
From: Victoria Marquis Petracca <
Sent: Thursday, May 16, 2019 3:14 PM
To: Michael Antonellis; Michael Hanson - FPD
Cc: Debra Dennis;
Subject: Environmental Justice Community in Lancaster & Environmental Hazards at Bestway (Attachments)
Attachments: Unresolved Environmental Justice Issues in an Environmental Justice Community.pdf

Dear ZBA Members and Chief Hanson,

Below is the Environmental Justice Community evidence referred to in the other communication dated today. As shown, this was provided by Lancaster Town Administrator, Orlando Pacheco.

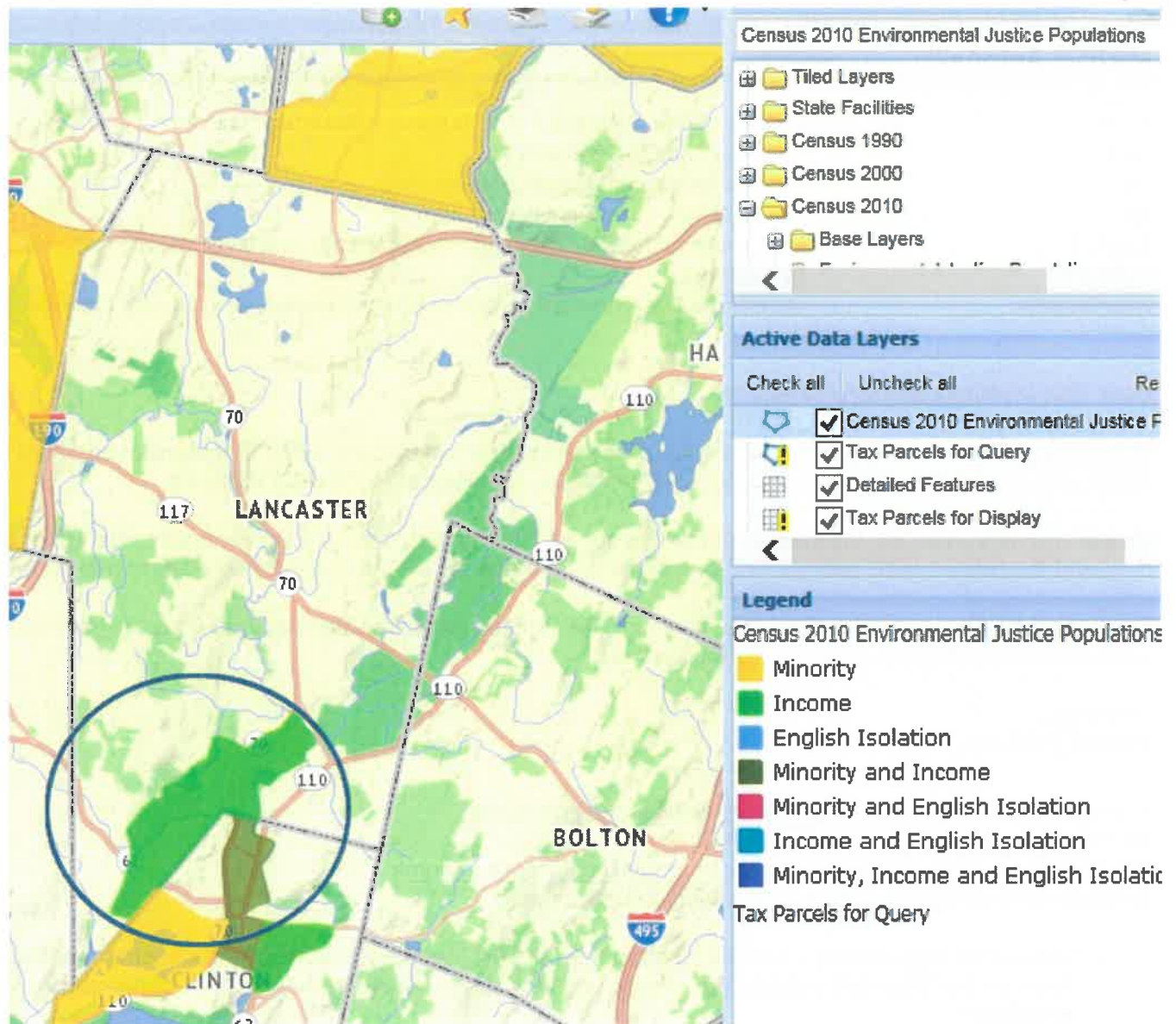
Please also find attached the section of the Project Issues Matrix that covers the Environmental Hazards next door and the related HUD policies and benchmarks on these issues as relates to safe affordable housing.

This is further documentation that, at a minimum, the project should require secondary access and egress, if even feasible at all given other problematic issues.

Thank you,
Victoria Petracca

From: Orlando Pacheco [<mailto:OPacheco@lancasterma.net>]
Sent: Tuesday, April 30, 2019 10:55 AM
To: Victoria Marquis Petracca <
Subject: Environmental Justice Community in Lancaster

1. Vulnerable Populations – we identified an area of Low Income Population in the southern section of town on the MassGIS website (see figure below) – this is considered as an Environmental Justice population



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GOODRIDGE BROOK ESTATES 40B PROPOSAL – LANCASTER, MA

May 10, 2019

UNRESOLVED ENVIRONMENTAL PROTECTION CONCERNS IN AN ENVIRONMENTAL JUSTICE COMMUNITY

3.0 Compatibility of High-Density Housing Adjacent to Existing Industrial Operator (Bestway of New England)			
• Apartments and related outdoor services (sidewalks, parking, playground, and bus shelter) are currently proposed in close proximity to 18+ acres of Bestway operations. The property line is where Bestway has located many of its uses – trailer truck check-in, forklift garage, industrial kiln... Additionally, the freight rail passes at rear of both sites, with service at Bestway, again very close to Goodridge. • Air emissions, dust, noise, etc. (below) should be assessed and examined as relates to residential safety given immediate proximity (unlike other residential development further away, i.e. Eagle Ridge and Jones Crossing). • Federal and State regulations apply			
Topic	Issue	Applicable Regulation(s)/Guidance	Action Item(s)
3.1 Exposure of high-density housing project to adjacent diesel particulate emissions	Bestway burned 30,870 gallons of diesel fuel on its site in 2017 for its kiln and fork-lift trucks (2018 data is similar). Flatbed trailer trucks add to these emissions. • Goodridge 40B Project site is downwind from diesel emissions – kiln, forklift trucks, trailer trucks: • Industrial kiln powered by a boiler with the capacity to burn 30 gallons of diesel fuel per hour (see plate on boiler) • Industrial kiln exhaust is emitted ~40 feet from property line • 12 diesel forklifts operating 14 hrs/day in peak season	Code of Federal Regulations: 40 CFR 6 – Air Quality 40 CFR 51 – Air Quality 40 CFR 93 – Air Quality HUD Policy Memo: www.hudexchange.info/environmental-review/air-quality/ Mass DEP: Threshold exposure limits for air toxins: https://www.mass.gov/service-details/massdep-ambient-air-toxics-guidelines	Order data collection and modeling of air pollution levels on Project Site. • Diesel particulate (Nitrogen Oxides (NOx), formaldehyde) levels should be measured between March – November, per Weston & Sampson. • Data collection and analysis should be monitored and reviewed by independent consultant retained by Town (i.e. W&S). • Analysis and modeling should follow air-dispersion modeling protocol approved by Mass DEP

		40 flatbed trailer trucks per day, often queued for loading waiting on property line - Multiple diesel locomotive deliveries per week			All monitoring and analysis is at applicant expense, not Town's.
3.2	Exposure of high-density housing project to adjacent chemical dust	Bestway operation generates a significant quantity of high dust clouds from forklifts and truck traffic on hard packed dirt surface. Chemicals from lumber processing are seeping into the ground as per photos, and thus into the dust particulate which blows upwards and travels to adjacent property. Dust alone is a regulated air quality concern.	Same as Section 1.1 above.	Order data collection and modeling of dust levels, and measure for toxicity) on Project Site during peak season (March – November 2019). - Data collection and analysis should be monitored and reviewed by independent consultant retained by Town (i.e., W&S). - Collect samples at property line and nearest sensitive receptors (proposed playground, bus stop, first apartment building, parking lot) - Follow air-dispersion modeling protocol approved by Mass DEP - All monitoring and analysis is at applicant expense, not Town's.	
3.3	Exposure of high-density housing project to adjacent industrial uses generating excessive noise	The proposed high-density housing development abuts pre-existing High Noise Level from normal industrial operations. (Bestway's 18-acre lumber treating & processing operation). Bestway noise sources:	HUD Policy Memo (high noise must be evaluated for incompatibility with affordable housing): www.hudexchange.info/programs/envir/online-review/noise-abatement-and-control/ Code of Federal Regulations:	Order sound data collection (decibels) and modeling on property boundary during peak season (March – November 2019). If quantified noise level is within acceptable range for mitigation, specified by Federal and State regulations cited,	

		12 large-capacity diesel forklifts - Average of 40 trailer trucks on site per day - Freight train serving Bestway facility passing both Bestway and proposed housing site multiple times per day, including whistle for adjacent intersections - Freight train stops at Bestway to unload and re-load 3 freight cars - Coupling and recoupling of freight cars is a 30-40 minute, high-noise process - Deforestation of 45-acre Goodridge parcel will eliminate natural sound buffer. No noise mitigation proposed by 40B Developer.	24 CFR B – Noise Abatement and Control SuDoc Class Number: AE 2.106/3:24 Contained within: Title 24 - Housing and Urban Development Part 51 - ENVIRONMENTAL CRITERIA AND STANDARDS Subpart B - Noise Abatement and Control Subtitle A - Office of the Secretary, Department of Housing and Urban Development MassDEP: Noise Pollution Policy Interpretation https://www.mass.gov/files/documents/2018/01/31/noise-interpretation.pdf	then determine means of mitigation (project adjustments, sound barrier, etc.). If not within acceptable mitigation range, project must be redesigned to meet acceptable thresholds with or without mitigation.
3.4	Other Public Safety Concerns with Proximity of Bestway Facility to Project	A. Conflagration Bestway stores 1,750 gallons of flammable material (stated in last annual report to EPA) in its industrial kiln and garage, both adjacent to the Project, near the property line. Project apartment building is 36 feet from property line. Playground and bus stop are within 200 feet.	HUD Policy: high concentrations of stored flammable materials must be evaluated for incompatibility with affordable housing. HUD Policy Memo: www.hudexchange.info/environmental-review/explosive-and-flammable-facilities/ Federal Regulations:	ZBA should obtain, during its public hearing, independent analysis (i.e., W&S) of the compatibility of high-density residential housing adjacent to these uses, and potential public safety and health impacts.

	<u>B. Pressurized Chemical Tank</u> Bestway's wood pressure treating operation used a tank approximately 9 feet tall ("submarine") with 125,000 psi, filled with a chemical bath and lumber, which points directly at Project Site (perpendicular to housing development). In the event of malfunction, an explosion would send a "missile" of hazardous chemical contents and lumber an estimated 250 feet - directly into Project Site.	24 CFR C - Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature SuDoc Class Number: AE 2.106/3:24 Contained within: Title 24 - Housing and Urban Development Part 51 - ENVIRONMENTAL CRITERIA AND STANDARDS Subpart C - Siting of HUD-Assisted Projects Near Hazardous Operations Handling Conventional Fuels or Chemicals of an Explosive or Flammable Nature Subtitle A - Office of the Secretary, Department of Housing and Urban Development	
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