

**Salem Conservation Commission
Minutes of Meeting**

Date and Time: Thursday, April 13, 2017, 6:30 p.m.
Meeting Location: Third Floor Conference Room, City Hall Annex, 120 Washington Street
Members Present: Chair Greg St. Louis, Tyler Glode, Tom Campbell, Bart Hoskins, Dan Ricciarelli, Gail Kubik, Scott Sheehan
Members Absent: None
Others Present: Tom Devine, Conservation Agent
Recorder: Stacy Kilb

Chair St. Louis calls the meeting to order at 6:38pm.

1. **Universal Steel/F.W. Webb Project**—Public Hearing—Notice of Intent for Mark McLeod of the H.L. Turner Group, 27 Locke Road, Concord, NH. The purpose of this hearing is to discuss the proposed construction of a building addition and associated improvements at 293 & 297 Bridge Street (Existing F.W. Webb store and former Universal Steel property) within an area subject to the Wetlands Protection Act MGL c131§40 and Salem’s Wetlands Protection & Conservation Ordinance.

Documents:

- “RE: April 13 Conservation Commission Agenda”, Email from Ward 7 Councilor Steve Dibble to Tom Devine, 4/11/2017.
- Corrected grading plan: F.W. WEBB CO. ADDITION, 293 BRIDGE ST., SALEM, MASSACHUSETTS, sheet C3.0, 3/29/2017

(Bart Hoskins arrives at 6:42 p.m., prior to the start of this item.)

This item is taken out of order and heard later on the agenda. Mr. Mark McLeod, engineer for the applicant, presents. He describes the current site layout and proposed project. There is no existing stormwater treatment on the actual FW Webb site and the entire area is impervious. The Universal Steel Site has sediment basins in the parking lot, and runoff flows to those areas, as described. They would like to maintain and improve the stormwater management system.

The parking area will be used for customer and employee parking, loading docks, and storage. Grading will be similar to what is currently there, and sediment basins will connect to an infiltration pipe. Changes are described. Some low impact development measures will be taken to improve stormwater management. The parking lot will not experience an increase in impervious area. Drainage at the back of the addition is described in more detail. The current storage area is described. Minor re-grading of the parking lot is described. Grass islands currently in the parking lot were not counted toward compliance with stormwater management standards for the previous Notice of Intent for the parking lot.

No deep excavation will occur (there will be no work in the capped area). The wetland behind the property is discussed.

Chair St. Louis asks about Planning Board peer review; the applicant has not filed with Planning Board yet, so the Chair states that this Commission will want peer review of the stormwater plan.

Chair St. Louis asks whether soil tests have been done yet for the new addition and McLeod states that

none have been done yet. St. Louis asks whether a sea level rise study has been referenced or reviewed, and McLeod replies that he has not reviewed a study in detail. St. Louis notes that trucks would have to cross the grass islands in the parking lot, but McLeod says they are proposed to be removed. St. Louis states that pre- and post-watershed plans have not been submitted and wonders if stormwater maintenance logs exist. McLeod says he has not seen any logs.

Campbell identifies an error in the stormwater management plan. The Commission expresses interest in having a peer review completed. Devine suggests that the Commission revisit the matter at the end of the hearing to see what issues they would like reviewed.

Mr. McCloud comments that the design intent is to maintain what is there currently without increasing impervious area, and establishing some vegetated areas, thus reducing runoff. Current flood elevation is discussed.

Glode asks about replacing an existing infiltration basin. This must occur due to changes in the driveway entrance. Chair St. Louis asks about discharge to the municipal drainage system; it will be reduced, but Mr. McCloud is not aware of any limits. There are no floor drains; roof drains flow into the ground. The addition will be for the showroom.

Chair St. Louis opens to the public:

Jane Arlander of 93 Federal St. asks about the coastal resource and the amount of impacted area. McLeod states that the existing building footprint is excluded from the area of impact. Arlander says she is concerned that no Chapter 91 Determination of Applicability was issued for the parking lot construction. Devine states that he consulted with MassDEP to rule out Chapter 91 jurisdiction prior to constructing the parking lot and adds that the Commission does not have the authority to administer or enforce Chapter 91.

St. Louis says that with the coastal flood zone, the Commission wants to know that the building will not divert flood waters or block receding waters.

Arlander notes that the new curb cuts will change the parking lot drainage and asks how the drainage system will handle oil from trucks. McLeod states that the system will capture oil with the stormwater, but it will not separate it, and no deep sump catch basins are proposed. Arlander asks about roof runoff. McLeod explains that it will be directed to the permeable pavers behind the building.

Arlander asks if any soil sampling has been done for contaminants on the Webb property. St. Louis says that usually if a site is in the MCP, they will have to comply with a disposal plan in accordance with state regulations. Arlander asks whether an order can be issued prior to knowing what the soils look like. Devine states that if contaminants are discovered that require handling or remediation beyond what is approved in an order of conditions, the changes would require additional review by the Commission.

Meg of Twohey 122 Federal St. says she appreciates that the Commission will do a site visit. She suggests considering a green roof and asks about snow storage. McLeod responds that he anticipates excess parking spaces that will be available for snow storage.

Darrow Lebovici of 122 Federal St. asks about what would trigger requirements for special handling of contaminants. St. Louis states that testing will be required for construction and that work would need to be overseen by an LSP if anything reportable shows up in the testing. McLeod states that no LSP has been assigned to the project yet.

Jennifer Firth of 3 Carpenter St. asks if the cap on the parking lot will be disturbed and whether the hearing can remain open for the site visit. St. Louis states that the site visit will be public. McLeod says that they intend to leave the cap intact.

Jeremiah Jennings of 18 River St. asks whether the foundation under the new addition will impact contaminated groundwater. McLeod says that a full foundation to 4' depth is proposed, which slopes mostly toward Bridge St. and Webb building, which forms a dam. St. Louis states that the Commission and its peer review can consider groundwater impacts. Jennings wonders if this Commission is acting prematurely without data on permeability of soils, but St. Louis notes that it is at the Commission's discretion. Jennings suggests holding the site visit at high tide.

Devine reads a letter from Steve Dibble. Ward 7 Councilor. The letter states that this plan is a reasonable compromise and suggests that any catch basins be converted to deep sump and that the Commission ensure that protections are in place so that no cleaning products impact.

A site visit is scheduled for Saturday May 6th at 9:00 AM.

The Commission wishes to engage its own 3rd party peer review. Devine suggests that scope be defined so that the peer review can also be used by Planning Board. Devine will coordinate this with the applicant and the Planning Board's staff.

A motion to engage a 3rd party peer reviewer, made by Ricciarelli, seconded by Sheehan, passes 7-0.

A motion to continue to the May 11th, 2017 meeting is made by Ricciarelli, seconded by Glode, and passes 7-0.

2. Old/New Business

- **Salem Waterfront Hotel (23 Congress St. and 9 Pickering Way), DEP #64-569, Request to extend Order of Conditions**

This item is heard out of order. Attorney George Atkins, 65 Congress Street, presents. This Order was issued in 2014, but obtaining a Chapter 91 license took until mid-2016. A DEP plan has yet to be approved and the hotel's busy season is approaching, thus the request for an extension of three years.

A motion to approve the three-year extension is made by Ricciarelli, seconded by Sheehan, and passes 6-0 (Bart Hoskins not yet present).

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

This item is heard out of order. Kara Soliwski of Solitude Lake Management, presents. They seek to extend the Order to continue ongoing annual maintenance. Ms. Sliwoski states that the management plan is not changing, so the filing would be identical to the original one. Due to the age of the order, the Commission wishes to extend it by only one year.

A motion to grant a one year extension from the expiration date is made by Campbell, seconded by Kubik, and passes 7-0.

3. Greenlawn Cemetery Ponds Vegetation Management—Public Hearing—Request for

Determination of Applicability for the City of Salem Cemetery/Shade Tree Department, 57 Orne Street, Salem, MA. The purpose of this hearing is to discuss the proposed aquatic plant management program at Sargent and Fountain Ponds at Greenlawn Cemetery at 57 Orne Street within an area subject to the Wetlands Protection Act MGL c131§40 and Salem's Wetlands Protection & Conservation Ordinance.

Kara Soliwski of Solitude Lake Management presents. Sargent Pond has been treated in the under a determination that lasted 7 years due to the Permit Extension Act. This expires May 13, and they are not planning to change the program. They have fountains to provide aeration, but algae is present and must be treated. They are proposing copper based herbicides. The pond will be visited twice a month, mostly for monitoring, and they prefer clients to sign up for annual maintenance. Ponds are less than 4' deep. Barley has not been used in the past. Sheehan asks about root cause of algae growth. It is usually due to phosphorous runoff or phosphorous in the sediment. The latter is usually mostly the cause.

The large pond has a drain at one end, goes under the roadway and through salt marsh and filters to golf course. Downstream testing is not necessarily done. Algaecide is gone from the water column within a day or two. Contact herbicide binds with sediment and becomes inactivated and is easily broken down by sunlight. Backpack sprayers are used for the small pond and a boat subsurface sprayer is used in the large pond. Signage will be posted around the ponds.

A motion to close the public hearing is made by Sheehan, seconded by Glode and passes 7-0.

A motion to issue a negative 2 and negative 6 Determination is made by Ricciarelli, seconded by Glode and passes 7-0.

- **Meeting minutes—February 23, 2017**

A motion to approve the February minutes is made by Hoskins, seconded by Campbell, and passes 7-0.

Devine announces that he is no longer going to be Conservation Agent. The City has hired Ashley Green, most recently a NOAA Fellow at Mass CZM. Her background will suit her well in the position. Devine will remain with the City as a planner.

The Commission wishes to let the minutes reflect that they are sorry to lose Devine as Agent. He states that he has enjoyed working with the Commission.

A motion to adjourn is made by Ricciarelli, seconded by Sheehan, and passes 7-0.

The meeting ends at 8:18PM.

Respectfully submitted,
Stacy Kilb
Clerk, Salem Conservation Commission

Approved by the Conservation Commission on June 8, 2017.