



City of New Bedford
Jonathan F. Mitchell, Mayor

**Meeting Minutes of the Conservation Meeting of
October 20, 2015
Brooklawn Senior Center**

Members Present

John Radcliffe, Chairman
Craig Dixon, Vice Chairman
Dennis Audette
Paul Pacheco
Jacob Gonsalves

Members Absent

Staff Present

Agent Porter
Sandy Douglas, Admin., Specialist

Vice Chairman Dixon called the meeting to order at 6:30 p.m.

OLD BUSINESS:

1. A-1 Asphalt (Shawmut Ave.). Charon Engineering to present updated wetlands mapping.

Mr. Greg Sirois was present and inquired whether a plan was submitted by A-1 Asphalt. Agent Porter replied that she received a phone call this afternoon that they were not prepared but would be filing a Notice of Intent application instead of just presenting a wetland mapping.

Mr. Sirois stated that they are also supposed to make an application with DEP to do whatever work he conducts on the site. He also stated that at the last meeting he had requested that some soil testing be done and has not heard anything with regard to that request.

Chairman Radcliffe advised that he and Agent Porter did walk the property extensively about a week or so ago and there is a lot going on there that needs to be looked at. Mr. Sirois added that there are still mounds and mounds of material. Chairman Radcliffe stated that the composition of the material itself is not particularly within this Commission's purview but it's encroachment on the resource area is.

Chairman Radcliffe stated that the engineering that accompanied him and the Agent agreed that a new delineation needs to be done. Mr. Sirois' stated that one of his concern is the resale value of his home will be affected because of this property.

Mr. Sirois inquired whether DEP has been contacted at all. Agent Porter replied that she has spoke with her supervisor who has been in touch with DEP but that DEP is not in receipt of any application from the applicant. Mr. Sirois stated that he doesn't believe A-1 Asphalt will file an application and how do you stop him if he's not in compliance.

Chairman Radcliffe responded that this is a very old Order of Conditions and as long as moving forward in this process, the applicant is bound under that Order of Conditions. Once the wetlands have been

mapped then can determine whether or not there are any violations under the Order of Conditions and if there are any violations, they will have to be addressed prior to any new filing.

CONTINUED HEARINGS:

1. **SE49-0717 - (Continued from 8/18/15, 9/8/15, 9/29/15 & 10/6/15) - Notice of Intent as filed by the City of New Bedford Department of Public Infrastructure for property identified as 1484 Airport Road (Map 123, portion of Lot 3).** Applicant proposes to construct a salt shed in the Buffer Zone to a Bordering Vegetated Wetland. Representative is City Engineer David Fredette, P.E. of the Department of Public Infrastructure.

Mr. David Fredette from the City of New Bedford Department of Public Infrastructure was present and advised that the only changes that were made was they added the detail to the plan, put a swale around the structure to act as a retention pond and the berm will have a wetland mix and will have to be mowed.

Agent Porter advised that they should use a regular grass seed mix because they are high above the water table.

Mr. Fredette did do a pre and post drainage analysis this afternoon and needs to forward it to Mr. Turner for review. Mr. Fredette also advised that he did not bring a revised checklist but will complete it also and forward to Mr. Turner.

Agent Porter advised that Mr. Turner did receive the revisions yesterday around noontime and sent his responses today around 4:00. The Commission will review Mr. Turner's comments.

Mr. Fredette stated that he will address all of Mr. Turner's concerns and requested that this matter be continued to the next meeting date.

Commissioner Dixon made a motion to table this matter until November 3, 2015. Motion was seconded by Commissioner Audette. All in favor. Motion carries.

2. **SE 49-0718 - (Continued from 9/8/15, 9/29/15 & 10/6/15) - A Notice of Intent as filed by Gregory Kulpinski of VVK Realty, Inc for property identified as 1494 East Rodney French Boulevard (Map 12, Lots 77 and 290).** Applicant proposes to renovate the site including building renovations and expansion, installation of four floating docks and 12 moorings, rehabilitation of the existing pier, repaving parking lot and construction of a 10' wide public access way. These improvements are being conducted in the Coastal Buffer Zone and within Land Under the Ocean, Land Containing Shellfish and Land Subject to Coastal Storm Flowage. Representative is Susan Nilson of CLE Engineering. **CONTINUED TO NOVEMBER 3, 2015.**

NEW BUSINESS:

1. **SE49-0710 – Request for Certificate of Compliance as filed by Dave Flewelling-Comcast Cable Communications for property identified as John Vertente Boulevard (Maps 133 & 135, ROW).** Representative is Mark L. Manganello of LEC Environmental Consultants, Inc.

Mr. David Flewelling of Comcast Cable was present. Mr. Flewelling is requesting a Certificate of Compliance at this time for the work that has been completed at John Vertente Boulevard. Mr. Flewelling

advised that he was onsite yesterday and removed the stakes from the erosion control and would like to close this project out.

Agent Porter advised that she was onsite yesterday as they were removing the stakes and silt sacs. The shoulders are grassed in and everything looks good and they are set for a full Certificate of Compliance.

Agent Porter recommended a full Certificate of Compliance be granted with no ongoing conditions. The Plans for approval are John Vertente Boulevard, New Bedford, MA, Comcast, As-Built Overview Plan; Sheets 1 through 6 of 6 all dated August 31, 2015.

Commissioner Dixon made a motion to approve as recommended by the Agent. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

NEW HEARINGS:

None.

NEW BUSINESS CONTINUED:

1. Agent Updates

NEW BEDFORD REGIONAL AIRPORT

Agent Porter advised that the airport is under construction for the new taxiway. The swamp mats are out and have also modified swamp mat through a lot of the buffer zone area so the trucks would not make ruts. It is working out very well.

Chairman Radcliffe inquired as to what is being dumped in the A-1 Asphalt site. Agent Porter replied that there isn't anything being dumped. In the past, there was excess loam material that was left over from the airport. Chairman Radcliffe stated that when they visited the A-1 Asphalt site there was some concrete debris that looked a little suspect but what they saw mostly was loam. Agent Porter stated that there was a pile of asphalt that was outside of this Commission's boundaries.

2. General Correspondence

3. General Correspondence

None.

A motion to adjourn was made by Commissioner Dixon at approximately 7:00 pm. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

Respectfully submitted,

Sandy Douglas
Administrative Specialist