

**Salem Conservation Commission
Minutes of Meeting**

Date and Time: Thursday, March 9, 2017, 6:30 p.m.
Meeting Location: Third Floor Conference Room, City Hall Annex, 120 Washington Street
Members Present: Vice Chair Tyler Glode, Tom Campbell, Bart Hoskins, Dan Ricciarelli, Gail Kubik, Scott Sheehan
Members Absent: Chair Gregory St. Louis
Others Present: Tom Devine, Conservation Agent
Recorder: Stacy Kilb

Vice Chair Bart Hoskins calls the meeting to order at 6:34pm.

1. **South Mason Street Residential Development**—Continuation of a 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.

Documents:

- South Mason Street Notice of Intent PowerPoint Presentation, Griffin Engineering, 3/9/2017
- “Re: DEP Comments”, Email from Bob Griffin to Tom Devine, 2/21/17

Bart Hoskins recuses himself from this item as he is part owner of an abutting property, but remains in the audience as a member of the public. Scott Sheehan introduces and chairs for this item.

Presenting for the applicant is Bob Griffin of Griffin Engineering. This project has been before both the Planning and Zoning Boards. Griffin presents a PowerPoint presentation that gives an overview of the project.

Glode asks about elevation of the one sidewalk and Mr. Griffin elaborates. Sheehan asks about runoff. Today there are no controls on the site, so some water flows north, west and south; once completed there will be many controls, with curbs and catch basins to contain everything, so less water will leave the site. There will be a total of 2 infiltration basins and 3 detention areas. Oil runoff from the parking lot will be captured with storm sceptors. The maintenance plan for those is described. Infiltration fields will only accept clean roof runoff. Curbs are 6” over the entire parking lot.

Glode asks about the quality of fill in test pits. They will be removed and replaced with suitable material to support traffic loads. They will possibly use filter fabric. They assume no exfiltration, but it will decrease water reaching City drainage system. A Commissioner asks whether the detention fields require the same Operations & Maintenance as an infiltration system and Griffin confirms that to be the case.

Ricciarelli asks if Building 3 will be torn down. Griffin says it will be kept and expanded. Ricciarelli: Building 3 a teardown? No, it will be expanded. Ricciarelli asks whether inverts are below flood elevation and Griffin confirms. Sheehan asks what the status is on any outstanding issues from the Planning Board peer review, and Griffin that these included a fire hydrant flow test. Devine notes that staff planner says final peer review loose ends will be tied up by email.

Campbell inquires about the proposal's groundwater calculations and Griffin describes groundwater mounding on the site. Glode discusses the recharge calculations and soil types. Campbell asks about runoff rate calculations and Griffin explains that a two-year storm is within limits.

Devine distributes Griffin's email response to the DEP's comments on the project.

Sheehan open to the public.

Bart Hoskins of 22 Larchmont Rd. asks about the current status of 21E for Baystate Adhesives, and Griffin answers that the current LSP is satisfied that the previous LSP addressed the issues. Hoskins asks about discharge to the North River and the tide gate there; Griffin elaborates, stating that this helps rather than hurts the site. Mr. Hoskins asks about roof runoff and Mr. Griffin says that screens on the gutters will minimize solid materials that could cause clogging in the system.

Regarding resolution to the peer review issues still open as of the January Planning Board meeting, the Applicant feels they are best handled during construction. They will be resolved before a Certificate of Compliance is issued.

Devine comments on the difference between Bordering Land Subject to Flooding and Land Subject to Coastal Storm Flowage. The applicant calls it BSLF in this case, which is the resource area with the stricter standards, and the Commission should not reject that choice, but Devine may want to note in the Order of Conditions that the Commission does not say it is one or the other but will accept the applicant's willingness to meet the higher standards.

A motion to close the public hearing is made by Ricciarelli and seconded by Campbell, and passes with all in favor.

Special Condition:

To ensure that contaminated materials do not degrade any areas subject to the Order, the project shall comply with all applicable provisions of the Massachusetts Contingency Plan, MGL c. 21E.

A motion to issue an Order of Conditions with standard and the above special condition is made by Ricciarelli, seconded by Campbell, passes with all in favor 5-0. Hoskins recused himself from this matter.

2. Old/New Business

- **Footprint Power Plant, 24 Fort Ave., DEP #64-552: Request for approval minor change**

Anthony Lowther of Hascom Construction, 88 Black Falcon Ave. Boston, MA, presents. They would like to add a geothermal wells to the administrative building; it was initially shown on a loop system, but they are now looking to install a vertical well (previously shown was a horizontal) due to efficiency issues. The permit has been approved by the Board of Health and the Building Dept. A SWPPP is in place for the site.

Less area will be taken up and the wells will be 400' deep. This request for approval of minor change is to approve an entire geothermal system that was not originally approved by the Commission.

Sheehan asks about connections to stormwater systems Chris Eaton of Skillings and Sons, 9 Columbia Dr., Amherst, NH, outlines the drilling process. This is an enclosed, radiant system. Water does not leave it. Water with 20% propylene glycol (food grade) will be used. Vertical systems run at a more constant temperature and can avoid some issues they have with horizontal systems, which can be tricky during a drought. They will drill into bedrock. This was permitted with no geothermal previously planned. It was not part of the original NOI. This is located only within 100' buffer to flood zone, and therefore only jurisdictional under the local ordinance.

It will be a Platinum LEED certified building. Thermal conductivity of rock is faster than soil, so a horizontal soil system will run longer than it should. Pipe using HDPE is expected to last 100 years but is warrantied for 50.

Glode asks about the boring width; it will be a 6" hole, made with a standard drill bit, to 400', and 1 1/4" HDPE pipe will be used, 800' total in a 400' loop.

Devine believes this is not significant compared to the scale of the entire project, and that this is truly a minor change.

A motion to approve the minor change is made by Glode, seconded by Kubik, and passes unanimously 6-0.

- **Salem Sound Eelgrass Restoration Project Update, DEP #64-526**

Jill Carr from Mass.Division of Marine Fisheries, 30 Emerson Ave. Gloucester, presents. The project was previously permitted 2012 for Fort Pickering and Middle Ground and DMF is proposing an additional 1/4 acre at Middle Ground this summer. This is mitigation for the Hubline gas line that impacted two acres of eelgrass, leading to this mitigation in Salem and Boston. The planting design for a 1/4 acre site includes 6 checkerboard plots, 13 squares per plot, with 3,900 shoots. The hope is that this will fill in over 3 to 5 years to achieve restoration. Hoskins asks how the areas are selected and Ms. Carr explains that light is a major factor, and water clarity is another.

Ms. Carr explains that the most successful site is Middle Ground; Woodbury Point has hung on, but not reached reference bed standards. Fort Pickering failed, possibly because of lobster gear, which was not present during selection process, but there is also a lot of algae. In 2012 Storm Sandy hit,

and caused some damage, too.

Acoustic mapping shows more eelgrass present than DEP found previously, but the difference in mapping methods over time make it hard to determine if there has been an expansion.

Devine notes the Order of Conditions from 2012 was subject to Permit Extension Act, so it is good through 2019. Hoskins asks how the Commission can access eelgrass data. Ms. Carr notes that she would like to get it on the Morris or Oliver online GIS layers, and would also like to distribute it another way in case there is no access to those programs. DMF can also provide it on a case-by-case basis.

The Commission thanks Ms. Carr for the update expresses support for DMF's ongoing work.

- **13 Locust Street, DEP #64-99, Request for Certificate of Compliance**

Scott Grover is here to clear up this 1983 Order of Conditions. He explains the history of the site. Buyers and sellers closed even though the Certificate was never issued. The Order was issued for the construction of the house. A subsequent Order of Conditions was never recorded to put in a gangplank and small floating pier. No as-built plans were submitted, and there was no engineer on the project. An architect had done a site plan. Devine and Mr. Grover did a site visit; Devine provides photos. He outlines deviations from the approved plans; the house is in the approved footprint, but there is also now a terrace and some walkways. There is a wooden walkway to the gangway and float; a basketball court was built, but it is uncertain whether wetlands were filled or only a slope down into the wetlands was altered. This is the most substantial deviation from the approved plans.

Mr. Grover notes that the original work may have been viewed by the Commission when a second Order was issued for the walkway and gangway. He is requesting that the requirement for a letter from the architect or engineer be waived, since the plans lack any stamp or even a name of a professional who prepared them.

Mr. Grover outlines the history of the property's three owners. There is discussion regarding the potential age and condition of the basketball court, as well as the topography of the lot. The new owners are aware of the need for Conservation Commission approval of any further projects. Devine notes there is a hard line at the altered buffer zone area. Yard waste and other debris are probably kept out of the wetlands there. There is additional discussion of possible signage to mark the resource area, but ultimately the Commission feels it may not be helpful in this case.

Devine opines that the Commission may want to see resolution to the other order for the dock (DEP file number 64-136). Devine notes that it appears to be built as permitted.

A motion to issue the Certificate of Compliance for the Order of Conditions (DEP #64-99) is made by Ricciarelli, seconded by Sheehan, and passes 6-0.

- **Meeting minutes**

There are no meeting minutes available for review.

Miscellaneous

Gazebo and Boardwalk at Dead Horse Beach: The Park & Recreation Department is wondering if a gazebo and boardwalk would be allowable at Dead Horse Beach. They don't want to propose anything that the Commission wouldn't approve. The Commission asks Devine to advise the Park & Recreation Director that the Commission will consider the proposal, but it must be designed in such a way that the impact to the beach is negligible, and must meet applicable performance standards.

Work at Broadway Street behind Salem State O'Keefe Center: Members asked about this at the last meeting: Devine states that the work is only within an area or jurisdiction under the local ordinance, which Salem State is exempt from.

A motion to adjourn is made by Ricciarelli, seconded by Glode, and passes 6-0.

The meeting ends at 8:37PM.

Respectfully submitted,
Stacy Kilb
Clerk, Salem Conservation Commission

Approved by the Salem Conservation Commission on May 11, 2017.