Nitsch Engineering

2 Center Plaza, Suite 430
Boston, MA 02108-1928
T: 617-338-0063
F: 617-338-6472
www.nitscheng.com

December 11, 2015

Mr. Kenneth Motta
Chairman
New Bedford Conservation Commission
New Bedford City Hall
133 William Street
New Bedford, MA 02744

RE: Nitsch Project #9972
1494 E. Rodney French Blvd
Review Letter
New Bedford, MA

Dear Mr. Motta:

This letter is in regard to the proposed redevelopment located at 1494 E. Rodney French Boulevard in New Bedford, Massachusetts. Nitsch Engineering has received and reviewed the following documents for compliance with the Massachusetts Department of Environmental Protection (MassDEP) Stormwater Management Standards:

- Plans entitled, "Proposed Float System, Moorings, Existing Pier Rehabilitation & Site Improvements, 1494 E. Rodney French Boulevard," prepared by cle engineering, revised November 5, 2015.
- Notice of Intent for, "Proposed Float System, Moorings, Existing Pier Rehabilitation & Site Improvements, New Bedford, MA," prepared by cle engineering, dated August 2015.
- MassDEP Checklist for Stormwater Report and attachments, prepared by cle engineering, November 16, 2015.

The project site is located along the western shore of Buzzard's Bay and was previously developed as a restaurant and ferry landing location. There are no existing piped stormwater discharges or best management practices (BMPs) on the property. The Applicant is proposing to renovate the existing main building and construct a 470±-square-foot addition. A second 370±-square-foot building located closer to the water will be repurposed as a Dock Master building with no change to the existing footprint. Proposed site work includes the resurfacing of the existing bituminous concrete pavement and the construction of a pervious pavement walkway and sediment forebay. The project also includes the construction of a new float and gangway system in the ocean adjacent to the site.

The project is considered a redevelopment under the MassDEP Stormwater Management Standards since the site was previously developed and the Applicant is not proposing to increase the impervious area. As a redevelopment, the project must fully comply with the provisions of the Stormwater Management Standards requiring the development and implementation of a construction period erosion and sedimentation control plan, a pollution prevention plan, an operation and maintenance plan, and the prohibition of illicit discharges. All redevelopment projects are also required to meet the following Standards only to the maximum extent practicable: Standard 2, 3, and the pretreatment and structural stormwater best management practice requirements of Standards 4, 5, and 6; and improve existing conditions. Existing stormwater discharges are also required to comply with Standard 1 only to the maximum extent practicable.

As stated in the MassDEP Handbook, "To the maximum extent practicable," means that the Applicant will make all reasonable efforts to meet the applicable Standard and perform a complete evaluation of possible stormwater management measures including environmentally sensitive site design, low impact development techniques, and other structural stormwater BMPs. If they are not in full compliance with the applicable Standard, Applicants should implement the highest practicable level of stormwater management.

Nitsch Engineering's comments on the submitted documents, regarding stormwater management only, are provided below:

1. The site borders the ocean (land subject to coastal storm flowage) and the Applicant is requesting a waiver to Standard 2 for peak flow mitigation. This request is consistent with MassDEP Stormwater Management Standards.

2. Since a MassDEP designated Shellfish Suitability Area encroaches onto the eastern portion of the project site, there are additional stormwater treatment requirements that should also be considered under Standard 6. For new construction projects located in critical areas, 80% total suspended solids (TSS) removal for a 1-inch water quality depth is required and 44% pretreatment prior to discharging to an infiltration structure. There are also specific BMPs outlined in Table CA1 Standard 6 that MassDEP accepts for stormwater discharges to shellfish growing areas. As a redevelopment, the project is required to comply with the structural pretreatment and treatment requirements of Standards 4 and 6 to the maximum extent practicable.

   For this redevelopment project, the Applicant is proposing a treatment train includes a sediment forebay and vegetated filter strip (greater than 50 feet) that achieves 59% TSS removal and does improve the existing condition. Both of these BMPs are acceptable for discharges to shellfish growing areas (Table CA1 Standard 6). To bring the site into full compliance, the Applicant would evaluate additional BMPs that may include a conventional closed drainage system (catch basins, water quality units, etc.) or low impact development approach (sediment forebays, bioretention basins, etc.). While these would provide additional stormwater treatment, they may increase design and construction costs for the site.

3. The MassDEP Stormwater Management Checklist indicates that the project includes a water quality swale and bioretention basin. These BMPs are not indicated on the Site Plan.

4. A Long-Term Pollution Prevention Plan was not provided by the Applicant and is required for redevelopment projects. The requirements for the plan are outlined under Standard 4 and, specific to redevelopments, in Volume 2, Chapter 3 of the MassDEP Stormwater Handbook.

5. A construction period erosion and sedimentation control plan was not provided by the Applicant and is required for redevelopment projects. The requirements for the plan are outlined under Standard 8 and, specific to redevelopments, in Volume 2, Chapter 3 of the MassDEP Stormwater Handbook. The site plan indicates that wattles are proposed along the project boundary, but a detail is not provided. Details of all erosion controls should also be provided in the plan set.

6. An Operation and Maintenance Plan was provided and includes maintenance requirements for the proposed sediment forebay and vegetated filter strip. Nitsch Engineering recommends adding the maintenance measures for the proposed pervious pavement walkway to the Plan.

7. Please confirm if the crushed stone that was placed around the relocated tiki bar is to remain, or will be converted to grass.

8. Design details should be provided for the permeable paver walkway.

We appreciate the opportunity to review this project for the Conservation Commission. Please contact us with any questions.

Very truly yours,

Nitsch Engineering, Inc.

Jennifer L. Johnson, PE, CPSWQ, LEED AP BD+C
Senior Project Engineer

Approved by:

Scott D. Turner, PE, AICP, LEED AP ND
Director of Planning

JLJ/vas

P:\9972 New Bedford NOIPR\Civil\Project Data\2015-12-8 Rodney French Blvd\2015-12-11 LT RodneyFrenchBlvd.docx