



MAYOR
JON MITCHELL

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

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Conservation • Environmental Stewardship • Resilience

**Meeting Minutes of the Conservation Meeting of
April 19, 2022
PUBLIC HEARING held at the Brooklawn Senior Center,
1997 Acushnet Avenue, New Bedford, MA**

Members Absent

Commissioner Peter Blanchard

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 Sean Carney, Commissioner Rebeca Linhart, Commissioner Kimberly Rioux, Commissioner Scott Grant

GENERAL PROCUEDEURES FOR HEARING

Chairman Audette read General Procedure for Hearings for the record.

OLD BUSINESS:

NONE

NEW BUSINESS:

NONE



CONTINUED HEARINGS:

1. **SE049-0735** – (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, 6/1/21,6/15/21,7/6/21,7/20/21,8/3/21,8/17/21,9/9/21,9/21/21,10/5/21,10/26/21,11/2/21,11/16/21,12/7/21,12/21/21,1/4/22,1/18/22,2/1/22,2/15/22,3/1/22,3/15/22,4/5/22) - 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, MA (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 5/3/22**

Vice-Chairman Carney made a motion to continue to May 3,2022.

Motion was seconded by Commissioner Grant.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

2. **SE049-0867** - (Continue from 11/16/21, 12/7/21, 12/21/21, 1/4/22, 1/18/22, 2/1/22, 2/15/22,3/1/22,3/15/22,4/5/22) 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 replace the existing 24-inch akron stormwater line with a new 24-inch PVC stormwater drain outside the limits of the travel lift area and continue to accommodate overflows from the City-owned stormwater system, property stormwater, and existing building roof run off within a coastal flood zone on the Shoreline



Resources property, formerly Revere Copper. Representative if Lauren Gluck of Pare Corp. **CONTINUED TO 5/3/22**

Vice-Chairman Carney made a motion to continue to May 3,2022.

Motion was seconded by Commissioner Grant.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

- 3. SE049-0891 – (Continued from 3/1/22,3/15,22,4/5/22) - A Notice of Intent as filed by Ryan Harrington for property identified as 450 West Rodney French Blvd. New Bedford, MA (Map 7, Lot 78).** The applicant is proposing raising a masonry patio and addition to existing stone wall. Representative is Ryan Harrington.

Agent Perks informed the Commission that Mr. Harrington was previously awaiting the DEP number and recommends an *Order of Conditions* with no special conditions.

Vice-Chairman Carney made a motion to issue an Order of Conditions with conditions as recommended by the Agent.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

- 4. SE049-0889 – (Continued from 3/15/22,4/5/22) - A Notice of Intent as filed by Andy Herlihy of the Community Boating Center for property identified as 1641**



Padanaram Ave. New Bedford, MA (Map 17A, Lots 104 & 105). The applicant is proposing installing a security gate on the existing pier. Representative is Andy Herlihy.

Agent Perks informed the Commission that Mr. Herlihy was previously awaiting the DEP number and recommends an *Order of Conditions* with the *Standard Coastal Zone* special conditions.

Vice-Chairman Carney made a motion to issue an Order of Conditions with the Standard Coastal Zone special conditions.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

- 5. SE049-0890 – (Continued from 3/15/22,4/5/22) - A Notice of Intent as filed by Dennis Audette of 21 Hudson Street New Bedford, MA (Map 4 Lot 111).** The applicant is proposing a home addition in a FEMA Flood Zone. This construction is a 28' x 26' garage with a bedroom on the 2nd floor. Representative is Dennis Audette.

Agent Perks informed the Commission that Mr. Audette was previously awaiting the DEP number and recommends the issuance of an *Order of Conditions* with no special conditions needed.

Vice-Chairman Carney made a motion to issue an Order of Conditions as recommended by the Agent.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.



All in favor. Motion carries.

6. **SE049-0888** – (Continued from 4/5/22) - A Notice of Intent as filed by Acushnet Company for property identified as Acushnet Co, Ball Plant III, 215 Duchaine Blvd. New Bedford, MA (Map 136, Lot 331). The applicant is proposing a 1696 S.F. addition to their existing Ball Plant III manufacturing facility and associated site work adjacent to a wetland resource area. Representative is William F. Madden, P.E. of G.A.F. Engineering Inc.

Mr. William Madden present tonight representing Acushnet Company along with Kevin Kelly of Acushnet Company. Mr. Madden summarized the project and addressed the three issues from the previous meeting that was brought up by the Commission.

Agent Perks stated they have received the review from Nitsch and recommends the issuance of an *Order of Conditions* with the *Standard Inland Resource Area* special conditions.

Vice-Chairman Carney made a motion to issue an Order of Conditions with the conditions as recommended by the Agent.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

7. **SE049-0892** – (Continued from 4/5/22) - A Notice of Intent as filed by Michael Quinn of Shoreline Marine Terminal, LLC. for property identified as 24 N Front St New Bedford, MA (Map 79, Lot 2 & 5). The applicant is proposing the partial demolition of building #2 and full demolition of building #12 within a coastal flood zone on the Shoreline Resources property, formerly Revere Copper. Representative is Lauren Gluck of Pare Corp. **CONTINUED TO 5/3/22**

Vice-Chairman Carney made a motion to continue to May 3, 2022.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.



Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

- 8. SE049-0857 - (Continued from 4/5/22) - A request to amend an Order of Conditions as filed by Abra Deghor for property identified as 1309 Sassaquin Ave New Bedford, MA (Map 138, Lot 413).** The applicant is proposing the demolition of an existing dwelling and the construction of a single-family home in the Sassaquin Pond buffer zone, which differs from the original Order of Conditions specifications. Representative Stevie Carvalho, E.I.T of Farland Corp. **CONTINUED TO 5/3/22**

Vice-Chairman Carney made a motion to continue to May 3,2022.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

NEW HEARINGS:

- 1. A Request for Determination of applicability as filed by Eversource Energy of Massachusetts for property identified as Phillips Road/Church Street and Route 140 overpass public right-of-way, New Bedford, MA.** The applicant proposes to install a gas main under the road and highway adjacent to a wetland resource area. Representative is Rebecca Weissman of SWCA Environmental Consultants, Inc.

Ms. Rebecca Weissman present tonight representing Eversource Energy. Ms. Weissman stated that since last year, Eversource has started a multi-year project of installing two parallel natural gas mains on the intersection of Phillips Road and Church Street. The vast majority of the project is a minor buffer zone utility project within a paved roadway surface area. There is one exception to this work, with the installation of the gas main via jack and bore methods beneath Route 140 within the 100-foot buffer zone of a highway drainage



swale wetland. All work will be performed in a manner aimed to reduce the potential for any adverse impacts on resource areas during construction. Post-construction measures will also be implemented to stabilize any disturbed areas. Eversource will install and maintain Best Management Practices (BMPs) to protect regulated resource areas, including straw wattles, silt fence, and catch basin silt sacks where appropriate. Project will start in August and last about 4-5 months.

Commissioner Linhart asked if this was an existing distribution line and what they are proposing with seeding and if trees would be planted. Me. Weissman stated that this is an existing line and would increase the capacity and at the moment only seeding is proposed but would look into planting trees to replace those knocked down.

Agent Perks recommends a *Negative Box 6 Determination of Applicability* for work done in existing approved ROW for utilities for public good.

Vice-Chairman Carney made a motion to issue a Negative Box 6 Determination with the conditions that no stockpiling will take place within the 100ft buffer, the stockpiling be appropriately controlled with the erosion controls, and planting of trees.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

AGENT UPDATES/GENERAL CORRESPONDENCE

1. Pine Hill Park earth day clean up 4/20/22.

Agent Perks informed the Commission about an old Grist Mill that was found in the Pine Hill Park area. The Earth Day clean up will be from 10am-1pm with the help of DPI and Eversource.

2. East Beach Parking Lot Renovations.

Agent Perks informed the Commission that this was just an informational session since the required paperwork and legal ad was not completed. Chairman Audette advised the Commission that this would just be them presenting and no questions would be asked until they came back for the open meeting.

Ms. Jessica Wala from Nitsch was present tonight to give the informational presentation about the proposed East beach Parking Lot Green Infrastructure Retrofit improvements at the three



existing East Beach parking lots. The Project is located within jurisdictional wetland resource areas associated with the Outer New Bedford Harbor. This Project is being funded by a Coastal Pollution Remediation Grant from the Massachusetts Office of Energy and Environmental Affairs (EEA) Office of Coastal Zone Management (CZM) and will provide improved water quality and flood mitigation for stormwater being discharged to the Outer New Bedford Harbor. The site consists of three separate parking lots located along Rodney French Boulevard East. The improvements include reconstructing and greening the existing parking lot and providing water quality treatment through bioretention basins.

3. Samuel Barnett Water main replacement.

Agent Perks stated that the Department of Public Infrastructure is working with MASSDOT and Eversource in replacing an old existing 12” pipe with a new 12” pipe. The application with MASSDOT requires a formal letter of acknowledgement from the Commission.

Vice-Chairman Carney made a motion for Agent Perks to send a letter to the city engineer in regard to the pipe replacement.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Scott Grant-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.

4. Meeting Minutes 4/5/22 to vote in.

Vice-Chairman Carney made a motion to accept the meeting minutes of 4/5/22.

Motion was seconded by Commissioner Linhart.

Vice-Chairman Sean Carney-Vote in favor.

Commissioner Rebeca Linhart- Vote in favor.

Commissioner Kimberly Rioux-Vote in favor.

Chairman Dennis Audette- Vote in favor.

All in favor. Motion carries.



ADJOURN

*Vice-Chairman Carney made a motion to adjourn at approximately 7:14 pm.
Motion was seconded by Commissioner Linhart.*

Roll Call Vote:

*Vice-Chairman Sean Carney-Vote in favor.
Commissioner Scott Grant-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

