



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  
October 4, 2022  
PUBLIC HEARING held at the Brooklawn Senior Center,  
1997 Acushnet Avenue, New Bedford, MA**

**Members Absent**

Chairman Dennis Audette  
Commissioner Peter Blanchard

**Staff Present**

Chancery Perks, Conservation Agent  
Teresa Alves, Admin. Coordinator

**CALL MEETING TO ORDER**

Vice-Chairman Carney called the meeting to order at 6:30 pm.

**ROLL CALL OF COMMISSIONERS**

Vice-Chairman Sean Carney, Commissioner Scott Grant, Commissioner Kimberly Rioux, Commissioner Rebeca Linhart.

**GENERAL PROCUEDESURES FOR HEARING**

Vice-Chairman Carney read General Procedure for Hearings for the record.

**OLD BUSINESS:**

NONE

# NEW BUSINESS:

1. **1453 Morton Avenue.** The applicant is requesting a Vegetation Alteration within the 100ft buffer zone. Representative is Mark and Tiffany Raposo.

Applicant not present at tonights hearing.

2. **37 Erin Court.** The applicant is requesting a Vegetation Alteration. Representative is Erin Sidorchuk.

Erin Sidorchuk present tonight requesting a *Vegetation Alteration* for oak and pine trees already cut down and a pine that is 23ft away from the house that is swaying more than normal from the last hurricane and looking as though it will fall with the next major storm. Will replant once everything is cleaned out and fence replaced. Vice-Chairman Carney questioned why the other trees were cut down if only the big pine was the one in risk of falling. Ms. Sidorchuk responded that the other trees were in the way in order to cut the pine and felt it would be safer than risking them falling too. Agent Perks stated he was on site and feels the pine tree could be cut due to its condition and eligible for the *Vegetation Alteration*. Agent Perks recommends, instead of replacing the damaged fence, that 4x4 sign posts be used with the Conservation sign attached, every 30ft. Agent perks informed the Commission that this would just be a formal vote to approve the tree removals.

*Commissioner Grant made a motion to approve the Vegetation Alteration for tree removal.*

*Motion was seconded by Commissioner Linhart.*

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

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- Vote in favor.*

*All in favor. Motion carries.*

3. **AVX Shoreline Modification.** Marilyn Wade presenting the Aerovox Project Shoreline Restoration Modification #2.

Marilyn Wade, Managing Engineer from Brown and Caldwell representing AVX Corporation, present tonight to give a presentation of the Aerovox Project Shoreline Restoration Modification #2.

- This modification is the end game of the two year Aerovox Project.
- Project has an existing Order of Conditions.
- Original remediation plan to clean up the property involved excavating and removing the highest impacted PCB soils along the shoreline of the Aerovox property and disposing it offsite and the excavating of the less impacted shoreline soils on the Aerovox and Titleist properties and consolidating all of those in a secured area upland and away from the shoreline.
- There is ground water remedial components that include installation of a permeable reactive barrier that will treat ground water as it flows in and out of the site with the tides.

- All this was tested back in 2019.
- The original restoration included 72 shrubs, 18 trees, and high and low marsh planting.
- EPA ended up with funding and wanted to do something different, since they were taking over the excavating and planting. They will also be in charge of monitoring for the next 5 years.
- In order for EPA to get into the site, they would have to build a gravel road and that access road would wipe out the trees and shrubs, so it was decided they would transfer those trees and shrubs from Titleist to the Aerovox site.

*Commissioner Grant made a motion to approve as a Minor Alteration.*

*Motion was seconded by Commissioner Linhart.*

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

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- 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, 2/15/22,3/1/22,3/15/22,4/5/22,4/19/22,5/3/22,5/17/22,6/7/22,6/21/22,7/5/22,7/19/22,8/2/22,8/16/22,9/6/22,9/20/22) - **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 10/18/22**

*Commissioner Linhart made a motion to continue to 10/18/22.*

*Motion was seconded by Commissioner Grant.*

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

*Commissioner Scott Grant Jr- Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart- 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, 8/2/22,8/16/22,9/6/22,9/20/22) - **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 10/18/22**

Commissioner Linhart made a motion to continue to 10/18/22.  
Motion was seconded by Commissioner Grant.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
All in favor. Motion carries.

3. **SE049-0864** – (Continued from 7/5/22,7/19/22,8/2/22,8/16/22,9/6/22,9/20/22) - 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 10/18/22**

Commissioner Linhart made a motion to continue to 10/18/22.  
Motion was seconded by Commissioner Grant.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
All in favor. Motion carries.

4. **SE049-0901**- (Continued from 7/5/22,7/19/22,8/2/22,8/16/22,9/6/22,9/20/22) - 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 10/18/22**

Commissioner Linhart made a motion to continue to 10/18/22.  
Motion was seconded by Commissioner Grant.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
All in favor. Motion carries.

5. **SE049-0904** – (Continued from 8/2/22,8/16/22,9/6/22,9/20/22) - 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 10/18/22**

*Commissioner Linhart made a motion to continue to 10/18/22.  
Motion was seconded by Commissioner Grant.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
All in favor. Motion carries.*

## **NEW HEARINGS:**

**NONE**

## **AGENT UPDATES/GENERAL CORRESPONDENCE**

### **1. Meeting minutes to approve: 9/20/22**

*Commissioner Linhart made a motion to accept the Meeting Minutes of 9/20/22.  
Motion was seconded by Commissioner Rioux.  
Vice-Chairman Sean Carney- Vote in favor.  
Commissioner Scott Grant Jr- Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart- Vote in favor.  
All in favor. Motion carries.*

### **2. Agent Perks gave the Commissioners an update on Kearsarge and his meeting with the City Solicitors.**

- Find a legal precedent.
- Inquire what other towns have done in this case, East Bridgewater has come across a similar situation.
- Reach out to MassDEP and MACC for input.
- Work with Vice-Chairman Carney.

### **3. Agent Perks informed the Commission that Shoreline Resources is looking to switch things up at the next meeting due to new funding they have received and the timeline there are on.**



## **ADJOURN**

*Commissioner Linhart made a motion to adjourn at approximately 7:03 pm.  
Motion was seconded by Commissioner Grant.*

*Roll Call Vote:*

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

Respectfully submitted,

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Teresa Alves, Administrative Coordinator

