

Taunton concrete company denied permit to install fuel storage tanks

Ed Baker

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TAUNTON — Dauphinais Concrete Inc.'s request for a special permit from the Zoning Board of Appeals to install two above-ground fuel tanks at its concrete batch plant on Berkley Street was rejected after several abutters voiced safety and environmental concerns.

Concrete company owner Chris Dauphinais sought a special permit to install a 1,000-gallon gasoline tank and a 9,950-gallon diesel fuel tank to provide fuel for his company trucks.

"My trucks come back and forth at all times," he said during a Zoning Board of Appeals public hearing on Jan. 25. "We want every truck to be fueled and ready to work."

Dauphinais purchased the concrete

batch plant at 120R Berkley St. in September 2023. The plant has been in operation since 1934, he said.

The 19-acre urban residential zoned property sits on the east side of Berkley Street. The concrete batch plant is located in the middle of the site. The east side of the site includes a crushing operation which is not owned by Dauphinais.

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Berkley Street resident Catherine Rodriguez shares her concerns about Dauphinais Concrete Inc's proposal to have two above fuel storage tanks on its property.

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Tanks

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What is in the plans

According to Dauphinais Concrete's engineering consultant Mark Smith, the two tanks would sit on a concrete pad in the middle of the site. The diesel tank would be 27 feet long and the gas tank 12 feet long. The tanks would be surrounded by a concrete barrier for safety. The proposed tanks would be fire rated and double walled to prevent leaks.

Smith added that several measures would be in place to ensure safety. A high-level audible alarm would alert if the truck got to 90% full. At 95% full, Smith said a float valve would automatically shut off the pump.

"The tanks won't add any impervious surface and will be 200 feet away from the property line at the closest point," said Smith, a principal civil engineer at CMG Environmental Inc. "The tanks won't be visible to passersby and won't generate noise or odor off site. The tanks would only be used to fuel trucks that are already going to be on the property."

Smith added that only authorized Dauphinais Concrete trucks would be able to obtain fuel from the tanks.

An alternative to having the fuel tanks on site, Dauphinais said he could contract with an off-site company to wet fuel his trucks. But bringing in a truck to individually fuel trucks is not ideal, he said.

Abutters say fuel tanks pose safety, environmental concerns

Berkley Street resident Catherine Rodriguez, whose home is closest to the proposed tank location, said a fuel leak from the proposed storage tanks would pose environmental dangers in a heavily populated neighborhood. She also expressed concern about the security of the property.

"I am very nervous. Our neighborhood is thickly settled. We are getting beat up here. We need some relief in this neighborhood," she said. "We have to live with this. It is not a secure property. I could walk on that property during any time of the day."

Berkley Street resident James O'Brien said Dauphinais Concrete's request would be similar to having a neighborhood gas station that could pose fuel leak dangers, like what occurred when gasoline leaked from a Mobil service station underground pump at Amaro's on Middleboro Avenue on Aug. 28, 2023.

"We the neighbors, we are ready to work with Dauphinais Concrete to resolve all of the difficult issues we face," he said. "My request of the board is that until our concerns are reasonably dealt with, we request it be denied."

Berkley Street resident Peter Rodriguez said he can smell fuel odor from the trucks on the company's property. He fears that odor will worsen if gas storage tanks are allowed.

"I smell odor every morning when I get up," he said. "The smell comes into my backyard. There will be more odor if more trucks get filled with fuel."

Site has historical issues, prior to new owner

Dauphinais said he realized this property has had a lot of problems in the past.

"I realize the business we operate is not a 9 to 5 business. We are an early morning business and understand it can be disturbing and there are ways to



CMG Environmental Inc. principal engineer Mark Smith, left, and Dauphinais Concrete Inc. owner Chris Dauphinais explain a plan for two proposed storage tanks at a company facility on Berkley Street during a Board of Zoning Appeals public hearing on Thursday, Jan. 25 PHOTOS BY ED BAKER/TAUNTON DAILY GAZETTE



Berkley Street resident James O'Brien shares his concerns about Dauphinais Concrete Inc.'s proposal to construct two storage tanks on its property.

mitigate it," he said. "We pride ourselves in our business and the way we operate. We are looking to make this a better place. We want to be good neighbors and do what we can to operate our business and make people as happy as we can."

"A lot of problems that happened on the site was in the rock crushing operation. We did not purchase the rock crushing operation. It is dirty, dusty, loud - we do not operate that," he added. "Our business is not crushing rock, all I want to do is deliver concrete."

Dauphinais feels adding these tanks will be a betterment to the property as the former owner parked an old 10,000-gallon single wall fuel truck on site that they would fuel their fleet from.

"When we purchased the property there was an old fuel truck on site," he said. "We looked at it as not a safe way to do it."

Currently the concrete company has a permit from the fire department for two temporary 250-gallon tanks on site.

Owner says safety measures will be used to protect the neighborhood

Smith said the proposed fuel storage tanks would be placed on concrete pads to prevent leakage into the soil. He added that alarms would be installed on the tanks to notify the fire department and company officials if a leak occurs.

"The fuel pumps will be locked at night, and the power to them will be shut off," he added.

Smith said the company's property was recently surveyed, and fencing will be placed, if needed, to secure the site. Dauphinais noted that the gates to the

property are locked nightly.

Zoning board denies special permit

Zoning Board of Appeals Chairman Dennis Ackerman said the presentation lacked pertinent information before a special permit could be approved. Several members also had concerns about the project. Stever Vieira wanted to see a fuel vehicle movement plan and member John Joyce questioned the need for a gasoline tank, adding that he might be amenable to only a diesel tank.

Ackerman said Dauphinais Concrete needs to meet with neighborhood residents to understand their concerns and make changes to their proposed gasoline storage tank plan.

"I have a major concern at what you are proposing," said Ackerman. "It is in the heart of a residential area that has become well developed and is going to become more developed."

"In all honesty for safety reasons, I would rather see an onsite delivery company," Ackerman added.

The Zoning Board voted 3-2 not to approve the site plan submitted by Dauphinais Concrete.

Ackerman said the board imposed stipulations for Dauphinais Concrete to fulfill if company officials opt to file an appeal of the board's rejection in Bristol Superior Court.

"We included stipulations so the court could see what we are looking for if our decision to reject their (Dauphinais Concrete) plan was appealed," he said last week.

Ackerman said stipulations include requiring Dauphinais Concrete to have an emergency notification system that would alert the fire department, company officials, and an onsite employee if a fuel leak from a storage tank occurred on the property.

He also said the stipulations include a requirement for fuel pumps to have security locks and a device that allows only authorized employees to obtain fuel.

Since the plan was denied by the Board of Appeals, the applicant cannot bring the same proposal back before the board for two years.

Board members Ackerman, Vieira and John Doherty voted against approving a special permit, and colleagues John Joyce and Seth Turney voted in favor of Dauphinais Concrete's request for a special permit.

The Taunton Daily Gazette could not immediately reach Dauphinais Concrete officials for comment about the zoning board's decision.

Editor Jennifer Martinage contributed to this report.