

TOWN OF STOCKBRIDGE

Notice of Meeting

Board or Commission: **Board of Selectmen**

Date of Meeting: November 9, 2023

Time of meeting: 6:30 p.m.

Place of Meeting: Town Offices and Zoom
50 Main Street
Stockbridge, MA 01262

Ernest Cardillo
Select Board Chair

Agenda-

- Pledge of Allegiance
- Continuation of Public Hearing in accordance with the provisions of MGL c148 Section §13, in regard to an application received from Jason Wild requesting the storage of 600 gallons of propane for a total of 114,640 gallons located at 9 Lee Road.
- Public Hearing in accordance with the provisions of MGL c148 Section 13, in regard to an application received from Jason Wild for property owned by Berkshire Gas Co. located at 9 Lee Road, requesting the storage of 600 gallons of methanol, 24,640 gallons of LP-gas in above ground containers (five 3,200 gallon delivery trucks and seventy-two 120 gallon vertical tanks) and 90,000 gallons of LP-gas stored in underground containers (three 30,000 gallon tanks); for a total aggregate to be stored of 114,640 gallons of all LP-gas and 600 gallons of methanol.
- Request to include the Stockbridge Land Trust in the annual report.
- Report about the public boat ramp usage.
- Process to evaluate important land acquisition - 5A North Church Street
- Take action on minutes of October 6th and October 26th

Join Zoom Meeting

<https://us06web.zoom.us/j/6201800714?pwd=NINjNUtCVks5UGlDTUtMRlhaNFZkdz09>

Meeting ID: 620 180 0714

Passcode: Gstock

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 360 209 5623 US

+1 386 347 5053 US

+1 507 473 4847 US

+1 564 217 2000 US

+1 669 444 9171 US

+1 669 900 6833 US (San Jose)

+1 689 278 1000 US

+1 719 359 4580 US

+1 253 205 0468 US

One tap mobile

+16469313860,,6201800714#,,, *718161# US

+19292056099,,6201800714#,,, *718161# US (New York)

Dial by your location

+1 646 931 3860 US

+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

+1 312 626 6799 US (Chicago)

Meeting ID: 620 180 0714

Passcode: 718161

Find your local number:

<https://us06web.zoom.us/j/keahG2y9E2>

Timeline -

- 1973 Berkshire Gas Company application for license and permit to install a Mounded UST 30,000 GAL LP Tank was approved.
- 1981 Berkshire Gas Company application for Special Permit to install 2 (two) Mounded UST 30,000 GAL LP Tanks was approved.
- 2005 Storage license for 90000 GAL LP to Osterman Propane Inc. (this is when Osterman Propane Inc started to operate at 9 Lee Road).
- 2021 U.N.I. Engineering Inc performs 3rd party inspection on Tanks #1, #2 and #3 all Mounded 30,000 Gal LP Tanks FP-102 AST Use Permit Renewal Form stating each tank is in "good working condition and compliant with the applicable regulations and standards"
- 2023 Site inspections by Stockbridge Fire Chief Vincent Jan Garofoli included MASS DFS Code Compliance Officer II John Wood III to verify all code compliance violations are properly documented for the Order of Notice to be issued to Berkshire Gas Company and Superior Plus Energy Services Inc. 10-23-2023 Compliance Inspection performed for Superior Plus Energy Services Inc which found all remaining violations except those being addressed under the Amended Land License Application were in compliance at that time.

Current Status – Approved Uses

- Berkshire Gas (the land owner) through Superior Plus Energy Services Inc. who acquired Osterman Propane Inc. can operate the three 30,000-gallon tanks for the actual storage of inflammable materials. This license may not "expire" or otherwise be revoked except for cause, subject to notice and a hearing.

Requesting Storage –

- 600 gallons of methanol (New request to install)
 - Operator - Methanol is critical to the operation of propane supply to the end user. It is not added at a terminal when the transport loads to bring it to us. We must add it during the transport unload process at the plant.
- 24,640 gallons of LP-gas in above ground containers (have not been approved for the site but has been happening on the site).
 - Five 3,200-gallon delivery trucks
 - Seventy-two 120-gallon vertical tanks

Additional Concerns –

Propane marketers are required to take a tank with more than 5% (greater than 125gal tank) to the closest bulk plant facility under hazmat transportation regulations. Tanks would be required to go to Stockbridge, to safely evacuate the tank. (Emergency operations are not included in the license – state and federal law take priority in these cases – once evacuated the storage of tanks would fall to local license requirements.)



FP-002A
(Rev. 6/23)

The Commonwealth of Massachusetts
City/Town of Stockbridge

Application For License

Massachusetts General Law, Chapter 148 §13

☐ New License ☒ Amended License

GIS Coordinates

LAT.

LONG.

License Number

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 9 Lee Rd. Stockbridge, MA 01202
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Berkshire Gas Company

Address of Land Owner: 115 Cheshire Rd Pittsfield, MA 01201

Use and Occupancy of Buildings and Structures: Propane Storage + Distribution / Natural Gas Pipeline

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
<u>Methanol</u>	<u>1</u>	<u>600 gal</u>	<u>1-500gal container</u>	<u>drums/tank</u>

Total quantity of all flammable liquids to be stored: 600 gal

Total quantity of all combustible liquids to be stored:

Total quantity of all flammable gases to be stored: 114,640 gal

Total quantity of all flammable solids to be stored:

LP-gas (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers.
(See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 24640 gallon
List sizes and capacities of all aboveground containers used for storage: 5-3200 gal. Delivery Trucks

& 72-120 gal Vehicle tanks
❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: 90,000 gallon
List sizes and capacities of all underground containers used for storage: 3-30,000 gal. tanks

Total aggregate quantity of all LP-gas to be stored: 114,640 gal

Fireworks (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4G: _____ Type/class of magazine used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Type/class of magazine used for storage: _____

Total aggregate quantity of all classes of fireworks to be stored: N/A

Explosives (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.2: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.3: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.4: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.5: _____ Number of magazines used for storage: _____

❖ Maximum amount (in pounds) of Class 1.6: _____ Number of magazines used for storage: _____

I, Jason Wild, hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature [Signature] Date 8-15-2023 Name Jason Wild

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

Fire Department Use Only

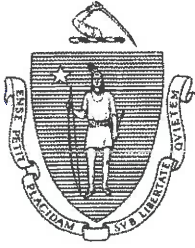
I, Vincent JAN GAROFOLI, Head of the STOCKBRIDGE Fire Department endorse this application with my

☒ Approval ☐ Disapproval

Vincent Jan Garofoli
Signature of Head of the Fire Department

08-31-2023
Date

Recommendations: STRICT ADHERENCE TO RESTRICTIONS PROVIDED IN ATTACHED FP-002 FORM.



FP-002
(Rev. 6/23)

The Commonwealth of Massachusetts
City/Town of Stockbridge

License

Massachusetts General Law, Chapter 148 §13

☐ New License ☒ Amended License

After notice and hearing, and in accordance with Chapter 148 of the Mass. General Laws,
a license is hereby granted to use the land herein described for the purposes described.

Location of Land: 9 Lee Rd. Stockbridge, MA 01262
Number, Street and Assessor's Map and Parcel ID
Owner of Land: Berkshire Gas Company
Address of Land Owner: 115 Cheshire Rd. Pittsfield, MA 01201

Flammable and Combustible Liquids, Flammable Gases and Solids

Complete this section for the storage of flammable and combustible liquids, solids, and gases. All tanks and containers are considered full for the purposes of licensing and permitting. (Attach additional pages if necessary.)

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
<u>Methanol</u>	<u>1</u>	<u>600 gal</u>	<u>1-500 gal container</u>	<u>drums/tank</u>

LP-gas (Complete this section for the storage of LP-gas or propane)

- ❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 24,640 gal
List sizes and capacities of all aboveground containers used for storage 5 - 3200 gal Delivery trucks
+ 72 - 120 gal vehicle tanks
- ❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: 90,000 gal
List sizes and capacities of all underground containers used for storage 3 - 30,000 gal

Total aggregate quantity of all LP-gas to be stored: 114,640 gal

Fireworks (Complete this section for the storage of fireworks)

- ❖ Maximum amount (in pounds) of Class 1.3G: _____
- ❖ Maximum amount (in pounds) of Class 1.4G: _____
- ❖ Maximum amount (in pounds) of Class 1.4: _____
- Total aggregate quantity of all classes of fireworks to be stored: N/A

**THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY
POSTED ON THE LAND FOR WHICH IT IS GRANTED.**

GIS Coordinates

LAT.

LONG.

License Number

Explosives (Complete this section for the storage of explosives)

- | | |
|--|---|
| ❖ Maximum amount (in pounds) of Class 1.1: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.2: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.3: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.4: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.5: _____ | Number of magazines used for storage: _____ |
| ❖ Maximum amount (in pounds) of Class 1.6: _____ | Number of magazines used for storage: _____ |

Licensing Authority Use:

This license is granted upon the condition that the licensed activity will comply with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts General Law, Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00) as amended. The license holder may not store materials in an amount exceeding the capacities herein specified unless and until any amended license has been granted.

ADDITIONAL RESTRICTIONS:

- ① EMERGENCY ACTION PLAN IN DIGITAL FORMAT TO FILE CMDF ANNUALLY.
- ② RECOVERED TANKS MUST BE DRAINED OF LP MINIMUM OF EVERY 2 WEEKS.
- ③ WRITTEN RECORDS KEPT AND PRODUCED ANNUALLY TO FILE CMDF OF RECOVERED TANKS AND PUMP OFFS
- ④ NO MORE THAN 72 120 GAL RECOVERED LP TANKS TO BE ON SITE IN STRIKE PROTECTED AREA AT ANY TIME.
- ⑤ NEW OR REFURBISHED TANKS READY FOR INSTALL MUST BE IN STRIKE PROTECTED AREA SEPARATE FROM RECOVERED TANKS.

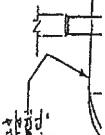
Signature of Licensing Authority

Title

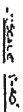
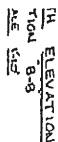
Date

PLEASE NOTE THAT ONLY APPLICATIONS WITH ORIGINAL WET SIGNATURES WILL BE ACCEPTED. PHOTOCOPIES OF APPLICATIONS WILL NOT BE PROCESSED.

THIS LICENSE OR A CERTIFIED COPY THEREOF MUST BE CONSPICUOUSLY
POSTED ON THE LAND FOR WHICH IT IS GRANTED.



TANK DETAIL 5

[illegible]

417-G-89

RECEIVED
JUL 17 4 36 PM 1973
CLERK 2

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW IS NOT REQUIRED.

July 9, 1973

CHAIRMAN STOCKBRIDGE PLANNING BOARD

Virginia J. Gray
Clayton L. Taylor
Robert G. Kelly



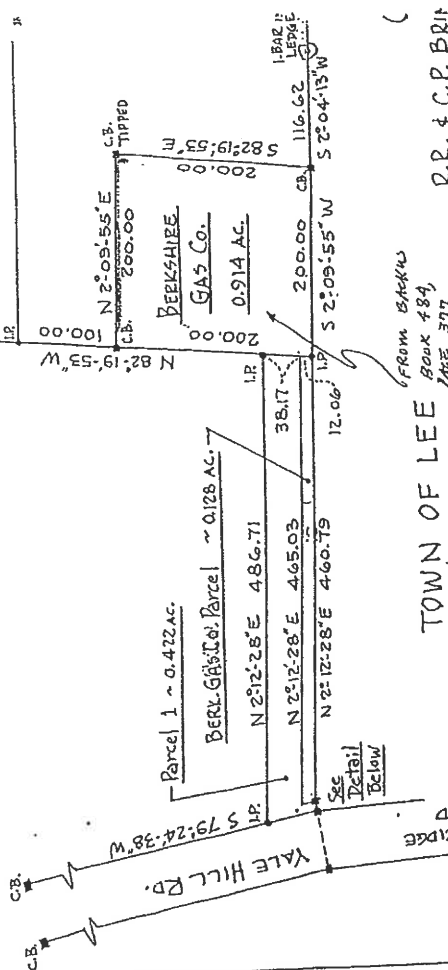
R.F. & C.P. BRINKER

TOWN OF STOCKBRIDGE

Parcel 1 ~ 0.422 AC.

Parcel 2 ~ 5.380 AC.

Parcel 3 ~ 2.587 AC.



TOWN OF LEE

R.R. & C.P. BRINKER

SUPPOSED TOWN LINE

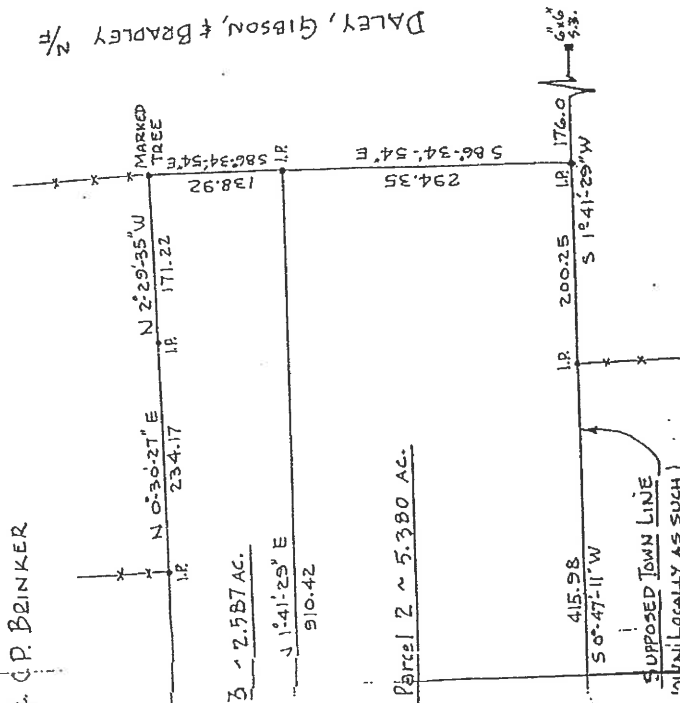
Detail at Corner ~

Stockbridge and Yale Hill Roads

No Scale

Exhibit B

DALEY, GIBSON, & BRADLEY



L.C. MULLONEY

PLAN OF LAND IN BERKSHIRE COUNTY
OWNED BY

RAYMOND R. & CLAIRE P. BRINKER

AND
THE BERKSHIRE GAS COMPANY.

Stock bridge

Scale 1" = 100 ft.

E.W. Phelps, Engr.

Pittsfield,



I hereby certify that this Land Survey
made on the ground on or about the
date of this plan.

Edgar W. Phelps
EDGAR W. PHELPS, SURVEYOR

Mass.

May 1973

Surveyor

Mass.

Site Emergency Planning Questionnaire

- 1 Location Name: Stockbridge Plant
- 2 Street Address: 9 Lee Rd. Stockbridge, MA
- 3 Direct Telephone Number: 800-648-8681
- 4 Locations Manager's Name: Jason Wild or Ray Cote
Cell Phone Number: 715-223-4013 or 413-233-8383
- 5 Describe in detail, how will an employee **notify others** of an emergency situations (i.e. a fire):
An employee will verbally notify all personnel on site then make pertinent emergency notifications to 911.
- 6 Describe in detail, how will employees **be notified** in the event of a facility emergency (i.e. a fire) which would require evacuation:
Anyone in the bulk plant and office will evacuate the premises upon receiving verbal notification and will report to the primary assembly point at the main gate. If the primary point is not adequate, the personnel shall move to the secondary assembly point across Main St. near the front of Al's diner.
- 7 List ANY/ ALL critical operations which must be shut down by an employee **before** evacuating in an emergency situation:
Shut down product transfer operations, push emergency shut down buttons/switches.
- 8 Describe your site procedure to account for employees following an emergency evacuation; include who does what, when, how...
At the assembly point the designated representative shall account for all persons known to be in the terminal and office.
Enact search and rescue efforts for anyone missing with emergency responders (i.e.. Fire Dept.)
- 9 List the name, address, and telephone number of your:
- Local Fire Department: Stockbridge FD
50 Main St. Stockbridge, MA
413-298-4179
- Local Police Department: 911
- Ambulance Service: 911
- 10 Does your facility have the following (circle correct answer):
- | | | |
|---------------------|------------|-----------|
| Smoke Detectors: | Yes | <u>No</u> |
| Fire Alarms: | Yes | <u>No</u> |
| Sprinkler System: | Yes | <u>No</u> |
| Emergency Lighting: | <u>Yes</u> | No |
| Fire Extinguishers | <u>Yes</u> | No |
| First Aid Kits | <u>Yes</u> | No |

Boat Launches 2023

Total Launches 4,900

Launches of Power Boats 356 7%

Launches non-power Boats 4544 93%

Local Town Boat Launches		Local Towns %	Total All Launches %
Stockbridge	530	21	11
Lenox	1022	40	21
Lee	253	9	5
Pittsfield	349	13	7
Dalton	69	3	1
GB	74	3	1
W. Stockbridge	148	6	3
Richmond	112	4	2
Total Local		2557	
Total All		4900	

1. Last year we had about 6,000 launches
 2. This year 4900
- Reasons for less launches
3. Due to wet summer
 4. No Josh