



ENVIRONMENTAL STEWARDSHIP
DEPARTMENT/CONSERVATION COMMISSION

CITY OF NEW BEDFORD
Jonathan F. Mitchell, Mayor

Meeting Minutes of the Conservation Meeting of
October 6, 2015
Brooklawn Senior Center

Members Present

John Radcliffe, Chairman
Craig Dixon, Vice Chairman
Paul Pacheco

Members Absent

Dennis Audette
Jacob Gonsalves

Staff Present

Agent Sarah Porter
Sandy Douglas, Admin. Specialist

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

OLD BUSINESS:

None.

CONTINUED HEARINGS:

1. (Continued from 8/18/15, 9/8/15 & 9/29/15) – SE49-0717 - 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.

Stephanie Dupras and David Fredette of the City of New Bedford DPI were present.

Ms. Dupras stated that since the last meeting they have addressed the Commission's concerns and have corresponded with Nitsch Engineering.

Mr. Fredette advised that the construction details that are on the plan include waddle detail, and pavement detail at the salt shed pad. Agent Porter advised that they also need to add installation details for waddles and haybales.

Mr. Fredette stated that with regard to storm water, he believes that submitted plan meets the intent of the standard to prevent storm damage downstream and offsite flooding because there is nothing at risk next to the salt shed that would be a major concern. The water is going to come off the roof and shed off the buffer and will make sure that the regrading that blends into the wetlands has erosion matting to make sure that the grass matures and is well maintained. Will also make sure there is no erosion problem where sediment would go directly into the wetlands. In addition, to this will make sure there is no stockpiling of materials along the edge. The salt shed will be abandoned six months out of the here and the other six months it will only be open intermittently to allow trucks to enter in and out.

Agent Porter inquired whether Mr. Fredette would be providing the calculations since it's something that is typically filed. Mr. Fredette replied that he could come up with something that he thinks will come off of the roof and berm, but it will not meet the storm water standards without having to put in some kind of BMP or infiltration. Agent Porter asked Mr. Fredette to explain all the changes that have been made to the design Commission since the last meeting.

Mr. Fredette replied that they took all the drainage stuff off, Ms. Dupras moved the pad towards the street approximately 10'. It is now a 40' long driveway. This was done so they could move away from the buffer.

Chairman Radcliffe inquired as to why all the drainage was removed. Mr. Fredette replied that the salt shed is an entirely intact covered structure and when the water comes off the vinyl covering there is nothing impeding it from getting to the ground. On the ground is an 8' asphalt pad which drains away from the building. The re-grading of the banks down into the wetlands are going to be managed so that there is grass with erosion mat and they want this to drain back into the ground. The only thing that is happening is that rain is not hitting the impervious spot. Mr. Fredette feels it would be foolish to put in a retention pond to collect runoff when the wetlands are right there. The soil conditions are such that whatever gets to the ground will infiltrate anyway because of the sand that is under the soil. Mr. Fredette took the approach that this being a unique location, no abutters and surrounded by wetlands and there is no downstream flooding risk to the site.

Agent Porter questioned Mr. Fredette on how he has knowledge of this without doing any analysis of the site. Mr. Fredette replied that they did do an analysis of the site.

Mr. Fredette commented with regard to Nitsch's item #5. Mr. Fredette did not submit calculations. He could come up with estimated values with regard to a ten year and two year storm recharge. But they added roughly 4,000 s.f. of impervious and based on observations for many years there has never been any flooding and did not think would have to do anything significant with regard to the B.M.P. other than making sure the salt is protected.

Chairman Radcliffe stated that this Commission does not have an issue with the way the salt is stored. Chairman Radcliffe also stated that the reduction of the pervious area suggests that there will be a lot more water not going into the ground and not being treated and why there isn't a proposal for treatment of that water or holding of that water so that it does not go into the wetland all at once.

Mr. Fredette replied that if that's something the Commission wants then they will do it. Chairman Radcliffe replied that the Commission would like some calculations submitted.

Mr. Fredette commented with regard to Nitsch's item #6. The trench was removed from the driveway because they will not be collecting salt water and are letting it run-off site to Airport Road.

Mr. Fredette commented with regard to Nitsch's item #7. The Soil test results were submitted.

Mr. Fredette commented with regard to Nitsch's item #8 concerning the project being a light industrial use therefore subject to land use with higher potential pollutant. Mr. Fredette concurs with this. Mr. Fredette added that DPI will follow the best management practices within the salt storage industry.

Agent Porter stated that the reason it is a land use with higher potential pollutant loads is because heavy trucks are being moved in and out of there. Agent Porter also added that her concern is that there is no treatment for the pavement that is running straight into Airport Road because the salt now will be increased onto Airport Road. Mr. Fredette replied that he didn't agree that salt would be increased because all they are doing is loading salt into the trucks and the trucks will head off to their destinations.

Mr. Fredette commented with regard to Nitsch's item #9 concerning site as mixed new and re-development. Mr. Fredette concurs and will re-address this to get a BMP to hold water.

Mr. Fredette commented with regard to Nitsch's item #10 concerning erosion and sedimentation control plan. Mr. Fredette addressed this in his cover letter and inquired whether the Commission required that something else be provided. Agent Porter replied that a narrative will have to be provided to include the steps of when it will be installed and how it will be maintained and what it consists of.

Mr. Fredette commented with regard to Nitsch's item #11 concerning long term operation & maintenance plan. Mr. Fredette stated that they can provide one once they know whether or not they will be definitely using this site since there is a preferred site is pending approval and permitting.

Mr. Fredette commented with regard to Nitsch item #12 concerning illicit discharge statement. Mr. Fredette stated this has been provided.

Mr. Fredette commented with regard to Nitsch's item #13 concerning storm water management checklist. Mr. Fredette stated this has been submitted.

Agent Porter recommended that Mr. Fredette contact Mr. Turner with regard to some of Mr. Turner's concerns.

Mr. Fredette requested that this matter be tabled to the next meeting so that he may have an opportunity to speak with Mr. Turner and be able to revise the plans.

Commissioner Pacheco made a motion to table this matter to October 20, 2015. Motion was seconded by Commissioner Dixon. All in favor. Motion carries.

2. **(Continued from 9/8/15 & 9/29/15) – SE49-0718 - 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 10/20/15**

3. **(Continued from 9/8/15 & 9/29/15) - SE49-0719 - A Notice of Intent as filed by Adam Guilmette of McDonald's USA, LLC for property located at 1080 Kings Highway (Map 125, Lot 29).** Applicant proposes to raze and rebuild the existing McDonald's including new utilities and improvements to landscaping and stormwater management within the Buffer Zone to Bordering Vegetated Wetlands. Representative is John Kucich of Bohler Engineering.

Mr. Eric Dubrule of Bohler Engineering was present on behalf of McDonald's. Mr. Dubrule advised that since the last meeting on September 8, 2015 they have addressed the comments from DPI including adding two deep sump hooded catch basins to the rear of the site. Presently there is zero storm water quality treatment, zero TSS removal. An 81% TSS Removal rate is proposed which is pretty substantial for a redevelopment site and considering currently there is no TSS removal on site. The revised plans were forwarded to Scott Turner for peer review and comment letters have been exchanged with Mr. Turner. Last week they received a second comment letter from Mr. Turner with three additional comments. The first comment was to provide a soil log to confirm that the seasonal high groundwater is at 36". The second comment requested a SWPPP plan prior to construction. Mr. Dubrule stated that will be provided. The third comments requested upsizing two pipes to accommodate a 10-year storm. Mr. Dubrule stated that will be done and has been updated on the plan.

Agent Porter advised that Mr. Turner did receive these comments and advised the Agent that he was satisfied.

Agent Porter advised that the storm water management system has been improved and they have increased the pervious area. Agent Porter recommended the standard special conditions with the addition that an annual report be submitted to the Conservation Commission at the end of each calendar year documenting compliance with the long term storm water system operation and maintenance plan. The plans for approval are Site

Development Plans for Proposed McDonald's Sheets C-1 through C-15 of 15 revised dated 10/5/15. Documents for approval are the Long Term Storm water System Operation and Maintenance Plan and the Long Term Pollution Prevention Plan.

Chairman Radcliffe inquired whether there was anyone present who wished to comment on this matter. None heard.

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

NEW BUSINESS:

1. **Cardinal Place** Applicant/Owner requested to appear to address brush piles in the Buffer Zone.

Chairman Radcliffe advised that the applicant is not required to appear this evening, because the brush piles situation has been addressed.

NEW HEARINGS:

None.

NEW BUSINESS CONTINUED:

1. **Agent Updates**

Agent Porter advised that the ENF was filed for 12 Fish Island which has already been approved and is now with the Executive Office of Energy and Environmental Affairs.

2. **General Correspondence** (Algonquin gas notification of utility maintenance)

Agent Porter advised that Algonquin Gas is doing maintenance on some pipelines off of Shawmut Avenue and they are exempt under the Wetlands Protection Act because it's a maintenance activity on existing pipeline.

Commissioner Dixon made a motion to adjourn at approximately 7:20 pm. Motion was seconded by Commissioner Pacheco. All in favor. Motion carries.

John G. Radcliffe, Chairman

**NEXT REGULARLY SCHEDULED MEETING OF THE CONSERVATION COMMISSION
MEETING IS OCTOBER 20, 2015 @ BROOKLAWN SR. CENTER.**