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Martha's Vineyard Commission

Land Use Planning Committee

Draft Notes of the Meeting of December 1, 2008

Held in the Stone Building, New York Avenue, Oak Bluffs. 5:30 P.M.

Commissioners Present: Richard Toole (Chair); John Breckenridge; Christina Brown; and Kathy Newman.
MVC Staff Present: Mark London; Paul Foley; and Bill Wilcox.

1. Airport Mobil Car Wash (DRI 441-M2) Modification Review

Applicant: Michael Rotondo (owner); Mike Cook

Project Location: 3 North Line Road, Edgartown (Lot 33 in the Airport Business Park).

Proposal: To add a 10' by 14' foot mechanical room addition to the southern wall of the car wash to house a waste oil heater in order to allow the carwash to operate on days when the temperature is below freezing. The waste oil heater would have a 500 gallon double walled holding tank. The addition would be a lean-to built on the back of the car wash on sona tubes with plywood walls, shingle siding and an asphalt roof.

Compliance with Previous Conditions:

- Paul Foley (DRI Coordinator) gave a brief Staff Report describing the project and then added that the key issue with this proposal is to confirm that the project is in compliance with the conditions from previous MVC Decisions.
- He had questions about the lighting, restrictions on retail sales, and ground water monitoring.
- The DRI folder did not have a lighting plan. Mr. Rotondo said that the lighting is low bollards and is turned off when they close.
- Mr. Foley said that there was a condition that prohibited retail sales at the station but that there was a small convenience retail section in the station. Mr. Rotondo said that he had received the appropriate approval from the MVC years ago. Mr. Foley said that there was no evidence of that in the DRI Folder. Mr. Rotondo said he had a letter somewhere and would submit that later in the week.

Water Monitoring:

- Bill Wilcox (Water Resource Planner) said perhaps the MVC Condition was confusing. It said a ground water monitoring plan would be submitted to the MVC. The 2nd paragraph says that the plan must be submitted to the DEP and MVC. We do not have that plan. We know that they are sampling once a year but it is not specifically spelled out. We need a plan of action of what process is followed in collecting the sample and what to do if there is a hit.
- Michael Rotondo said he is willing to make a plan and talked to Joe Forns, an environmental consultant now carrying out the monitoring program, about it. He said that what happened was that his original tester, Craig Saunders, disappeared off the map for two years and then when Bill Wilcox brought the lapse to his attention he hired Joe Forns and got back into the sampling.
- Bill said we should have a plan that is written with specifics on sampling technique, handling procedures and other steps that could affect the quality of the data collected. A commissioner asked why this is important because any spill should disperse over distance and Bill explained that

the site is over the aquifer and there are private wells a distance away and that volatile compounds in petroleum spills do not readily degrade.

- Mr. Rotondo added that they have two monitoring wells. He added that whatever Bill Wilcox and Joe Forns deem appropriate for testing parameters for the technical aspect is fine with him, he will do it. He explained that the monitoring units in the double-walled fuel tanks test themselves weekly at 1:00 am every Sunday morning.
- Bill Wilcox added that tank leakage may not be a significant risk but autos are constantly coming and going and do leak. General leaks and spills can add up. There was another condition about leaching basins.
- Mr. Rotondo said that the MVC said it wanted natural filtration. There are no leaching catch basins on site.
- Commissioner Brown asked about a reference in the original plan about a DEP Policy. Is it still relevant or is there a current guideline.
- Bill said that he looked at the DEP website and the only change was a small addition to the policy for small diameter monitoring wells. He said what he would like to see in the plan is what kind of pump, how much water is removed before sampling, how they handle the sample (in the field and lab). He said Joe Forns should be familiar with all of that.
- Mr. Rotondo said he wanted the piece of mind of having a state of the art system.
- Chairman Toole asked where the Mobil gets its water from. Mr. Rotondo said he gets his water from the Town of Oak Bluffs. Originally he got it from Edgartown. Oak Bluffs now supplies water to the whole airport. Oak Bluffs was supposed to get some land out near the airport but it did not work out so now they charge for the water. He said he spends \$22,000 a year on water and wastewater even though he uses a system in the car wash that uses 85% recycled water. When he started the car wash there was no cost for water.

Commissioner Questions:

- Commissioner Brown asked if there were any protections for this particular oil heater in the case of a spill.
- Mr. Rotondo said that it was a single, above ground, double-walled 500 gallon direct vent tank.
- She asked what is going up in the air. Mr. Rotondo replied that it is the same thing in your home oil heater. Bill Wilcox said that there are limits on the time of year that it can be burned and added that it is not the exact same as Number 2 oil because there may be some metals in the waste oil of automobiles.
- Commissioner Brown asked what monitoring controls are on the oil tank. Mr. Rotondo repeated that it is double walled with a level gauge. It doesn't have anything other than visual inspection. It is small.
- Commissioner Brown asked if he was going to have a concrete platform. Mr. Rotondo said it will be on sona tubes. Commissioner Brown suggested he consider a concrete floor with a lip to stop any spills from escaping. Mr. Rotondo said he was not planning on it but that he could do that. When asked if that was now part of the plan Mr. Rotondo said yes, he will do that.
- He added that he had offered one of these units to the Ice Arena because it is basically free. It's just like Number 2 oil. He used to have to pay to have it taken away. Now it is a commodity and places like Jiffy Lube are paying over a dollar a gallon for the stuff.
- There was some discussion about what is done with waste oil in general and in particular from a farmer who had some from his tractor. Mr. Rotondo said that Massachusetts has a law called cradle to grave which says that whoever sold it to you has to take it back.

- Chairman Toole asked if that meant he would take the oil from someone like the farmer.
- Mr. Rotondo said he would have to see it. From a tractor it could have anti-freeze or other contaminants in it. He said that Edgartown has a toxic pick-up day. He has taken small amounts from people with boats. It's a major hazard with boating.
- Commissioner Brown said it would be wonderful if he could come up with a way for the island to collect their waste oil. Mr. Rotondo said that the company, Safety Clean, would be happy to pick it up for free if there was a collection point.
- Commissioner Breckenridge asked what happens if there is a hot load and Mr. Rotondo said that then it becomes hazardous waste and has to go to a special facility in Indiana.
- Commissioner Breckenridge asked if the proposed system can run off of cooking oils. The answer was yes.

Landscape:

- There was a question as to whether the existing as built station conforms to the approved landscape plan. The landscape plan shows a 30 foot buffer on the side where the addition is supposed to go. The plan shows that there apparently was vegetation there.
- Mr. Rotondo said that there is no vegetation there. It is all sandy. He said that for this proposal they are not going to take out a single tree.
- It was also noted that there are setbacks in the industrial park.

Scheduling:

- LUPC decided it needed a water monitoring plan, as discussed with Bill Wilcox, and confirmation of the compliance of conditions before a Modification Review before the full commission.
- ***Christina Brown made a motion that the LUPC recommend to the full commission that this is a modification within the intent of the original project and that it is insignificant and does not require a public hearing as a DRI, as long as we get the monitoring plan and the other compliance paperwork we talked about. The motion was duly seconded by John Breckenridge and approved unanimously by the LUPC.***
- The Modification Review was scheduled for December 18, 2008 to give the applicant time to prepare a satisfactory monitoring plan and submit proof of previous approval for retail sales.