

Newburyport Redevelopment Authority
Newburyport Public Library
September 18, 2013
Minutes

1. Call to Order

A regular meeting of the Newburyport Redevelopment Authority was called to order at 7:00 p.m. by Chair Tom Salemi.

2. Roll Call

In attendance were members James Shanley, Tom Salemi, John Morris, Patty Dorfman and Adam Guild.

3. Reading of Mission Statement

Patty Dorfman read the mission statement.

4. Minutes

James Shanley moved to approve the minutes of the August 21 meeting as submitted. Adam Guild seconded the motion. The motion was unanimously approved.

James Shanley moved to approve the minutes of the July 17 meeting as submitted. Patty Dorfman seconded the motion. The motion was unanimously approved.

5. Treasurer's Report

Adam Guild said the balance in the checking account is \$3,374.94 and the balance in the money market account is \$144,773.18.

Adam Guild moved to deposit a check from Not Your Average Joe's in the amount of \$250 for dumpster area rent for the month of August and a check from the City for \$17,557.09 from parking revenue for the month of July and \$31,3161.82 for April, May and June. James Shanley seconded the motion. The motion was unanimously approved.

Adam Guild moved to approve the payment of an invoice from Barry Abramson in the amount of \$4,500 for 24.5 hours of work between August 21 and September 17. James Shanley seconded the motion. The motion was unanimously approved.

Adam Guild moved to approve the payment of an invoice from Anderson Krieger in the amount of \$3,093. James Shanley seconded the motion. The motion was unanimously approved.

Adam Guild asked for an explanation of the receipt of an invoice to the Waterfront Trust from the Handyman, Inc. dated September 5 in the amount of \$1,168.75 for work on the boardwalk. Trust Chair Doug Locy said some planks on the boardwalk have lifted and were repaired to eliminate the tripping hazard. The recent survey revealed that the part of the boardwalk by the Harbormaster's shack is NRA property. Mr. Locy said the work

was done without NRA consent but he thought it would be prudent to repair the boards due to the liability they presented. Carol Powers said Everett Chandler must be asked to change the survey, is it does not include this information. She also said the Handyman must invoice the NRA directly for work on its property. James Shanley moved to approve the payment of the invoice for the repair of the boardwalk. Patty Dorfman seconded the motion. The motion was approved by a four to one vote with Adam Guild voting in opposition.

Patty Dorfman moved to approve the payment of an invoice from the DPS for work related to the June 21 presentation in the amount of \$919.92. James Shanley seconded the motion. The motion was unanimously approved.

Adam Guild moved to approve a payment in the amount of \$150 for minute taking for the September 18 meeting. Patty Dorfman seconded the motion. The motion was unanimously approved.

6. Not Your Average Joe's Dumpster

Doug Locy said the survey revealed the dumpster used by Not Your Average Joe's is partially located on Waterfront Trust property. He requested the dumpster be moved so that it is located entirely on NRA property. Tom Salemi said he would like to discuss the issue at a future meeting so he might have time to learn more about the issue. John Morris said the NRA should honor the Trust's wishes but must first determine how and where the dumpster and fence should be moved. Carol Powers asked the NRA members for the authority to send a demand letter to the restaurant to keep the area around the dumpster maintained, as is required by the use agreement.

7. Legal and Regulatory Issues

Carol Powers said she has been working with Everett Chandler on the survey and with Andy Port to coordinate the transfer of the NRA files to the new cabinets in City Hall.

Adam Guild said borings were done on the NRA lots after Yankee Homecoming and the final report has been received. He commended GZA on its work and said the report makes it clear buildings could be constructed on both the east and west lots. He introduced Frank Vetere of GZA, who presented a summary of the report.

Mr. Vetere said the work included an assessment of environment site conditions, geotechnical engineering concerns and the feasibility of underground parking, along with the cost of disposing of contaminated soils. Urban fill composed of coal, coal ash and building debris was found on the west lot in addition to rock. Some of the foundations in this area would be located on rock but most would be on fill. No bedrock was found in the east lot.

On the west lot PAHs, arsenic, chromium and lead were found in the top ten feet of the fill soils in levels that exceed DEP reportable concentrations. However the presence of coal and coal ash exempts the site from reporting requirements. The material must be removed but the site does not become a reported one. No hazardous concentrations were found in the proposed building areas. No contamination of the groundwater was found. Petroleum compounds that exceed DEP reportable

Newburyport Redevelopment Authority
September 18, 2013

concentrations were found near Merrimac Street, in the past location of a gas station. The findings must be reported to DEP within 120 days. It would be possible to excavate the soils in this small area.

Arsenic, chromium and lead were found in the top ten feet of the fill soils on the east lot. There were no hazardous concentrations in proposed building areas and no groundwater contamination detected.

The depth to bedrock, the height of the water table and flood levels are factors when considering the feasibility of a subsurface parking structure. Cost would be the deciding factor. On the west lot no piles would be needed for underground parking. On the east lot shallow foundations would be possible with some excavation for underground parking. Pile foundations would be needed if the structures were to be located closer to the river.

Code allows garage doors to be below the 100-year flood level. The garage slab would be at elevation 0. Water-resistant garage doors, exterior waterproofing and internal sumps would be design considerations.

The estimated costs for the disposal of the contaminated soil are \$345,000 for the west lot and \$230,000 for the east lot. Contaminated soils are often used as daily cover for landfills. Mr. Vetere concluded that the concept is economically feasible.

Adam Guild said the information in the report would allow the NRA to move forward with its project. Some findings must be reported to DEP. He recommended that GZA be retained to assist with the process. Patty Dorfman suggested that funding be sought from Mass Development. She summarized that with the exception of the former existence of a gas station in the corner of the west lot, the findings were consistent with any urban waterfront site. Andy Port will post the report on line and a copy will be available in the planning office.

The NRA members authorized GZA to undertake the first step in the DEP reporting process.

8. Public Comment

Doug Locy, 17 Alberta Avenue, asked if the removed soil could be used to raise the elevation of the berm. The soil would need to be placed under a membrane, paving or two to three feet of clean soil.

John Peroni, 11 Woodman Way, asked what would be done with the water that would be pumped from the parking garage. The water would enter catch basins to be treated and then discharged into the river.

Steve Mangion, 21 14th Street, Newbury, asked about the procedures for testing the ground water and said filtering would have altered the results.

Peter Fitzsimmons, 7 Arlington Street, asked about the elevation of the first floor of the structures. The first floor would be above elevation 13, which is close to the level of Merrimac Street. The boardwalk is at elevation 8.

Newburyport Redevelopment Authority
September 18, 2013

David Strand, 9 Blue Hill Avenue, Newbury, commented that a developer would have to absorb the \$575,000 that would be needed for the removal of the soil.

Joe Brown, 6 Cutting Avenue, said he would like the testing to be done in a larger area to determine if the NRA owns more contaminated land.

Jim McCauley, 27 Storeybrooke Drive, clarified that the figures given were for the disposal and transport of the soils, not its excavation.

Mary Carrier, 4 Rawson Hill Road, asked about building on rock and fill. It is possible to build on controlled fill, but not urban fill.

Nick Metcalf, 110 Hay Street, Newbury, asked if it would be wise to build an underground parking lot.

9. Upcoming Meetings

The next meeting of the NRA will be held on October 2 at 7:00 p.m.

10. Adjournment

James Shanley moved to adjourn the meeting at 8: 50 p.m. Tom Salemi seconded the motion. The motion was unanimously approved.