

CITY OF SALEM
CONTINUATION OF PUBLIC HEARINGS
FEBRUARY 23, 2016

Continuation of Public Hearings of the Salem City Council was held in the Council Chamber on Thursday, February 23, 2016 at 6:00 P.M. for the purpose of discussing declaring property located at 297-305 Bridge Street (former Universal Steel site) as surplus property, discontinuance of a public way known as Beckford Way, convey a portion of 297 Bridge St. for the sum of \$10,001.00 and land disposition agreement and conveyance of land to Sun King LLC. Notice of this hearing was posted on February 8, 2016 at 1:56 P.M.

Councillor Dibble was recorded as absent.

Councillor Furey, Councillor Lovely and Councillor Epley arrived late.

Councillor Josh H. Turiel presided.

In attendance were the following:

Mayor Driscoll, Solicitor Elizabeth Rennard, representatives from F.W. Webb and a representative from the EPA

#5 - DECLARING A PARCEL OF LAND AS SURPLUS LOCATED ON BRIDGE STREET

A public hearing was held relative to declaring a parcel of land as surplus property located at 297-305 Bridge Street, Lot 1 containing 52,491 square feet, Parcel B containing 1,260 square feet and Parcel A containing 2,035 square feet.

Mayor Driscoll – question regarding the sites health from last meeting.

Representative Gautreau, Government Relations and Kim Teasik are here to answer any question or concerns.

Mr. Gautreau - stated that Boston deals with 100 municipalities and has served 10 years as ward Councillor and 4 years as At-Large Councillor so he understands through that lens. He stated he has been here awhile working on a variety of projects. The work regarding Webb – Universal Steel started in 2009. At that time, it was made into a parking lot. The EPA has several superfund sites, brownfield programs under the Toxic Substance Control Act. The fact sheet was passed out to the City Council. There was 90 Tons removed which 33 tons was metal debris. The air monitoring showed contaminated samplings. There was 1,000 gallons of PCB's disposed of. It was backfilled and the Brownfield Grant was used.

Kim Teasik – wanted to clarify that the EPA did the removal. Currently 1 ½ x 3 foot of clean soil is there. The concentration is low and clean asphalt is on top. What is proposed is not further clean up but soil management. We assure you dust and water will be controlled. The site is regulated by the State, LSP and EPA are in constant contact.

Councillor Milo – asked how often to you visit or update

Kim Teasik – there are weekly updates if there is an issue we would visit as needed.

Councillor Milo – Do you respond to resident's concerns

Kim Teasik – Yes, residents and property owners feel free to call

Councillor Sargent – Is it considered capped hazardous waste site

Kim Teasik – capped and contaminated site

Councillor Sargent – asked is there anything we as a city would have to do

Kim Teasik – responded No. PCB's are still on the site. We have not closed the site yet, not approved.

Councillor Sargent – asked if left as is would sign off

Kim Teasik – stated no, there are encumbrances

Councillor Sargent – Are there deed restrictions?

Kim Teasik – No further clean up if left capped

Councillor Turiel – What sort of construction or what process should be used as containment. What would be acceptable.

Kim Teasik – both LSP's dust monitoring action levels established disposal, and water control, the details are still in the design phase.

Councillor Turiel – The temporary use has no drainage set up on there, if it were to remain would we need to make accommodations.

Kim Teasik – Some were done along the street. She stated she didn't know if there are additional water concerns.

Mayor Driscoll – She stated she wanted to be clear on the time line. She thanked the EPA for their help. There is a health and safety plan for the site. This makes sure Webb keeps in compliance. The neighborhood will be protected. The EPA has oversight to make sure people are protected.

Councillor Milo – questioned Mayor do we have our LSP?

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Mayor Driscoll – responded yes, we have our own LSP (Licenses site professional), Webbs proposed construction plan will be reviewed by our LSP and sent to the EPA. They will manage the site. Weston and Sampson are the second set of eyes to monitor.

Councillor Famico – what about drainage. We all know there is flooding, can you touch on that subject.

Kim Teasik – stated some of the discussion was about drainage. There is supposed to be new drainage on Bridge Street.

Mayor Driscoll – stated this is still in the works. We are at the beginning, there has to be a site plan review, but the Health and Safety plan stays as a draft until the site plan review is done.

Councillor Famico – We met with the abutters, Ward Councillor, and EPA. Webb has to go through the permitting process. The Deed change happens after permits are issued. If the land is dug up and more contamination is found are we on the hook for it?

Mayor Driscoll – We are pretty sure we know what's on that property.

Kim Teasik – Where the footings will go there is 1 ½ to 4 feet is clean soil. Below that there is contamination but it won't be a surprise based on how much work has been done we are confident what is on the property.

Mayor Driscoll – That was our hesitation of taking over the property.

Mr. Gautreau – All over this state there are sites and it has been meticulously working on.

Councillor Milo – what is no significant risk mean.

Kim Teasik – state she can't answer, would like LSP to answer. Everyone knows the term PCB's, we redevelop contaminated properties all the time. This is not new to us.

LSP – No significant risk in Massachusetts is a term conditions at the site 1 person out of 100,000 would be at risk for cancer this would be termed "No significant risk" it's the states term.

Councillor Milo – stated so there is no such thing as no risk, it's how low the risk is.

LSP – There is so much ash, we try to mitigate the risk.

Councillor Sargent – asked where is more risk, leaving it or disturbing it.

Kim Teasik – There is clean soil when you lift the cap.

Councillor Sargent – you have to go down 5 feet where ground water is. There will have to be a grid, how many columns?

Kim Teasik – there will be 500 stone columns driven down by Greenleaf.

Councillor Sargent – stated he can't imagine there will be no noise or dust.

Kim Teasik – stated this will be clean dust at the surface but want measures to be done so there is no risk to people. The risk can be managed.

Councillor Sargent – You wouldn't need to monitor it.

Kim Teasik – I would use monitors no matter what.

Councillor Sargent – asked about PCB's in the water

Kim Teasik – We measured 400 parts per million in one small area this is low.

Councillor McCarthy – asked how di removal go? What was the process, was there issues or concerns?

Kim Teasik – A program manager was there and got air monitoring results, the numbers were low.

Councillor McCarthy – So everything went smooth

Kim Teasik – found more contaminants

6:55 P.M. HEARING WAS OPENED TO THE PUBLIC FOR COMMENT

Lisa Spence – River Street resident stated there is a Human Health risk she handed out her information.

Meg Twohey, 122 Federal Street – stated she is concerned about neighborhood illness and cancer. She stated she reviewed the LSP report which made clear even after the cleanup there was 3.5 parts per million. The AUL stated that there should be no more than 16 hours spent on the site.

Dave Williams, 342 Essex Street – stated according to the EPA this is some additional risk if uncapped. The tax revenue is \$100,000 a year but with the TIF there is a tax reduction of \$40,000. As a parking lot it pulled in \$33,000. This is compelling public interest.

Woman from Amesbury MA – Specializes in Coastal Impact and Water Control Measures stated there is a frequency of tidal flooding. Bridge Street floods is exacerbated with rain and high tides.

Councillor McCarthy – asked to get a copy of this.

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Barbara Cleary, 104 Federal Street - her husband (David Hart) read her statement, she is opposed.

David Hart, 104 Federal Street - asked about the 1996 Master Plan in regards to page 27. He stated he is opposed to declaring the land surplus.

Tim Jenkins, 34 Essex Street – Keep as parking lot, there is human effects from pcb's, he stated he is opposed to declaring it surplus.

Fred Biebesheimer, 17 ½ River Street – asked for a summary of parked cars at the Universal Steel lot from 1/4/16 through 1/31/16. He is against it being made surplus.

Laurie Tremblay – business owner, she respected comments regarding impacts to the city. She is against the re-zoning.

Chuck VonBrun, 3 River Street – a retired CPA had a handout. Webb should build elsewhere in Salem.

Lou Siriani – has an office in downtown Boston as an Architect. He is in favor of maintaining the parking area, there is a need for it. You can avoid traffic, it's cheaper to park and when the probate court opens more people will park there.

Elizabeth Nugent, 12 River Street – stated she is a direct abuter and wants to see it kept as a parking lot.

Polly Wilbert, 7 Cedar Street – stated her opposition to declaring this surplus. The courts need parking.

Josiah Fisk, 358 Essex Street – stated he didn't believe they have enough information to make an informed decision. How do you know its surplus or not.

Justin Whittier, 10 River Street – is opposed to declaring it surplus, maintaining the lot poses no risk to public health.

Jennifer Firth, 9 North Street and President of Historic Salem Inc. – read a letter into the record.

Kerry Rourk, Andover Street – stated 4th generation to live in her home she is opposed due to safety issues.

Darrow Lebovici, 122 Federal Street – is opposed to declaring the property surplus for multiple reasons, but most of all for health and the lack of benefits to the city.

Resident woman, 99 Bridge Street – stated her opposition.

Salem Resident abutter – stated opposition due to health risk and that the area floods.

Steven Whittier, 7 River Street – directly abuts the site his concern and opposed to declaring the property as surplus.

Vicki Sirianni, 6 Botts Court – is opposed to declaring it surplus and she read a statement.

Jim Kearney, 1 Cambridge Street – read a statement

Barry Nealy, 15 Lynde Street – supports the surplus

Ann Whittier, 10 River Street – stated her opposition

Jane Stauffer, 28 Beckford Street – stated her opposition

Heidi Roker, 3 Lynn Street – stated her opposition

Dan Matigan, 14 River Street – stated do not declare the property as surplus, leave it as a parking lot

Councillor Furey – stated he is not in favor of declaring this land surplus

Katie _____ 141 Federal Street - stated her opposition

Mr. Carr, 7 River Street – is opposed to declaring the property as surplus.

Councillor Eppley moved the hearing be continued. It was so voted.

Councillor Sargent was recorded as opposed.

Councillor Eppley moved referred to the next Council Meeting for disposition. It was so voted.

#6 - DISCONTINUANCE OF A PUBLIC WAY KNOWN AS BECKFORD WAY (A.K.A. BECKFORD ST. EXTENSION)

Councillor McCarthy moved the hearing be continued to Wednesday, March 9th at 6:00 PM. It was so voted.

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#7 - TO CONVEY A PORTION OF 297 BRIDGE STREET 1,260 SQUARE FEET KNOWN AS PARCEL B TO SUN KING LLC FOR THE SUM OF \$10,001.00 WITH A PERMANENT PEDESTRIAN AND VEHICULAR ACCESS ON THE ENTIRE PARCEL FOR THE BENEFIT OF 30-32 BECKFORD STREET

Councillor McCarthy moved the hearing be continued to Wednesday, March 9th at 6:00 PM. It was so voted.

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#8 - LAND DISPOSITION AGREEMENT AND CONVEY A PORTION 297 BRIDGE STREET 52,491 SQUARE FEET (FORMER UNIVERSAL STEEL) AND 311 BRIDGE STREET, 2,015 SQUARE FEET TO SUN KING LLC AFFILIATE OF F.W. WEBB CO. FOR THE SUM OF \$990,000.00

Councillor McCarthy moved the hearing be continued to Wednesday, March 9th at 6:00 PM. It was so voted.

On the motion of Councillor Furey the meeting adjourned at 9:30 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK