



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
May 3, 2022
PUBLIC HEARING held at the Brooklawn Senior Center,
1997 Acushnet Avenue, New Bedford, MA**

Members Absent

Vice-President Sean Carney
Commissioner Scott Grant

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 Peter Blanchard, Commissioner Rebeca Linhart, Commissioner Kimberly Rioux

GENERAL PROCUEURES FOR HEARING

Chairman Audette read General Procedure for Hearings for the record.

OLD BUSINESS:

NONE



NEW BUSINESS:

1. **SE049-0190** – A request for a Certificate of Compliance filed by Kristin Yankauskas of Eversource Energy for the property identified as Commonwealth Electric Company 180 MacArthur Drive New Bedford, MA (Map 42, Lot 84). Applicant requests a Certificate of Compliance for bulkhead repair work at the Cannon Street Station property. Representative is Kristin Yankauskas.

Amanda Houle of Tighe & Bond present tonight along with Kristin Yankauskas of Eversource Energy. Ms. Houle is requesting a *Certificate of Compliance* for the completion of bulkhead repairs *Order of Conditions* issued by the Commission from 1996 with two extensions from 1997 and 2000. Eversource is looking to sell the property and needs to close out this open permit. Ms. Houle stated that Agent Perks has been onsite and did a walk thru with both Ms. Houle and Ms. Yankauskas. Agent Perks recommends the issuance of a *Certificate of Compliance*.

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

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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. **SE049-0348** – A request for a Certificate of Compliance filed by Kristin Yankauskas of Eversource Energy for the property identified as New Bedford Oceanarium Corp. 180 MacArthur Drive New Bedford, MA (Map 42, Lot 84). Applicant requests a Certificate of Compliance related to the proposed New Bedford Oceanarium Project. Representative is Kristin Yankauskas

Amanda Houle of Tighe & Bond present tonight along with Kristin Yankauskas of Eversource Energy. Ms. Houle stated that *Order of Conditions* were issued but work was never completed at this property and looking to close out this permit. Agent Perks stated that the *Certificate of Compliance* will say “invalid”, but will still close it out, due to no work being done. Agent Perks recommends the issuance of a *Certificate of Compliance*.

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

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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.

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, 4/19/22) - 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 5/17/22**

Commissioner Blanchard made a motion to continue to May 17, 2022.

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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, 2/15/22,3/1/22,3/15/22,4/5/22,4/19/22) **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 5/17/22, awaiting review from Department of Public Infrastructure.**

Commissioner Blanchard made a motion to continue to May 17,2022.

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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. **SE049-0892** – (Continued from 4/5/22,4/19/22) - **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 5/17/22, awaiting review from Department of Public Infrastructure.**

Commissioner Blanchard made a motion to continue to May 17,2022.

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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. **SE049-0857** - (Continued from 4/5/22,4/19/22) - 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 5/17/22**

Agent Perks informed the Commission that this applicant has formally withdrawn their *Amended Order of Conditions* and suggested to continue to the next meeting in order to get confirmation from the applicant on whether or not they are also withdrawing their *Order of Conditions*

Commissioner Blanchard made a motion to continue to May 17,2022.

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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. **SE049-0894** -A Notice of Intent as filed by Kreg Espinola for the property identified as 1626 Padanaram Ave. New Bedford, MA (Map 17a, Lot 107). The applicant is proposing to install a new patio and associated landscaping. Representative is Kreg Espinola.

Kreg Espinola present tonight along with Michael Williams. Mr. Espinola is proposing to install a new deck in the back next to the shore that abuts the Community Boating Center and add associated landscaping. Mr. Espinola wants to mirror his neighbor's property line. Commissioner Linhart requested that they time out the landscaping with the weather, so that the loam and plantings is not ripped out or washed away due to rain or a storm. Ms. Linhart would like to see native plants also used. Chairman Audette stated he would like a special order of conditions stating that only natural fertilizers be used in this area. Agent Perks stated that the applicant has shown during his site visit on 3/31 that the proposed lawn area doesn't appear to be subject to wave, tidal, or normal coastal storm action and does not offer any significant wildlife value and does not affect a tidal flat. These are considerations to property on a coastal beach. Thus is permissible to allow the area adjacent and in between landward manmade areas above



the high water to be converted to lawn. Agent Perks recommends an *Order of Conditions* with the special conditions of only using organic fertilizers and checking the weather.

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

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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. _____ -**A Notice of Intent as filed by Mary Rapoza for the property identified as 1997 Acushnet Ave. New Bedford, MA (Map 112 & 116, Lots 1 & 4).**

The applicant is proposing the installation of Green Stormwater Infrastructure System to collect stormwater runoff prior to it flowing into duck pond. Representative is Amy Ball of Horsley Witten Group, Inc

5. Brian Kuchar of Horsley Witten Group present with Val Costa of Parks and Recreation. Mr. Kuchar is proposing the construction of a stormwater management system to collect, capture, store and filter stormwater prior to it being discharged to the duck pond and a sidewalk along the edge of the pond. This will prevent the stormwater flowing into the duck pond and sitting on the grass along the pond, flooding that area. Commissioner Linhart asked if this would help with the flooding into the street and how long will this project be monitored. Mr. Kuchar replied that this project was solemnly about water quality and the project in on going and a plan has been submitted to the city for monitoring. Chairman Audette stated that by the next meeting Mr. Kuchar present a detailed construction plan. The detailed plan should include the construction zone and storage of material outside the buffer zone and the time frame and phases of this project. Agent Perks recommended a maintenance plan on page 8 of appendix F be broken down by each planting zone when given to DPI. Agent Perks commented on seasonal mowing and the clean up of the leaves in the pond. **CONTINUED TO 5/17/22**

Commissioner Blanchard made a motion to continue to May 17, 2022.

Motion was seconded by Commissioner Linhart.

Commissioner Peter Blanchard-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 CORRESPONDECE

1. Legal ad fee on local filing worksheet

Agent Perks is requesting to add a Flat Legal Ad fee to the worksheet in order to prevent delays and confusion between applicants and the local paper.

2. 2046 Shawmut Violation acknowledgement

In full compliance and taken steps to correct.

3. A-1 Asphalt letter of acknowledgement

Airport Commission finally submitted letter and we received a *Certificate of Compliance* from A-1 Asphalt.

4. Meeting Minutes 4/19/22 to vote on.

Will be voted at next meeting.

ADJOURN

*Commissioner Linhart made a motion to adjourn at approximately 7:21 pm.
Motion was seconded by Commissioner Blanchard.*

Roll Call Vote:

Commissioner 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

