blanchard- Vote in favor

Commissioner Sean Carney-Vote in favor.

Chairman Dennis Audette- Vote in favor.

- 3. (Continued from 4/6/21, 4/20/21) - A Notice of Intent as filed by Scott Taber of Shoreline Resources, LLC for property identified as 10 & 26 North Front Street (Map 79, Lots 2 & 5).** Applicant proposes to install new railroad spur to replace existing one in different location due to change in arc radius to accommodate modern train dimensions, relocation of a portion of the existing track, demolition of a loading dock installation of a new lifting pier and associated site improvement. Representative is Lauren Gluck of Pare Corp.

Ms. Lauren Gluck of Pare Corp., and Scott Taber of Shoreline Resources, Victoria Howland, and Alan Hanscom from Pare Corp.

Ms. Gluck advised that since last meeting it was determined that additional calculations and design plans were required for the replacement drainage line in the rail spur project proposed



since that hearing has provided updated plan sheets showing detail on invert design of pipe and updated calculations.

Victoria Howland advised that she did review the project with the City Engineer, and they have provided a letter of approval.

No comments were heard in favor or in opposition of this project.

Commissioner Carney stated that he noticed the hydrologic design calculations states that some water is expected to be stagnant in the system due to the water level in the Acushnet River and if that will propose any risk to the functionality or the maintenance of the drainage system or the body of water that it discharges too.

Ms. Howland explained that the 24' pipe is being matched, so essentially upgrading because the pipe is 60 years old and being replaced in kind, pipe as it exists is impacted by the tide and mean high water is 1.78 and the mean low water line is -1.78 so pipe as it stands is impacted by the tide so trying to match that for the future so water will come in and out of the pipe twice like the tide.

Commissioner Carney questioned if her position is that there are no risks? Ms. Howland replied that there are always risks with everything that you do but she doesn't believe there will be increased risks, but she cannot state there are zero risks.

Commissioner Carney inquired whether there will be oil separators installed. Ms. Howland replied that the way the design is setup is that there will be installed as part of the future project.

Agent Perks read the letter dated May 8<sup>th</sup>, 2021 from DPI into the record.

Chairman Audette made it clear that this NOI is only for the replacement of the railroad track and pipe and nothing else any other work will have to come under a separate filing.

Agent Perks recommended the issuance of an Order of Conditions with the following special conditions: Further review required of the storm water management calculations by Nitsch Engineering before Phase 1 permitting is issued; Phase 2 work requires the submission of an additional Notice of Intent; Approval from the Department of Public Infrastructure shall be required as it pertains to the unresolved details of the Phase 1 storm drain relocation as determined by the New Bedford City Engineer.

Commissioner Blanchard made a motion to issue an Order of Conditions with special conditions as read by the Agent. Motion was seconded by Chairman Audette.

Roll Call Vote:

Vice-Chairman Peter Blanchard- Vote in favor  
Chairman Dennis Audette- Vote in favor.



Commissioners Pacheco and Carney are not able to vote on this project as they were not present at the last hearing.

## **NEW HEARINGS:**

1. **A Notice of Intent as filed by Jorge Verissimo for property identified as Almy St Lot B (Map 134, Lot 43 & 376).** Applicant proposes to construct a single-family dwelling within the 100' buffer zone. Representative is Jamie Bissonnette of Zenith Consulting Engineers, LLC.

Mr. Jamie Bissonnette of Zenith Consulting Engineers spoke on behalf of the applicant. Mr. Bissonnette advised that they are proposing to build a single-family home including the raising of existing garage, raised ranch style dwelling with municipal water, sewer and utilities, roof infiltrators and new driveway being constructed. Split rail fence will be installed at the limit of work increasing the buffer zone to the wetlands from what's existing.

Chairman Audette commented that he saw on the plans that DPI had been notified with regard to waiting until mid-September? Mr. Bissonnette replied that his client is concerned right now with construction material costs so he may be waiting a little while but the trusses and structure to the house are constructed and will weigh out whether he can do it sooner rather than later.

Chairman Audette stated that he does not like the idea of using leaching fields for the gutters and would prefer it to be a cultex system. Mr. Bissonnette explained that the reason they went with leaching field in this case, is because of the ground water elevation and they are trying to minimize the disturbance of work and the situation with the soils' proximity to the wetlands and the flat nature of this site without having to pull back, or truck in and increase the slope to the driveway and road. The use of the field in this case is because of the shallow water table. The cultex in height is 12" and have to have coverage over the top and in this case they can minimize.

Chairman Audette is concerned that it is only 9" on the ground and if there is heavy rain it will flood out. Mr. Bissonnette added that they have splash pad overflows. Chairman Audette stated that he is not a fan of how it is setup and if anything gets in the pipe, the overflow will run all the time. Mr. Bissonnette explained that have provided an operation maintenance plan which requires multiple inspections and cleaning and gutter guards. Mr. Bissonnette asked the Commission to consider the use of leaching field in this application and the cost benefit is better with this system and provides maximum recharge. Chairman Audette was still not happy with othe overflow connector because once out of this Commission's hands and into the hands of the homeowners, they will not clean out the pipe and he would rather see the pipe inverted and capped. Mr. Bissonnette was not opposed to the Chairman's suggestion.

Agent Perks recommended the following Special conditions be added: that the elbow Y overflow connection turns 180 degrees (invert the overflow connection) and to either cap it or put a screen on it, install split rail fence and add signage at no touch buffer zone, add gutter guards.



Chairman Audette advised that they need to revise the plans to show invert pipe and gutter guard with leaching field.

Chairman Audette suggested that Mr. Bissonnette find out from client if going to go forward with the project or waiting until September and to advise us at the next meeting and if DPI agrees.

Commissioner Pacheco made a motion to continue to May 18<sup>th</sup>. Motion was seconded by Commissioner Carney.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.

Vice-Chairman Peter Blanchard- Vote in favor

Commissioner Sean Carney-Vote in favor.

Chairman Dennis Audette- Vote in favor.

- 2. A Notice of Intent as filed by Michael Panagakos for property identified as Phillips Rd Braley Rd. (Map 136, Lot 468).** Applicant proposes to construct a commercial building within the 100' buffer zone. Representative is Dan Gioiosa of SITEC, Inc.

Mr. Dan Gioiosa of SITEC, Inc., was present and advised that this property is on the corner of Theodore Rice and Phillips Road and the Commission approved the BVW in an RDA in February. The applicant is proposing at 3,500 s.f. commercial building with 31 parking spaces separator loading and deliver area, 35 units of cultex recharge system, it's setup to handle 100 year storm event showing in order to minize the impact the majority of limit of work is a retaining wall and keep 25' line intact, municipal water and sewer the landscaping plan and erosion control plan have been submitted, have not received dep file number yet.

No comments were heard in favor or in opposition of this project.

Chairman Audette stated that the retaining wall is in the buffer zone and how are they going to build that without touching buffer zone. Mr. Gioiosa stated that its setup to be block wall construction and built from upland side. Chairman Audette would like the applicant to submit a detail of how the retaining wall will be built.

Chairman Audette inquired why is there a monitoring well on the plan. Mr. Gioiosa replied that was a test pit labeled incorrectly and that test pit was done by previous engineer for a previous proposed development.

Chairman Audette expressed concern that the dumpster is right on the buffer zone. Mr. Gioiosa explained that this is a very narrow lot and doing what is possible to maintain the 25'.

Chairman Audette inquired as to where they are going to store the snow removal and would like that added to the plans. Mr. Gioiosa agreed to do so. Chairman Audette requested that no salt or sand is used to melt the snow or ice and to use an environmentally safe alternative that is to be



approved by the Commission. Chairman Audette also requested that they add clearing of trees to the plan.

Commissioner Blanchard made a motion to send to Nitsch Engineering for stormwater review. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

Commissioner Carney made a motion to continue to June 1<sup>st</sup>, 2021. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

## **NEW BUSINESS CONTINUED:**

### **1. Agent Updates/General Correspondence**

None.

### **2. Approval of Meeting Minutes of April 6, 2021**

Commissioner Pacheco made a motion to approve the Meeting Minutes of April 6, 2021. Motion was seconded by Vice-Chairman Blanchard.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.  
Vice-Chairman Peter Blanchard- Vote in favor  
Commissioner Sean Carney-Vote in favor.  
Chairman Dennis Audette- Vote in favor.

## **ADJOURN**



Vice-Chairman Blanchard made a motion to adjourn at approximately 8:20. Motion was seconded by Commissioner Carney.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.

Vice-Chairman Peter Blanchard- Vote in favor

Commissioner Sean Carney-Vote in favor.

Chairman Dennis Audette- Vote in favor.

Respectfully submitted,

---

Sandy Douglas, Administrative Coordinator

