



City of New Bedford  
Jonathan F. Mitchell, Mayor

**Meeting Minutes of the Conservation Meeting of  
May 16, 2017  
Room 314, City Hall**

**Members Present**

Craig Dixon, Chairman  
Dennis Audette  
Paul Pacheco  
Jacob Gonsalves  
Chancery Perks

**Members Absent**

**Staff Present**

Agent Sarah Porter  
Sandy Douglas, Admin., Coordinator

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

**CONTINUED HEARINGS:**

1. **SE49-0745 – (Continued from 10/18/16, 11/1/16, 11/15/16, 12/6/16, 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) - 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 storm water 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. **CONTINUED**
2. **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) - 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**
3. **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, 1/17/17, 2/7/17, 2/21/17, 3/7/17, 3/21/17, 4/4/17, 4/18/17, 5/2/17) - 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**

4. **SE49-0751 – (Continued from 3/7/17, 3/21/17, 4/4/17, 4/18/17, 5/2/17) - A Notice of Intent as filed by Eric DeCosta for property identified as 100 Duchaine Boulevard (Map 134, Lot 5).** Applicant proposes to construct a new building, parking for company and employee vehicles and parking for additional trailers. Representative is Christian Farland of Farland, Corp. **CONTINUED**

5. **SE49-0762 (Continued from 5/2/17) -A Notice of Intent as filed by Mary Rapoza of the City of New Bedford Department of Parks, Recreation and Beaches for property identified as East Beach (Map 4, Lots 2 & 6) and West Beach (Map 11, Lot 30).** Applicant proposes to conduct beach maintenance on East and West Beaches in New Bedford. Maintenance includes removing weedy plants and trees, removal of select areas of dune grass, mechanical raking above Mean High Water, and removal of seaweed in July and August if necessary. Representative is Mary Rapoza, Director of Parks, Recreation & Beaches.

Mary Rapoza, Director of Parks, Recreation and Beaches was present and advised that the DEP File # has been received and that's what this Commission was waiting for.

Agent Porter advised that they will be removing dune grass, seaweed, and woody trees and performing mechanical raking above mean high water. All the special conditions are listed in the operation and maintenance plan filed with this Notice of Intent and listed in the Order of Conditions.

Commissioner Audette made a motion to issue an Order of Conditions. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

6. **SE49-0757 - A Notice of Intent as filed by Terrance Tedeschi of New Bedford Cousins, LLC for property identified as the east of Acushnet Ave., south of Phillips Rd and north of Victoria St. (Map 130D, Lots 117, 379-387, 392-419).** Applicant proposes a 15 lot subdivision with a detention basin located in the Buffer Zone to Bordering Vegetated Wetlands. Representative is John Cavanaro of Cavanaro Consulting, Inc. **CONTINUED**

## **NEW HEARINGS:**

**NONE.**

## **NEW BUSINESS:**

1. **A Request for Determination of Applicability as filed by Revere Copper Products, Inc for property located at 24 North Front Street (Map 79, Lots 2, 4, & 7).** Applicant proposes to install sheet piling along the landside of the bulkhead and excavate petroleum impacted soils. Representative is Craig Ellis of BETA Group, Inc.

Mr. Craig Ellis of BETA Group was present on behalf of the applicant. Mr. Ellis advised the Commission that they are working on petroleum release that is under the building and have filed reports with DEP to remediate the petroleum. As part of the work they conducted a test pit and found petroleum contamination approximately 4' down. It was reported to DEP. A boom has been placed in the river and they are proposing to put new sheet piling between the monitoring well along wooden bulkhead, excavate down 3'-4' and vibrate the sheet piling in. Once the sheet piling is in place they will excavate the soil out of that area and dewater. There is a dewatering system inside the building that would be used. Soil

excavation would be done at low tide. As the soil is being excavated, they will keep it 50' away from bank and cover it with poly sheeting and surround it with hay bales and haul soil off site.

Chairman Dixon inquired whether the oil was migrating. Mr. Ellis replied that's the reason why they performed a test pit.

Commissioner Audette inquired whether they would be performing any work from the water. Mr. Ellis replied that all work will be performed from land.

Commissioner Audette inquired as to where they will be stockpiling the material. Mr. Ellis replied that the stockpiling will be done 50' away from the shore or inside the building. Commissioner Audette recommended stockpiling it further away from the buffer zone in one of the parking lots. Mr. Ellis agreed.

Commissioner Perks inquired as to how often are the wells tested. Mr. Ellis replied that there is a system that they send in reports to DEP every six months and test the wells every three months.

Commissioner Dixon inquired as to how long does it takes to characterize the soil. Mr. Ellis replied that it normally takes five to seven business days.

Agent Porter stated that there will be a condition to store it in the parking lot away from buffer zone. Agent porter inquired as to how they propose to clean the trucks if they are moving around. Mr. Ellis replied that they will place pads down and brush the tires to keep it contained.

Chairman Dixon inquired as to how long this project will it take. Mr. Ellis replied it will take approximately three to four months.

Agent Porter recommended a negative determination with special conditions that all excavated materials are to be stockpiled outside of the buffer zone and covered with and stockpiled on polysheeting, straw waddles are to encircle excavated material, absorbent pads kept on site to clean up any oily residue outside of the excavation area, absorbent and containment booms are to remain in the Acushnet River throughout the operation.

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

## **OLD BUSINESS:**

- 1. SE49-456 – (Continued from 2/21/17, 3/7/17, 3/21/17, 4/4/17, 4/18/17, 5/2/17) - Request for a Certificate of Compliance for Whalers Woods Realty Trust for the roadways and storm water management facilities in the entire subdivision.** Representative is Richard Rheaume of Prime Engineering, Inc.

Mr. Richard Rheaume of Prime Engineering was present on behalf of the applicant. Mr. Rheaume advised that updated detailed plans with topography have been submitted. Peer review has been completed and there are no further comments.

Agent Porter advised that this project is all set for a Certificate of Compliance but cannot verify the as-built plans for the southern portion of Schooner Court and Mate Drive. The Agent spoke with Manny Silvia at DPI and he advised that all catch basins and ponds have been cleaned. Agent Porter

recommended the issuance of a full Certificate of Compliance for Whalers Woods with ongoing conditions #34.

Commissioner Audette made a motion to issue a Certificate of Compliance. Motion was seconded by Commissioner Gonsalves. All in favor. Motion carries.

- 2. SE49-0702 – (Continued from 4/4/17, 4/18/17, 5/2/17) – Request for Certificate of Compliance for 100 Duchaine Boulevard (Map 24, Lot 2) as filed by Logal, LLC.** Representative is Rich Riccio of Field Engineering.

Mr. Rich Riccio of Field Engineering was present on behalf of the applicant. Mr. Riccio advised that he received letter from Nitsch Engineering with comments with regard to the following: The fire hose in the basin, that will be removed. The applicant will clean the catch basins and stormceptors before a Certificate of Compliance is issued and is aware of the structure concern and will get it more secure. The applicant will add larger stone to the outlets, this will be done by Farland Corp. The basin slopes at this point are stable and it might do more damage than good to fix those and are functioning as designed, which Nitsch agreed. Woody vegetation in the stormwater pond near the vehicle parking area was discussed onsite with the Agent and will be taken care of so it continues to function as a basin.

Commissioner Audette made a motion to table this matter to June 6, 2017. Motion was seconded by Commissioner Gonsalves. All in favor. Motion carries.

## **NEW BUSINESS CONTINUED:**

### **1. Agent Updates (Excel Scrap)**

Agent Porter advised the Commission that a draft letter to Excel Scrap was posted on the website for review by the Commissioners. The letter is now ready to be signed by the Chairman and mailed.

### **50 Duchaine Blvd.**

Agent Porter advised that Farland has done everything required for the SWPPP except contact the agencies and they need the owner operator on the NOI and the acknowledgment letter from EPA. These issues are still outstanding.

Commissioners agreed when all is done, then this project can be approved.

### **2. General Correspondence**

Commissioner Gonsalves made a motion to adjourn at approximately 7:10. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

Respectfully submitted,

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Sandy Douglas  
Administrative Coordinator

