

GOSNOLD CONSERVATION COMMISSION

April 15, 2022

10:00 am via Zoom

Present:

Conservation Commission: David Warr, Chairman; Wyatt Garfield, Leo Roy, Michael Parker, Lisa Wright

Also in Attendance: Gail Blout; Paula DiMare; Philip Houha; Jeff Johnson, Holmes & McGrath; Rud Mason; Michael Milanoski; Susan Nilson, Foth Engineering; Jessica Thiel, Foth Engineering; Kate Parker; Joshua Ray, Foth Engineering; Rich Riccio, Field Engineering; Fran Veeder

The meeting was called to order by Chairman David Warr at 10:11 am.

1. Notice of Intent Fuel Farm/Solid Waste Improvements

David Warr opened the Hearing at 10:12 am.

Engineer, Susan Nilson, and Joshua Ray reviewed the Notice of Intent for the Fuel Farm/Solid Waste Improvement Project.

- Goal of the project is to restore fuel storage and service to the island, improve the solid waste operation as well as add a public bathroom to the site.
- Install two fuel ConVault 6,000-gallon above ground storage tanks with associated dispenser pumps, plumbing and electrical service running out to the fuel dock.
- Relocate the solid waste containers adjacent to the fuel storage tanks the exact placement to be determined by that committee on a new concrete pad system that allows for flexibility.
- Install a stand-alone vault public restroom.

David Warr asked if the position of the new restroom as finalized. Gail Blout confirmed that the exact location has not been determined.

David Warr also asked if at any point the costs for alternative Fuel Farm sites were assessed. Susan Nilson responded that they had not looked at sites that involved eminent domain and they had not looked at the costs for other sites.

Michael Parker asked if there was any evaluation of the cost to purchase land for an alternative site. Susan Nilson said that they did not look at costs for any site that involved eminent domain or the costs of a long stretch of piping from an alternative site.

Michael Parker noted that the NOI to install 12,000 gallons in above ground storage fuel tanks was submitted by the Town in 2020 was denied in December 2020 in part because of certain deficiencies, not in the tank design, but because of certain deficiencies in the alternative analysis. The first question about costs was a specific one that was raised. Another deficiency in the analysis was that the GCC asked for and was promised the actual fuel sales records of marine fuel. Those were never provided. Was there an attempt to locate those records? Susan Nilson deferred to the Town as being responsible for providing those records. Another concern of the analysis was the size of the storage tanks to be in the Protected Resource Area (PRA). Did

you evaluate the possibility and cost of putting a smaller size storage tank in the PRA? Susan Nilson stated that they did look at 4,000-gallon and 6,000-gallon tanks and how many barge trips would be required given the fuel demand they were given. Michael Parker stated that the numbers given for fuel demand do not seem to add up and so the need to understand the actual amount sold was important in 2020 and is still important in 2022. He added that there is no question that there is a real need for fuel to be at Cuttyhunk. The question is, how much is needed and how much do we need to put at risk. Michael Parker added, a separate question is, did you consider putting tanks underground and in a vault so that they would be protected from damage during a storm? Susan Nilson responded that they considered it early on but it would require a sizable area to install and even then it would not be able to be inspected on all sides. David Warr commented that the tank in the vault system that the GCC had suggested be looked at, would have allowed inspection on all sides.

Michael Parker asked, regarding the solid waste containers, has any provision been made to secure the waste containers where they are located on the pad? Susan Nilson noted that would be determined once the layout of the pads has been determined and they can come back with an amendment at that time. Michael Parker's concern is that in any major storm, where water overflows that portion of the land, the containers could float directly into the fuel storage area. He recommended an engineer address this concern and make a recommendation as to how best to protect the above ground fuel tanks in the event of a major storm and the waste containers float loose. With an engineer's design recommendation, the GCC can be assured that the fuel tanks are not at risk of being impacted in a major storm. Susan Nilson stated that once the location of the pads is determined they can determine the best system to anchor the waste containers to the concrete pad. Finally, Michael Parker asked if there is any provision designed to capture the leachate that runs out of the solid waste containers when it rains and keep it from going into the Cuttyhunk Pond? Susan Nilson said no that was not considered in this filing.

Wyatt Garfield noted that the size of the tanks is important. It is better to err on a larger size to enable some stock piling of fuel as we don't know who may deliver fuel in the future if Mr. Packer does not. He also is comfortable with the ability to secure the containers at the time a storm warning is issued.

Michael Parker said that an engineer could devise a steel frame that would protect the fuel tanks from a waste container impact. He did not feel that there would always be personnel available or time to secure the waste containers when a storm warning is issued.

Rich Riccio said that he had prepared the Storm Water Report for the GCC as part of the project that shows how a crushed stone trench around the concrete pads filtrate storm water into the ground away from the surface preventing it from going into the Pond.

Leo Roy stated that he shared the concern about the containers moving but he felt that could be addressed by moving them to higher ground at the time of a storm warning, which should be a standard operating procedure. He felt that this is a good design for the fuel tanks and protective of the environment.

The hearing was closed at 11:05 am.

Leo Roy made a motion that the GCC accept the project as presented and prepare an OOC requesting the engineers determine some type of protection for movement of the solid waste containers to protect the fuel tanks. Lisa Wright seconded the motion.

Michael Parker moved to amend the motion adding that the provisions with respect to the protecting the storage tanks from the containers be submitted back to the GCC for review. Leo Roy accepted the amendment.

Five GCC members voted in favor of the motion. The motion as amended carried.

2. Discussion of Fuel Farm Clean-Up

David Warr noted that at this time the GCC needs to know what is going to be done to clean up the area where the underground tanks were removed. The letter sent by Glen DeBlase for Mr. Packer stated that the OOC for the tank removal clean-up project included what was to be done. Leo Roy stated that Mr. Packer's LSP has developed a plan to put ground water monitoring wells and remove the contaminated soil. He added that the Town's LSP and Packer's LSP have been working together on this. Michael Parker noted that in the OOC, paragraph 26 requires that the LSPs tell us what they are going to do. Michael Milanowski reported that Packer's LSP has developed a Plan that has been reviewed by the Town LSP and filed with DEP. Michael Milanowski will forward the LSP's plan to David Warr. David Warr will forward the Plan to the Commission. Finally, Chairman Warr is authorized by the GCC to accept the Plan avoiding the need for another GCC meeting and enabling Mr. Packer to begin the work.

3. Approval of March 12, 2022 Meeting Minutes

Leo Roy made a motion to accept the March 12, 2022 meeting minutes as written. David Warr seconded the motion. All five GCC members voted yes. The motion carried.

4. Discussion of Dig-It Request

David Warr received a letter from Dig-It Construction, the contractor for the Water Drainage Project, requesting to use straw wattle for erosion control. It was noted that the OOC allowed for an equivalent erosion control system to be used. Straw wattle is an equivalent system.

Leo Roy stated that the contractor is also asking for a lay down area in the PRA near the Ferry Dock by the road to Canapitsit. Some of the materials will be on pallets, some material will be sand that will be covered. Leo Roy agreed to write a letter to the contractor agreeing to these two requests.

Leo Roy informed the GCC that Dig-It Construction is requesting a waiver from the USDA requirement to procure all steel parts from the US for one piece only, the PVC gland restraints. Without this waiver the Water Drainage Project start will be delayed nine months.

Leo Roy reviewed a request made by the Pawtucket Hot Mix Asphalt Contractor to use a silt sack system for erosion control instead of the CDS structure which cannot be procured for 10 to 12 weeks due to supply chain issues. The GCC members discussed the request. Leo Roy will send a letter on behalf of the GCC requesting additional erosion control measures.

5. Discussion of Mel Dorr Request

David Warr presented a letter from Dennis Lynch for Mel Dorr requesting an amendment to the OOC, 24B, allowing the septic system installation to begin and be completed before the building plans have been approved by the Building Inspector. David Warr explained that the building construction will not begin until the fall and the Dorr's would like to complete the septic system now.

Leo Roy made a motion to amend OOC 24B to allow the Septic System Installation to proceed prior to the issuance of the building permit. Wyatt Garfield seconded the motion. Four Members of the GCC voted in favor of the motion. There was one abstention. The motion carried.

David Warr will notify Dennis Lynch of the approval to go forward with the septic system.

6. Notice of Intent Community Stable, Naushon Island

Chairman Warr opened the Hearing for a Notice of Intent for a Community Stable on Naushon Island filed by the Naushon Trust at 11:51 am.

Jeff Johnson, Holmes & McGrath, reviewed the Community Stable project for the GCC all the work proposed is in the buffer zone it is not in the flood zone or any Protected Resource Area (PRA).

David Warr asked about siltation protection and Jeff Johnson responded that there will be adequate siltation protection. Leo Roy, familiar with Naushon Island, confirmed that the stable is in the buffer zone and none of the project is in the PRA. He said it is thoughtful that the stockpile area is moved out of the buffer zone and the leach field is out of the buffer zone and PRA. The project is thoughtfully designed to minimize the impact to the environment.

David reminded Jeff Johnson, upon completion of the project, to ask for a Certificate of Compliance. Leo Roy suggested that the GCC arrange a trip to Naushon to have the opportunity to see the completed projects that have come before the GCC.

The Hearing was closed at 12:04 pm.

David Warr made a motion to approve the Naushon Island Community Stable project as presented. Wyatt Garfield seconded the motion. All five GCC members voted in favor of the motion. The motion carried.

7. Public Comment

There was no public comment.

The meeting was adjourned at 12:07 pm.

Respectfully Submitted,
Kate Parker

Minutes approved May 13, 2022