

**Salem Conservation Commission
Minutes of Meeting**

Date and Time: Thursday, May 10, 2018, 6:30 p.m.
Meeting Location: Large Conference Room, City Hall Annex, 98 Washington Street
Members Present: Chair Gregory St. Louis, Bart Hoskins, Scott Sheehan, Tyler Glode (4)
Members Absent: Dan Ricciarelli, Tom Campbell, Gail Kubik (3)
Others Present: Ashley Green, Conservation Agent
Recorder: Stacy Kilb

Chair Gregory St. Louis calls the meeting to order at 6:50PM.

- 1. 441 Lafayette Street Dock and Float Repair (DEP #64-XXX)—Continuation of Public Hearing— Notice of Intent for Mark Mazuzan, 441 Lafayette Street, Salem, MA. The purpose of this hearing is to discuss proposed repair and replacement of a dock, float, and mooring at 441 Lafayette Street within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**
Applicant requests to continue to the June 14, 2018 meeting.

A motion to continue to the June 14, 2018 meeting is made by Sheehan, seconded by Hoskins, and passes 4-0.

- 2. 132-144 Canal Street Redevelopment (DEP #64-644)—Continuation of Public Hearing— Notice of Intent for Canal Street Realty LLC, Canal Realty Development LLC, Canal Street Warehouse LLC, and Canal Furniture LLC all of 50 Dodge Street, Beverly, MA. The purpose of this hearing is to discuss the proposed redevelopment of the properties located at 132-134 Canal St, 142 R. Canal St and 144 Canal St including razing of the buildings at 134 and 144 Canal St and constructing three new buildings with associated driveways, 240 parking spaces, landscaping, utilities, and drainage systems for stormwater runoff within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**
Applicant requests to continue to the June 14, 2018 meeting.

A motion to continue to the June 14, 2018 meeting is made by Sheehan, seconded by Hoskins, and passes 4-0.

- 3. 111 Highland Avenue—Public Hearing—Request for Determination of Applicability for Hart Hill LLC, 500 Cummings Center St, Beverly MA. The purpose of this hearing is to discuss proposed demolition of an existing structure and construction of a two-family dwelling with associated driveway, parking, walkways and landscaping at 111 Highland Ave partially within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.**

Presenting for the Applicant is John Bobrek of Bobrek Engineering. This is a redevelopment of a commercial building into a two-family residential property. The 100-foot boundary is outlined; it only encompasses one small corner of the property. The wetland is across Willson Rd. Existing conditions are almost all impervious. The proposed development will only be 50% impervious. Erosion controls will be placed around the site.

Chair St. Louis asks about curb cuts; they will be removed to close the Highland Ave curb cut and replaced by one on Willson Rd. Sidewalks will be replaced with bituminous and ADA crosswalk panel. This was a

former auto shop; no tanks are being removed. There was a dispensing facility but the site now has a clean 21E.

Chair St. Louis notes that if the Applicant is reconstructing the handicap ramp on Willson St., they may need to do the other side as well, though this is outside Conservation Commission jurisdiction.

The Chair opens to the public but there are no comments.

A motion to close the public hearing is made by Sheehan, seconded by Hoskins, and passes 4-0.

A motion to issue negative 3 and negative 6 determinations is made by Sheehan, seconded by Hoskins, and passes 4-0.

4. 106-108 Leach Street (DEP #64-648)—Public Hearing—Notice of Intent for 106-108 Leach Street Condominium Trust (Lloyd Benson, Trustee), 106 Leach St, Salem MA. The purpose of this hearing is to discuss proposed replacement of 75 ft long timber and masonry seawall at 106-108 Leach Street within an area subject to the Wetlands Protection Act MGL c131§40 and Salem Wetlands Protection & Conservation Ordinance.

Zach Jenkins with Collins Engineers represents the Applicant. Lloyd Benson, the Applicant, is also present. The project is described. Of the existing seawall, 53' is timber bulkhead, and 22' is mason bulkhead. The entire length will be replaced with timber bulkhead. The new face will match the existing; they anticipate a total of 15 square feet of impact to coastal beach due to the number of piles needed in order to increase the capacity of the bulkhead. Height will also be increased. Temporary impacts related to construction are described.

Tyler Glode asks for clarification; the entire length including granite will be removed and replaced with timber bulkhead. The new elevation of the wall will be 11 North American Vertical Datum of 1988 (NAVD 88). Chair says two datums are shown and Mr. Jenkins clarifies. NAVD 88 numbers are clarified. The pier will be removed, but not replaced. The deck on the land side will be removed and replaced in kind.

The increase of the timber bulkhead is meant to provide additional mitigation of wave action. Chair St. Louis asks why timbers rather than sheeting or stone revetments are being used; with stone, the issue is cost. Regarding timber vs. composite or sheeting, with steel, the issue is cost, and with composite, driveability is not ideal so would damage the sheeting. This decision was made after soliciting input from marine construction companies. The property to the Northeast is also a timber bulkhead so this would also provide some consistency. The relation to the neighbor's seawalls is described. To the west is an existing masonry seawall, the northwest is timber bulkhead; the owner of that will be appearing before this Commission next month to request repairs.

Sheehan asks and the Applicant clarifies that no new fill is being added. The work process is described. The existing and proposed timber deck and pier are described in more detail. The patio will be removed and replaced, and the pier will be removed but not replaced, so there will be a reduction in impact to the coastal beach. The sea wall is above mean high water – at high tide, 2' of seawall is underwater thus requiring a Chapter 91 waterways license. Regarding backfill behind the wall, if they can reuse what is pulled out, the applicant will do that, otherwise it will be gravel. All unsuitable materials will be removed from the site.

The Chair asks about Mirafi [a geotextile] fabric behind the wall. This will be installed but is not on the Plan. The intent is to work from the landward side as much as practical, however on the granite side, access is limited so a barge may be needed to remove the existing seawall and install new panels and piles. Chair St. Louis notes that barges are usually approved in this Commission so the size and scope would need to be

known. The Applicant states that the Order of Conditions comes first, then the project goes out to bid, so this could be a condition of bid, or if affects prices, they can amend or do a minor modification afterward.

Glode asks about the cover over the anchor wall; it will be a minimum of 2' at the top, with a minimum of 4' across the bottom. Concrete footings and wiring are discussed.

Sheehan asks if this is an area that underwent eel grass restoration; this is just beach with no vegetation. This was submitted to DMF but no comments were received. Chair St. Louis asks about removal of the wall; the new wall will not be installed behind the existing, which will be removed first. The new wall will be made of prefabricated panels. Work will involve removing a segment of existing wall and installing one corresponding panel at a time. They can work with the tides and will protect open cuts from tidal influence if the section is open during the tide cycle. However, the proposed approach should minimize that. The Chair asks if the Applicant can only open a limited segment (say 10') of wall at a time to limit erosion. The Applicant can work in 20' sections. A turbidity curtain would be ineffective. A debris boom will be provided. Controlling excavation is the most important idea. Stable fill is behind the existing wall and will probably remain in place once the original wall is removed.

Chair St. Louis asks if the velocity zone will be impacted by the height increase; no change is anticipated.

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

A motion to close the public hearing is made by Hoskins, seconded by Sheehan and passes 4-0.

A motion to issue the Order of Conditions with standard and the following special conditions is made by Glode, seconded by Hoskins, and passes 4-0.

Special conditions:

- Mirafi fabric or equivalent geotextile material shall be installed behind the wall
- The removal of the wall shall be limited to a maximum of 20-foot sections at any one time
- If the use of a barge is necessary, the details of this work shall be submitted and approved by the Conservation Agent

5. 6-8 Dell Street (DEP #64-647)—Public Hearing—Notice of Intent for Kenneth G. Steadman, 67R Village St, Marblehead MA. The purpose of this hearing is to discuss proposed construction of a single family house and associated driveway, utilities, grading and landscaping at 6-8 Dell Street within an area subject to the Wetlands Protection Act MGL c131§40 and Salem Wetlands Protection & Conservation Ordinance.

Mr. Ken Steadman, lot owner, presents. Access will be from Martin Lane, though the property fronts on Dell St. He describes the 20,000 square foot lot that will have a 2,400 square foot house plus a garage. The house will be 30-40' from wetlands with the yard from 20' down to 10' from the resource area. There will be a walkout basement. The retaining wall in back will be 7-8' high.

The buffer zone runs almost parallel to Dell St.

Chair St. Louis asks about the floor and Mr. Steadman clarifies the elevation. Possible water infiltration is discussed; it is a closed system, not shown, but the outlet is around 94 on the far end of the existing detention area. It is a concrete box.

Sheehan asks about the dwelling. The proposed footprint is slightly larger than the foundation. The proposed driveway will most likely be asphalt. Fencing will be installed as part of the retaining wall per the building code; there will be placards stating not to dump beyond that. The retaining wall will be a step down 7-8'. Contours are described.

The Chair asks about whether the existing rock at the site is from construction or the hillside. Mr. Steadman notes it was done during the original cul-de-sac construction. Silt fencing onsite is old and will be removed and replaced in the appropriate location. There is no building on the site currently. The Chair asks if roof leaders can be connected to the drainage system; they can. A Stormceptor unit is proposed but roof runoff is considered clean so would not need to go through that. Roof runoff can also go into dry wells, especially with a walkout basement.

Chair St. Louis opens to the public.

Anthony Pasquale of 27 ½ Crowdis St., an abutter, asks how this will affect his property. The Applicant states that it won't, as his site is higher in elevation than the Applicant's site. No blasting will be involved and no fill will be added. Lot logistics are discussed.

Soil types and storm water management are discussed. Mr. Steadman asks if it would be possible to do dry wells if runoff is an issue. Chair St. Louis opines that if Mr. Steadman is interested in a gravel trench drain, drywell, etc. he would be open to that. Sheehan agrees. Glode feels that Mr. Steadman should tie the drip edge around the driveway. He has no preference in regard to trench drain or tying in gutters; elevations will have to be explored before determining the best option.

A motion to close the public hearing is made by Sheehan, seconded by Hoskins, and passes 4-0.

A motion to issue an Order of Conditions with standard and the special condition noted below is made by Sheehan, seconded by Hoskins, and passes 4-0.

Special condition:

The management of impervious surfaces shall be provided through either trench drains, dry wells, or the utilization of the existing stormwater management facility.

6. 29 Winter Island Road—Public Hearing—Request for Determination of Applicability for Joanne Scott, 29 Winter Island Rd, Salem MA. The purpose of this hearing is to discuss proposed stone wall repair at 29 Winter Island Rd within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

Joanne Scott presents her project. The past storms have damaged the stone wall, which was last repaired in 1978. Rocks will be replaced and held in place with mortar or concrete; the wall itself is not being replaced; only repaired. The granite cap is still intact, but overwash may have pushed out stones below, from behind. Small stones and soil will be used to backfill the area. Chair St. Louis asks about the extent of the damage; a dozen or so stones were dislodged; Chair St. Louis notes that stones that were moved from the wall to the rocky intertidal area/base of the wall during the storm help armor the site, so Ms. Scott may want to consider bringing in stones rather than removing something that is adding value. All work will be done by hand.

The types and sizes of stones are discussed. The wall is vertical though it is hard to tell from the photo. The rocky intertidal zone slopes. The wall is about 6' high. Glode is concerned about stabilizing the capstone while work is being done; he opines that removing it, rebuilding, and then replacing the capstone would ensure a more stable build for the long term.

Chair St. Louis opines that root structure behind the wall would help stabilize it. Shrubs would be helpful. He advises using larger stones so that the 10” ones do not wash out. Any areas that do not get patched with concrete will still have soil wash out. Crushed stone behind wall should be larger than 2”. Glode discusses the logistics of repair again and its relation to erosion control. Chair St. Louis feels that this work is more aesthetic and may not address underlying issues. Though perhaps not imminent, Ms. Scott has seen sinkholes develop over time.

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

A motion to close the public hearing is made by Hoskins, seconded by Sheehan, and passes 4-0.

A motion to issue Negative 2 and Negative 6 Determinations is made by Hoskins, seconded by Sheehan, and passes 4-0.

7. 96 Webb Street (Collins Cove Path) Shared Use Path Repair—Public Hearing—Request for Determination of Applicability for the City of Salem DPS Dept, 5 Jefferson Ave, Salem MA. The purpose of this hearing is to discuss proposed replacement of 272 square yards of a shared use path along Collins Cove at 96 Webb Street within an area subject to protection under the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

David Knowlton, Director of DPS City Engineer, and Ray Jodin, General Forman of DPS, are present. Mr. Knowlton provides an overview of the work and Mr. Jodin outlines the scope. The existing path has deteriorated, especially after this winter’s storms. It is currently inaccessible to handicapped people and bicycles. More work will be done in the future on this path, and additional Requests for Determination of Applicability and Orders of Conditions will be sought. The area of the work is described. The base will be replaced and path repaved.

Mr. Jodin details the scope of work. 350 feet of pathway will be replaced; they will remove the surface, replace the sub base, overlay with 2” asphalt binder, tac coat down to allow for seal, and finally apply a 1.5” top course to allow for transition. The path is 8’ wide. This will not impact the Collins Cove restoration project but should complement it, and path can be moved in the future if needed.

Chair St. Louis asks if it is worth lowering the path as the beach is lower than the path; it is in some areas but it varies. Mr. Knowlton would like to keep the path consistent. It is not well protected and will be impacted again in the future.

Chair St. Louis opens to public.

Jessica Herbert of 70 Webb s=St. approves of the project and commends Ray Jodin on his work. She comments that the slope from the walkway to beach there because there was a berm but it has been washed away; when a crew came by they pushed stone on top of what was a grass berm, destroying it. She feels the berm should be rebuilt. The Collins Cove Living Shoreline project should be constructed in a year.

There is a question about lighting in the area but that is not in the scope of this Commission. David Knowlton will discuss this with the City Electrician.

A motion to close the public hearing is made by Sheehan, seconded by Hoskins, and passes 4-0.

A motion to issue Negative 2 and Negative 6 Determinations is made by Glode, seconded by Sheehan, and

passes 4-0.

8. Old/New Business

- **Canal Street Flood Mitigation, DEP #64-596, Request to Extend Order of Conditions.**

A motion to extend the Order of Conditions for three years is made by Sheehan, seconded by Hoskins, and passes 4-0.

- **Rosies Pond Flood Mitigation, DEP #64-601, Request to Extend Order of Conditions.**

A motion to extend the Order of Conditions is made by Glode, seconded by Hoskins, and passes 4-0.

- **Washington & Dodge Street Redevelopment, DEP #64-610, Request for Minor Modification.**

Tom Alexander represents Dodge Area LLC. He describes the project redesign, which is on the same footprint. Changes are described. They have been before the Design Review Board, Salem Redevelopment Authority and are currently before the Planning Board, on the verge of project approval. They would like to begin work in July.

Mr. Ken McClure and Barry Stowe of Opechee, a Design/Build firm, are also present.

Mr. McClure, Landscape Architect, outlines changes to the project.

- Project will be completed in one phase rather than two
- Retail square footage and number of hotel units and apartments have decreased
- Open air area has been lost due to consolidation of building structures; now only one is proposed vs. two
- 3rd story of parking garage will now be covered, and a green roof installed, but that will be inaccessible to the public. This benefits the project from a stormwater runoff perspective. Original proposal had 5500 square feet of green roof; the new proposal includes 8,000 square feet. There is no plan for snow removal from the garage roof as it will not be needed. All pavers within the interior of the site are permeable; snow removal will still be needed but most planters can accept snow storage
 - Hoskins asks about the green roof and Mr. McClure outlines; it will be sedums, 2-3” high.
 - Soil level may be increased to be able to plant additional taller plants for interest
 - Shadow studies are summarized, and the shape of the green roof area shown
 - Edges of buildings are subject to wind, so the green part of roof is an interior “island”
 - Will use Recover Green Roofs in Somerville, who suggested something other than trays for the plantings which can have problems during installation
 - Gray areas will be crushed stone for ballast; waterproofing will be upgraded over the entire roof. Roof drains have not yet been laid out but will capture any excess water
- Now proposed is an infiltration area below the parking garage that is sized to accept all water from roof and garage roof for treatment in a first flush. Drainage is described. Roof for building discharges as per previous approval; a comparison plan was submitted. Two drainage connections are being removed, as there will be a trench drain. Some connections are being retained and will NOT go to garage infiltration area
- Changes under Commission jurisdiction are minimal.

Barry Stow comments that the same finished floor elevations will be maintained. They are in a flood zone which is why this is jurisdictional. While only a small part of the site is in the flood zone, the entire site is jurisdictional due to the local ordinance which includes a 100’ buffer to the flood zone.

Agent Green asks for clarification on Special Conditions from original Order of Conditions which may no longer be applicable. Conditions number 43 and 44 are in question.

Chair St. Louis asks about drainage. The Dodge St. Court parking garage entrance still exits onto the first level. The valet entrance onto the second level is also described. Chair St. Louis asks how the trench drain at the entrance was removed if floor elevation was not changed. Stairs going down created a well on the previous approval. There was a lower finished floor but that is no longer the case. On the other side at the corner of Washington St. a low patio was eliminated and the area drains away from building into the right of way. The building has been raised by a level. Grades on the garage have changed and are described. No trench drain is now needed. Garage elevations/floor levels are the same but those on the driveway have changed. Only one garage level can be accessed per driveway and there is no internal circulation. The 2nd floor is for the hotel only, with valet parking.

Chair St. Louis asks about the Applicant's decision to use the roof as stormwater detention basin; Mr. McClure and Mr. Stow do not know. Erik Swanson, design consultant, is not familiar with the previous system. HydroCAD calculations under the original filing had 2-3" of standing water that went through a 2-3" outlet that drained into 8" interior roof drain. Specific comments were made then, stating that a HydroCAD was submitted, so did not need to be a special condition. The Commission wonders if the roofline has changed or articulated up, if storage capacity has been reduced. It is still a flat roof with roof drains, and the Applicant is not proposing to modify it from original. Chair St. Louis asks about the exterior wall of the roof pond, concerned that storage capacity is maintained. The intention is to keep everything as previously approved.

Whatever previous conditions were present per the previous approval shall continue to be implemented. Regarding stormwater retention, the structure should be able to hold more water on the roof than in the previous plan since green roof size has increased. Concrete permeable pavers (brick) will be used, but Chair St. Louis does not consider brick to be pervious. He states that the curve number for brick is 96, pavement is 98, grasscrete is in the 60s, but the Applicant is proposing brick.

The Chair asks the Applicant to review HydroCAD pond 17P, which was the roof storage area. If those numbers are maintained, he has no problem.

He had also highlighted that one garage entrance was below flood plain elevation. Plans prepared are based on City of Salem data, not NAVD88. This should be verified if entrances have been changed.

Oil separators will be contained within the site.

The Applicant will assure that Original of Conditions and additional special conditions are followed.

A motion to approve the minor modification with a reminder that original Order of Conditions and Special Conditions still apply, is made by Hoskins, seconded by Sheehan, and passes 4-0.

- **Tedesco Pond, DEP #64-364, Request to Extend Order of Conditions.**

The Commission had requested water quality testing the last time an Extension was requested, and the results are attached to the submitted letter. Eric Kuhn of Solitude Lake Management, representing the Applicant, comments that this is an annual management program that is necessary because the pond is so shallow. It has a rich nutrient makeup so excessive algae and lilies build up. One yearly treatment for algae and submerged plants helps keep it from filling in. Solitude uses U.S. EPA and MDAR approved herbicides. One treatment per year with pre- and post-management surveys is done.

Chair St. Louis had asked last year about making this a perpetual condition, rather than extending it annually. The Order can be extended up to five years. Mr. Kune comments that Amherst has done a blanket permanent Condition.

A motion to extend the Order of Conditions for three years is made by Sheehan, seconded by Hoskins, and passes 4-0.

- **15 Nurse Way (Lot 224), DEP #64-612, Request for Certificate of Compliance.**
- **13 Nurse Way (Lot 225), DEP #64-614, Request for Certificate of Compliance.**

Mr. Bob Griffin of Griffin Engineering requests both Certificates. Chair St. Louis asks about if a fence is required on the rear retaining wall. The ledge is far from the path so Mr. Griffin felt a fence was not necessary. Logistics and necessity of a fence and the lots are described. The developer is still there so may put in a fence. Glode opines that the area is stabilized, and the Chair agrees. Chair St. Louis asks if the landscape is naturally rocky; it is.

Chair St. Louis asks about the purpose of an underdrain; it was required in the Order of Conditions for #15; what was built out was a slope, not a retaining wall, so Mr. Griffin states that it does not need an underdrain.

Glode says 13 looks unstable, but is on its way.

A motion to issue the Certificate of Compliance for 15 Nurse Way is made by Sheehan, seconded by Hoskins, and passes 4-0.

A motion to issue the Certificate of Compliance for 13 Nurse Way is made by Glode, seconded by Hoskins, and passes 4-0.

- **Meeting minutes—February 8, 2018.**

A motion to approve the February minutes is made by Hoskins, seconded by Sheehan, and passes 4-0.

Exploratory geotechnical soil borings in buffer zone are exempt. The NE Power Company wants to do them in LSCSF, and wonders if this requires an RDA. Green feels it is too minor to do require that, as work is within a paved area. Commissioners agree.

A motion to adjourn is made by Sheehan, seconded by Hoskins, and passes 4-0 with all in favor.

The meeting ends at 9:16PM.

Respectfully submitted,
Stacy Kilb
Clerk, Salem Conservation Commission

Approved by the Conservation Commission on August 9, 2018.

Know your rights under the Open Meeting Law M.G.L. c. 30A §18-25 and City Ordinance Sections 2-2028 through 2-2033.