



**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  
September 6, 2022  
PUBLIC HEARING held at the Brooklawn Senior Center,  
1997 Acushnet Avenue, New Bedford, MA**

**Members Absent**

**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 Scott Grant (missed roll call arrived 6:34pm), Commissioner Kimberly Rioux, Commissioner Rebeca Linhart.

**GENERAL PROCEDURE FOR HEARING**

Chairman Audette read General Procedure for Hearings for the record.

**OLD BUSINESS:**

1. **SE049-0892** - (Continued from 8/2/22,8/16/22) - A request to alter the original Notice of Intent as filed by Michael Quinn of Shoreline Marine Terminal, LLC. for property identified as 26 North Front Street New Bedford, MA (Map 79, Lot 2). The applicant is proposing the demolition of 7 buildings, disconnection and abandonment of associated building utility services, installation of asphalt pavement, and dense grade aggregate within a coastal flood zone on the Shoreline Resources property, formerly Revere Copper. Representative is Al Hanscom of Pare Corp. **CONTINUED TO 9/20/22**

*Vice-Chairman Carney made a motion to continue to 9/20/22.  
Motion was seconded by Commissioner Blanchard  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
Chairman Dennis Audette- Vote in favor.  
All in favor. Motion carries*

## **NEW BUSINESS:**

1. **SE049-0858** – A Request for a Certificate of Compliance as filed by Marc Frey for property identified as 1489 Morton Ave New Bedford (Map 136A, Lot 804). Representative is Marc Frey.

Mr. Marc Frey present tonight requesting a *Certificate of Compliance*. Agent Perks has received the *As-Built* and stated that he did a site visit last Tuesday and the whole site was stabilized, sign up, and erosion controls in place. Agent Perks recommends a complete *Certificate of Compliance*.

*Vice-Chairman Carney made a motion to issue a Certificate of Compliance.  
Motion was seconded by Commissioner Blanchard.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- 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, 2/15/22,3/1/22,3/15/22,4/5/22,4/19/22,5/3/22,5/17/22,6/7/22,6/21/22,7/5/22,7/19/22,8/2/22,8/16/22)- 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 is Lauren Gluck of Pare Corp. **CONTINUED TO 9/20/22**

*Vice-Chairman Carney made a motion to continue to 9/20/22.  
Motion was seconded by Commissioner Blanchard  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- 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, 5/17/22,6/7/22, 6/21/22, 7/5/22, 7/19/22, 8/2/22,8/16/22) - 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 9/20/22**

*Vice-Chairman Carney made a motion to continue to 9/20/22.  
Motion was seconded by Commissioner Blanchard  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
Chairman Dennis Audette- Vote in favor.  
All in favor. Motion carries*

- 3. SE049-0864 – (Continued from 7/5/22,7/19/22,8/2/22,8/16/22) - 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. CONTINUED TO 9/20/22**

*Vice-Chairman Carney made a motion to continue to 9/20/22.  
Motion was seconded by Commissioner Blanchard  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
Chairman Dennis Audette- Vote in favor.  
All in favor. Motion carries*



4. **SE049-0901- (Continued from 7/5/22,7/19/22,8/2/22,8/16/22) - 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- New Bedford Main Line into his facility. Representative is Richard Rheume of Prime Engineering, Inc. **CONTINUED TO 9/20/22\*\* (See above Agent Updates)**

*Vice-Chairman Carney made a motion to continue to 9/20/22.*

*Motion was seconded by Commissioner Blanchard*

*Vice-Chairman Sean Carney- Vote in favor.*

*Commissioner Peter Blanchard- Vote in favor.*

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- Vote in favor.*

*Chairman Dennis Audette- Vote in favor.*

*All in favor. Motion carries*

5. **SE049-0904 – (Continued from 8/2/22,8/16/22) - A Notice of Intent as filed by Andrew Bernstein of Kearsarge Energy Inc. for property identified as John Vertente Blvd, New Bedford, MA (Map 135, Lots 1, 3, 15, & 47).** The applicant is submitting an after-the-fact NOI for the tree clearing at a ground-mounted, photovoltaic solar array. Representative is Richard Rheume of Prime Engineering, Inc. **CONTINUED TO 9/20/22\*\* (See above Agent Updates)**

*Vice-Chairman Carney made a motion to continue to 9/20/22.*

*Motion was seconded by Commissioner Blanchard.*

*Vice-Chairman Sean Carney- Vote in favor.*

*Commissioner Peter Blanchard- Vote in favor.*

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- Vote in favor.*

*Chairman Dennis Audette- Vote in favor.*

*All in favor. Motion carries.*

6. **SE049-0906 – (Continued from 8/16/22) A Notice of Intent as filed by Ronald Enoksen for property identified as 22 Antonio Costa Blvd. New Bedford, MA (Map 66, Lots 128 & 136).** The Applicant is proposing to demolish a 44,000 SF building adjacent to a Designated Port Area. Representative is Michael Livingstone of Nordic Fisheries, Inc.

Mr. Michael Livingstone present tonight representing Ronald Enoksen. Mr. Livingstone stated that the proposed building that is to be demolished is basically falling down and by demolishing it now would prevent the building falling into the ocean. Mr. Livingstone stated that a hole would be made on the side of the building to get the trucks inside and since all the demolition would take place inside the building, stockpiles would only be inside. The demolition of the building would start with the roof and continue with the walls being folded down and hauled out from within. Mr. Livingstone stated as a



precaution, hay bales would be used to block the scuppers in the existing edge of wharf and Frank Corp on standby in case any debris falls into the water. Agent Perks stated that this was continued from the last meeting due to no DEP number, which we have since received. Agent Perks noted that he did reach out to DEP regarding the fee being changed for the filing of this *NOI*. Agent Perks recommends an issuance of an *Order of Conditions*.

*Vice-Chairman Carney made a motion to issue an Order of Conditions.*

*Motion was seconded by Commissioner Blanchard.*

*Vice-Chairman Sean Carney- Vote in favor.*

*Commissioner Peter Blanchard- Vote in favor.*

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Not present at last meeting. Vote not counted.*

*Commissioner Rebeca Linhart- Not present at last meeting. Vote not counted.*

*Chairman Dennis Audette- Vote in favor.*

*Motion carries.*

## **NEW HEARINGS:**

- 1. A Request For Determination of Applicability as filed by Shawn Syde P.E. for the property identified as Monkey Island Pier, New Bedford, MA (Across E. Rodney from Nina Street).** The applicant proposes exploratory soil borings at four locations on the Monkey Island Pier. These borings will provide geotechnical information to support the planning and design of the proposed Monkey Island Pier Improvement Project. Representative is Dennis Moran of Tighe & Bond.

Mr. Dennis Moran present tonight representing Shawn Syde. Mr. Moran stated this is the next step in rebuilding *Monkey Island Pier* and that they are working with the *City of New Bedford Department of Infrastructure* on the study for geotechnical investigations in support of the design for the proposed *Monkey Island Pier Improvement Project*, which entails the drilling of four borings on the pier. The proposed borings will be undertaken to obtain information in support of the design of improvements to the Monkey Island Pier and the borings will be advanced within the existing pier structure, accessed from East Rodney French Blvd. Mr. Moran stated that the proposed work is temporary in nature within the existing pier structure and with no anticipated impacts to the surrounding resource areas and requests a *Negative Determination*, confirming that a *Notice of Intent (NOI)* will not be required for the proposed work to proceed. Agent Perks recommends the issuance of a *Negative Box 2 Determination*.

*Vice-Chairman Carney made a motion to issue a Negative Box 2.*

*Motion was seconded by Commissioner Blanchard.*

*Vice-Chairman Sean Carney- Vote in favor.*

*Commissioner Peter Blanchard- Vote in favor.*

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- Vote in favor.*

*Chairman Dennis Audette- Vote in favor.*

*All in favor. Motion carries.*



- \*\*4. SE049-0901- (Continued from 7/5/22,7/19/22,8/2/22,8/16/22) - 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- New Bedford Main Line into his facility. Representative is Richard Rheume of Prime Engineering, Inc. **CONTINUED TO 9/20/22**

*Commissioner Linhart made a motion to reopen SE049-0901 at 6:50pm.*

*Motion was seconded by Commissioner Blanchard.*

*Vice-Chairman Sean Carney- Vote in favor.*

*Commissioner Peter Blanchard- Vote in favor.*

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- Vote in favor.*

*Chairman Dennis Audette- Vote in favor.*

*All in favor. Motion carries.*

Mr. Richard Rheume present tonight representing Richard Frade. Mr. Rheume gave a summary of the project and the adjustments that were requested by the commission from the last meeting. Commissioner Grant questioned the plan still showing the solar panels hovering above the wetland lines. Commissioner Linhart commented that it seems they are running out of room with the replication area and are they looking into getting permission to move the rail spur. Chairman Audette requested an answer from Mr. Frades regarding whether this site is going to be used for other things besides cardboard, like Mr. Frades stated at the last meeting. Agent Perks recommends waiting to hear what DEP has to say on this project and to continue to next meeting.

*Vice-Chairman Carney made a motion to continue to 9/20/22.*

*Motion was seconded by Commissioner Blanchard*

*Vice-Chairman Sean Carney- Vote in favor.*

*Commissioner Peter Blanchard- Vote in favor.*

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- Vote in favor.*

*Chairman Dennis Audette- Vote in favor.*

*All in favor. Motion carries*

- \*\*5. SE049-0904 – (Continued from 8/2/22,8/16/22) - A Notice of Intent as filed by Andrew Bernstein of Kearsarge Energy Inc. for property identified as John Vertente Blvd, New Bedford, MA (Map 135, Lots 1, 3, 15, & 47).** The applicant is submitting an after-the-fact NOI for the tree clearing at a ground-mounted, photovoltaic solar array. Representative is Richard Rheume of Prime Engineering, Inc. **CONTINUED TO 9/20/22**



*Vice-Chairman Carney made a motion to reopen SE049-0906 at 7:05pm.  
Motion was seconded by Commissioner Blanchard.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
Chairman Dennis Audette- Vote in favor.  
All in favor. Motion carries.*

Mr. Richard Rheume present tonight representing Andrew Bernstein of Kearsarge Energy, Inc. Mr. Rheume gave a recap of the project and stated that the original *Order of Conditions* were not complete and the steps they are taking to complete that *Order of Conditions* as well as the present one. Mr. Rheume stated that grass coverings would be done to the disturbed areas under the panels and this would be done in the fall and the tree plantings in the spring. Commissioner Blanchard inquired where the plants and tree would be purchased from, no answer was given. Agent Perks likes the plan and the time frame of the plan but requested to do a last walk thru of the site before the next meeting to assess the vegetation on site. Mr. Rheume suggested the site visit be with himself, the contractor, and Agent Perks.

*Vice-Chairman Carney made a motion to continue to 9/20/22.  
Motion was seconded by Commissioner Blanchard  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
Chairman Dennis Audette- Vote in favor.  
All in favor. Motion carries*

## **AGENT UPDATES/GENERAL CORRESPONDENCE**

### **1. Meeting minutes to approve: 8/16/22**

*Vice-Chairman Carney made a motion to accept the meeting minutes of 8/16/22.  
Motion was seconded by Commissioner Grant.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Peter Blanchard- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
Chairman Dennis Audette- Vote in favor.  
All in favor. Motion carries*





Chairman Audette and fellow commissioners deliberated on 781 Church Street then asked Agent Perks to send a letter informing the owner of Frades about the recent determination involving filled wetlands as noted by DEP, before adjourning the hearing.

## **ADJOURN**

*Commissioner Grant made a motion to adjourn at approximately 7:16 pm.  
Motion was seconded by Commissioner Linhart.*

*Roll Call Vote:*

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

Respectfully submitted,

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Teresa Alves, Administrative Coordinator

