

**Salem Conservation Commission
Minutes of Meeting**

Date and Time: Thursday, Nov. 12, 2015, 6:30 p.m.
Meeting Location: Third Floor Conference Room, City Hall Annex, 120 Washington Street
Members Present: Chair Gregory St. Louis, Tom Campbell, Dan Ricciarelli, Tyler Glode
Members Absent: Gail Gambarini, Bart Hoskins
Others Present: Tom Devine, Conservation Agent
Recorder: Stacy Kilb

Chair St. Louis calls the meeting to order at 6:30PM.

- 1. Forest River Conservation Area Study—Kyle Zick of Kyle Zick Landscape Architecture (KZLA) will present the findings of his study of the condition of the Forest River Conservation Area and discuss recommendations regarding the area’s trails, footbridges, and signage. The study is funded in part with Community Preservation funds.**

This item taken out of order. Mr. Zick presents. They will provide recommendations and costs for improvements to the Conservation Area. He describes the site and its vegetation in the various areas. There are some invasive issues as well, especially phragmites.

All trails have been mapped with GPS, and the bridges assessed. He also discusses some flood zones and other entrances; the conservation area is different for the neighbors depending on where they live. Chair St. Louis asks about ownership of a certain area but it is unknown; Barbara Warren of Salem Sound Coastwatch comments on the data she collects from the river.

Ms. Stephanie Wyer of KZLA presents more specific details. She mentions some of the problems with the site, including:

Salem State Campus Entrance:

- Lack of accessible parking
- Lack of bike racks
- Signage, not very visible, is covered in vegetation
- Generally, trail head is overgrown and requires trash cleanup

Other areas

- No signage at one of the neighborhood entrances
- Utility poles laid across the trail
- Rail entrances – where they go is unknown; a makeshift bridge has been made. People are crossing an active rail line and this is a major problem. Barbara Warren comments that they may be connecting to Salem Woods.

Seventy percent of trails are in fair condition and examples are provided of good, fair, and poor conditions. There are 2.5 miles of trails, but originally there was less. What are now established trails were once social paths. She outlines some of these paths and their conditions.

Concrete wheel stops are also dotted around the site, and many have been pushed out of the way and piled up. All five of the motor vehicle prohibition signs have been vandalized and there is a campfire site at the top of Eagle Hill.

Of interest/oddities:

- A 30' long cobblestone path exists
- Remnant of old vehicles

Bridges:

- The smallest and most flexible has dry rot in the planks
- No bridges are up to code, as they lack handrails
- Volunteer Bridge is the longest at 210', and planks have been replaced with PVC, but it has plenty of deterioration
- Eagle Scout Bridge is sturdy with little rot, but needs rails
- College Student Bridge has stone abutments and is in good condition overall

Signage

- Two tall entrance signs are not particularly legible, requiring improvements and vegetation clearing
- Three interpretive signs give good information, and the style is nice; it is unknown if more information could be added.
- Aluminum signs – some are covered. They take away from the aesthetics.
- There are some blank posts.
- Wayfinding signs at some forks could be useful.

Glode thinks that trailblazers – colored markers on trees – would be helpful. Ms. Weyer states that one of the entrances would be good to make accessible since it is relatively flat. Chair St. Louis comments that restricting access to the rail line would probably not prevent people from crossing, but some sort of signage might be useful.

Chair St. Louis asks if new paths are proposed in phase 2, but this is mostly restoration of the existing trail system. Some areas do not have trails for good reasons. The current system gets people where they need to go; if anything some trails could be closed but that is not under consideration at that point.

Ms. Weyer describes the curb stops; their purpose was meant to support the trail and keep people on them, possibly to prevent erosion, though they are not doing that. Historical documentation on the site is not good; boundaries are not clearly marked. Old USGS and aerial photos have not been obtained; an old PDF brochure shows more of a loop but it could not be found. There is also more of a wet area that is no longer accessible.

Ricciarelli comments on the bridges and their maintenance. Making such recommendations will be the next step. Devine comments that if recommendations will be provided, the Commission may want to look into some of the smaller items as volunteer projects. Mr. Zick comments on how that could work.

Chris Burke states that phragmites removal was a project years ago, and that one of the bridges has been overtaken by it. The level was lowered so grass grew, and he feels that would be a good project. Barbara Warren says that was a mitigation project. She states that the salt marsh is used for education and 7th graders measure phragmites and salinity in the marsh.

Ms. Warren asks about safety and the bridges, and the railings. Would they be top railings only or prevent access to the railings? Mr. Zick states that they would have to be 42" high and have openings less than 4", but they can work within parameters necessary to allow access to the river for research and education.

Nancy Gilberg is also concerned about overgrowth and ticks. She also wonders if there is any way to create a legal crossing of the railway tracks. It is very difficult. Permitting and cost would be two almost insurmountable factors.

Barbara Warren asks about the various stakeholders, people in the surrounding neighborhoods, college students, etc. She states that before closing trails or making major changes, a stakeholder discussion should be held.

Chris Burke feels that the priority would be fixing the deterioration of the trails. Proper trail building should occur, and can happen mostly through volunteer efforts. He agrees that vegetation should be cut back and if funding is available, bridges should be modernized and fixed. He feels the bridges would not be a priority.

Chair St. Louis comments on the “poor” designation at some of the trails, which refers to the general feel of the area as well as erosion. Devine comments that some trails in poor condition that are redundant to better trails may be candidates for closure. Some paths are easier to navigate when conditions are poor.

Nancy Gilberg wonders about making the first bridge accessible and Ms. Cooper Weyer. Signage is discussed. Designated trail parking and an accessible space are desired, but Ms. Warren feels that it may not be necessary; if the few “designated” spots Salem State allows are full, people may feel they can’t use the trail. Chair St. Louis asks about street parking and Ms. Cooper isn’t sure. Salem State banned smoking on their campus so many students use the trail system for that activity.

Mr. Zick outlines the next steps as preparing recommendations for the trails and bridges, providing costs and prioritizing projects. Devine can put the information on the City website. He states that having the information allows them to apply for grants for the recommended improvements.

2. 417 Lafayette St. Pier—Public Hearing—Notice of Intent—Andrea & Michael Cawlina, 417 Lafayette St. Salem, MA. The purpose of hearing is to discuss the proposed construction of a new pier, gangway, and float at 417 Lafayette St. within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

This item is heard first. The applicant has requested to continue to the next meeting. A motion to continue is made by Ricciarelli, seconded by Campbell, and passes unanimously.

3. Washington & Dodge St. Redevelopment—Public Hearing—Request for Determination of Applicability—Dodge Area LLC c/o RCG LLC, 17 Ivaloo Street, Suite 100, Somerville, MA. The purpose of this hearing is to discuss the proposed mixed-use redevelopment and associated improvements at 9-11 Dodge St. and 217-219 & 231-251 Washington St. within an area subject to protection under the Wetlands Protection Act MGL c131§40 and Salem Wetlands Protection & Conservation Ordinance.

Here for the applicant is Mr. David Giangrande. He states that this is land subject to coastal storm flowage, rather than bordering land subject to flooding. He describes the location of the area on the FIRM map. Further logistics of the site, such as elevations, are described. Erosion prevention measures are described. The project has been approved through the Planning Board six months ago.

Ricciarelli asks about the plan and Mr. Giangrande elaborates further on the plans for the buildings and their elevations. Drainage is also discussed and has been peer reviewed by the City’s consultant, who had some concerns that were addressed.

Flood elevations are further discussed. Chair St. Louis states that he has several questions of an engineering nature

which would require more in-depth responses than could be covered under an RDA. He feels this should be a Notice of Intent given the location and his questions. Glode asks if a Storm Water Pollution Prevention Plan (SWPPP) has already been developed for the Planning Board; it will have to be in the future.

Mr. Giangrande would like a negative three determination but the Chair offers the options of a positive determination, withdrawal without prejudice, or he can further elaborate on his questions first. David Steinberg of RCG Development would like to hear Chair St. Louis' comments and attempt to address them.

Chair St. Louis comments include:

- Peak discharge to point 1 is not adequate
- Demolition plan shows proposed catch basins, which do not belong, and does not show utilities to be abandoned
- The MA Stormwater Mgmt handbook only allows 2 catchbasins in a series, and they have 3 or more in series
- No access to one of the manholes
- CPE pipe – Corrugated polyethylene in the right of way areas should be vetted by City Engineer.
- Floor drain sewer oil/water separator for garage – he would prefer it to be onsite rather than in the public right of way, requiring an easement on Dodge St.
- Demo plan as compared to proposed utility plan: conflict on proposed drainage along Dodge St.
- Soil testing in the infiltration area. None has been done at this stage.

All questions can be summarized in a more formal response, according to the Chair. Giangrande clarifies that they are claiming the issue resolves around the floodplain but that Chair St. Louis would like to further review the entire site. Chair St. Louis confirms. Mr. Steinberg states that further work must be done anyway; their impression is not that engineering points/errors would not be corrected, but that he has jurisdictional questions for coastal areas since only a small portion of the site is in the resource area. He would still like a negative determination. Mr. Giangrande clarifies that the Board would indeed like an NOI. Chair St. Louis states that additional details are required. The questions raised cannot be answered in such a way to arrive at a negative determination. Chair St. Louis could peer review until he is satisfied, or an NOI could be filed. The only difference is that with an NOI, abutters must be notified, but presumably, they were already part of the Planning Board process.

Devine has the stormwater report and access to materials from the Planning Board's review. Chair St. Louis opens to the public and Barbara Warren asks if the project requires a MEPA (MA Environmental Policy Act) filing; it does not. She asks if green space has been considered. Mr. Giangrande states that overall runoff is being reduced.

Glode comments about one of the discharge points and Mr. Giangrande elaborates on the elevations. Discharge volumes are further discussed.

Chair St. Luis notes that relocation of utilities was permitted with a determination of applicability because the work is temporary and does not change any grades within the flood zone, as opposed to the building project that involved filling the flood zone.

Mr. Steinberg requests to withdraw the Request for Determination.

A motion to approve the withdrawal is made by Glode, seconded by Ricciarelli, and passes unanimously.

4. Riverview Place (Salem Suede Redevelopment)—Continuation of Public Hearing—Notice of Intent—DEP #64-579—Riverview Place, LLC, 5 Broadmoor Lane, Peabody, MA. The purpose of this hearing is to discuss the proposed mixed-use redevelopment of 72 Flint Street, and 67 & 71 Mason Street (former Salem Suede) consisting of 3 buildings and appurtenances within an area subject to the

Wetlands Protection Act and Salem's Wetlands Protection & Conservation Ordinance.

Devine states that the applicant intends to re-advertise and re-notify abutters, and wishes to continue to the Dec. 10 meeting.

Chair St. Louis wonders why the item would be kept open if they are going to re-do everything, and Devine says they do not want to get a new DEP number and pay the fees. Chair St. Louis strongly discourages this. Devine has consulted with the City Solicitor to find out if what the applicant would like to do is legitimate, and she confirms that this will restore the quorum. Devine leaves it up to the Commission, who could ask for a new filing, new file number, and new fee. The Chair feels that this is what they requested last time.

Chair St. Louis expresses his displeasure that this has been continued for over a year. The applicant is prepared to withdraw, re-submit, and re-pay the fee. However, they are not requesting to withdraw, but wish to continue while taking the above actions.

A motion to deny the request to continue is made by Glode, seconded by Campbell, and all are in favor. The Commission determines that a new Notice of Intent must be filed.

5. Old/New Business

- **Request for Certificate of Compliance—Colonial Road (Univar)—DEP #64-270**

Presenting is Christina Hoffman. This is for the demolition of a series of buildings in 1998. She states that there were several recommendations of actions needed in order to close out this item. Estimates of cost were in a range that put in into another group at Univar, and the budget for this year does not include that sum so it is on their list for the future. They would like to remove it from the agenda until that group is ready to move forward. Ms. Hoffman describes the process from Univar's standpoint.

This item is tabled until further notice and until Univar notifies that Commission that the required work is completed and requests the Certificate of Compliance.

- **Request for Certificate of Compliance—Colonial Road (Univar)—DEP #64-354**

Ms. Hoffman presents again. There was one question about the status and the Commission wanted the thoughts of an LSP. Univar submitted a letter from an LSP. Reports about the remediation of Mill Pond were submitted. All work has been completed to reach a temporary solution and no further work is required at this time. The Commission has been provided with links to the reports if they would like to review. The Chair comments that doing any further remediation is infeasible so what was proposed was completed. There is some discussion of thresholds and logistics.

A motion to issue the Certificate of Compliance is made by Ricciarelli, seconded by Campbell, and passes unanimously.

- **Request for Certificate of Compliance—Osborne Hills/Strongwater Crossing subdivision—DEP #64-419**

This item was originally approved under the above DEP number, but that Order of Conditions was replaced with a later Order of Conditions. #64-549, to accommodate changes the DEP determined were too significant for an amendment. In addition to permitting the plan changes, which include replacing bridges with culverts, the new

Order includes all of the conditions from the original Order.

A motion to issue the Certificate of Compliance for an invalid Order of Conditions is made by Ricciarelli, seconded by Campbell, and all are in favor.

- **Discussion of Lead Mills Conservation Area annual monitoring report—DEP #64-461**

Devine summarizes the monitoring report. The salt marsh restoration has not met the Commission's expectations, but the two year monitoring period has elapsed, so the Commission has no authority to require additional plantings. Last year, Devine spoke with the Marblehead Conservation Commission, who conditioned a 5-year monitoring period where they could require replanting on their portion of the site. However, Marblehead was satisfied with the restoration because it was successful when the inland plantings are included, even though the success of the salt marsh is limited.

Barbara Warren of Salem Sound Coastwatch describes the restoration process, commenting that the peat was replaced with sand and gravel, which reduced chances of success. Ms. Warren also comments that the plastic mesh left beneath is now exposed on the shoreline and she is concerned it will not degrade, but Glode comments that it should after 5-10 years.

- **Discussion of Salem Living Shoreline Project**

Devine asks if the Commission would be willing to host Barbara Warren, of Salem Sound Coastwatch, for a 30 minute talk about this project at the next meeting. She summarizes the project as a grant funded effort to promote a "green infrastructure" at the shoreline. Examples would be building dunes and planting oyster beds; projects that would prevent erosion and flooding. She describes the current project options and locations and how they will make recommendations. The current grant is funding the study and design concepts; the next round of grants would be for implementation. She would like a half hour to discuss this in more detail; that timeframe would also allow for Q & A.

The Commission is pleased to invite Ms. Warren to make this presentation at the next meeting.

- **Meeting minutes—September 10, 2015 and October 8, 2015**

A motion to approve both sets of minutes is made by Ricciarelli, seconded by Glode, and all are in favor.

A motion to adjourn is made by Ricciarelli, seconded by Glode, and all are in favor.

The meeting ends at 8:25 PM.

Respectfully submitted,
Stacy Kilb
Clerk, Salem Conservation Commission

Approved by the Conservation Commission on January 14, 2016