



MAYOR  
JON MITCHELL

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

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Telephone: (508) 991.6188

**Conservation • Environmental Stewardship • Resilience**

**Meeting Minutes of the Conservation Meeting of  
December 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, Commissioner Rebeca Linhart, Commissioner Kimberly Rioux.

**GENERAL PROCUEDES FOR HEARING**

Chairman Audette read General Procedure for Hearings for the record.

**OLD BUSINESS:**

**NONE**

# **NEW BUSINESS:**

**1. 27 Tori Lynn Drive.** The applicant is requesting to trim and remove several hazard trees within the 100ft buffer zone. Representative is Charles Gray.

Charles Gray present tonight requesting to cut down 3 trees on the side of the house that are dead and a tree that is leaning and touching the house and will also do some trimming. Agent Perks stated that recently there was a neighbor on that street with the same problem and sees no problem with removing the dead trees.

*Vice-Chairman Carney made a motion to approve the tree removal and trimming.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motion carries.*

**2. SE049-0888 – A request for a Certificate of Compliance as filed by Acushnet Company for property identified as 215 Duchaine Blvd. New Bedford (Map 136, Lot 331).** Representative is William Madden of GAF Engineering, Inc.

Mr. William Madden present tonight representing Acushnet Co. Mr. Madden stated that all paperwork has been submitted along with the *as-built* showing the changes and he had met with the Agent onsite. Agent Perks recommends a *Certificate of Compliance*.

*Vice-Chairman Carney made a motion to approve the request for a Certificate of Compliance.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motion carries.*

**3. SE049-0835 – A request to extend an Order of Conditions issued January 9, 2020 as filed by Scott Taber of Shoreline Resources (Map 60, Lot 13).** The applicant requests a one-year extension. Representative is Al Hanscom of Pare Corp.

Mr. Al Hanscom present along with Scott Taber representing Shoreline Resources. Mr. Hanscom is requesting to continue working under this open Order of Conditions. Chairman Audette stated

in his opinion, new work is being presenting tonight along with asking for an extension, and this work would require a whole new *Notice of Intent* due to the work being completely different from what the open Order of Conditions was issued for.

*Vice-Chairman Carney made a motion to deny the Extension to Order of Conditions SE049-0835.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant – Vote in favor.*

*Commissioner Kimberly Rioux – Vote in favor.*

*Commissioner Rebeca Linhart – Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motions 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, 2/15/22,3/1/22,3/15/22,4/5/22,4/19/22,5/3/22,5/17/22,6/7/22,6/21/22,7/5/22,7/19/22,8/2/22,8/16/22,9/6/22,9/20/22,10/4/22,10/18/22,11/1/22,11/15/22) - 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 12/20/22**

*Vice-Chairman Carney made a motion to continue to 12/20/22.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motion carries.*

2. **SE049-0864** – (Continued from 7/5/22, 7/19/22, 8/2/22, 8/16/22, 9/6/22, 9/20/22, 10/4/22, 10/18/22, 11/1/22,11/15/22) - 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 12/20/22**

*Vice-Chairman Carney made a motion to continue to 12/20/22.  
Motion was seconded by Commissioner Blanchard.  
Commissioner Scott Grant - Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart - Vote in favor.  
Commissioner Peter Blanchard – Vote in favor.  
Vice-Chairman Sean Carney- Vote in favor.  
Chairman Dennis Audette – Vote in favor.  
All in favor. Motion carries.*

- 3. SE049-0901- (Continued from 7/5/22,7/19/22,8/2/22,8/16/22,9/6/22,9/20/22, 10/4/22,10/18/22,11/1/22,11/15/22) - 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 12/20/22**

*Vice-Chairman Carney made a motion to continue to 12/20/22.  
Motion was seconded by Commissioner Blanchard.  
Commissioner Scott Grant - Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart - Vote in favor.  
Commissioner Peter Blanchard – Vote in favor.  
Vice-Chairman Sean Carney- Vote in favor.  
Chairman Dennis Audette – Vote in favor.  
All in favor. Motion carries.*

- 4. SE049-0904 – (Continued from 8/2/22,8/16/22,9/6/22,9/20/22,10/4/22,10/18/22, 11/1/22,11/15/22) - 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 12/20/22**

*Vice-Chairman Carney made a motion to continue to 12/20/22.  
Motion was seconded by Commissioner Blanchard.  
Commissioner Scott Grant - Vote in favor.  
Commissioner Kimberly Rioux- Vote in favor.  
Commissioner Rebeca Linhart - Vote in favor.  
Commissioner Peter Blanchard – Vote in favor.  
Vice-Chairman Sean Carney- Vote in favor.  
Chairman Dennis Audette – Vote in favor.  
All in favor. Motion carries.*



5. **SE049-0910 - (Continued from 10/18/22,11/1/22,11/15/22) – A Notice of Intent as filed by J.Abra Degbor and Peter Silva for property identified as 1309 Sassaquin Ave. New Bedford, MA (Map 138, Lot 413).** The Applicant is proposing the removal of thirteen trees and addition of two decks with in the 100ft buffer zone. Representative is J.Abra Degbor and Peter Silva.

Agent Perks stated that the applicants did not need to attend tonights meeting due to the delay with getting their DEP number. Agent Perks 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 Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motion carries.*

6. **SE049-0909 – (Continued from 11/15/22) - A Notice of Intent as filed by James Clancy of Eversource Energy for property identified as Flaherty Drive New Bedford, MA (Map 133, Lots 62, 12, 10, 54,66).** The Applicant is proposing to install entrenched underground conduit along their right-of-way (ROW) beginning at Flaherty Dr. and extending approximately 3,470 linear feet east. Additional infrastructure proposed to support the conduit includes manholes, riser poles, and pad mounted switch boxes. All work will occur within Eversource’s existing ROW. Representative is Eileen Piskura of Kleinfelder. **CONTINUED TO 12/20/22**

*Vice-Chairman Carney made a motion to continue to 12/20/22.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motion carries.*

## **NEW HEARINGS:**

1. **SE049-0911 - A Notice of Intent as filed by Scot Servis for property identified as 1569 Airport Road New Bedford, MA (Map 122 & 124, Lots 3 & 28).** The Applicant is proposing to pave an existing gravel access road that is located southwest of Runway 5 at the airport. Portions of the work will occur within BLSF, the Commission’s 25ft setback to BVW and the 100ft buffer zone. Representative is



Rhianna Sommers of Epsilon Associates, Inc.

Ms. Rhianna Sommers present tonight along with Scot Servis, Airport Manager. Mr. Servis stated that the FAA started a Runway Safety Action Team and requires airport vehicles to use an access road to travel around the airport and not cross over the runways. At the present time, airport vehicles are crossing the midpoint of the primary runway in order to get to different areas of the airport and by paving the gravel service road that the airport already has, would stop the need to cross the runway. Ms. Sommers gave a brief description of the project and the safety issues that are present that require the need for a paved service road. Ms. Sommers stated there is an existing gravel road which is 6235ft and 11ft wide that the airport is looking to pave that does fall within the 100ft buffer zone which hugs the safety area. The Commission questioned why the access road needs to be paved, why not keep it with just gravel. Mr. Servis stated that the service vehicles that the airport has are not meant to be driven on those types of roads and need flat even surfaces and gravel roads are not easily plowed during storm for safe driving. Chairman Audette stated that there is no work in the 25ft buffer zone and if work needs to fall in that area then a plan for a replication area is needed and questioned on how active is the tower and would the vehicles using the access road be monitored. Mr. Servis stated that the tower is active everyday from 6:30am-10:00pm and all airport vehicles call into the tower for clearance when driving around the airport. Chairman Audette also stated that better signage is needed and a plan in place so that the wetlands is not disturbed. Agent Perks had no comments and recommended that it be continued to January 3<sup>rd</sup>.

*Vice-Chairman Carney made a motion to continue to 1/3/22.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*

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

*Chairman Dennis Audette – Vote in favor.*

*All in favor. Motion carries.*

2. **SE049-0912** - A Notice of Intent as filed by Lukas Scheurer for property identified as Downey Street (Airport Road) New Bedford, MA (Map 123, Lot 03). The Applicant is proposing the redevelopment of an existing airport tarmac area into a 124' X 60' airplane storage hanger. The site will increase green space and achieve storm attenuation, recharge, and water quality through two infiltration basins. Representative is Daniel Proper of Proper & O'Leary Engineering, DPC. **CONTINUED TO 12/20/22**

*Vice-Chairman Carney made a motion to continue to 12/20/22.*

*Motion was seconded by Commissioner Blanchard.*

*Commissioner Scott Grant - Vote in favor.*

*Commissioner Kimberly Rioux- Vote in favor.*

*Commissioner Rebeca Linhart - Vote in favor.*

*Commissioner Peter Blanchard – Vote in favor.*



*Vice-Chairman Sean Carney- Vote in favor.  
Chairman Dennis Audette – Vote in favor.  
All in favor. Motion carries.*

## **AGENT UPDATES/GENERAL CORRESPONDENCE**

**1. Discuss renomination votes.**

Agent Perks reminded the Commission about next meeting the nomination for Chairman and Vice-Chairman would take place.

**2. MEETING MINUTES TO APPROVE: 11/15/22**

Commissioner Grant noted 2 mistakes on the meeting minutes that needed to be corrected for voting at next meeting.

**3. Possible Executive Session declaration by Chairman Dennis Audette for *Michael W. Panagakos vs Dennis Audette, Chairman-New Bedford Conservation Commission et al.* court case deliberation. Bristol Superior Court Docket Number: 2273CV00719.**

*Commissioner Carney made a motion to enter into Executive Session, Seconded by Commissioner Grant, all Commissioners voted in favor. Commission entered Executive Session at 7:58pm and did not return to a public meeting other than to adjourn.*

## **ADJOURN**

*Vice-Chairman Carney made a motion to adjourn at approximately 8:15 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 – Vote in Favor.  
Commissioner Rebeca Linhart -Vote in favor.  
Commissioner Kimberly Rioux - Vote in favor.  
Chairman Dennis Audette – Vote in favor.*

Respectfully submitted,

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Teresa Alves, Administrative Coordinator

