



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
July 5, 2022**

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

Members Absent

Scott Grant Jr.

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 Peter Blanchard, Commissioner Rebeca Linhart, Commissioner Kimberly Rioux (missed roll call, arrived 6:33pm).

GENERAL PROCUEDURES FOR HEARING

Chairman Audette read General Procedure for Hearings for the record.

OLD BUSINESS:

NONE

NEW BUSINESS:

1. **SE049-0777** - A request for a minor modification to an existing Order of Conditions for the property identified as South Coast Rail, Wamsutta Layover Facility. Applicant working with the Department of Public Infrastructure plans to move a proposed drainpipe within an accepted right-of-way (ROW). Representative is Lars Carlson Ph.D. of VHB.

Mr. Ken Caputo and Kelan Koniewikz, both of VHB present tonight in place of Lars Carlson. Mr. Caputo stated that the relocation of the stormwater box culvert and the relocation of the existing 16” transmission main would be considered a minor modification since it is only moving slightly to the southerly side of Wamsutta street and would cause less of a disturbance and less work than permitted before from the original *Order of Conditions* SE049-0777. Agent Perks read into record a letter from Shawn Syde of the *Department of Public Infrastructure* approving this minor modification,

Vice-Chairman Carney made a motion to approve the proposal as a minor alteration.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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. **SE049-0867** - (Continue from 11/16/21, 12/7/21, 12/21/21, 1/4/22, 1/18/22, 2/1/22, 2/15/22,3/1/22,3/15/22,4/5/22,4/19/22,5/3/22,5/17/22,6/7/22,6/21/22) - 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 7/19/22**

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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. **SE049-0892** – (Continued from 4/5/22,4/19/22,5/3/22,6/7/22,6/21/22) - 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 7/19/22**

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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. **SE049-0893** – (Continued from 6/21/22) - A Notice of Intent as filed by Mary Rapoza for property identified as East Rodney French Blvd. parking lots, New Bedford, MA (Map 4, Lots 100, 101, 102). The applicant is proposing to construct stormwater improvements in the three existing East Beach parking lots along East Rodney French Blvd. Representative is Jessica Wala of Nitsch Engineering. **CONTINUED TO 7/19/22**

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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. **SE049-0899** – (Continued from 6/21/22) - A Notice of Intent as filed by Calodesu, LLC. for property identified as Pequot Street New Bedford, MA (Map 136A, Lots 886). The Applicant is proposing construction of a single-family house with associated grading and utilities in the 100ft buffer zone. Representative is Christopher Gilbert of Farland Corp, Inc.

Mr. Christopher Gilbert present tonight representing Calodesu, LLC. Mr. Gilbert gave a brief description of the project and back tonight due to not having a DEP number at the last meeting and Agent Perks needing to walk the delineation line. Commissioner Linhart raised concern that the plans show the driveway is just gravel, will the person who purchases the house be aware that they will have to come in front of the commission in order to have the driveway paved or could the driveway be paved at the time of construction. Chairman Audette stated he has many



concerns about this project and asked how many test pits have been done. Mr. Gilbert replied that only one has been done. Chairman Audette is requiring more tests pits be done due to his concern of the water table on this land and is requiring that an independent soil evaluator be on site along with the Agent while the tests pits are being conducted. Agent Perks was on site this morning and due to addressing the problems with the project being done on the lot in front of this one, he was unable to walk the delineation line and discuss this project with Mr. Gilbert. Agent Perks questioned the recharge system and redox zone and bringing up the grading. Chairman Audette asked Mr. Gilbert if he would like to continue to the next meeting, which he responded with a yes.

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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. **SE049-0864 - A request to Amend an Order of Conditions as filed by Armando & Jose Araujo for the property identified as 1265 Bartlett Street New Bedford, MA (Map 134 Lots 299,305,314).** The applicant is proposing a change to the original plan to include the construction of a concrete sidewalk and ADA accessible ramp on the northerly side of Bartlett Court and the extension of the water main 25' northerly beyond Bartlett Court main connection. Representative is Christopher Gilbert of Farland, Corp.

Mr. Christopher Gilbert present tonight representing Armando and Jose Araujo. Mr. Gilbert stated that this project was approved in 2020 and an *Order of Conditions* issues in 2021. Since than the planning board ask that a sidewalk be put in at this 5 lot development. Mr. Gilbert stated that this *Amended Order of Conditions* is just for the sidewalk and drainage and not for any development of houses. Chairman Audette questioned where the footage for the sidewalks were coming from and if they had gotten DPI's approval. Mr. Gilbert stated that the lots were not being shortened and the footage would come from the roadway since there was extra width and would not shorten the roadway. Agent Perks inquired on who would be doing the site work and at this time Mr. Gilbert did not know. Mr. Gilbert requested to continue to the next meeting.

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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-_____ - A Notice of Intent as filed by John Hitt of MassCeC for the property identified as 4 Wright Street New Bedford, MA (Map 31, Lots 247 & 288).** The applicant is proposing to repair 6 holes with steel plate patching and install 6 steel plate bracings along the Shuster bulkhead. The repairs on the site also include filling an approximately 10'-2" (82 SF) diameter sinkhole with grout. Representative is Scott Skuncik of Foth Infrastructure & Environmental, LLC.

Mr. Ben Foley of MassCEC present tonight in place of Scott Skuncik representing John Hitt. Mr. Foley gave a brief description of the project which includes repairs to the bulkhead from holes due to erosion and a major sinkhole from previous dredging that was done. Vice-Chairman Carney questioned how this will be sequenced and how long this project would take. Mr. Foley estimated it to be about a month and a half to complete. Vice-Chairman Carney would like to see the erosion controls on the plans. Chairman Audette stated that a construction plan needs to be submitted prior to construction and pictures submitted of what is done and the clean-up. Agent Perks suggested using a floating boom and to be onsite when the diving team is there.

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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-_____ - A Notice of Intent as filed by Shawn Syde of the Department of Public Infrastructure for the property identified as 1257 East Rodney French Blvd New Bedford, MA (Map 10 Lots 10-33).** The applicant is proposing to rehabilitate portions of the East Rodney French Blvd. seawall. Representative is Dennis Moran of Tighe & Bond, Inc.

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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-_____ - A Notice of Intent as filed by Tim Cusson of Parallel Products Solar Energy for the property identified as 781 Church Street New Bedford, MA (Map 129 Lots 41).** The applicant is proposing construction of two solar canopies with concrete column foundations. Representative is Christian Farland of Farland Corp, Inc.



Mr. John Marchand of Farland Corp. present tonight in place of Christian Farland representing Tim Cusson. Mr. Marchand stated the project is to construct 2 solar canopies that are 70,000 square feet on 21.6 acres within the 100ft buffer zone. Vice-Chairman Carney raised concerns that the project on the northwest corner to close to the wetlands and the plan doesn't show whether it actually is in the 25ft buffer zone. Chairman Audette stated that if the project falls in the 25ft buffer zone, it will not be approved. Vice-Chairman Carney's two comments were that he would like to see the 25ft buffer line on the plans and can't sacrifice the wetlands to achieve this project as it is shown at the present time. Agent Perks questioned about 2 projects being filed on the same day without either applicants knowing that another project was being filed. Agent Perks requested to see a plan with both projects overlayed on one plan set.

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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.

- 5. SE049- - A Notice of Intent as filed by Richard Frade of Frades Disposal, Inc. for the property identified as 781 Church Street New Bedford, MA (Map 129 Lots 38,41,42,52,53,55 & Map 125-1 Lot 10).** The applicant is proposing to install a rail spur from the Mass Coastal Rail into his facility. Representative is Richard Rheame of Prime Engineering, Inc.

Vice-Chairman Carney made a motion to continue to 7/19/22.

Motion was seconded by Commissioner Blanchard.

Vice-Chairman Sean Carney-Vote in favor.

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 CORRESPONDENCE

1. Osprey platform at Riverside Park

Commission supported the project

2. Meeting minutes to approve: 6/7/22

Commissioner Grant made a motion to approve the minutes of 6/7/22.



*Motion was seconded by Commissioner Blanchard.
Vice-Chairman Sean Carney-Vote in favor.
Commissioner Peter Blanchard-Vote in favor.
Commissioner Rebeca Linhart- Vote in favor.
Commissioner Scott Grant Jr-Vote in favor.
Commissioner Kimberly Rioux-Vote in favor.
All in favor. Motion carries.*

ADJOURN

*Vice-Chairman made a motion to adjourn at approximately 7:36 pm.
Motion was seconded by Commissioner Blanchard.*

Roll Call Vote:

*Vice-Chairman Sean Carney-Vote in favor.
Commissioner Peter Blanchard-Vote in favor.
Commissioner Kimberly Rioux-Vote in favor.
Commissioner Rebeca Linhart-Vote in favor.
Commissioner Scott Grant Jr-Vote in favor.*

Respectfully submitted,

Teresa Alves, Administrative Coordinator

