



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
March 16, 2021
REMOTE PUBLIC HEARING VIA ZOOM**

Members Absent

Staff Present

Bruce Hebbel, Acting Conservation Agent
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 March 16, 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 Paul Pacheco-Present, Commissioner Peter Blanchard-Present.

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

Anticipated speakers on the Agenda please respond in the affirmative:

**Bruce Hebbel of the City of New Bedford, Department of Environmental Stewardship for
Potter Street, 225 Hathaway Blvd., and Ruggles Street & Hathaway Blvd.**

Christopher Gilbert of Farland Corp., for 1265 Bartlett Street



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

Richard Fitzgerald of AGM Marine for 178 Front Street

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
General Procedures for Meeting

OLD BUSINESS:
NONE.

NEW BUSINESS:

1. **SE49-0813** – Request for Certificate of Compliance as filed by the City of New Bedford Department of Environmental Stewardship for property identified as Potter Street (Map 81, Lot 126). Representative is Bruce Hebbel.

Mr. Bruce Hebbel was present on behalf of the applicant and advised that this area is a little less than 5 cubic yards of soil that was collected and dumped by hand and disposed of accordingly in accordance to Federal Compliance, and have re-seeded the area. The work was done back in June or July.

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

Agent Perks recommended issuance a full Certificate of Compliance.

Commissioner Pacheco made a motion to issue a full 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

Chairman Dennis Audette- Vote in favor.

2. **SE49-0802** – Request for a Certificate of Compliance as filed by the City of New Bedford Department of Environmental Stewardship for property identified as 225 Hathaway Boulevard (Map 75, Lot 167). Representative is Bruce Hebbel.

Mr. Bruce Hebbel was present on behalf of the applicant and advised that this is the wetland behind KMS there were multiple locations of contaminated PCB sediment and installed midnight sealant cap over it to prevent further contamination from the existing cap materials underneath KMS. Three location along entire back of KMS wetlands along the n other bank, they completed that work in June and have met all the goals of the project. Restoration was on the slope banks, jute matting.



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

Agent Perks recommended issuance a full Certificate of Compliance.

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

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.

Vice-Chairman Peter Blanchard- Vote in favor

Chairman Dennis Audette- Vote in favor.

3. SE49-0803 – Request for a Certificate of Compliance as filed by the City of New Bedford Department of Environmental Stewardship for property identified as Ruggles Street and Hathaway Boulevard (Map 69 & Nemasket Street Right of Way, Lots 86, 88-93, 96-100 & 125). Representative is Bruce Hebbel.

Mr. Bruce Hebbel was present on behalf of the applicant and advised that this is the area that is to the South of Keith Middle School. They have installed turf field and the purposes of this wetland filing was to enclose the existing perimeter fence across the buffer zone. That work has been completed.

Vice-Chairman Blanchard commended the work done on the field.

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

Agent Perks recommended issuance a full Certificate of Compliance.

Commissioner Pacheco made a motion to issue a full 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

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) - 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**

Vice-Chairman Blanchard made a motion to continue to April 6, 2021. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

Commissioner Paul Pacheco- Vote in favor.

Vice-Chairman Peter Blanchard- Vote in favor

Chairman Dennis Audette- Vote in favor.

2. **SE49-0864** - (Continued from 2/16/21, 3/2/21) - Notice of Intent as filed by **Amandio & Jose Araujo** for property identified as **1265 Bartlett Street, (Map 134, Lots 299 & 305)**. The applicants propose construction of a roadway within a wetland. The applicant is Christopher Gilbert of Farland Corp.

Commissioner Pacheco made a motion to continue to 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

Chairman Dennis Audette- Vote in favor

3. **SE49-0865** - (Continued from 2/6/21, 3/2/21) - 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.

Agent Perks advised that Mr. Fitzgerald had sent an email advising that he is still working with Chapter 91.

Vice-Chairman Blanchard made a motion to continue to April 6, 2021. Motion was seconded by Commissioner Pacheco.



Roll Call Vote:

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

NEW HEARINGS:

NONE.

NEW BUSINESS CONTINUED:

1. Agent Updates/General Correspondence

Agent Perks advised that there will be a future filing for Wamsutta Street, they are presently working with DPI with regard to the stormwater.

2. Approval of March Meeting Minutes of March 2, 2021

Commissioner Pacheco made a motion to approve the Meeting Minutes of March 2, 2021. Motion was seconded by Vice-Chairman Blanchard.

Roll Call Vote:

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

3. Approval of Surface Pro for Agent

The Commissioners agreed to purchase a Surface Pro for Agent Perks up to \$2,000.00.

Vice-Chairman Blanchard made a motion to purchase a Surface Pro for Agent Perks and authorized spending not more than \$2,000.000. Motion was seconded by Commissioner Pacheco.

Roll Call Vote:

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



ADJOURN

Commissioner Pacheco made a motion to adjourn at approximately 6:50. Motion was seconded by Vice-Chairman Blanchard.

Roll Call Vote:

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

All in favor. Motion carries

Respectfully submitted,

Sandy Douglas, Administrative Coordinator

