

Salem Conservation Commission
Minutes of Meeting

- Date and Time: Tuesday, July 21, 2020, 6:30 p.m.
- Meeting Location: For this meeting, members of the public who wish to watch, listen or provide comment during the meeting may do so in the following manner:
- Follow this link or enter it into your browser to join the meeting:
<https://us02web.zoom.us/j/83383953829?pwd=SW9sdmpXOUV0Wm1qT2pjbZ3RmJsUT09>
 - Follow this link or enter it into your web browser to open the Zoom website at <https://zoom.us/join>. Enter meeting ID # "833-8395-3829" as directed on the webpage and click "Join". Follow the on-screen instructions to join the meeting. Enter password "956887".
 - Participants can dial a toll-free phone number at 877-853-5257 to join the meeting. When prompted, enter meeting ID # "833-8395-3829" and then follow the instructions to join the meeting. Password is "956887".

Members Present: Chair Gregory St. Louis, Dan Ricciarelli, Tyler Glode, Scott Sheehan, Vice Chair Bart Hoskins, Tom Campbell, Malissa Vieira (7)

Members Absent: None

Others Present: Brittany Dolan, Conservation Agent

Recorder: Stacy Kilb

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

I. Roll Call
II. Regular Agenda

I. REGULAR AGENDA

A. Baker's Island – Public Hearing – Request for Determination of Applicability for Roberta Hallowell 26 Pleasant St, Wenham, MA. The purpose of the hearing is to discuss the proposed demolition of an existing dwelling and the construction of a new dwelling in the same location on Baker's Island within an area subject to the Wetlands Protection Act MGL c131§40 and Salem's Wetlands Protection & Conservation Ordinance.

Roberta Hallowell, project owner, presents.

- House will be in same location, bigger than existing; current dwelling was unsalvageable
- Flood zone has been determined. No grading will be done, mostly rock
- Chair St. Louis seeks a reference to the flood plain or Velocity Zone; this is pointed out along with grades
- The house is not being raised, already 6-7' off the ground
- Chair notes FEMA floodplains are modified every 4-8 years with elevations going up; this should be considered if 1/2' off a contour line. May want to grade out 5' from house to ensure contour line is not disputed in the future
- It is rock that drops off into cliffs but she will check
- Utilities? Nothing is being altered. Will use approved greywater system and approved composting toilet
- Will not be using asphalt shingles on roof; will either be metal or possibly recycled tire slate look-alike
- There will be water collection; this is discussed. It is currently under the house but cisterns may be moved

for easier access for cleaning. Ricciarelli notes these should be upland

- Chair asks how construction materials will get to the island. They will be bundled and loaded in Beverly and will come out on a ferry (brings passengers but also materials), will be loaded onto a pier and brought to house. Barge with large crane and helicopter did not pan out.

Discussion/conditions for the RDA:

- Glode notes that, if metal roof is installed, there will be additional stormwater management concerns; metal roofs can leach into rainwater. Applicant will probably forgo the metal roof as will be using the water, if not drinking it.
- Storage of materials should be upland

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

A motion to close the public hearing is made by Sheehan, seconded by Ricciarelli, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

A motion to issue a negative 3 and negative 6 RDA is made by Ricciarelli, seconded by Sheehan, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

B. 20, 25, 30, 40 Colonial Rd (DEP #64-699) – Continuation of Public Hearing – Notice of Intent for Brandon Kelly, Colonial Road Owner LLC, 55 Cambridge St, Burlington, MA. Purpose of the hearing is to discuss the proposed site preparation to accommodate a change in use from chemical manufacturing to warehouse and distribution at 20, 25, 30, and 40 Colonial Rd within an area subject to the Wetlands Protection Act MGL c131§40 and Salem’s Wetlands Protection & Conservation Ordinance.

Team:

Scott Cameron, Civil Engineer, The Morin Cameron Group

Anne Marton, Owner, LEC Environmental Consultants

Tim Snay, LSP, Ransom Consulting

Bill Ross, Civil Engineer, Peer Reviewer, New England Civil Engineering Corp.

Mr. Cameron provides an update on progress since the last meeting.

- Affected jurisdictional areas in former chemical manufacturing site
- Peer review was requested; City engaged Bill Ross for Peer review; comments rec’d, responses are being formulated
- Plans revised after Peer Review but changes are minor
- Changes:

- Completed existing conditions survey which has been updated
- Owner has cleaned out catch basins and drainage; pipe info. etc. updated
- Key areas such as easterly outfall reexamined. Systems are described
- Utility systems investigated; pump station services the property and was examined, upgrades added to Plan
- Roof runoff was reviewed; decided to reroute roof NOT through closed drainage system but through downspouts directly into sediment forebay, removing load from closed drainage system
- Outfall: 12" pipe will daylight into what LEC delineated as bank, will reinforce outlet w/stone matting; this is described
- Response letter will formally document the above

AUL presentation by Tim Snay, LSP, Ransom Consulting

- Shaded areas indicate two AULs (Activity and Use Limitations) of 2 disposal sites on the property
- Small Portion:
 - DEP release tracking numbers, removal of soil/storage tanks, post-remediation testing indicated amounts of contamination were suitably reduced, could use property for commercial/industrial uses as described
 - AUL's recorded in 1996
 - Office/industrial/retail/commercial = OK
 - Residential, long term construction projects, cultivation of vegetables are not allowed
 - Maintenance of pavement, Health & Safety Plan are allowed
- Large portion AUL procedures described:
 - Contaminants include mill pond sediments; contaminants are described
 - Nov. 2006 contaminated sediment/soil was removed
 - In situ chemical oxidation was performed
 - 2017 additional chromium impacted soil and concrete were shipped off for disposal
 - 2018 risk characterizations say no significant risk to human health, safety or the environment.
 - AUL was put on entire parcel
 - Prohibited long term construction in absence of HS plan, cultivation, residential school
 - Obligations: maintain existing asphalt and concrete caps
 - Abatement measure plan will be in place, will keep as much soil onsite as possible

Chair St. Louis asks if the only subsurface construction is roof drains. One area not being mitigated/grade changes/catch basin is discussed. The footprint of the building to be demolished will be disturbed area, and this is where the sediment forebay will go. Soil removed will be relocated onsite. Sediment forebay data/response letter can be provided. There will be a clean, asphalt roof. Metal roofs would not be considered clean by the DEP.

In areas where pavement is reduced, soil is going down 1'. Areas are described & shown; new pavement is described.

Chair St. Louis asks: Riprap at flared end/eastern part of site, is that considered filling of a resource area?

- Ann Marton says it is not, maybe armoring the bank so it does not erode
- Bank is upgradient, not BVW
- Could have been armoring below but can't see, can remove sediment? Yes, this is recommended before replacing rock.

The Commission has not seen peer review responses yet but there were some requests; main issues were flood overlay and existing sewer not protected from flood zone; station would be submerged/series of abandoned pipes could cause inundation. Main concern was roof draining to the West but a new drainage Plan indicates they will send directly to sediment forebay rather than a compromised drain system. Abandonment of the water system has been detailed.

Tom Campbell: Utility trenching, will consider a demarcation layer between impacted soil and clean fill? Tim Flay, LSP, says he will have a RAM Plan that lays out information to support redevelopment. Pipes should go through clean soil so if future repairs are needed, corridors can be clean so no measures need to be taken. May not need demarcation but will have clean fill corridors. Can discuss with the Applicant. Designated as easement? No, AUL does not discuss easements. This is BMP, not an obligation. Nothing in AUL shows limits of concrete, pavement, landscaping but must maintain barriers to prevent exposure.

Soil stockpile areas:

- Primary stockpile area for imported materials, outside buffer zone, in future landscape areas
- Soil within the AUL area that must remain there: sloped toward the drainage system but will use that soil to create earthen berm that will follow criteria set forth in the remediation plan. No clean areas will be re-contaminated and all soils will be reused appropriately

Chair St. Louis opens to the public but there are no comments. All utilities, to be in code, must be watertight to satisfy Bill Ross in his peer review. There is no subsurface disposal. Connections will be explored and fixed if needed.

The peer review process is discussed.

- Watertight connections
- CCTV to make sure no illicit connections, etc.

A motion to close the public hearing is made by Glode, seconded by Campbell, and passes 6-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	(disconnected/not present)
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

A motion to issue an Order of Conditions with standard and special conditions as outlined in the Peer Review, subject to final sign off by the City's Peer Reviewer, is made by Ricciarelli, seconded by Glode, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
St. Louis	Yes

C. B154S Flyover Switch – Waite St (DEP #64-701) – Continuation of Public Hearing – Notice of Intent for Corey Schutzman, New England Power Company, 40 Sylvan Rd, Waltham, MA. Purpose of the hearing is to discuss the proposed installation of a flyover switch and associated foundation along the B154S Transmission Line off Waite St within an area subject to the Wetlands Protection Act MGL c131§40 and Salem's Wetlands Protection & Conservation Ordinance.

Alexandra Echandi from BSC Group presents the project; a Mass. DEP number has since been assigned and progress on the project is outlined. Logistics and jurisdictional areas are described.

- Existing gravel road to site but constraints mean temporary matting on wetland will need to serve as work pad
- Equipment will be staged across the street
- Disturbances and restoration are described
- BMP's will be implemented as per all National Grid projects; weekly inspections will occur.
- Chair St. Louis asks about the A153 vs D156 line and how they correlate to C155. The cable replacement project will also go through the area but this project will be completed in fall/early winter. Other lines are awaiting funding for structural replacement.
- Campbell asks about dewatering and this is described. Dewatering in place w/basin. Or can also use a "dirt bag" that only emits clean water

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

A motion to close the public hearing is made by Glode, seconded by Ricciarelli, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

A motion to issue an Order of Conditions with standard conditions is made by Sheehan, seconded by Ricciarelli, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

Ale Echandi asks that the as built be waived, and if the Applicant can provide another environmental resources map w/location of flyover via GPS but not stamped by an engineer. This is usually considered at the Request for the Certificate of Compliance stage, notes Chair St. Louis, also commenting that typically they can be waived.

Dan Ricciarelli and Chair St. Louis must sign an affidavit under Mullens Law (no conflict of interest).

D. 0 Story St Subdivision Lots A, B, & C and construction of roadway (DEP #'s TBD)

Continuation of Public Hearing – Notice of Intent for Stephen Lovely, Castle Hill Group LLC, 14 Story St, Salem, MA. The purpose of the hearing is to discuss the construction of a roadway with utilities and an onsite stormwater management system with grading at 0 Story St an area subject to the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

Continuation of Public Hearing – Notice of Intent for Stephen Lovely, Castle Hill Group LLC, 14 Story St, Salem, MA. The purpose of the hearing is to discuss the construction of a single family dwelling located at 0 Story St, Lot A (Map 23, Parcel 2) within an area subject to the Wetlands Protection Act MGL c.131§40 and

Salem Wetlands Protection & Conservation Ordinance.

Continuation of Public Hearing – Notice of Intent for Stephen Lovely, Castle Hill Group LLC, 14 Story St, Salem, MA. The purpose of the hearing is to discuss the construction of a single family dwelling located at 0 Story St, Lot B (Map 23, Parcel 2) within an area subject to the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

Continuation of Public Hearing – Notice of Intent for Stephen Lovely, Castle Hill Group LLC, 14 Story St, Salem, MA. The purpose of the hearing is to discuss the construction of a single family dwelling located at 0 Story St, Lot C (Map 23, Parcel 2) within an area subject to the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

Note: All items under item E will be continued. The matter is still before the Planning Board pending revisions to the Plans. It is undergoing peer review and may not be approved until September.

A motion to continue to the August 18, 2020 meeting is made by Dan Ricciarelli, seconded by Tom Campbell, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

II. OLD/NEW BUSINESS

A. 36 Osborne Hill Dr – DEP #64-675 – Request for Certificate of Compliance

B. 38 Osborne Hill Dr – DEP #64-674 – Request for Certificate of Compliance

C. 40 Osborne Hill Dr – DEP #64-673 – Request for Certificate of Compliance

D. 42 Osborne Hill Dr – DEP #64-672 – Request for Certificate of Compliance

E. 44 Osborne Hill Dr – DEP #64-671 – Request for Certificate of Compliance

F. 46 Osborne Hill Dr – DEP #64-670 – Request for Certificate of Compliance

G. 48 Osborne Hill Dr – DEP #64-669 – Request for Certificate of Compliance

H. 50 Osborne Hill Dr – DEP #64-668 – Request for Certificate of Compliance

The Chair notes that these are all individual house lots and the requests do not include the roadway at this time. Diandra Dibiase of Osborne Hills Realty trust presents. They are looking to obtain Certificates of Completion in order to close out Orders of Conditions, completed for the 8 lots, not including the road. Brittany Dolan has completed a site visit. A few differences in deck sizes and maybe one driveway that was different, but the Commission has found this acceptable in the past. One driveway was in a different location but was not a different size.

Chair St. Louis notes that some roof recharge systems have one extension port instead of 3, not sure if they are buried under grass. Many homeowners may have cut them down when they had irrigation installed, so they may be

at grass height, not above.

Scott Sheehan asks about the Certificate of Compliance requests; they are vague. St. Louis replies, at this point, when the subdivision was permitted, it was in build out phases where they needed to get, say, Phase 1 60% complete before starting Phase 2. One comment is that on 36 Osborne Hill the roof recharge is relocated, as it was built out w/conditions that a certain % would have roof recharge systems vs. these being mandated on individual lots or specific areas, so enough capacity is built into overall subdivision that it was treated more holistically, not on a site by site basis. Buyers wind up installing patio, fence, walkway etc. b/c fences, etc. patios were not included in the original subdivision layout.

Do we get as-builts for these in order to see differences between what was permitted vs. built? Ricciarelli: should have delineated on Plans the approved footprints, deviations should be noted. Chair St. Louis comments that many subdivisions show a 30x60 house footprint b/c they have 10 different model homes, which are chosen by buyers as lots are sold. In this case there is a general building footprint that was approved, decks too, and these were originally listed as larger than standard. Houses must fit in the building envelope and are usually smaller but do vary so as to not be so homogenous.

Chair St. Louis: Unconstructed phases: working on Phase 5 now, then Phases 6-10, and Applicant is in the process of having the latter redesigned but will come to the Commission in August or September. May be a good time for Chris to summarize impervious areas that were permitted compared to now, also stormwater. For the next phase overall.

Ricciarelli: some driveways are on property line, supposed to be 2' off, does building dept. have an issue? Brittany Dolan has no concerns.

Chair St. Louis opens to the public but there are no comments. Scott Sheehan asks about the houses built in the buffer zone, and if they are compliant with what was previously approved. The delineation of boulder wall or retaining walls at the backs of yards, is concurrent mostly w/rear lot line, likely an open space cluster or PUD at the time, so there are conservation restriction/open space delineation on properties, so much work is to occur or is limited by the rear lot line. Lawn creep/contractor going beyond limit is the only question. Diandra DiBiase notes: specific lots requested, largest backyard is 20' then it goes to straight drop so buyers go before Conservation Commission to put in a fence. Thus backyards cannot go beyond 20' from the back of the house.

A motion to approve the Certificate of Compliance for House numbers as listed above is made by Ricciarelli, seconded by Glode, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

Scott Sheehan brings up an “old business” item.

Observations of a previous project up for Certificate of Compliance: walkway along North River that was permitted to extend around the building to new 80 Derby St. Park. Closer to Notch Brewery. One of special conditions was that they would remove debris in harbor; looks like they are done with work but harbor is not cleaned up. Maybe don't hold up CoC but please give that Applicant feedback; Agent will reach out.

III. APPROVAL OF MINUTES

- a. April 21, 2020
- b. May 19, 2020

A motion to approve the April 21, 2020 and May 19, 2020 sets of minutes is made by Ricciarelli, seconded by Campbell, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

Kendra LeFleur asks about 208 Jefferson Ave. as a notice was received regarding this meeting. Dan Ricciarelli is still preparing the RDA. The newspaper will send the clipping to the Agent and Applicants; the legal ads must be submitted by a certain date before the meeting, so the Applicant must have received the legal ad. John Bobrick will be here for the RDA at the next meeting.

IV. ADJOURNMENT

A motion to adjourn is made by Sheehan, seconded by Ricciarelli, and passes 7-0 in a roll call vote.

Tom Campbell	Yes
Tyler Glode	Yes
Bart Hoskins	Yes
Dan Ricciarelli	Yes
Scott Sheehan	Yes
Malissa Vieira	Yes
Greg St. Louis	Yes

The meeting ends at 8:00PM