



**Environmental Stewardship Department/
Conservation Commission**

**City of New Bedford
Jonathan F. Mitchell, Mayor**

**Meeting Minutes of the Conservation Meeting of
July 16, 2019
Brooklawn Senior Center**

Members Absent

Staff Present

**Agent Sarah Porter, Conservation Agent
Sandy Douglas, Admin. Coordinator**

**CALL MEETING TO ORDER
ROLL CALL OF COMMISSIONERS**

Co-Chairman, Dennis Audette, Chairman, Craig Dixon, Commissioner Paul Pacheco, Commissioner Chancery Perks and Commissioner Peter Blanchard

NEW BUSINESS:

1. **SE49-0798 - Request for a Certificate of Compliance as filed by Plumbers Supply Co., Inc., for property identified as Flaherty Drive (Map 133, Lot 61).** Representative is Richard Riccio of Field Engineering.

Mr. Richard Riccio of Field Engineering was present and advised that the stormwater management basin has been constructed, functioning and stabilized with vegetation, rest of site has been loamed, seeded and mulched. Did submit stormwater calculations showing that stormwater basin was constructed in accordance with the plan.

Agent Porter stated that she needs to go out to the site with Scott Turner.

No comments heard.

Commissioner Audette made a motion to forward to Nitsch for certificate of compliance review. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

2. **SE49-0778 - 209 Theodore Rice Blvd. – addition to the parking lot – Representative is Steve Gioiosa of SITEC.**

Mr. Steve Gioiosa of SITEC was present and advised that this project was approved 1 ½ years ago and has been constructed. They are in the process of moving forward with request for Certificate of Compliance, but applicant has had such a strong support from the Industrial Park they need additional parking. They are proposing to add small section of pavement outside of the 100' buffer zone and grade it towards the existing paved driveway. Mr. Gioiosa is asking the Commission if they would allow as a minor activity without having to file a formal application.

Commissioner Pacheco inquired as to how many new parking spaces are being proposed. Mr. Gioiosa replied that it would be 16 new parking spaces and it would also be reviewed by the Planning Board.

Commissioner Perks inquired if the stormceptors are cleaned out. Mr. Gioiosa replied they get cleaned out by vac truck.

Commissioner Audette if everything else for this site has been completed under the original order. Mr. Gioiosa has not personally done a final inspection but an as-built was done back in February or March. The landscaping had not been completely stabilized yet but is stabilized now and he needs to get out there and count the shrubs and make sure everything is in place.

Agent Porter advised the activity is outside of the buffer zone and it does not discharge into the stormwater system associated with the wetlands it goes out to the storm drains system associated with Theodore Rice Boulevard and it would be a minor modification and would not require an amended order because it is outside of the buffer.

Commissioner Pacheco made a motion to close as a minor modification. Motion was seconded by Commissioner Audette. All in favor. Motion carries.

3. 34 Welby Rd. – proposed canopy and parking – representative is Steve Gioiosa of SITEC.

Mr. Steve Gioiosa of SITEC was present and advised that this is an existing office building and new tenant of property is proposing an adult daycare. They have appeared before the Planning Department and received their approval. They are not proposing any expansion of the building. Would like to create a canopy on west side of parking lot. They are proposing to put new door in with canopy, restripe handicap parking, add small outdoor fenced in patio area and a fenced in dumpster area. The area is in a mapped flood zone but SITEC submitted an elevation certificate to FEMA last year. FEMA agreed that building is not on flood zone and issued a Map Amendment. Mr. Gioiosa is requesting that this limited activity does not require a formal filing of an application.

Commissioner Perks inquired if there is anything proposed with the vegetation. Mr. Gioiosa replied that DPI has requested they plant additional street trees along Welby Road and the Planning Board requested they cleanup the landscaping.

Agent Porter advised that this within FEMA maps and work is outside of the floodplain and doesn't need a filing.

Commissioner Audette made a motion to close this matter without requiring a filing. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

OLD BUSINESS:

1. **SE49-0771** - (Continued from 5/7/19, 5/21/19, 6/4/19, 6/18/19, 7/2/19) – A Request for partial Certificate of Compliance as filed by Tim Cusson of Parallel Products of New England for property identified as 100 Duchaine Boulevard (Map 134, Lot 5). Representative is Matthew White of Farland Corp. **CONTINUED**

CONTINUED HEARINGS:

1. **SE49-0735** – (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) - 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 (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 Rick Charon of Charon Associates, Inc.

CONTINUED

2. **SE49-0810** – (Continued from 9/4/18, 9/17/18, 10/2/18, 10/16/18, 11/6/18, 11/20/18, 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) - A Notice of Intent as filed by Norman Nichols for property identified as a 50' wide easement through Map 130A, Lot 720. Applicant proposes a stream crossing for a 20' wide paved drive which shall alter Bordering Vegetated Wetland, Bank and Land Under a Waterway. Representative is Richard Rheume of Prime Engineering.

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3. **SE49-0819** - (Continued from 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) - Notice of Intent as filed by MIH1, LLC for property identified as Farland Circle (Map 130D, Lot 472). Applicant proposes to construct a single-family dwelling on each lot in the Buffer Zone to a Bordering Vegetated Wetland. Representative is Jack Tabares of Farland Corp.

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4. **SE49-0820** - (Continued from 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) - Notice of Intent as filed by MIH1, LLC for property identified as Farland Circle (Map 130D, Lot 477). Applicant proposes to construct a single-family dwelling on each lot in the Buffer Zone to a Bordering Vegetated Wetland. Representative is Jack Tabares of Farland Corp.

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5. **SE49-0821** - (Continued from 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) - Notice of Intent as filed by MIH1, LLC for property identified as Farland Circle (Map 130D, Lot 478). Applicant proposes to construct a single-family dwelling on each lot in the

Buffer Zone to a Bordering Vegetated Wetland. Representative is Jack Tabares of Farland Corp.

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6. **SE49-0824** - (Continued from 4/16/19, 5/7/19, 5/21/19, 6/4/19, 6/18/19, 7/2/19) - A Notice of Intent as filed by Michele Paul Director of Environmental Stewardship for the City of New Bedford for property identified as Riverside Park (Map 99, Lot 81; Map 100, Lots 83 and 84) which is located on the east side of Belleville Ave. and the north side of Coffin Ave. Applicant proposes to remove invasive species. construct a six-foot wide riparian walkway and plant native vegetation adjacent to the pathway. Representative is Stevie Carvalho of Farland Corp. **CONTINUED**

7. **SE49-0826** - (Continued from 6/18/19, 7/2/19) - A Notice of Intent as filed by Mary Rapoza, City of New Bedford Director of Parks, Recreation and Beaches for property identified as Buttonwood Park Pond (Map 49, Lot 14). Applicant proposes a pilot project to reduce the nitrogen content by applying liquid microbial products to the pond thereby increasing the water quality and reducing nuisance plant and algal growth. Representative is Jeff Young of Advanced Marine Technologies.

Ms. Mary Rapoza, Director of Parks, Recreation and Beaches was present together with Mr. Jeff Young of Advanced Marine Technologies.

Commissioner Chancery Perks recused himself from the hearing and exited the room at this time.

Mr. Young advised that since the last meeting he has provided three deliverables to the Commission and the day before the last hearing the Division of Marine Fisheries contacted the Conservation Commission with a concern that this matter should have gone through a technical review and so they contacted MEPA and get their opinion and have been working with MEPA since that meeting and they have met with every agency they felt had a stake in this and then forwarded an email to the agent this afternoon. Mr. Young read the email received from Paige Czepiga Environmental Analyst from MEPA into the record. MEPA has agreed to make Buttonwood Pond as part of their review and will be setting up an agency meeting to determine exactly what the technical review will be and have allowed us to proceed with Buttonwood Pond, so they have no objection according to this email.

Commissioner Audette suggested that it be conditioned that this commission is to receive copies of every report including from SMAST and to notify Sarah any time anything is being done at the pond, if there is a fish kill, the fish are to be preserved.

Agent Porter stated that MEPA is all set as far as issue a permit at a local level, some of the special conditions are as follows: all monitoring to be done in accordance with the SMAST Protocol outlined in their 6/17/19 protocol. A report containing the results of the sampling is due annually, on the last day of December of each year. Before the microbial solution is added to the pond, the floating turbidity curtain shall be placed at the outlet of the pond to confine the additives and shall stay there throughout the duration of the treatment. We have been assured that a fish kill will not occur but if a fish kill does occur the MA Division of Marine Fisheries, Mass Wildlife and MA DEP Emergency Response are to be immediately notified. Commissioner Audette added to those conditions that copies of all reports and studies done including meeting minutes, findings, and notes from all meetings are to be submitted to this Commission and that dead fish are to be collected and frozen so that the cause of the fish kill can be determined.

Ken Costa of 148 Greenbrier Drive inquired whether they are proposing to introduce oxygen to try and minimize the fish kill in the pond. Mr. Young responded that they are not adding anything to the pond to stop the fish kill other than lowering nitrate levels which will reduce the algae in the pond and once that is done the oxygen will rise.

Commissioner Audette made a motion to issue Notice of Intent with conditions as read by the Agent. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

8. **SE49-0830 - (Continued from 7/2/19) - A Notice of Intent as filed by Mary Rapoza, Director of the City of New Bedford Parks, Recreation & Beaches for property identified as East Beach (Map 4, Lot 2).** Applicant proposes to install a seasonal floating inflatable water park (172' x 190') in the water south of the East Beach Pier. The water park will be in approximately 4' to 8' deep water and secured in place by approximately 25 anchors. Representative is Mary Rapoza of the Department of Parks, Recreation and Beaches.

Mary Rapoza from New Bedford Parks, Recreation and Beaches was present together with Courtney Skallerup of Altitude H2O.

Chairman Dixon informed everyone that a discussion ensued at the end of the last meeting (regarding this Hearing) and Sandy Douglas (Administrative Coordinator) would be giving a summary of the discussion that took place between the Commission for the record.

Sandy Douglas gave a summary of the discussion according to her notes: to ask the Solicitor's Office if the water park could open without a permit and if it did open without a permit if the Conservation Commission could issue an Enforcement Order. A motion to issue an enforcement order was made by Commissioner Perks and said motion was seconded by Commissioner Audette if the park were to open without a permit. All in favor and motion carried.

The discussion then returned to the current Hearing

Ms. Rapoza advised the Commission that she has received permits from the Natural Heritage and Endangered Species, Division of Marine Fisheries and an agreement with Army Corps of Engineers. Information has also been sent to Mass Historical and the only permit that was outstanding now is the permit from the Con Com.

Chairman Dixon stated that the only outstanding item was clearance from natural heritage which was received on Friday. Any questions or comments from the Commissioners?

Commissioner Pacheco wanted the dates of the above-mentioned letters. Mary Rapoza replied Natural Heritage was July 12, 2019, Army Corps., was July 11, 2019 DMF is June 25th, 2019. Pacheco wanted to know what took so long to get these responses and Rapoza stated that she did not know. Porter replied that Natural Heritage usually takes at least a month that's a typical delay because of their backlog. Ms. Rapoza advised that the Army Corps., had already visited the site and she spent about 1 ½ hr. on East Beach with them observing the beachgoers and the wake from passing fishing vessels and ferry.

Ms. Rapoza on May 15th had a meeting with Clarks Cove Neighborhood Association and did not move forward with the RFP until after the meeting because she wanted to get public feedback. There was only one applicant that responded to the RFP which was Altitude H2O. First thing they did was a license

agreement between the City and Altitude H2O which states Altitude H2O is responsible for obtaining all permits. Once the license was signed the permit process started with the Port Authority and Harbormaster.

Commissioner Pacheco to Agent Porter when an RFP is requested is Con Com one of the departments that needs to be notified. Agent Porter: no. Commissioner Pacheco does the proposal come to the con com department for review? Porter: no. Porter: projects come before this Commission either through DPI, Building Department and Planning.

Commissioner Audette was bothered by the flow of this project and Mary knew that when this hit the water that it would have to come before this Commission, and this should not happen again.

Commissioner Perks learned of the project opening from the radio on Saturday and was under the impression from last meeting that it would not open until a permit was issued this evening. Dixon stated the last regulatory hurdle was natural heritage and received approval on Friday. Dixon discussed the pressure he felt to approve the project, and the appeal process.

Commissioner Pacheco stated that he voted two weeks ago to table this so how can it be decided on a Saturday. Chairman Dixon stated he agreed to a soft opening.

Commissioner Perks feels this is a short fall of this Commission's duties and doesn't personally blame the Chairman. Commissioner Pacheco stated that the Chairman was put in a tough position.

Agent Porter stated a letter from Natural Heritage was received on Friday and that there are no rare or endangered species within that portion of the water park that falls within their domain, the only impact is from installation of the anchors in land under the ocean for this type of impact the commission relies on comments from Division of Marine Fisheries regarding potential impacts to shellfish and marine fisheries. DMF provided no comments on the proposal meaning they have no concerns with impacts to fisheries and shellfish habitat the anchors in use are BAT anchors which are cables driven into the substrate using a sleeve, this sleeve is then removed and the bottom of the cable is load blocked into the substrate as far as altering the topography land under the ocean this would not occur as only cables are in place in addition water circulation, distribution, water quality and fish habitat are not altered any differently than having swimmers in the water, as far as beach habitat there is no impact other than normal beachgoing activity.

Commissioner Audette asked if the structure on the beach was removed. Agent Porter stated it had been removed and was also built by Altitude H2O.

Agent Porter recommends the following Special Conditions: the waterpark is to be dismantled 24 hours in advance of any named storm and stored outside of the 100-yr floodplain (the floodplain goes up beyond the parking lots, so it must be taken to some area higher and dryer outside of floodplain). The waterpark is also to be dismantled for storms with sustained winds 45 mph or greater and to be stored outside of the 100-yr. floodplain. All anchors to be removed at the end of the season. The type of anchors approved from this facility are BAT B-4 and B-6 anchors. Commissioner Audette added the following Conditions: any cleaning of the waterpark on the water will use water and sponges. when disassembled it cannot be cleaned on the beach or parking lot it will have to be packed up and taken off site as is. When the anchors are removed need to notify the Conservation Agent so she can get an anchor count and be assured there are no anchors left in the water.

Chairman Dixon before opening to public comment advised that he believes this project does not violate the Wetlands Protection Act. He opened it to public comment and asked that anything to do with traffic, trash, public safety be brought to their relevant departments or Boards.

Dennis Audette (citizen) has called those departments and nothing has been done and this commission has done nothing either. He is a direct abutter to the parking area. The structure that was moved off the beach is now in the parking lot and that can blow away in the wind. The pod trailer should also be removed.

Chairman Dixon stated if this was brought to this Commission the right way it would have passed the regulatory hurdles.

Ed Silva stated you can't fight City Hall.

Commissioner Pacheco stated no one from City Hall called the Commissioners personally and said here is the pressure and you have to do this. Please do not assume that because it did not happen.

Robert Viveiros regarding the special conditions: where are they washing the lifejackets? Courtney from Altitude H2O: it is not required that the lifejackets be washed daily. Viveiros went back until July of last year and there is nothing on the agendas about this waterpark. Viveiros end of first week of June this was already being built.

Dennis Audette stated it took them at least five days to install this and doesn't believe they can dismantle it in one day and thinks they should do a trial run.

Darcelino De Medeiros: 1242 East Rodney Fr how much liability? Courtney: 5 million dollars. Chairman Dixon: liability is not part of this evening's discussion.

Wendy Graca of 26 Elizabeth Street: inquired whether the board of health plays a role in the permitting process. Rapoza believes that the board of health does not have any purview over this.

Tracy Marzelli, 202 Cedar Street, it was a shortfall of the Parks Department. If this had gone through proper process is there anything that would have been addressed differently. Chairmen Dixon stated what is seeing here is what they would have received.

Motion to approve the OOC with conditions as read by the Agent made by Commissioner Perks and motion was seconded by Commissioner Audette. All in favor. Motion carries.

9. **SE49-0829 - (Continued from 7/2/19) - A Notice of Intent as filed by Adam Hart of the City of New Bedford Department of Public Infrastructure for property identified as East Beach Pier (Map 6, Lot 2).** Applicant proposes to repair existing pier pavement and perform limited redevelopment of the pier including the installation of three concrete pads and one concrete foundation which will be installed for a decorative art display. Representative is Shawn Syde of the Department of Public Infrastructure.

Mr. Shawn Syde and Adam Hart of DPI were both present. Mr. Hart advised that they are proposing to install 6" thick concrete pads, one is for an anchor installation and it would be bolted down and another concrete pad for stone monument (The Window to the Acores monument that was donated to the City), another concrete pad for ticket booth and a bike rack be mounted directly to the concrete. Another

concrete pad will be for sign post. Commissioner Dixon inquired if the ticket booth is going to serve any purpose. Mr. Syde was donated to the City from Lincoln Park and it will be used for ticket purchases for the water park. Commissioner Audette inquired if they can move the ticket booth. Mr. Syde replied the ticket booth can be placed on a flat bed and moved in the event of a storm.

Commissioner Audette inquired if it was permanent, Mr. Syde replied that it is temporary and seasonal.

Agent Porter advised it's a fairly simple project and all of the work is on Monkey's Island is in the velocity zone and buffer zone to manmade coastal bank they are proposing modifications and have submitted plans stamped by a P.E., as far as conduction work within coastal flood zone it's been designed to withstand the coastal flood zone for those activities that are not temporary, what is temporary is the ticket booth and sign which will be removed with sustained winds of 50 mph or more, they are proposing haybales along beach as erosion control and a sediment sack on the basin.

Agent Porter stated that this is one of the best Notices of Intents that she has seen come from the City in a very long time.

Agent Porter recommended the following special conditions: that the erosion controls are to be removed immediately upon completion of construction so don't end up with buildup of sediment, the ticket booth and the artistic sign are to be removed (25) twenty four hours in advance of any named storm like a hurricane or upon a forecast of any storm with sustained winds of 50 mph or greater outside of the 100 yrs. floodplain, plans for approval are East Beach Pier Improvements dated June 19, 2019 prepared by City of New Bedford DPI and stamped by Shawn Syde.

Commissioner Audette inquired if the ticket booth would remain there year-round. Ms. Rapoza stated that it is her understanding that the ticket booth come out mid-June and remain until just after Labor Day.

Commissioner Audette made a motion to issue an Order of Conditions with special conditions as read by the Agent. Motion was seconded by Commissioner Blanchard. All in favor. Motion carries.

- 10. SE49-0828 – (Continued from 7/2/19) - A Notice of Intent as filed by the Massachusetts Department of Transportation for property identified as 355 & 387 Church Street and the associated Railroad Right-of-Way in New Bedford (Map 113, Lots 1, 2 & 475).** Applicant proposes to construct a new commuter rail station on the New Bedford Main Line (North New Bedford Station) as well as associated drainage infrastructure and sidewalk improvements, as part of the South Coast Rail Project. Portions of the project fall within the 100' Buffer Zone to a wetland resource area identified as inland bank. Representative is Lars Carlson of Vanasse Hangen Brustlin, Inc. **CONTINUED**

NEW HEARINGS:

NONE.

NEW BUSINESS CONTINUED:

- 1. 1089 Tobey Street – Ratify Enforcement Order**

Agent Porter advised that an Enforcement Order was issued for the stripping of loam, eliminating tree roots, re-grading the lawn, adding new screened loam and seeded the lawn, removing asphalt driveway

and placing ¾" crushed stone, removing and replace property line fence to allow access for machines to remove tree, landscaping and to replace waterline from street to the house, the work was conducted within the 100' buffer zone to the Bank of Sassaquin Pond and straw waddles were in place at the top of the bank. Requested that property owner keep lawn watered to ensure vegetation grows and straw waddles to be kept in place until thick grass is well established.

Commissioner Pacheco made a motion to ratify the Enforcement Order. Motion was seconded by Commissioner Perks. All in favor. Motion carries.

2. Briarwood Court - update on Enforcement Order

Agent Porter advised that a fine was issued and now waiting to see if it gets paid or if they comply.

3. 3806 Acushnet Avenue - update on Enforcement Order

Agent Porter advised that the idea of putting 2 yards of loam down was not what the owner had in mind - the owner would like to place 20 yards outside of the 25' no disturb zone. Chairman Dixon commented that will change the grade. Commissioner Audette stated that his consultant had said this did not need to be done and he is going to go along with his advice. Chairman Dixon inquired as to why is the property owner trying to do this. His guess is he is trying to further delineate his yard from the wetland.

Agent Porter stated that if this is something the property owner wants to do, he needs to get an engineering grading plan from Romanelli and file an amended order. The Commissioners agreed with the Agent's recommendation.

4. Almy Street – update on Enforcement Order

Agent Porter advised this project is on hold because there was a death in the family and still have not paid Steve Chmiel or the surveyors, the wetland seed mix is not down, the fence isn't up. Agent asked why fence was not up and believes they are waiting to put seed down before putting fence up.

Agent Porter advised that they were supposed to have had this work completed by June 15th and the homeowner has been in contact with the Agent to give her updates on the project.

Commissioner Dixon suggested giving them an additional two weeks and at that point if it's not done will discuss enforcement actions.

5. Agent Updates/General Correspondence

Agent Porter advised received correspondence from engineer from Marimed, the marijuana dispensary at 167 John Vertente Boulevard, they would like to know if they can discharge their air conditioning condensate into the stormwater management basin. Told them no because it's sized for a certain volume of water. The engineer then came into the office and looked at all the old files and plans and he came to a determination from the results of stormwater monitoring report and calculations that at estimated peak air condition condensate is .01 cubic feet per second for the detention basin. He would like to know if he can add that to the basin.

Commissioner Audette commented on how this commission knows that the detention basin can handle that now and to send him a letter requesting the basin be cleaned out and to do a test flow.

The Commissioners agreed to send the calculations to Nitsch for comment and to meet with the Agent and clean out the basin.

RIVERWALK

Agent Porter advised that correspondence went out to Farland for Riverside Park and Riverwalk.

General Statement

Chairman Dixon stated that occasionally Agent Porter will call him to ask him for approval or denials on certain matters, if she can sign off on Certificate of Occupancies, etc., He works with the Agent and as the Chairman, he makes a decision. The Commissioners don't always get consulted on these matters but it's usually the way it is. Chairman Dixon added that sometimes things become political he didn't mean to throw anyone over the bus and if anything, he is the one getting raked over the coals.

Commissioner Audette commented that he is the Vice Chair and that Chairman Dixon can always call him if he feels he is put in a position that he is not sure of an answer and that it's not a violation for them to speak on matters.

Chairman Dixon stated that his decision was based on the fact that it would get approved on Tuesday.

Commissioner Audette stated that he doesn't like the idea of the Park Board going on the radio saying they made the decision and feels that a letter should be sent to Mr. Boswell advising him that he does not make a decision for the Conservation Commission. Chairman Dixon will work on drafting that letter.

ADJOURN

Commissioner Pacheco made a motion to adjourn at approximately 8:25. Motion was seconded by Commissioner Perks. All in favor. Motion carries.

Respectfully submitted,

Sandy Douglas, Administrative Coordinator