

**Salem Conservation Commission  
Minutes of Meeting**

**Date and Time:** Thursday, February 23, 2017, 6:30 p.m.  
**Meeting Location:** Third Floor Conference Room, City Hall Annex, 120 Washington Street  
**Members Present:** Chair Gregory St. Louis, Tyler Glode, Tom Campbell, Bart Hoskins  
**Members Absent:** Dan Ricciarelli, Gail Kubik, Scott Sheehan  
**Others Present:** Tom Devine, Conservation Agent  
**Recorder:** Stacy Kilb

Chair St. Louis calls the meeting to order at 6:45pm.

- 1. Forest River Conservation Area Trails—Public Hearing—Notice of Intent for the City of Salem, 93 Washington Street, Salem, MA. The purpose of this hearing is to discuss proposed walking trail upgrades, footbridge replacement, and associated improvements within the Forest River Conservation Area (accessible via Salem State University South Campus at end of Harrison Road) within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**

Rob Barella of Kyle Zick Landscape Architecture presents. An existing portion of trail will be improved. He describes the materials to be added that will improve water flow on the trails. This phase will work on the first ¼ mile to the boardwalk, within the existing footprint of the trails. An accessible handicap parking space will be added, and the ultimate goal is to make the entire trail accessible. The grant funding this project recognizes that there is the potential for archaeological sensitivity on the site, so in order to minimize tripping hazards without digging, material will be added over them. The contractor may only use small equipment; the existing footbridge will be replaced and will be up to code. The bridge will be on an auger system with helical piers, allowing for less disturbance. Bank stabilization will also occur. There will be no adverse stormwater impact.

Devine states that this is the Commission’s own project on land owned and managed by the Commission, and it is also under its regulatory jurisdiction. He outlines the history of the project, beginning with the Trails Assessment funded by the Commission and CPA; a grant was obtained along with matching funding from the City.

Chair St. Louis notes some typographical amendments that should be made to the filing. He discusses them with Mr. Barella. A more durable material is suggested for the handicap sign in the parking lot. The accessibility requirements of the trailhead are discussed. Trail details are discussed regarding cross-slope and running slope. Limits to the slope are suggested as a clarification, but not necessarily as condition. Slope should be 8% and 2% to prevent future issues. Coir logs vs. blankets for stabilization are discussed. Slopes are discussed further. Chair St. Louis would prefer blankets and Mr. Barella notes this. Benches in the trailside amphitheater will be granite. The Chair suggests adding the height and also makes some recommendations regarding stepping precast blocks vs. revising the grade. Glode asks about social trails and Mr. Barella states that there are two social trails they will be blocking off. Tom Campbell asks if there will be signs prohibiting things such as mountain bikes; there are already signs in place but the bike racks are to be added may deter people

from riding in.

The Chair opens to the public but there are no comments.

A motion to close the public hearing is made by Hoskins, seconded by Glode and passes 4-0.

The Commission will require that a revised plan with corrected typographical errors be submitted prior to contraction. The Commission selects to omit the standard requirement for a post-construction as-built drawing. In addition, the Commission chooses to allow limited stockpiling and storage of materials within the flood zone and buffer zone, provided that adequate protections are in place to prevent migration of sediment.

A motion to issue an Order of Conditions with standard conditions as amended is made by Hoskins, seconded by Campbell, and passes 4-0.

**2. Salem State Salt Marsh Monitoring Wells—Public Hearing—Notice of Intent for Salem State University, 352 Lafayette Street, Salem, MA. The purpose of this hearing is to discuss the proposed replacement of 2 monitoring wells within the salt marsh adjacent to the baseball field at the Salem State South Campus at 71 Loring Avenue, within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**

Presenting for the applicant are Bill Phelps of Tetra Tech and Phil Merkle of Salem Sate. Mr. Phelps describes the project. Wells were installed in the early 1990's after the landfill closure. Steel casings for the wells have deteriorated. Sampling is tide dependent, so they plan to close and replace two wells. The state requires sealing/pulling out wells not in use. They will do that and drill the middle and southerly locations. He describes protective measures and equipment to be used, as well as the wells themselves. Casings will be stainless steel to avoid the corrosion that occurred in the past. Two wells will be closed and replaced. Chair St. Louis asks if other wells will also have the same issues; these are the only two located in the marsh and subject to these conditions. Only the top part will be set in concrete and Mr. Phelps describes the setup.

Hoskins asks about use of the mats under the equipment; he feels they should be used even if the marsh is frozen, so as not to impact it. The intent is to use the crane mats regardless. Campbell asks about the flexibility of location; these are upgradient so there is flexibility; the downgradient ones are more crucial. Campbell is wondering if they can be moved to make access easier; this will be explored. Chair St. Louis asks why they are in the marsh rather than upland; some were installed as part of a larger program, and because they were already there, were selected as monitoring points so no additional drilling would be needed. Existing wells will be abandoned with a pelleted form of bentonite, but as they are already silted in, most of the work will entail removing the casings. Wells will be developed after installation. There will not be much in the way of surplus soils but any that are there are will be removed.

Chair St. Louis asks about the low flow path (over the salt marsh mud), but it is not practical to lay the mats over that.

Chair St. Louis opens to the public but there are no comments.

A motion to close the public hearing is made by Hoskins, seconded by Glode, and passes 4-0.

The Commission will require that any impacted water generated will be contained and removed and a spill kit must be onsite during the work.

A motion to issue an Order of Conditions subject to standard and special conditions as discussed is made by Hoskins, seconded by Glode, and passes 4-0.

- 3. South Mason Street Residential Development—Public Hearing—Notice of Intent for Juniper Point 9 South Mason Street, LLC, 63 Federal Street, Salem, MA. The purpose of this hearing is to discuss a proposed multifamily residential project involving upgrades to 2 existing buildings, construction of 2 new townhouse buildings, and associated improvements at 9 South Mason Street, 3A Buffum Street Extension, and 23 Mason Street (including 23½ and 23R Mason Street) within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**

Devine states that the applicant's representative is unavailable for tonight's rescheduled meeting and therefore requests to continue to the March 9 meeting.

A motion to continue to the March 9, 2017 meeting is made by Glode, seconded by Campbell, and passes 4-0.

- 4. 2 Atlantic Street 2-Family House—Public Hearing—Notice of Intent for Gregory Investment Group, LLC, 301 Edgewater Drive, Suite 100, Wakefield, MA. The purpose of this hearing is to discuss the proposed construction of a 2-family house and appurtenances at 2 Atlantic Street within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**

Presenting for the applicant is Mr. Greg Hochmuth from Williams & Sparages. He describes the location and the project. The entire lot is in Land Subject to Coastal Storm Flowage. Compensatory flood storage is not possible so infiltration of roof runoff is proposed; soils are category D. Erosion controls are proposed; there are no adjacent wetlands, but this will runoff to the road and out of the catch basins. The lot is described. Variances have been obtained from the Zoning Board of Appeals.

Chair St. Louis opens to the public but there are no comments

A motion to close the public hearing is made by Hoskins, seconded by Campbell and passes 4-0.

A motion to issue an Order of Conditions with standard conditions is made by Glode, seconded by Hoskins, and passes 4-0.

- 5. Shetland Park Seawall—Public Hearing—Notice of Intent for James J. Welch & Co., Inc., 27 Congress Street, Suite 503, Salem, MA. The purpose of this hearing is to discuss proposed seawall repairs at Shetland Park at 27 Congress Street within an area subject to protection**

**under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**

Presenting for the applicant is Mr. Mike Welch with James G. Welch Co. Photos of the current condition of the seawall are distributed. Work will consist of maintenance of the existing riprap and granite cobble seawall on the canal facing Pickering Wharf, and repair of the corner of the building on the Northwest side.

Existing conditions of the seawall are shown and described. Work will be done at low tide when water is not covering the wall. Fallen stones will be removed to the parking lot using an excavator from the parking lot, with no equipment in the mudflats. They will not go below the existing mudflat areas. Erosion controls are described.

The second part of repair work on the Northwest corner of the building is described. The existing footing will be hand-excavated and replaced. The process is described. In some cases scaffolding will be used to keep them off the mudflats.

Chair St. Louis asks about some of the wall details. Geotextile fabric should be behind all the walls to eliminate future washout. It is shown on one detail but will go in behind any disturbed areas. Stamped plans will be provided and structural engineers will be overseeing the project. Vegetated slope is existing, but will be rebuilt with riprap.

Devine distributes a comment letter from the Division of Marine Fisheries. Work will be done in the dry at low tide, mostly from an upland area. Mr. Welch describes the process of repair to the building footings for Hoskins. Chair St. Louis asks if the rest of the seawall was evaluated; it was not. Some of the property has a similar seawall of granite blocks, while other parts are riprap. Other work is being considered, to investigate if soil is being washed out from under the blacktop, but Mr. Welch is not sure of the status of that.

Chair St. Louis opens to the public but there are no comments.

A motion to close the public hearing is made by Hoskins, seconded by Campbell, and passes 4-0.

The Commission will require that the applicant adhere to all commitments references in the DMF letter.

A motion to issue an Order of Conditions with standard conditions and special conditions as noted is made by Campbell, seconded by Hoskins, and passes 4-0.

**6. Old/New Business**

- 7 Osborne Hill Drive, DEP #64-440, Request for Certificate of Compliance

Devine references the as-built plan; jurisdiction is limited on this site to a sliver of the lawn, sidewalk and front steps in the buffer zone. They were not required to do infiltration. An in-ground pool was later installed in the back yard, but it is outside the buffer zone.

A motion to issue the Certificate of Compliance is made by Hoskins, seconded by Campbell, and passes 4-0.

- 148 Marlborough Road, DEP #64-591, Request for Certificate of Compliance

Devine states that the applicant needs to prepare additional materials before returning to the Commission with this request.

- 27 Pierce Road, DEP #64-563, Request to Extend Order of Conditions

Devine describes the project; someone had cleared in the buffer zone. Monitoring of that situation is ongoing, they are current with that and could request to close it out if they wanted, but are not doing so. Chair St. Louis asks about the area being mowed back; there seems to be no fence to delineate the edge. Devine will look into the area. Anyone who has moved in should be notified of the Conditions.

The applicant wishes to close out monitoring before obtaining a Certificate of Compliance. They would come before this Commission in another year, so the extension will be to April 2018.

A motion to extend the Order of Conditions is made by Hoskins, seconded by Glode, and passes 4-0.

- Discussion of potentially exempt utility work throughout the City

Upcoming gas main projects by National Grid are outlined. Of the three instances, Devine has determined that one is clearly not jurisdictional. The remaining two are at Fort Lee Terrace near Collins Cove, and Boston and Proctor St. National grid is exempt unless they are increasing capacity, but switching to plastic may also be considered an increase.

Chair St. Louis is inclined to have them submit to the Conservation Commission on a case by case basis if adjacent to rivers or in floodplains. The Commission agrees. Conditions placed on them have been reasonable, mainly to ensure no inappropriate stockpiling.

Devine describes the two projects in question and outlines their locations. If National Grid thinks they are exempt, they send courtesy letter, Devine checks in with the Commission to confirm, and usually it is determined that they are exempt, but can file if the Commission feels it's necessary.

Chair St. Louis comments that they do not need to come before the Commission as one area is further from the resources area, and the other is exactly where a water main is being replaced by the City, so the area is disturbed and replacing a water main is exempt. The third project already exempted by Devine is in the roadway, in the buffer zone.

- Request for Extension of Order of Conditions for the Gateway Center.

This would have expired in July of 2017, and the applicant is requesting a three year extension. The

holdup is due to needed approvals the MA DEP. Project and Permit Extension Act logistics are discussed. The applicant should submit a letter to be recorded with the Extension re the Permit Extension act so it is clear what is being extended and when.

A motion to grant a three-year extension to DEP File # 64-448 is made by Hoskins, seconded by Glode, and passes 4-0. Meeting minutes—December 8, 2016

A motion to approve the minutes is made by Hoskins, seconded by Campbell, and passes with all in favor 4 -0.

### **Miscellaneous**

Members are encouraged to attend the MACC conference and pre-allocated for this.

Footprint Power is planning a closed-loop geothermal system for an outbuilding; no water is put in or taken out but they drill 500-1000'. This is not part of what the commission permitted, and is located on the outer edge of the 100' buffer to the flood zone, so it may or may not be jurisdictional. Glode says he would be more comfortable with taking a closer look. It is uncertain whether the system will use air or water. The Commission decides to ask them to come in and present for request for approval of a minor change. This item will be listed on the next agenda.

Chair Hoskins asks about work on Broadway St. by Salem Sate. Devine will check it out. Glode mentions informal dirt bike paths in Salem Woods.

A motion to adjourn is made by Hoskins, seconded by Glode, and passes with all in favor 4-0.

The meeting ends at 8:20 PM.

Respectfully submitted,  
Stacy Kilb  
Clerk, Salem Conservation Commission

Approved by the Conservation Commission on April 13, 2017