

CITY OF SALEM
CONTINUATION OF PUBLIC HEARINGS
FEBRUARY 4, 2016

Continuation of Public Hearings of the Salem City Council was held in the Council Chamber on Thursday, February 4, 2016 at 6:30 P.M. for the purpose of discussing declaring property located at 297-305 Bridge Street (former Universal Steel site) as surplus property, discontinuance of a public way known as Beckford Way, convey a portion of 297 Bridge St. for the sum of \$10,001.00 and land disposition agreement and conveyance of land to Sun King LLC. Notice of this hearing was posted on January 28, 2016 at 10:47 A.M.

Councillor Fuey arrived at 6:34 P.M.

Councillor Josh H. Turiel presided.

In attendance were the following: Mayor Driscoll, Solicitor Elizabeth Rennard, and City Planner Lynn Duncan

#5 - PUBLIC HEARING OF THE CITY COUNCIL TO DECLARE A PARCEL OF LAND AS SURPLUS

RELATIVE TO DECLARING A PARCEL OF LAND AS SURPLUS LOCATED AT 297-305 BRIDGE STREET LOT 1 CONTAINING 52,491 SQUARE FEET, PARCEL B CONTAINING 1,260 SQUARE FEET AND PARCEL A CONTAINING 2,035 SQUARE FEET.

Mayor Driscoll - did a power point presentation and answered questions.

1. How did we get here and why are we proposing to surplus and sell this land?
2. What do the finances look like? How much do we expect to gain and what are the risks?
3. What are the existing conditions of the site?
4. How will the health and safety be addressed?

When the work was completed the city will have a clean site.

Finances \$1,000,000 is the purchase price. From the proceeds of the sale \$616,241.00 the city hopes to be paid for outstanding tax liens and costs associated with remediation

of the site. Also from the proceeds of the sale \$383,759.00 we have to pay Mass. Development loan/grant. We are still working on the numbers.

Taxes and T.I.F.'s \$100,000.00 is expected in tax revenue and \$1,000,000.00 is expected 10 year minimum annual tax. Revenues without the T.I.F. is $100,000 \times 10 \text{ years} = \$1,000,000.00$.

\$40,000 is expected T.I.F. request
\$40,000 is expected annual T.I.F. relief over 10 years
%60,000 is expected annual tax revenues with the TIF
\$600,00 is expected over ten years minimal annual revenue

This is conservative. Additional Financial exposure, any additional cost beyond agreed TIF will be responsibility of the property owner (Sun King LLC) aka F.W. Webb. There is no additional funding from the city.

The Mayor - introduced Frank Ricardi Manager of Weston & Sampson.

Mr. Ricardi - did a power point presentation regarding work on brownfields. He stated this site has an interesting past.

1936 – 2012 It was a scrap metal yard.

1995 – 60 cubic yards of soil was excavated and disposed of.

2007 – 107 cubic yards of soil was excavated and disposed from abutting property

2012 – the City acquired the property

2013 – EPA/DEP and the city perform comprehensive remediation. 6,380 cubic yards of soil were excavated and disposed of.

2015 – City issues RFP in 2015 and F.W. Webb was the only responder.

Councillor Sargent - asked how far down was it dug.

Mr. Ricardi - answered four feet down. The number one priority was monitoring the dust. For clarification historical PCB concentrations listed above 1,000 parts per million were erroneous. The units for these concentrations should be parts per billion and divided by 1,000 to get parts per million.

Councillor Ryan - asked could the site ever be residential.

Mr. Ricardi - answered yes with more remediation. If people grow vegetables in gardens it could get contaminated.

Councillor Milo - asked what about ground water and soil.

Mr. Ricardi - stated they have to go below to make sure soil is removed appropriately.

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Felix Perolt - LSP for F.W. Webb – stated registered soil scientist, environmental specialist, geologist devoted his life to saving the environment. This is not an environmental clean- up. Documentation – technical memorandum after document review we submitted October 2015 a soil and water management plan. AUL currently doesn't limit property as parking lot. AUL does allow work to be done under LSP. Soil management practices and dust management are closely monitored. Greenleaf using vibrating stone column remove 300 tons. 25-30 tons of toxic regulated soil, this is a construction project not a clean-up project. Dust control by Webb will be required to stock pile soil with a cover of Ply sheeting if project is greater than 1 week for extended period of time. Hay bales are piled around the soil. It's all in the health and safety plan. No soil to be tracked onto the street. Dust control is misting the soils, there are parameter monitoring in this program .001 per mil. Grams. They use Mass. Dep monitoring methods. DEP's robust program is dust control, noise control, erosion control, water control and decontamination procedures. Vapor barriers approach is robust and met with Mass EPA. PCB's are non-volatile and the vapor threat is extremely low. GW2 standards only 1 voc and non volatile PCB. F.W. Webb is committed to building safely.

Councillor Gerard - stated she is concerned with time of year when children are outside and can be exposed.

Mr. Periello - stated if you are more at risk at general clean up. No, based on the concentrations safeguards are in place. Dust monitoring program will prevent exposure to children.

Councillor Gerard - asked what will people be exposed to.

Mr. Periello - there are no problems living adjacent to the project for 30 days.

Frank – action level is an extra safeguard robust program for dust monitoring.

Councillor Famico - asked can you talk more about protection of homes.

Mr. Periello - they won't be realized what we are managing

Councillor Famico - asked is monitoring at different levels

Frank – yes at different levels. Misting truck is nearby. Make dust data available to public on site.

Councillor McCarthy - questioned clarify tons vs cubic yards

Mr. Periello - multiply 1.5 yards = ton

Councillor Milo - questioned where can we find the Health and Safety Plan

Lynn Duncan City Planner - stated it will be put online.

Councillor Lovely - asked the EPA and DEP discussions when will they be completed

Mr. Periello – October 2015 request of EPA for disposal they want additional overlays, could be weeks to a month

Mayor Driscoll – Additional information to fine tune.

Councillor Lovely – concerned about number – plan actual to approval when will we get final ok

Mr. Periello – we will get it to EPA in next couple of days

Councillor Lovely – you have made a presentation to them?

Mr. Periello – yes they got our plans and formal request the bottle neck is EPA

Councillor Lovely – stated less contaminated soil and kept on site it will be done to same money

Mr. Periello – based on risk but if not allowed in regulation it won't happen it will be under the building.

Councillor Lovely – so it will be less than cubic yards

Joel – the stock pile is the fill materials 1 ½ feet to 4 feet of soil. It's clean fill.

Councillor Lovely – asked what is the percentage you are taking off the site.

Joel – one hundred fifty to two hundred tons

Councillor Lovely – so 75% will be taken out

Joel – most of the product stay on site

Mr. Periello – the documents are from March 2015

Mayor Driscoll – March 2015 was attached to the Webb proposal. There is terrible confusion on this. There's a lot of misinformation.

Councillor Sargent- asked the Mayor how much are we paying our consultant.

Mayor Driscoll – LSP cost Weston & Sampson for peer review Contract of \$5,000

Councillor Sargent – Mr. Periello who are the regulators US EPA.

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Mr. Periello – Keim Teasa, Valerie Thompson DEP Main Office Boston

Councillor Sargent – will it not be capped?

Mr. Periello – part of the construction project

Councillor Sargent -asked will there be leach ability

Mr. Periello – We will have to dispose of it as hazardous waste. Small concentration of soil

Councillor Sargent – Who handles the price of disposal

Mr. Periello – F.W. Webb pays cost

Councillor Sargent – What about the water table at 5 feet

Mr. Periello – ground water will be disposed of in tanks

Councillor Sargent – the 100 year flood every time it rains what if we have the rains if its uncapped.

Mr. Periello – We hope during the 30 days we don't have that event

Frank – depth of water erosion controls above high water mark. We hope controls we have in place will be adequate.

Councillor Sargent – there is a sump pump in the building.

Frank – we sample ground water for PCB's. the water is five feet down don't have pcb's

Councillor Furey – F.W. Webb we are a city, why hang in? Why reinvest here in Salem

Jeff Pope - F. W. Webb has been there since 1945. Customers are used to us being there. It's a great place for us.

Councillor Dibble – Thanked Mr. Periello for being here tonight. What is the estimated remedial that is needed?

Mr. Periello – The work is in progress around \$400,000 range we won't know until the work begins.

Frank – three million to make residential again.

Councillor Dibble – What is the long range health risk to employees working at Webb?

Mr. Periello – The risk will be mitigated by floor and vapor barriers. The risk would be minimal.

Councillor Dibble – Mayor could you clarify, so the sale price will be \$1 million will it be held in escrow.

Mayor Driscoll responded no

Councillor Dibble – Can we cap amount or is there more we could be on the hook for?

Mayor Driscoll – We think \$400,000 is a solid estimate. We hope to have that figure in a week.

Councillor Dibble – without having a fixed number to sell I would hesitate to sell this.

Mayor Driscoll – We are all trying to get to the do not exceed number.

Councillor Milo – questioned what if there is liability to the City.

Mayor Driscoll – We have worked with an Attorney, we are not responsible for the contamination of the property. We took property for tax title we won't have liability.

Councillor McCarthy – question for Mr. Periello. Proposed contractors for the site working with F.W. Webb for a year. Do they have Five-six years experience with contractor?

Bob Angeroni – F.W. Webb worked with them since 1993. Andy project manager for 25 years now owns his own company doing business for the last 3 years as Greenleaf.

Councillor Eppley – asked has Greenleaf & LSP worked on other jobs together?

PUBLIC HEARING OPEN TO THE PUBLIC

IN FAVOR:

Patrick Delulis – calls Salem home. Owns properties in Salem since the early 70's. He is in support of F.W. Webb. A lot of Parks & Playgrounds were built on what was contaminated. If done correctly this is an improvement to the City.

John Boris – 5 Beckford Street resident and business owner in Salem in favor of Webb

James Moskavitch – in support of the parcel to be developed by F.W. Webb. I listened to the developers and the neighbors. It took a lot to understand long time business wants to expand and grow. There is disbelief in government. Enough is enough F.W. Webb, Senior Center if numbers don't work they have bullying tactics. Think hard look at the City as a whole.

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Rinus Oostook – Chamber of Commerce. The City took property tax title. City is better served as reuse of the site.

James Muse – 17 Berrywood Lane, Beverly. Owns property in Salem. I heard more information tonight. This has been a negative to the City. Stay with the process and declare it surplus.

Jeff Cohen – 12 Hancock Street – the process and details of today have impressed me. The detail of the environmental clean-up makes me in favor.

OPPOSED:

Alex - 8 Botts Court – he stated he moved her and uses Beckford Way to walk his dog. Work on the environmental and CPA. Don't declare surplus near NRCC. Land is sinking, this corridor is at risk with global warming. Storm surge events will intensify. Consider parking lot it has value. Less industrial more retail. Highland Avenue has many parcels that would accommodate this business.

John Carr – 7 River Street – Discuss the process. We had a forty-five minute informational meeting on January 6th. Last Tuesday January 26 also forty-five minutes with the Mayor's information. When does the process stop being a moving target with technical language. Mayor wanted this to go through in November. We are at a public hearing and still getting information. We have heard changes other materials we were given Webb's attorneys amendments to their proposal. Give the public an idea of all the elements what Webb and the City are proposing. Nor presentations allowed we are told by the president of the council but the presentations were good information.

Dr. Jane Arlander – 93 Federal Street – stated she has been in the medical field for forty years registered nurse and physician. Abutter is an eye witness to 297-305 Bridge Street property for 50 years. There are negative health problems if uncapped. Exposures need more information. Do not declare land surplus. Maintain its current condition. EPA endorses the use of this land as a parking lot. A major construction project proposes health risks. A parking lot has no risk to human health. The soil has pcb's, cadmium, lead etc.

Jeremiah Jennings – 18 River Street – Webb proposal is bad for the city. I'm a pile driver and have worked in hazmat suit and respirator. Safety gear is for the workers on the site. Airborn dust is almost impossible to control.

Ean Cox – 2 River Street – is opposed to declaring this land surplus. We bought our home for a place for our children to play. We knew there was an RFP on the abutting property. I'm concerned our children will get cancer. How do I explain to the children that they can't play outside for fear they may track in dirt or dust from outside. Vote against this.

Melissa Hanks – 16 River Street – a five year old boy lived through the former remediation and he was two years old at the time. We were told to keep the windows shut and doors closed and stay inside. Please leave this as a parking lot.

Darrow Lebovici -122 Federal Street – the declaration of surplus it's a proposal for a specific company for a specific project and specific design. The impact on the neighborhood not being an expert but this project is too high, wrong design near residential neighborhood. Zoning is illegal. I want Webb to stay in Salem. Expansion should be properly designed to fit in the neighborhood. I am opposed to declaring it surplus.

Carol Carr – 7 River Street – she is opposed to declaring the site as surplus. We do want Webb to stay in Salem. They should be in an industrial zone. The children on River Street range in age from 3 -12 years old. Can you guarantee no health risk to them? There is no risk as a parking lot. Why open it.

Peter Eschauzier – 15 ½ River Street – I would like to address the issue no one is certain what the clean-up costs will be. Cost will be passed onto the tax payer. We don't know what's there. Don't open Pandora's box.

Susan Weldon – 106 Federal Street – support all of the McIntire District. The last remediation I had a problem breathing, I have poor health and fibromyalgia. I travel with an inhaler. Do not uncap this site.

Mary Madore – 31 Forrester Street – I'm in support of all the people here. These elements are carcinogens. Once the dust is in the air you can't contain it. Where does the board of health stand on this. Planning Board the public need to be able to read reports.

Jennifer Firth – 3 Carpenter Street – I'm not an abutter but against this site. As a previous selectmen you need to protect your residents.

Connie Arlander – 93 Federal Street – I am an abutter to an abutter, the 9th generation in my house. The contaminants on this site are a health risk to the neighborhood.

Janice Eschauzier – 15 ½ River Street – We spent two hours learning about this project. I thought I would have felt better with the information but I don't. How much risk would you assume for your child's health.

Councillor Famico – How many more about 12. Could we continue?

Councillor McCarthy moved to continue the public hearing on Tuesday, February 23, 2016 at 6:00 P.M. Seconded by Councillor Eppley. It was so voted.

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#6 – PUBLIC HEARING OF THE CITY COUNCIL DISCONTINUANCE OF BECKFORD WAY**ON THE DISCONTINUANCE OF A PUBLIC WAY KNOWN AS BECKFORD WAY
(A.K.A. BECKFORD ST. EXTENSION)**

Councillor McCarthy moved that the hearing be continued to February 23, 2016 at 6:00 P.M.

#7 - PUBLIC HEARING OF THE CITY COUNCIL CONVEY A PROTION OF BRIDGE STREET TO SUN KING LLC**TO CONVEY A PORTION OF 297 BRIDGE STREET 1,260 SQUARE FEET KNOWN AS
PARCEL B TO SUN KING LLC FOR THE SUM OF \$10,001.00 WITH A PERMANENT
PEDESTRIAN AND VEHICULAR ACCESS ON THE ENTIRE PARCEL FOR THE
BENEFIT OF 30-32 BECKFORD STREET**

Councillor McCarthy moved that the hearing be continued to February 23, 2016 at 6:00 P.M.

**#8 - PUBLIC HEARING OF THE CITY COUNCIL ON LAND DISPOSITION
AGREEMENT AND CONVEY A PORTION 297 BRIDGE STREET****ON LAND DISPOSITION AGREEMENT AND CONVEY A PORTION 297 BRIDGE
STREET 52,491 SQUARE FEET (FORMER UNIVERSAL STEEL) AND 311 BRIDGE
STREET, 2,015 SQUARE FEET TO SUN KING LLC AFFILIATE OF F.W. WEBB CO.
FOR THE SUM OF \$990,000.00**

Councillor McCarthy moved that the hearing be continued to February 23, 2016 at 6:00 P.M.

On the motion of Councillor Furey the meeting adjourned at 9:45 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK