

Salem Conservation Commission Minutes of Meeting

Date and Time: Thursday, February 18, 2020, 6:30 p.m.
Meeting Location: Large Conference Room, City Hall Annex, 98 Washington Street
Members Present: Chair Gregory St. Louis, Tyler Glode, Dan Ricciarelli, Scott Sheehan
Members Absent: Malissa Vieira, Bart Hoskins, Tom Campbell
Others Present: Brittany Dolan, Conservation Agent
Recorder: Stacy Kilb

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

I. ROLL CALL

II. OLD/NEW BUSINESS

A. City of Salem's Hazard Mitigation Plan Update: presentation by Martin Pillsbury, MAPC

Mr. Pillsbury presents:

- Hazard mitigation plan is a FEMA product; Draft Plan is available for Commission and public comment
- Fed. Disaster Mitigation Act of 2000 requires municipalities to adopt and update such Plans to help reduce damages by reducing vulnerabilities prior to disasters; update will meet FEMA's requirements and help the City best use its resources. Not a mandate, but there are incentives such as grants available only to those who have a Plan
- Plan for mitigating damage from all categories of natural hazards, not terrorism or human created hazard; not an emergency response plan. This is a pre-disaster plan to reduce vulnerability. Flooding and coastal damage are the majority of hazards Salem experiences
- Hazard mitigation: permanently reduce/prevent losses of life, injuries and property damage by using long-term strategies
 - What is being done now; what actions can be taken in the future?
- Build-Disaster-rebuild-disaster-rebuild. FEMA wants to intervene in this process
- 6 tools and techniques:
 - preventative (think about land use codes to reduce vulnerability)
 - property protection (elevate properties prone to flood)
 - public education
 - natural resource protection (especially important for Salem)
 - structural projects (drainage, coastal protection, green infrastructure approaches)
 - emergency services protection
- Development of the Plan outlined; this is the second public meeting. Next step is to submit draft Plan to MEMA and FEMA for review, revision and approval
- Plan update development steps are outlined. Public input is integral to the process
 - Examples of plan contents are presented:
 - Hazard identification & mapping
 - Locally identified hazards
 - Other hazard categories: geologic, wind, snow
 - Other natural hazards (heat, drought wildfires, extreme precipitation)

- Identify critical facilities
- Vulnerability Analysis: Estimated Damages (derived from FEMA's computer program)
- Existing Mitigation Measures
- Salem Mitigation Strategies
- Sample Mitigation Strategies
- Plan Approval and Adoption procedures
 - Draft plan reviewed by MEMA & FEMA
 - FEMA issues conditional approval
 - City Council votes to adopt Plan
 - FEMA issues approval letter
 - Plan is in effect for 5 years
 - City eligible for FEMA grants for next 5 years
- Implementing the Plan
 - Salem Hazard Mitigation Team oversees implementation
 - Integrate recommendations w/other city Plans & policies
 - ID funding and other resources
 - Prepare mid term survey of progress
 - Update Plan every 5 years

Chair St. Louis invites Councilors Dibble and Riccardi to make comments; Mr. Dibble comments that several items are missing from the Plan:

- Forest River conservation area should be added to brush fire locations
- Pickman/Forest River missing; it floods but not shown (between Station and Moffet)
- Public transportation loss potential due to flooding should be added
- Flooding of Salem State South Campus and Loring Ave Dead Man's Curve should also be added

Chair Anderson comments:

Using older FEMA maps or new 2020 ones? Mr. is uncertain; maps were made available to Cities earlier last year but are not made live yet, and they must be live to be used. Gregory St. Louis wonders if North River is considered an inland flood plain: DEP says its inland flood plain even though it has a 12-foot tide. Plan does not make that distinction, just says it is an area subject to flooding. Suggests adding elevating Bridge St. as emergency access corridor from courthouses, etc.

Ricciarelli asks if grants would be in place every 5 years as long as Plan is in place. There is an annual grant from MEMA using FEMA funds; as long as the Plan is approved and in its 5 year approval, you can apply for this grant. If you have no Plan, you cannot apply. Besides this Pre Disaster Mitigation grant, Hazard and Flood Mitigation Assistance programs also make grants available, only triggered in the wake of declared disasters. This is over and above the annual PDM grants, but can be used for the same project. While a disaster may only be in one county, whole state can apply for the Hazard/Flood Mitigation grant.

Chair St. Louis feels Mr. Should coordinate/reiterate SESD assets as they have their own pump stations and flooding concerns.

Chair St. Louis opens to public

Jeanne Kempthorne 64 Dearborn St. Does Plan prioritize elements of proposed improvements? It does. Dearborn St. where estuary hits, wall is deteriorating badly; she asks about repairs to the wall and street itself. It is a seawall holding up the street on the North River. Specific site questions would have to come before the local team members who can update Mr. On the Plan. St. Louis says general categories include "seawall repair"

that are open ended so can be addressed

Barbara Warren SSCW 12 Federal St. Has given Brittany many suggestions: P. 69 2013-2019 3 developments were included in Plan, but none of those were in the flood zone, but work and building being done on north river were not included (Salem Suede, etc.) Chair asks: are we trying to grab all projects or only public roadways? List should include all significant projects, even private ones. If some are missing, DEP NOI lookup page can be used and attached as an appendix. Also missing for priorities is Willows Ave. sewer trunkline. This is an area of need in the design/permitting stage, local, not SESD. Chair comments that any elevated sewer not buried and secured... project is planned to mitigate but is taking a long time, will be a lot of money. Projects in that stage are included. She feels some items need to be updated (Horace Mann schools is in there but is now closed). Local team should review again, sticky notes have been sent to Mr.

Paul Tucker, Salem State Representative, comments that most meetings have in common, report/plan itself, is it fluid enough that priorities could change? Yes, this is a living document. Don't wait the full five years for the next formal update to account for changing conditions. Ongoing implementation overseen by local Team, but City can check in more frequently as needed at mid term or at end of 5 years. Sinkholes are mentioned.

John Hayes, professor Salem State, chair of Sustainability Committee of Salem, deadline for input is Feb. 26th, he will coordinate w/Barbara Warren so as not to repeat but will submit input. There are 10 maps, will there be more? Dec. 2014 vulnerability assessment (he was on this) included environmental justice, but there is no map her including EJ populations; readers could notice correlation as they study. Mr. notes that FEMA did not include it in Plan requirements but it can be included. Mr. Hayes notes 183 sites on list, critical infrastructure failure could have severe impacts i.e. sewage treatment plant; a confluence point is in Beverly, applauds the work done but sea level rise and coastal flooding/astronomical high tide/bomb cyclone combo has already happened. Failure of SESD inputs are a concern. Fortunate that we have storage in Wenham Lake but water treatment plants should also be examined. Case of knowing inputs of sewage treatment from 7 communities. Most of climate modelling is in degrees Celsius, but the fact that it is in Fahrenheit should be called out.

Anne Sterling 29 Orchard St. wonders if Derby pier is included in the strategic points as it serves as a breakwater. It is included.

Barbara Warren asks under drought and one other place: adopt a net zero water use policy is listed. Has Salem adopted this? Putting it in a Plan when not adopted?? Chair thinks Beverly Salem Water Supply has asked for voluntary compliance in past, but not mandated. Chair says other local communities have issued such docs. Does Salem want this as something they will adopt? Check in with the City - at what level? Beverly Salem Water Supply Board should be consulted, but this Plan is for City of Salem, so this would be a question for Planning Board. Cannot build unless usage of water is zero. This has not been adopted. Can also be reviewed w/Engineering staff. Water provision to developments is discussed.

Alice Merkl thanks Mr. for including Bridge St. corridor and recognizing it as important transportation corridor. (near Walgreens).

Julia Knisel 16 Becket St. thanks Mr. has not yet reviewed Draft Plan, wonders about floodproofing residential structures in Palmer Cove/ Collins Cove/Willows are 3 at risk areas, especially with historic structures ; FEMA funding for hosting floodproofing assistance is available. Mr. Will look into it if not already included. It is a good opportunity for the City to obtain Federal funding.

III. REGULAR AGENDA

A. 97 Margin St – DEP # 64-686 – Public Hearing – Request for an amendment to the current Order of Conditions by Joshua Holden of New England Power Company (National Grid), 40 Sylvan Road, Waltham, MA. The purpose of the hearing is to discuss the proposed excavation of two trenches to help identify the location of underground cables within an area subject to the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

Presenting for the Applicant is Ms. Marleigh Sullivan from BSC Group. The borings within BLSF were approved last November; all proposed work has been limited to BLSF and the site is entirely graveled, though some minor revegetation has occurred so the area is already disturbed. Prior to soil borings, they did DigSafe and ground penetrating radar; with the latter they identified underground electrical cables not on their maps; to be safe in the future, for any borings or maintenance of the location, they want to ID and survey the exact alignment of those cables. Will perform 2 separate transects over two trenches, 4' deep by 1' wide; one transect up to 35', one up to 20' in length.

Digging will be done with a vac truck to suck up the soil, so there will be minimal disturbance. Material will be backfilled into the hole. Should be graveled but will be mixed so will need to apply straw mulch for stabilization. Will apply straw wattles; should still be out there for soil borings but will install for second trench.

Can do same arrangement where someone inspects erosion controls, then come back out to improve stabilization of site before their removal.

No questions from Commission or public.

Motion to amend O of C as discussed (close public hearing, Sheehan, Ricciarelli) Amend Glode, Sheehan, all in favor for both.

An amendment does not extend the time frame but still has 3 years.

B. 163-173 Derby St – DEP # TBD – Public Hearing – Notice of Intent for Paul DePrey of the National Park Service, Salem Maritime National Historic Site, 163-173 Derby Street, Salem, MA. The purpose of the hearing is to discuss the proposed replacement of two broken pilings on Derby Wharf within an area subject to the Wetlands Protection Act MGL c.131§40 and Salem Wetlands Protection & Conservation Ordinance.

Mr. Bill Fuchs outlines the proposal, which is as described above. They are in sediment between Central and Derby wharfs. Pilings will be extracted and replaced in kind with 12-18" pressure treated wood. Coastal land under ocean and subject to flooding. Hoping to work from work but depends on contractor; will probably not be able to do that so requesting permission to work from water side. Equipment would be on firm mudflat during low tide. Will be little impact to surface or underlying sediment. Chair looks to allow temporarily stage in mudflat. This is to replace damaged pilings. Friendship damaged as it had not been operated in 3 years so came in faster than is desirable :)

Mr. Fuchs points out that in one area there is a highland where debris has washed off the pier; doesn't seal it but is a barrier to wave action; one area is completely dry at low tide but they will be happy to accommodate.

Specific protective measures to include:

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

A motion to issue an O of C standard and turbidity is made by Glode, seconded by Sheehan, and passes 4-0.

Turbidity curtain from outside piling to 4th piling in

C. 64 Dearborn St – Public Hearing – Request for Determination of Applicability for Jeanne Kempthorne, 64 Dearborn St, Salem MA. The purpose of hearing is to discuss the ---proposed removal of a dead Norway Maple within an area subject to protection under the Wetlands Protection Act MGL c131§40 and Salem Wetlands Protection & Conservation Ordinance.

Ms. Kempthorne presents her project. The Norway Maple in question is on her property which abuts the estuary. The tree in question has been verified as dead by 3 arborists, subsidence under roots, not stable, will fall. A photo has been included. It is the tree closest to the street. It is not a street tree so the Tree Warden has not been consulted. Shading aspect/20' rule? Outside of ConCom jurisdiction. Planning to cut and leave stump and roots. Future tree planting? Worried that excavation would exacerbate but would only require a small hole. She should consult an arborist or Engineering Dept. state website, for an appropriate species. Any if done this year does not have to come before ConCom.

Sheehan, Ricciarelli to close the public hearing.

A motion to issue a Negative 2 and Negative 6 Determination, to include replanting of an appropriate species, is made by Sheehan, seconded by Ricciarelli, and passes 4-0.

Old/new

Tom Pozerski Project manager Cert of Compliance DEP §64-636 10 White St. Request for Certificate of Compliance Built as specified except for illicit wall, which was removed. Privacy fence installed for neighbor at no charge, with stone surrounding it. 10' walkway is very nice; walkway must be open in all seasons; he will remind the client. Half of the deck is dedicated to public access. 30" flare dent was installed and taken care of. The valve is discussed.

No comments from Commission or public

Motion to issue the Certificate of Compliance is made by Ricciarelli, seconded by Glode, and passes 4-0.

V. APPROVAL OF MINUTES: November 26, 2019 & January 21, 2020

A motion to approve the minutes of the November 26, 2019 and January 21, 2020 minutes is made by Ricciarelli, seconded by Sheehan, and passes -0.

VI. ADJOURNMENT

A motion to adjourn is made by Ricciarelli, seconded by Sheehan, and passes unanimously.

The meeting ends at 8:05PM.

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

Respectfully submitted,
Stacy Kilb
Clerk, Salem Conservation Commission