



CITY OF SALEM CONSERVATION COMMISSION

NOTICE OF MEETING

Notice is hereby given that a meeting of the Salem Conservation Commission will be held on **Tuesday, March 15, 2022 at 6:30 p.m. via remote participation, in accordance with Chapter 20 of the Acts of 2021.**

MEETING MINUTES

Bart Hoskins opens the meeting at 6:31 pm

I. ROLL CALL

Present: Greg St. Louis, Tyler Glode, Judith Kohn, Bart Hoskins, Dan Ricciarelli (5)

Absent: Tom Campbell (1)

Also in attendance: Kate Kennedy, Hannah Martin (2)

II. REGULAR AGENDA

- A. 9 Franklin Street – DEP# 64-729 –Public Hearing *Continuation*** – Notice of Intent for Patrick Shea, 11 Franklin LLC, for the property located at 9 Franklin Street, Salem, MA. The purpose of the hearing is to discuss the proposed twelve (12) unit multi-family development and associated site work within an area subject to the Wetlands Protection Act MGL c131§40 and Salem’s Wetlands Protection & Conservation Ordinance

Commission received a request to continue, without discussion, to the April 19, 2022 meeting.

A motion to continue the public hearing to April 19, 2022 is made by Hoskins, seconded by Kohn, and passes 5-0.

- B. Strongwater Crossing Subdivision - lots 92-102** – Public Hearing – Notice of Intent for Osborne Hills Realty Trust, P.O Box 780, Lynnfield, MA 01940. The purpose of this hearing is to discuss the proposed construction of single-family homes, driveways, grading and utilities for lots 92-101, included in the next phase of the Strongwater Crossing Subdivision, 57 Marlborough Road, within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance

Hearings will be opened in 3 groups- Lots 92-95, Lots 96-101, Lots Lot 102

Lots 92-95:

Lot 92 DEP#64-749

Lot 93 DEP#64-743

Lot 94 DEP#64-748

Lot 95 DEP#64-742

Bill Manual: Back with revisions from previous feedback. Including the installation of environmental signs on property lines, updated recharge areas, etc. As well as acquiring file numbers.

Kate Kennedy: Any questions around the shifting recharge area for lot 95?

- Tyler Glode: I'm comfortable leaving it for construction to test pit with the 5ft variable

A motion to close the public hearing is made by Ricciarelli, seconded by Hoskins, and passes 5-0.

A motion to issue the order of condition subject to special conditions as discussed is made by Ricciarelli, seconded by Hoskins, and passes 5-0.

Strongwater Crossing Subdivision – lots 96-101 – Public Hearings – Notice of Intent for Osborne Hills Realty Trust, P.O Box 780, Lynnfield, MA 01940. The purpose of this hearing is to discuss the proposed construction of single-family homes, driveways, grading and utilities for lots 96-101, included in the next phase of the Strongwater Crossing Subdivision, 57 Marlborough Road, within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance

Lots 96-101:

Lot 96 DEP#64-747

Lot 97 DEP#64-741

Lot 98 DEP#64-746

Lot 99 DEP#64-740

Lot 100 DEP#64-745

Lot 101 DEP#64-739

Bill Manual: These are grouped together because all have a portion of the building captured by the buffer zone. Lot 102 has only a small bit of land within buffer zone. Updates here include some rear grading, new file numbers, etc.

Tyler Glode: Thought we had discussed placing markers at the buffer zone like so owners know where it is.

- Bart Hoskins: Thought we had discussed placing them at the front of the property, not on the line.
- Bill Manual: Not sure how functional it would be to place on the line of the buffer zone. For example, lot 97, the buffer zone is crossed at the front property line. Thought we wanted signage at the back of property for home owners to know.
- Judith Kohn: Asked for an order of conditions to note that no work be done beyond the property boundary.
- Tyler Glode: Comfortable with that. Also want to note that certain activities cannot take place within the buffer zone.

- Greg St. Louis: Any future work would have to come before us regardless of if it is a pool, patio, etc. I only request that the silk barrier at 102 be further fleshed out to prevent any accidents.

A motion to close the public hearing is made by Kohn, seconded by Ricciarelli, and passes 5-0.

A motion to issue the order of condition subject to special conditions as discussed is made by Kohn, seconded by Ricciarelli, and passes 5-0.

Lot 102 DEP#64-744 - Public Hearing - Notice of Intent for Osborne Hills Realty Trust, P.O Box 780, Lynnfield, MA 01940. The purpose of this hearing is to discuss the proposed grading for lot 102, Strongwater Crossing Subdivision, 57 Marlborough Road, within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance

Judith Kohn: Are we able to extend the erosion control to the lot line like on other lots?

Bart Hoskins: The conditions as discussed include: two wetland markers, per lot, to be placed at limit of work or limit of disturbance, soil testing, placement of infiltration systems be placed based on soil testing, additional wetland buffer zone markers to be placed 10ft in front of wetland flag N50-N54.

A motion to close the public hearing is made by Ricciarelli, seconded by Hoskins, and passes 5-0.

A motion to issue the order of condition subject to special conditions as discussed is made by Hoskins, seconded by Glode, and passes 5-0.

III. OLD | NEW BUSINESS II

A. 8 Martin Lane – Request for Certificate of Compliance

Jamey Steadman: Construction complete, requesting a certificate of compliance. Kate was out to see the site a few weeks ago. Said everything was OK. Are there any specific questions?

- Kate Kennedy: Of note, one wetland marker is now enclosed inside a fence. Wouldn't recommend moving, but would recommend adding another as there is a train head right in this area.

Dan Ricciarelli: Is the storm water management bay shared?

- Jamey Steadman: Yes, collects rainwater from the street and slowly disperses to wetland behind it.

Motion to issue a certificate of compliance is made by Hoskins, seconded by Ricciarelli, passes 5-0.

B. SciFi Networks Pre-Filing Discussion

Kyle Purdy: Had a meeting with Kate and Greg back in January. Here tonight to regroup and address some

additional questions.

Kyle Purdy shares presentation around five remaining pre-filing questions. Question highlights include:

- Accuracy of publicly available GIS layers?
- Is the preferred method of filing the BOI to be all-inclusive or individually? How do we file with many property owners?
- More to be discussed when we have a certified abutter list.

Judith Kohn: Regarding GIS layers, wetland data is very inaccurate. Would be beyond the linear work within the street. May be subject to resource area delineation. My idea is to flag areas that are outside of the roadway.

- Greg St. Louis: Agree. There is an educational piece here and a means to notify constructor where they are. IF you were to say red areas needed more attention, I would agree.
- Bart Hoskins: To Judith's point, a lot of this is within public roadways. Might be the best way to proceed.

Tyler Glode: Regarding filing, I would be leaning towards doing it per zone.

- Kyle Purdy: For reference, the zones here are more so just breaking up the city into linear models.
- Greg St. Louis: Leaning towards discussions of breaking into pieces. That way 45,000 people aren't all notified at once.
- Tyler Glode: How about we step out the notice of intent filings? For example: submit A, complete A, submit B, complete B, etc.
- Judith Kohn: Agree that we don't want filing to happen all at the same time.

Dan Ricciarelli: How long do you think a zone would take? From start to finish.

- Kyle Purdy: I would think each zone could happen within the month timeframe. Keeping us on each month's agenda for the commission.
- Dan Ricciarelli: Maybe some sort of third party could be helpful here (peer reviewer, etc).

C. Public Hearing - Draft Wetland Regulations Update & Review

Andrew Gorman shares an updated version of the wetland regulations update. Highlights include:

- Updated qualification for isolation vegetated wetlands, vernal pools, etc.
- Coaster resource area and performance standards.
- Wetland replication.
- To clarify, 100 ft buffer zone is not going away. Smaller more detailed thresholds being added within.

Dan Ricciarelli: Is there a project threshold for the climate analysis?

- Andrew Gorman: Yes, we are targeting notice of intent rather than filing an RDA. Should be dictated by projects intensity.

Greg St. Louis: Process wise, the council is taking this up again soon?

- Kate Kennedy: Correct, on April 24.
- Tom Devine: Assuming that the city council passes next review, we will take a final legal review, incorporating feedback we've gotten from the commission. Revised draft ready for commission at the next commission meeting.

- Judith Kohn: Say all is approved in April, when would it go into effect?
- Andrew Gorman: I believe it would be effective upon passage.

Public comment:

Stacia Kraft, 140 Federal St: Like the chart you made, Andrew. Would be helpful to see before and after. What we had before versus what we are gaining now. Attending meetings for a while. Seems like we came to this process because many members felt regulations were not finite enough. Now here we are and I don't think the waiver language is clear enough. It is good that isolated vegetated wetland is included now. That is a good thing.

Tim Jenkins, 18 Broad St: This came to my interest a few years back when a project was set to build in a flood zone. A lot of buildings built on filled tidelands, a lot are going to have to be moved at some point. Should be critically careful about these at risk facilities. Also how the city is going to respond to this. A general observation. Looking to avoid problems down the road.

A motion to continue the public hearing to April 19, 2022 is made by Ricciarelli, seconded by Kohn, and passes 5-0.

IV. APPROVAL of MINUTES

A. February 15, 2022 Meeting Minutes

A motion to approve February 15, 2022 minutes is made by Hoskins, seconded by Ricciarelli, and passes 5-0.

V. ADJOURNMENT

A motion to adjourn is made by Ricciarelli, seconded by Hoskins, and passes 5-0.

The meeting adjourned at 8:39 p.m.