

**Salem Conservation Commission
Minutes of Meeting**

Date and Time: Thursday, August 11, 2016, 6:30 p.m.
Meeting Location: Third Floor Conference Room, City Hall Annex, 120 Washington Street
Members Present: Chair Gregory St. Louis, Tom Campbell, Scott E. Sheehan, Dan Ricciarelli, Gail Kubik
Members Absent: Tyler Glode, Bart Hoskins
Others Present: Tom Devine, Conservation Agent
Recorder: Stacy Kilb

Chair St. Louis calls the meeting to order at 6:41PM.

- 1. Flynnntan Redevelopment—Public Hearing—Request for Determination of Applicability—139 Grove Street Realty Trust, 282 Bennington Street, East Boston, MA. The purpose of this hearing is to discuss the proposed mixed-use redevelopment of the former Flynnntan property at 70 to 92 ½ Boston Street 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. Chris Sparages, P.E. Also present is Attorney Joseph Correnti. Mr. Sparages describes the proposed project and site topography. This is the same applicant and owner as the Apartments at 28 Goodhue St.

Existing conditions are outlined. Some buildings from Flynnntan remain, as do some paved areas. Elevations and topography are further described. There are elevation drops from the Peabody side toward Salem and from Boston St. toward Goodhue St. Elevation 10, on the Goodhue St. side, is the flood elevation for a 100-year event. The site is about 300 feet from the North River Canal. A very small area along Goodhue St. and one small corner are in that area. City Ordinance requires that this project be presented to this Commission, since they will be building within 100 feet of the 100 year flood plain. The 100' line encompasses about half the site. Mr. Sparages outlines the performance standards. The applicant is not proposing to fill the floodplain, and there is no wildlife habitat to be lost. Some work is proposed on Goodhue St. for utilities.

Mr. Sparages outlines the permitting history of the project, and describes how buildings and materials will be demolished and removed. The buildings to be constructed are described. Parking and traffic flow within the site are outlined in detail; the applicant will require a variance from the Zoning Board of Appeals as they will have 12 fewer spaces than required by zoning.

Ricciarelli asks about the ramp and whether it is on City property, and Mr. Sparages explains. This is a mixed use development with some retail space on Goodhue St.

Mr. Sparages describes the storm water management system, which has been peer reviewed for the Planning Board by VHB. Rainfall data used was obsolete and NOAA 14 is in effect; Mr. Sparages describes the situation with the regulations and discusses the numbers regarding various types of storms

with the Chair. Mr. Sparages outlines the drainage and grading plans. Some areas are unavailable for infiltration due to previous contamination, but the areas that are available are outlined. Test pit data over the years is included and Mr. Sparages discusses soils and how they affect drainage. Soils may be more permeable than previously thought, so drainage was updated to accommodate that. Sources of runoff are described; Mr. Sparages describes the drainage for the upper parking, lower parking, and roof areas of each building. 80% TSS removal will be achieved and rapid soil infiltration criteria are also being met. There are three infiltration areas. Mitigation for peak flow is being provided via these infiltration basins.

Mr. Sparages reviews other standards applicable to the project. A construction period pollution prevention plan is in place. An NOI for a NPDES permit will be filed with the EPA. The only issue within the jurisdiction of this Commission is that about half the project is proposed within the 100 foot buffer zone, as no floodplain/wetland resource area filling will occur.

Sheehan asks about the outfall on Goodhue St.; this ultimately discharges into the North River. Also, there is a proposed dog park on the site; there is no drainage coming from that area.

Kubik asks about snow storage and Mr. Sparages elaborates. Such areas include flat areas not on pavement or landscaped areas; he highlights these on the Layout Plan. There is not a lot of snow storage area, so snow will need to be removed from the site as they fill up. Campbell asks about encountering contaminated soil during excavation; this has been reviewed with Luke Fabbri of Geological Field Services; no materials will be removed offsite. Old tanks, etc. have already been removed. If something unforeseen comes up, a procedure is in place to address it.

Chair St. Louis comments on storm water and Mr. Sparages understands the standards to be met for infiltration chambers and other items. MS4 has been addressed and the Chair approves of this. The Chair asks about drain manhole covers and Mr. Sparages elaborates. That will be added to the detail sheet. Mr. Sparages describes the calculations and they meet DEP criteria. The Chair asks for more detail about pipes and Mr. Sparages elaborates. He asks to confirm that the drainage is designed to the newer standard of a 25 year storm, rather than 10 year storm. The applicant should be sure that a 100 year flood will not cause ponding toward the building.

Ricciarelli asks which RDA is applicable and Devine and Mr. Sparages discuss. Procedural issues are discussed. The DEP has a copy of the RDA.

There are no public comments.

A motion to close the public hearing is made by Ricciarelli, seconded by Sheehan and passes with all in favor, 5-0.

A motion to issue a Negative 3 and Negative 6 determination, with conditions, is made by Ricciarelli, seconded by Kubik, and passes with all in favor, 5-0.

Conditions:

1. There shall be a 1/10th foot drop across all manholes.
2. The drain manhole and MDC trap shown in the right of way in the approved plans shall be relocated onto the property.

3. The sewage manhole proposed to be located within the flood zone shall be watertight.
4. Infiltration areas shall follow manufacturer's instructions for operation and maintenance.
5. Drainage structures upgradient of infiltration chambers shall be cleaned per their manufacturer's operations and maintenance instructions.
6. Closed drainage system shall be sized for 25-year storm. Any surcharge in 25-year or 100-year storm shall be controlled.

2. Old/New Business

- **120 Swampscott Road headwall, DEP #64-471: Request for Certificate of Compliance for an invalid Order of Conditions**

Devine describes the status of the Order; the original Order of Conditions was for repair of this headwall, but it expired. A new Order of Conditions was obtained and work completed under the current one, so the expired one is no longer relevant. This item requires only administrative action to clear out the original, expired Order.

A motion to issue a Certificate of Compliance for an invalid Order of Conditions is made by Campbell, seconded by Ricciarelli, and passes with all in favor, 5-0.

- **Remond (Bridge Street Causeway) Park, DEP #64-543: Request for Certificate of Compliance**

Devine has performed a site inspection; the park looks great. Some changes to drainage were made in the field. Chair St. Louis asks if the DOT requested to perform this project or if it was tied to someone else. Amy Lynch of MassDOT explains that the park was installed as mitigation for the Salem/Beverly bridge and bypass project.

A motion to issue the Certificate of Compliance for the expired order is made by Ricciarelli, seconded by Kubik, and passes with all in favor, 5-0.

Additional Updates

MACC Cards

Membership cards are passed out

190 Marlborough Rd.

The property owner is asking if they can install a lawn irrigation system. An Order of Conditions was previously issued, and the system will be within the approved grass area. The Commission has no objection to installing an irrigation system.

Gateway Center

The Commission approved an amendment to the Order of Conditions; Devine outlines procedure. The original amendment, which was under appeal, has been withdrawn.

Miscellaneous

Devine informs Commissioners that the Essex County Greenbelt Open Space conference will be held Nov. 12 in Haverhill, in case they would like to attend.

Mr. Yoc of 46 Clark St. had appeared before the Commission at the last meeting. Devine has determined that the property is within the buffer zone, so an enforcement letter was sent requiring that Mr. Yoc either install sod or erosion controls, and that he must file a Request for Determination of Applicability. Sheehan asks about the procedure for levying fines for violations and Devine outlines. It is noted that the Commission has been successful getting the desired response with threat of fines, not their actual issuance. The Commission can decide if this work is acceptable or not; Devine thinks it is, but a permit must be filed still. The Chair comments that the DEP has a GIS “wetlands changed” layer that can be viewed. The Commission could always require mitigation or replanting, and it is not desirable to start a precedent of after-the-fact filing. Devine points out that enforcement process is a major annoyance for the homeowner, so the owner will likely recommend that neighbors obtain a permit before conducting any jurisdictional work.

- **Meeting minutes—June 9 and July 14,, 2016**

A motion to approve is made by Riciarelli, seconded by Sheehan, and passes with all in favor.

- **Forest River Conservation Area walk update**

Fewer people attended than registered, but there were still about nine people at the first walk and twelve at the second.

A motion to adjourn is made by Ricciarelli, seconded by Sheehan, and passes unanimously.

The meeting ends at 8:00 PM.

Respectfully submitted,
Stacy Kilb
Clerk, Salem Conservation Commission

Approved by the Conservation Commission on September 8, 2016