



City of New Bedford
Jonathan F. Mitchell, Mayor

**Meeting Minutes of the Conservation Meeting of
January 17, 2017
Room 314, City Hall**

Members Present

Craig Dixon, Vice Chairman
Jacob Gonsalves
Paul Pacheco

Members Absent

John Radcliffe, Chairman
Dennis Audette

Staff Present

Agent Sarah Porter
Sandy Douglas, Admin., Coordinator

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

NEW HEARINGS:

NONE.

CONTINUED HEARINGS:

1. **SE49-0745 – (Continued from 10/18/16, 11/1/16, 11/15/16, 12/6/16, 12/27/16) - A Notice of Intent as filed by Paul Barton, Chairman of the New Bedford Regional Airport Commission for property identified as 1569 Airport Road (Map 123 - Lot 3, Map 122 - Lot 3, Map 124 - Lot 28 and Map 125 - Lot 22).** Applicant proposes to reconstruct and expand the terminal apron area with associated stormwater management improvements and replace an existing culvert. A portion of this work is proposed in the Buffer Zone and within a Bordering Vegetated Wetland. Representative is Amanda Atwell of Epsilon Associates, Inc.

Amanda Atwell of Epsilon Associates was present together with Rich Lasdin of Airport Solutions Group.

Mr. Lasdin advised the Commission that they have been working on Nitsch Engineering's comments with regard to the splash pads for the outfall, treatment and pulling it back as far away as possible from the wetland.

Ms. Atwell added that there are no comments on the wetland replication plans just need to finalize clarification on the stormwater with Nitsch.

Agent Porter advised that she spoke with Scott Turner today and he feels that the new headwall could still be pulled back approximately 5'. Mr. Lasdin replied they can pull the headwall back but they will still have to cut a channel to the edge of the wetland and that will make the splash pad longer but it will not completely eliminate construction in the buffer zone because the ground is flat. Agent Porter suggested

they provide a detail of the splash pad and size of the stone. The Commissioners agree that pulling it back would not bring any benefit and to leave it.

Agent Porter commented that comment #3 from Nitsch states that the applicant has an increase in peaks flows to one of the wetland system and a decrease in the flow to two other wetland systems and suggested decreasing the flow to all of the wetland systems. Mr. Lasdin replied that he will look at this again but not sure it can be done.

Agent Porter stated that the applicant is requesting a waiver from the groundwater recharge requirements of the stormwater standards for this project and said request seems reasonable given the high water table within the project limits and the removal of large amounts of pavement around the airport that will allow for infiltration.

Commissioner Gonsalves made a motion to continue this hearing to February 7, 2017. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

- 2. SE49-0746 – (Continued from 11/15/16, 12/6/16, 12/27/16) - A Notice of Intent as filed by Paul Barton, Chairman of the New Bedford Regional Airport Commission for property identified as 1569 Airport Road (Map 123 - Lot 3, Map 124 - Lots 14, 28 & 113 and Map 125 - Lot 122).** Applicant proposes to redevelop Runway 14/32 which includes work proposed in the Buffer Zone and within a Bordering Vegetated Wetland. Representative is Amanda Atwell of Epsilon Associates, Inc.

Amanda Atwell of Epsilon Associates and Mr. Rich of Airport Solution were present on behalf of the applicant.

Ms. Atwell advised that there were before this Commission approximately one month ago and all the suggested changes have been made. Mr. Lasdin stated that the FAA wants to replace the power feed to navigation and are proposing to run it through the upland piece of road to get back to power feed.

Mr. Lasdin advised that they have responded to all of Nitsch's comments.

Ms. Atwell advised that she has received tentative approval from Natural Heritage.

Agent Porter advised that she did get a letter from an abutter approximately one month ago encouraging the project but made a recommendation for a special condition. Agent Porter discussed said request with City Solicitor Jane Friedman. Attorney Friedman advised that it cannot be added as a special condition because it's out of this Commission's jurisdiction.

Agent Porter recommended the issuance of an Order of Conditions with the following special conditions:

1. Prior to work commencing all wetland flags in and within 100' of the work area and the replication area shall be staked in the field and marked with the corresponding flag numbers. This shall occur prior to placement of the erosion controls. The Conservation Agent shall review the flagging prior to work commencing.
2. All erosion controls shall be installed and inspected by the Conservation Agent prior to work commencing.
3. The Conservation Agent shall meet in the field with the Wetland Specialist and the Resident Engineer and/or the contractor to stake out the location for the swamp mats to access the Wetland Replication Area.

4. Dewatering locations and methods shall be approved by the Conservation Agent prior to the commencement of dewatering.
5. In as much as practicable, this Order of Conditions requires that the construction of the wetland replication area be completed prior to the filling of the BVW. Complete is defined as all activities leading up to and including, the wetland plantings, the submission of the certification of the final elevations of the wetland replication area and the verification of the seasonal high groundwater elevation
6. The resume of the Applicant's Wetland Professional who shall oversee the construction of the wetland replication area, is to be submitted to the Conservation Commission, or its designated agent, for acceptance two weeks prior to initiation of replication activities.
7. The final elevations of the wetland replication area shall be shown on an as-built plan and stamped by a Massachusetts Professional Land Surveyor. A copy of the stamped as-built shall be provided to the New Bedford Conservation Commission for acceptance prior to the plantings of the wetland replication area.
8. The seasonal high groundwater table in the wetland replication area shall be verified by a Certified Soil Scientist or Professional Civil Engineer prior to plantings. A stamped plan showing the elevation of the seasonal high groundwater table shall be provided along with verification that it will support the proposed wetland plantings.
9. In compliance with 310 CMR 10.55 (4), the wetland scientist shall submit monitoring reports documenting the success of the wetland replication areas. These reports will document the establishment of at least 75% coverage of indigenous wetland plants within the replication areas. These reports will be provided at the end of construction and once a year for 2 years. The Conservation Commission reserves the right to request additional seeding or planting to guarantee the success of the replication areas. Proposed shrub and tree plantings that die during this time period shall be replaced. The reports shall also document the present of invasive species within the replication area and recommend control methods.
10. Add erosion controls around the FAA cable replacement in the buffer zone.
11. All construction material is to be disposed of in a legal upland location.
12. Annual Stormwater Management System Operations and Maintenance Report shall be submitted to the Conservation Commission in January of each year detailing the maintenance of the stormwater system for this project for the previous year using the stormwater management review reports provided in Appendix C of the operations and maintenance plan.

The plans for approval are Updated Stormwater Operations and Maintenance Plan dated 10/2016, Drawings G1.1, G1.2, G1.3, G1.4, C2.1, W1.1 W1.2 all dated 10/26/16 and C1.1, C1.2, C2.2, L1.1, all dated 10/26/16 with a revised dated of 12/2016.

Commissioner Pacheco made a motion to approved as recommended by the Agent with special conditions as read. Motion was seconded by Commissioner Gonsalves. All in favor. Motion carries.

3. **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) - 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**
4. **SE49-0739 – (Continued from 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) - A Notice of Intent as filed by Michele Paul, Director of Environmental Stewardship for the City of New Bedford for**

property identified as Ruggles Street and Hathaway Boulevard (Map 69, Lots 86, 88-93, 96-100, and 125). The applicant proposes to conduct remediation activities to remove contaminated soils followed by construction of an athletic facility. Representative is David Sullivan of TRC Environmental. **CONTINUED**

5. **SE49-0747 – (Continued from 12/27/16) - A Notice of Intent as filed by NStar Energy Company for property located at 50 Duchaine Boulevard (Map 134, Lots 456, 457, 458 & 459).** Applicant proposes site improvements including improvements to storm water management, additional parking for employees and company vehicles, additional docks and expansion of existing parking spaces. Representative is Christian Farland of Farland Corp. **CONTINUED**

NEW BUSINESS:

1. Agent Updates

Agent Porter advised that while replacing wetland flags at 50 Duchaine Blvd., she observed a chain link fence on the property. Agent contacted Mr. Farland of Farland Corp., to inquire as to why there was a fence installed prior to any order being issued. Mr. Farland advised that OSHA required that they temporarily install a fence prior to construction.

2. State Ethics Test

Agent Porter advised con com that they have to take their online State Ethics Test and submit their Certificates so that we may forward them to Personnel.

3. General Correspondence

Commissioner Gonsalves made a motion to adjourn at approximately 7:07. Motion was seconded by Commissioner Audette. All in favor. Motion carries.

Respectfully submitted,

Sandy Douglas
Administrative Coordinator