

**CITY OF NEW BEDFORD
JONATHAN F. MITCHELL, MAYOR**

March 12, 2019

MEMORANDUM

To: Tabitha Harkin, City Planner

From: Sarah Porter, Conservation Agent

Below are comments for your consideration on the ENF for Parallel Products.

- The Conservation Commission issued an Order of Conditions (OoC) for a glass recycling project, the preliminary location of a Municipal Solid Waste (MSW) facility and a proposed solar array over a parking lot for PPNE on this site in 2017 (SE49-0771).
- The Conservation Commission has a written policy in the City Wetlands Ordinance of maintaining up to a 25' Setback of undisturbed land between Resource Areas and proposed development. Encroachment into the undisturbed 25' Setback has been noted in several locations. It is hoped that with the exception of the rail impacts, the 25' Setback can be maintained throughout the proposed development.
- The applicant stated during the Notice of Intent review process for SE49-0771, that the MSW facility was in draft form since it had to go through the MEPA process and other permitting agencies. The Commission was concerned with the runoff associated with the MSW facility, but detail was not available at that time. The size of the MSW facility has now increased substantially in the ENF and encroaches slightly into a Bordering Vegetated Wetland (BVW). It is hoped the MSW facility can be reconfigured to maintain a 25' Setback from the BVW.
- A new rail siding is proposed to facilitate the glass recycling facility and it would be expanded to accommodate the MSW and the biosolids facilities. The rail siding requires the crossing of a Bordering Vegetated Wetland (BVW) and a perennial stream with associated Riverfront area. The ENF states that less than 5000 s.f. of BVW will be impacted by the rail crossing. The plans show that retaining walls will be utilized to minimize wetland impacts from the rail crossing. The wetland boundaries in the vicinity of the crossings have not yet been verified by the Conservation Commission and therefore the square footage of Resource Area impacts cannot be confirmed.
- The rail siding also crosses a stormwater detention facility which was constructed under SE49-0738 to capture runoff from a construction stockpiling facility. This Order of Conditions has expired and does not have a Certificate of Compliance. The applicant/owner shall be required to obtain a Certificate of Compliance prior to any other work commencing on site. Following this, the Notice of Intent for Phase I will have to modify the design of the stormwater facilities and stockpile area to accommodate the rail siding.

- Wetland replication has not been shown on the plans. The Conservation Commission has a policy of requesting a 1 ½ to 1 ratio of wetland mitigation to wetland impacts. It is hoped that the wetland replication area can be constructed in an area that is currently developed or grassland such that mature upland trees in the 100' Buffer Zone do not need to be cut to facilitate the replication area.
- The location of the majority of the facility within a medium yield aquifer and a portion of the rail siding within a high yield aquifer is also of concern to the Commission since groundwater protection is one of the interests of the Wetlands Protection Act. It appears a portion of the new rail spur would cross through the high yield aquifer while the remaining rail siding, recycling, MSW and biosolids facilities would be within the medium yield aquifer. Long Term Pollution Prevention Plans shall be requested for each component of the facility. Spill control plans shall also be requested with respect to the diesel fuel for the rail cars and other on-site fuel facilities.
- Stormwater management is also of concern as the site shall be utilized for a variety of waste recycling processes. Runoff from the idling MSW trucks and recycling trucks may contain trash which will enter into the stormwater system. A plan for keeping the pavement clean and preventing the clogging of the stormwater facilities is needed.

cc: Conservation Commissioners, M. Paul