

36 Felt Street
Salem, MA 01970
October 15, 2011

Mr. Ben Lynch, Section Chief
Mr. Alexander Strysky,
Environmental Analyst
Division of Waterways
Massachusetts Department of
Environmental Protection
One Winter Street
Boston, MA 02108

RE: Request for Determination of Applicability, High Rock
Bridge Street, LLC, Gateway Center, Salem, MA

Dear Mr. Lynch and Mr. Strysky:

With regard to the subject matter, please accept the
following comments:

1. The Gateway Center site consists of two parcels,
401 Bridge Street (Assessor Map 15, Parcel 305) and
44 Boston Street (Map 25, Parcel 74). See Exhibit A.
2. At the Salem Conservation meeting of July 22, 2011,
Peter Blaisdell of Hayes Engineering indicated that
the entire site would be filled. See Exhibit B.
3. Figure 11: Designated Port Area and Chapter 91
Designation in the current Salem Harbor Plan indicates
that the entire Gateway site is below the historic
high water mark and within the Chapter 91 boundary.
See Exhibit C.
4. Note the location of the Town Bridge on the Boston
Street/Country Highway-Main St., Peabody/Ye Bridge Street
causeway on the graphics depicting the reach of the
North River over most, if not the entire, Gateway site
in 1700 and 1820. See Exhibit D and E (from the Salem
Public Library) and Exhibit F (from the City of Salem
Commercial Design Guidelines, courtesy of the Peabody
Essex Museum).
5. Excerpts from SALEM, MASSACHUSETTS AN ARCHAEOLOGICAL
SURVEY OF THE CITY describe the filling of the Boston
Street Basin and the early subsequent filling of Blubber
Hollow. See Exhibit G.
6. Using the "limit of 200' Riverfront Area" shown on
Hayes Engineering's Parking & Layout Plan and Grading
Plan as a benchmark, a line fifty feet landward of said
"limit" has been superimposed on these Plans. That

part of the site that is seaward of this line is to be developed with structures (the Gateway Center Building and parking lots) that are subject to the regulations of Chapter 91. See Exhibits H and I.

In summary, and based on review of the abovesited data, the pertinent provisions of 310 CMR 9.00 and my understanding of the direction contained in the publication "Chapter 91-Mass.Public Waterfront Act", I would find that the filled landlocked tidelands on the Gateway site are within the jurisdiction of Chapter 91 to the extent that they will be further filled and developed with Chapter 91 regulated structures and are within 250 feet of the present high water mark of the North River. See Exhibit J.

I appreciate the opportunity to offer my comments relative to Chapter 91 and the Gateway Center site. . . . Thank you.

Sincerely,

James Treadwell

James Treadwell, AICP

Enclosures

cc: Lynn Duncan, AICP, Director, Department of
Planning and Community Development, Salem
Attn: Tom Devine, Conservation Agent
Richard A. Nylen Jr., Lynch, DeSimone & Nylen, LLP
→ Federal Street Neighborhood Association
Mack Park Neighborhood Association
Joan B. Lovely, Councillor-at-Large
Michael Sosnowski, Councillor, Ward Two
Paul C. Prevey, Councillor, Ward Six

ENCLOSURES

EXHIBITS A thru J



CITY OF SALEM

Mayor
Kimberley Driscoll
Map created by SalemGIS
November 12, 2009
Map No. 00-048



Orthophotography compiled by the United States Geologic Survey, April, 2008
Parcel data developed by Camp, Dresser & McKee, 1999 and updated annually
by SalemGIS

EXHIBIT A

EXHIBIT A

Locus Map

Salem City Hall

93 Washington Street, Salem, MA 01970
ph: 978-745-9595

Approved Minutes, July 22, 2010

Salem Conservation Commission

Minutes of Meeting

Date and Time: Thursday, July 22, 2010, 6:00 p.m.

Meeting Location: Third Floor Conference Room, City Hall Annex, 120 Washington Street

Members Present: Chairman David Pabich, Julia Knisel, Rebecca Christie, Dan Ricciarelli

Members Absent: Michael Blier, Amy Hamilton, Carole McCauley

Others Present: Frank Taormina, Staff Planner/Interim Conservation Agent

Recorder: Stacy Kilb, Clerk

Chairman Pabich calls the meeting to order at 6:06PM.

Meeting Minutes—July 8, 2010 Meeting

A motion to approve is made by Ricciarelli and seconded by Knisel; it passes 4-0.

Continuation of Public Hearing—Notice of Intent—DEP #64-498 High Rock Bridge Street, LLC., 275 Grove Street, Suite 2-400, Newton, MA 02466. The purpose of this hearing is to discuss the proposed Gateway Center construction project located within a Riverfront Area and Land Subject to Coastal Storm Flowage at 401 Bridge Street and 44 Boston Street.

Documents Presented:

Site Plan - Gateway Center Utility Plan, Sheet 6 of 8; Revised July 14, 2010

Conceptual Rendering; May 16 2010

Conceptual Rendering - View of Office Building; May 4, 2010

Site Plan - Grading Plan, Sheet 5 of 8; July 14, 2010, note #6

Existing Conditions Plan, Sheet 2 of 8; July 14, 2010

Attorney Joe Correnti presents; states that they have promised and supplied several items, including responses to the DEP comments to their filed NOI, and changes to the plan in response to comments from the Commission and/or the Public. There is also a letter from the site's License Site Professional (LSP), which is GZA Environmental, addressing contamination and remediation issues at the site. Frank Viteri of GZA, Peter Blaisdell, engineer of Hayes Engineering, and Harry Gunderson, Gunderson Architects are all present to speak on behalf of High Rock Bridge Street, LLC.

Peter Blaisdell will address comments from the DEP and answer any questions regarding them, and then Frank Viteri will outline environmental conditions and concerns on site.

Mr. Blaisdell of Hayes Engineering presents and hands Taormina a stack of return receipt cards as proof of abutter notification.

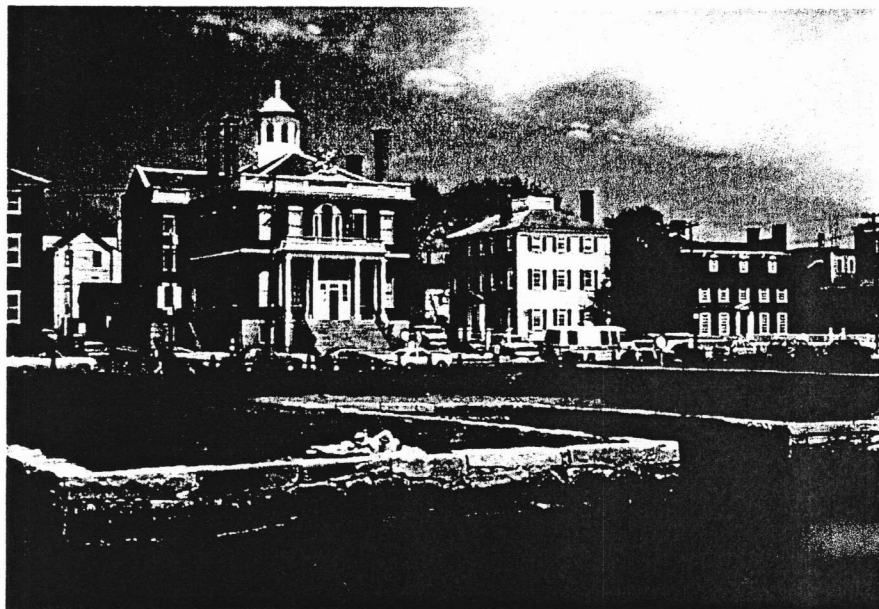
He outlines two letters submitted to the Commission on June 14th. The points detailed include:

EXHIBIT B

3 pages

- 1" water quality over impervious area; the DEP allows that as long as storm sceptors are adequate they can be in lieu

SALEM HARBOR PLAN



The City of Salem, Massachusetts

Mayor Kimberley Driscoll

January 2008

Figure 11: DESIGNATED PORT AREA AND CHAPTER 91 DESIGNATION

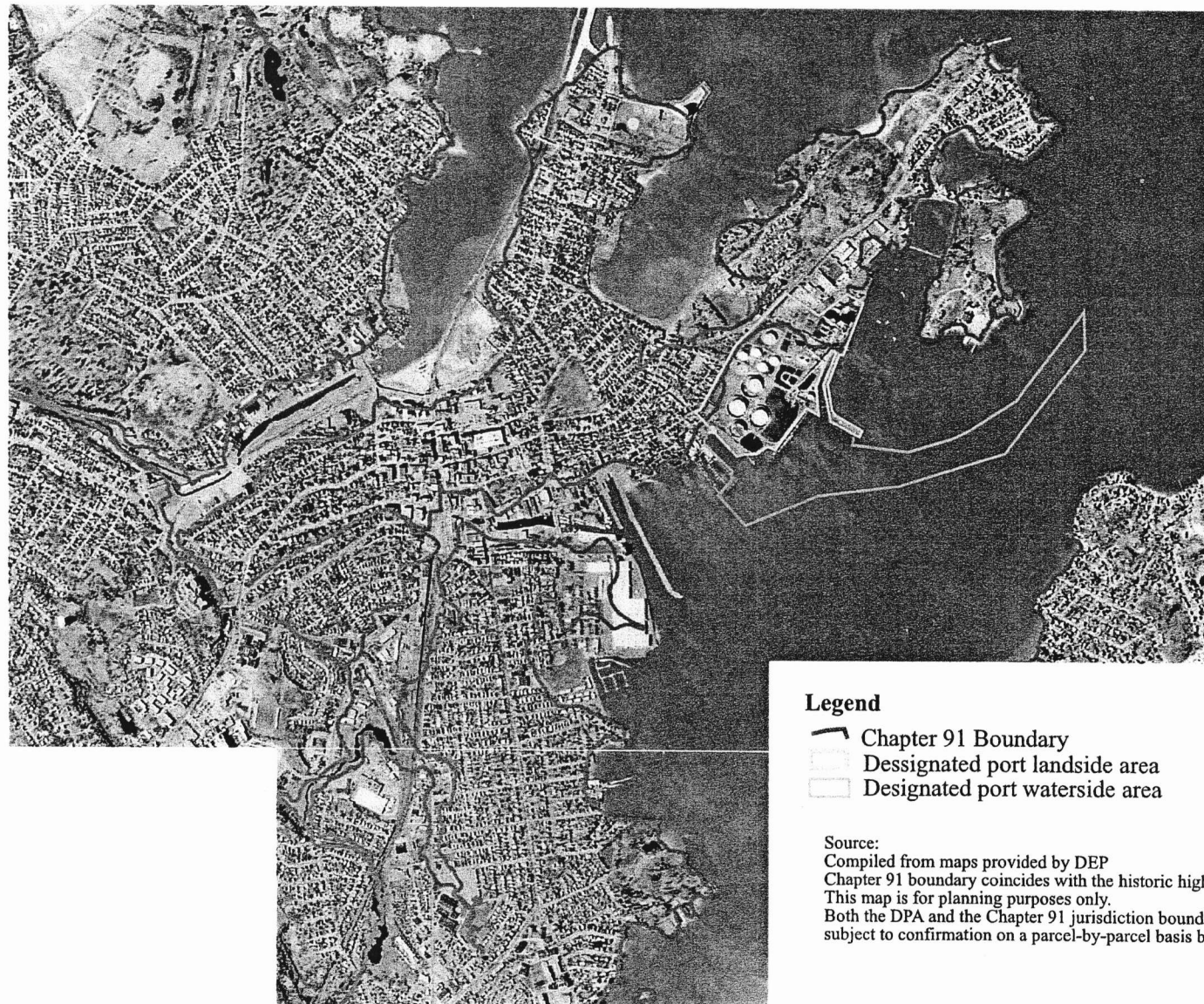


EXHIBIT C

SALEM HARBOR PLAN

EXHIBIT C

Figure 11: DESIGNATED PORT AREA AND CHAPTER 91 DESIGNATION

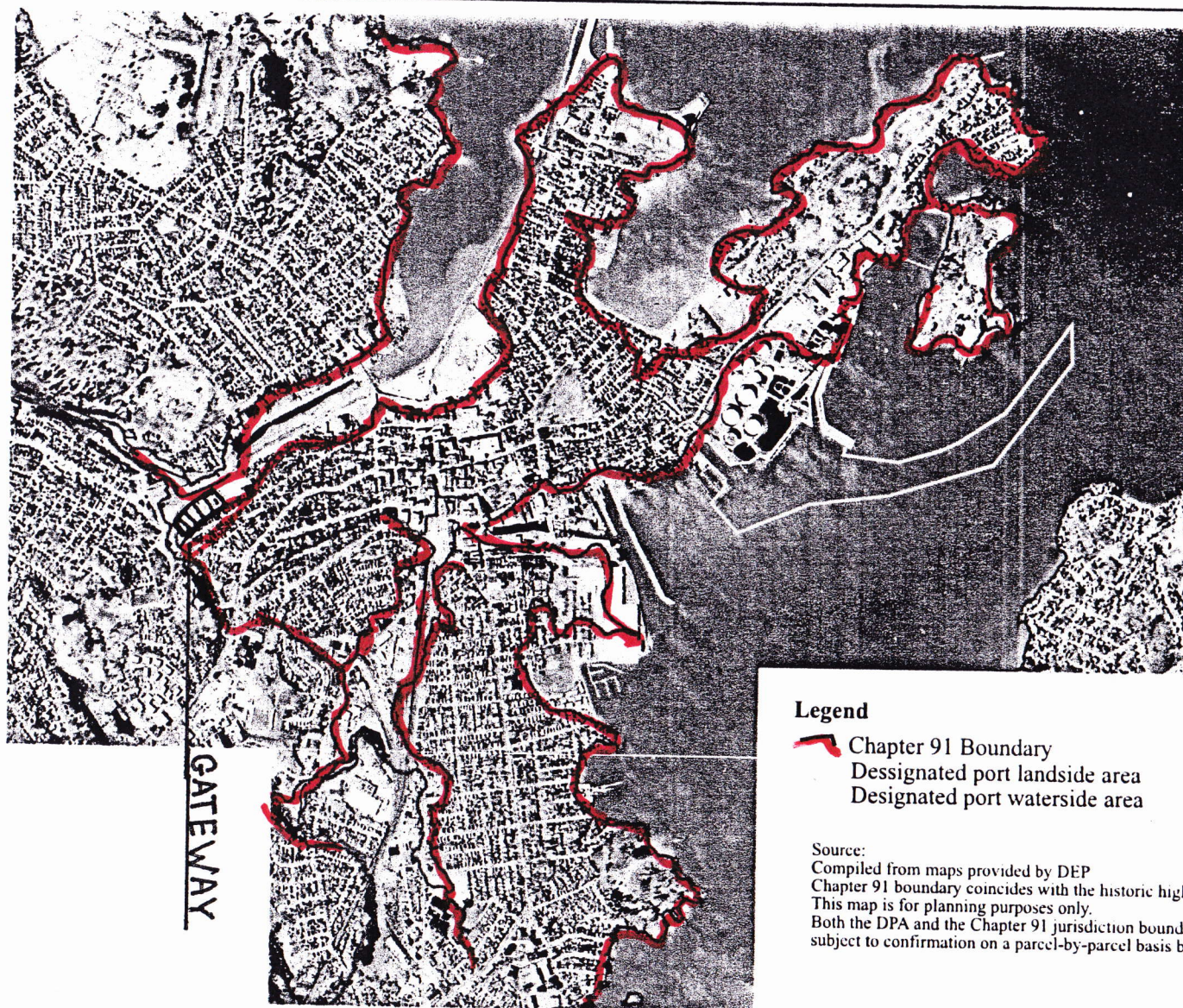


EXHIBIT C

SALEM HARBOR PLAN

EXHIBIT C

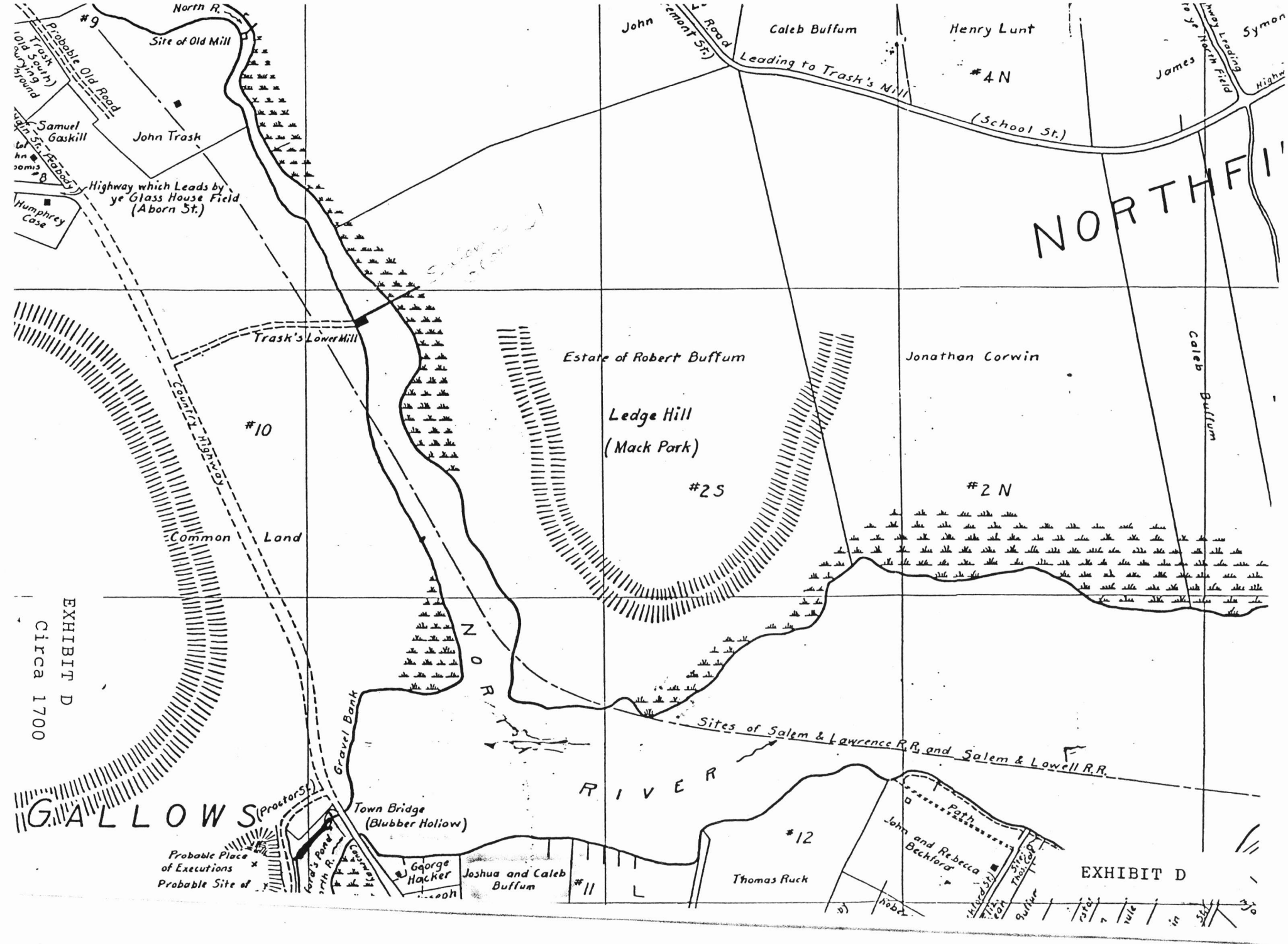


EXHIBIT D

Circa 1700

EXHIBIT D

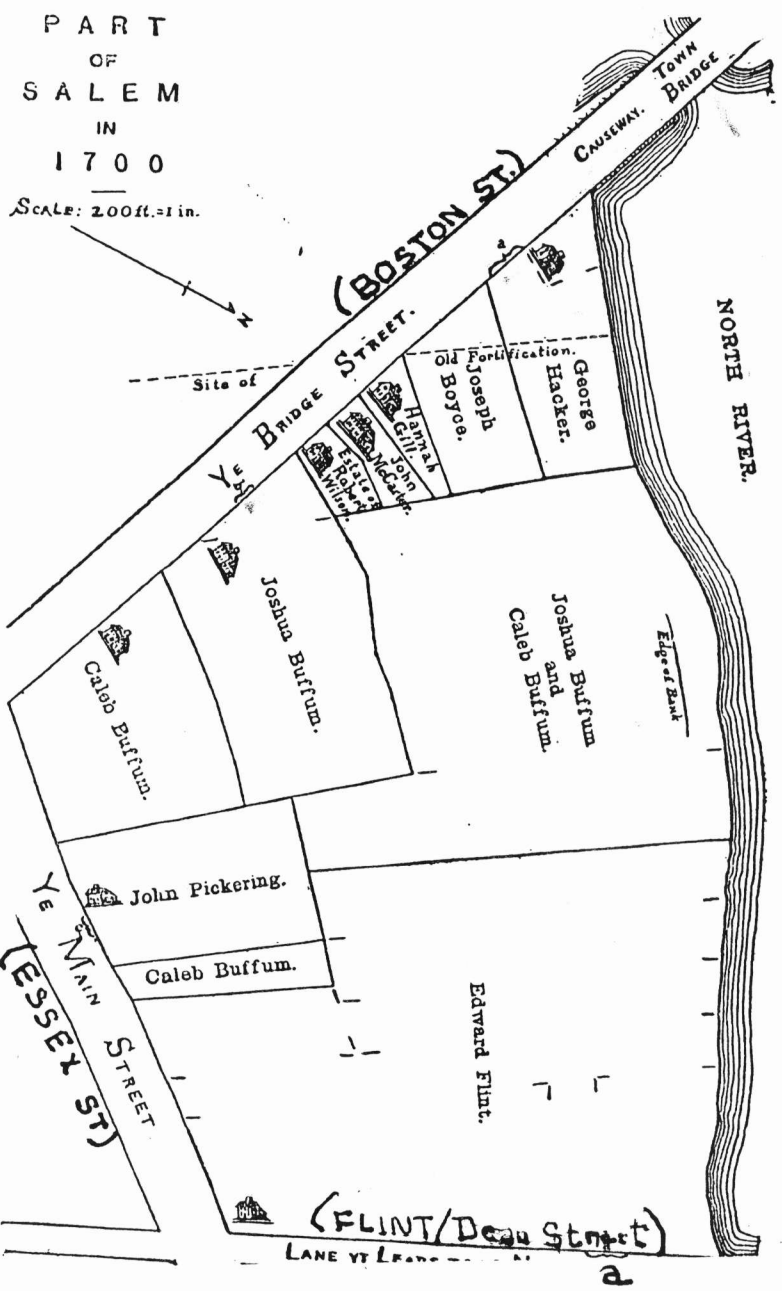


EXHIBIT E

teris of this my last will, and I haue here-
unto set my hand July 21 : 1655 :
witness
Mathew Boyes Humpri Bradstreet
John harris

PART OF SALEM IN 1700. NO. II.
BY SIDNEY PERLEY.

The map on page 69 represents that part of Salem which is bounded by Flint, Essex and Boston streets and the North river, the latter being now filled except that part which is the present canal. It is based on actual surveys and title deeds, and is drawn on a scale of two hundred feet to an inch. It shows the location of all houses that were standing in 1700. The braces marked "a" show where Federal street now runs, the brace marked "b" where Fowler street begins and that marked "c" where North Pine street begins.

North river has been known as such since the very first settlement by the Europeans.

Flint street was one of the original lanes leading down to the water. It was called a highway in 1668; lane yt leads to ye north river, 1679; Dean's lane, 1766; Dean street, 1795; and Flint street, 1894.

Essex street has been the principal thoroughfare of the town from the beginning of its settlement. It was called a street in 1659; ye broad street that goes to the bridge or causeway at the western end of ye town, 1679; highway, 1689; ye main street, 1696; ye great street leading through ye town, 1713; and Essex street, 1796.

Boston street was laid out in 1642, after the first bridge was finished, across private lands belonging to Robert Moulton and John Alderman, and cutting across their lots diagonally. It was called a street in 1663; highway to the causeway, 1670; ye bridge street so called towards Trask's mills, 1680; the street going towards the mill bridge, 1681; the main street, 1696; ye bridge street, 1698; street or highway leading to ye town bridge 1702; ye

country road, 1737; way leading into town 1752; street leading from Buffum's corner to Town bridge, 1779; Town bridge street, 1789; great road, 1789; and Boston street, 1799.

There was a highway along the river a short distance from the bridge in 1679, being probably the right of way reserved along the water front in the original laying out of the town, which in most places was never used, and became forgotten.

Federal street was laid out across private land about 1769. It was called the new street in 1770; new street laid out near the North river, 1779; a town way, 1782; and Federal street, 1794.

Fowler street was laid out by the owner of the land through the middle of the Fowler lot, presumably to open up the real land for building lots, about 1820. It was called a town way about 1824; a way, 1848; and Fowler street, 1868.

North Pine street was laid out about 1850; and was called by that name in 1852, being then a private way.

This section was called the town's end, or western end of the town. At the bridge, the village, or Salem village began.

The Fortification. Late in 1675, the danger from the Indians was so imminent, because of the uprising of King Philip and others, that the general court ordered the towns to fortify themselves by building a stockade or stone wall eight feet in height. Salem was protected by a stone wall and palisades. The northwestern end of it is indicated on the map. It ran from North river to the mill pond, the upper end of South river. The rivers were half a mile apart, and this was the most feasible place to build such a defence. There was no house at that time beyond this line within half a mile, and the rising ground with a slope southerly toward the main land made it an ideal spot for the purpose. On all other sides the town was protected by water. The fortification terminated at its southeasterly end, at the pointed ledge, a short distance easterly of the south end of Phelps street. On the ledges, for about

CITY OF SALEM

COMMERCIAL

DESIGN GUIDELINES

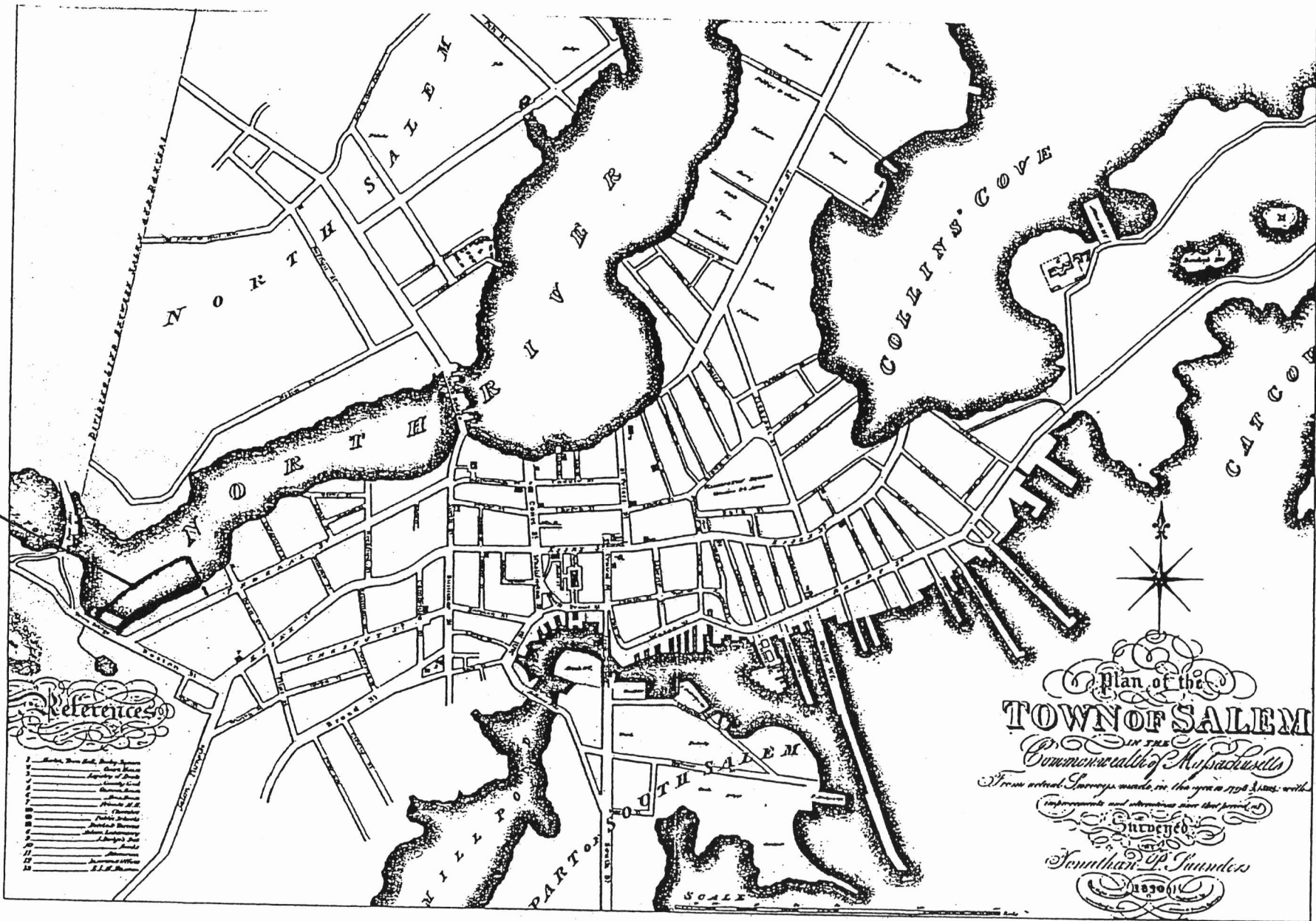
Department of Planning and Community Development
Salem, Massachusetts

Prepared by
Alan Mountjoy
Chan Krieger & Associates, Cambridge, Massachusetts

William Finch
Finch & Rose, Beverly, Massachusetts

2005

EXHIBIT F
2 pages



Salem in 1820 showing wharfs extending along the South River into the center of the town. Courtesy of the Peabody Essex Museum.

A detailed historical map of the City of Salem, Massachusetts. The map shows the city's layout with streets and buildings, surrounded by water and a large island to the west. A compass rose is in the top left corner. The title 'CITY OF SALEM' is prominently displayed in the upper left, with 'Scale 240 Rods to the Inch' below it. The map includes numerous labels for streets, landmarks, and surrounding areas, such as 'Salem River', 'Salem Harbor', and 'Salem Island'. The map is oriented with North at the top.

1988

port not captured by the British during the War. Privateering provided many merchants with fortunes and seamen with work, but it was not a stable economic base. After the War, the task had to be faced of rebuilding the commercial economy of the town. The fishing fleet had been wiped out, shipbuilding and related industries had come to a halt, and the end of privateering threw hundreds of seamen out of work.

Another major effect of the War was the expulsion from Salem of citizens whose sympathies lay with Britain rather than the patriots. These loyalists included all classes of society, from sailor to merchant. By the end of the War, Salem had broken its ties politically, socially, and economically with Britain and was on its own to establish a local order.

Following the War, Salem's merchants used their fortunes to re-establish the fishing fleet and old trade routes; however, this was not enough to regain Salem's former prosperity and the merchants looked to new areas for trade, primarily the Baltic and the Far East. In 1784, merchant Elias Hasket Derby's ship, the Grand Turk, rounded the Cape of Good Hope, setting the example for other Salem ships to follow (Robotti 1948:44). This aggressive and innovative move to markets such as St. Petersburg, Calcutta, and Canton generated great economic success and wealth for Salem's merchant class. More than any other American port, Salem became identified with the exotic Eastern trade, trading cod, rum, molasses, sugar, cheese, ginseng, and European hardware for silk, tea, pepper and other spices, cotton textiles, china, ivory, cocoa, and other desirable items.

Salem in the Nineteenth Century

The merchants could afford to show their prosperity by building fine homes for themselves, and many of their houses remain, primarily on Chestnut, Federal, and Essex Streets, and Washington Square. Samuel McIntire (1757-1811) was the great architect of Salem during the end of the eighteenth century and the early years of the nineteenth, and designed elegant three-story homes, in the new Federal style, for the wealthiest of these merchants. These homes were partially furnished with items brought back from the Far East, such as sets of dishes from China.

By 1804, Salem had "in active service 54 ships, 18 barks, 72 brigs and 86 schooners with 48 vessels round the Cape" (Robotti 1948:51). However, in 1806 President Jefferson signed into effect an embargo against trade with British Empire ports. The embargo was extended to all foreign ports and was in full effect in 1807. In 1808 no ship sailed from Salem to European ports, with resulting cessation of many businesses. One-fifth of Salem's population became destitute (Robotti 1948:52). The embargo was lifted in 1809 and Salem almost immediately became an active port again, extending trade to islands such as Fiji.

The War of 1812-15 with Great Britain brought new troubles

for Salem shipping with another embargo imposed on foreign trade. Privateering was again undertaken and proved profitable, but the British captured twenty-six Salem vessels.

These two shipping embargoes encouraged the growth of industries to replace Salem's dependence on foreign trade, and shipping came more and more to serve these industries. "Commerce was giving way to industry...." (Goss 1987:134). In 1839, the Naumkeag Steam Cotton Company was built on the site of Brigg's shipyard and ships brought in raw cotton and distributed the manufactured textiles. In 1838, the Eastern Railroad extended a line into Salem from Boston and the granite depot built to service it occupied part of what is now Riley Plaza. Travel and shipment of goods by rail lessened coastal trade by ship considerably. In addition, the South River had begun to silt up and proved too shallow for the larger ships built from the mid-nineteenth century on. By 1844 Salem was no longer an important port.

In addition to the cotton mill, tanning and related industries such as shoe manufacturing became major industries in the nineteenth century in Salem. As early as 1768 there were four tanneries in Blubber Hollow, the filled in basin of the North River, by Boston Street, and this industry increasingly filled the area with factories. The Hollow received its name from the odor of the fish and whale oils used by the tanneries.

These industries attracted many Irish immigrants in the second half of the nineteenth century, who moved into the waterfront area. The Irish population was replaced at the turn of the century by Polish immigrants (Holmes 1986:5). In addition, many French Canadians emigrated to Salem to work in the cotton mill and boarding houses were built in the area of the mill to accommodate them.

Salem in the Twentieth Century

Because of the population pressure caused by this influx of immigrants, there was considerable filling in of water areas such as Mill Pond and the North and South Rivers, to provide new land for residential and industrial construction, so the topography of Salem was considerably altered and many historic sites buried.

On June 25, 1914, a fire started in one of tanneries in Blubber Hollow which rapidly spread out of control. By the end of the day, the Naumkeag Cotton Mill, 407 other businesses, and 2,718 homes had been destroyed in the most disastrous event in Salem's history (Holmes 1986:11). Most of the center of the City had been leveled and much of Salem's earliest architecture was lost.

In the second half of this century, pressure towards urban renewal caused a large section of the business district on Washington and Essex Streets to be restructured into a mall, incorporating historic buildings such as the Town Hall. This has

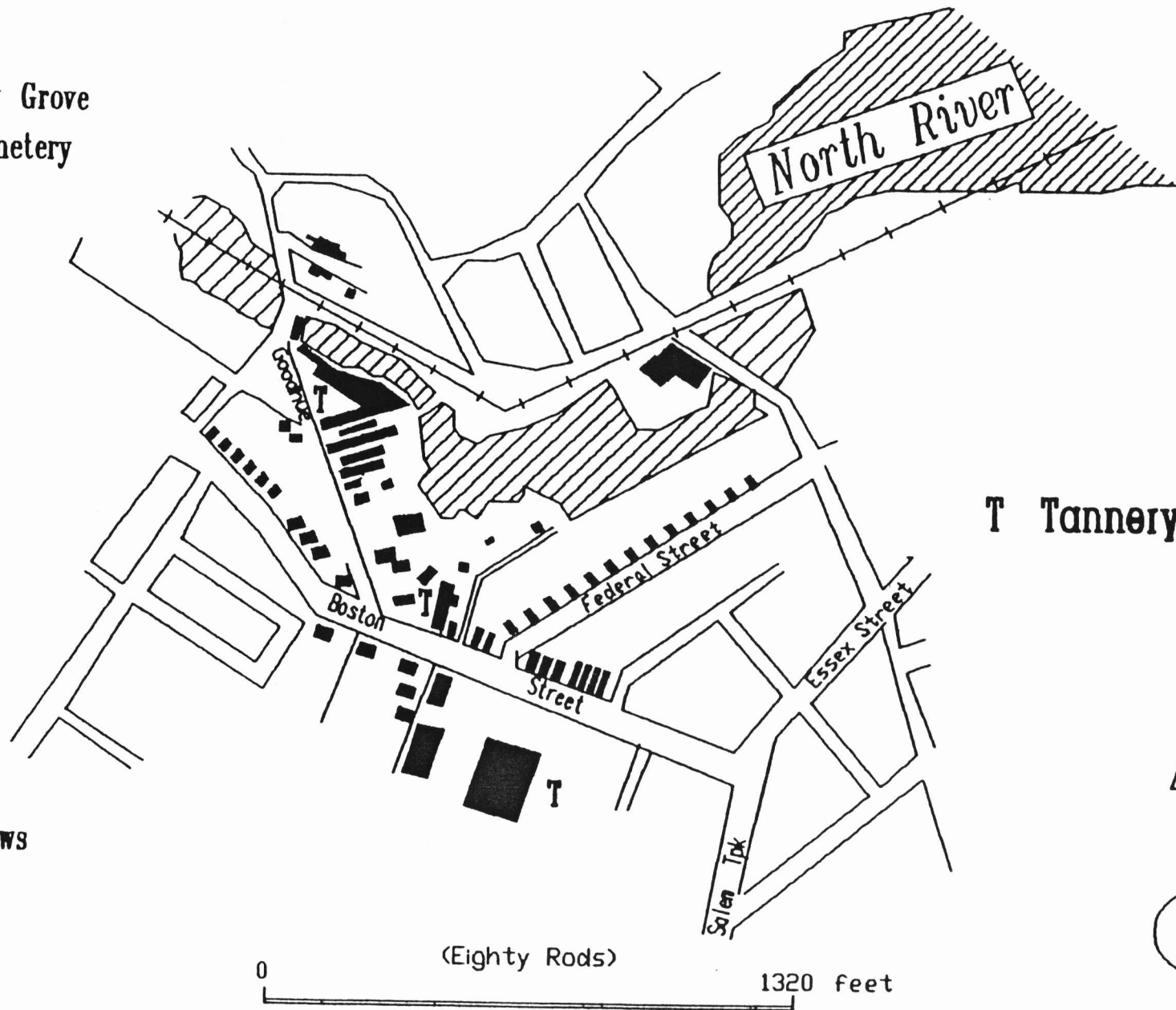
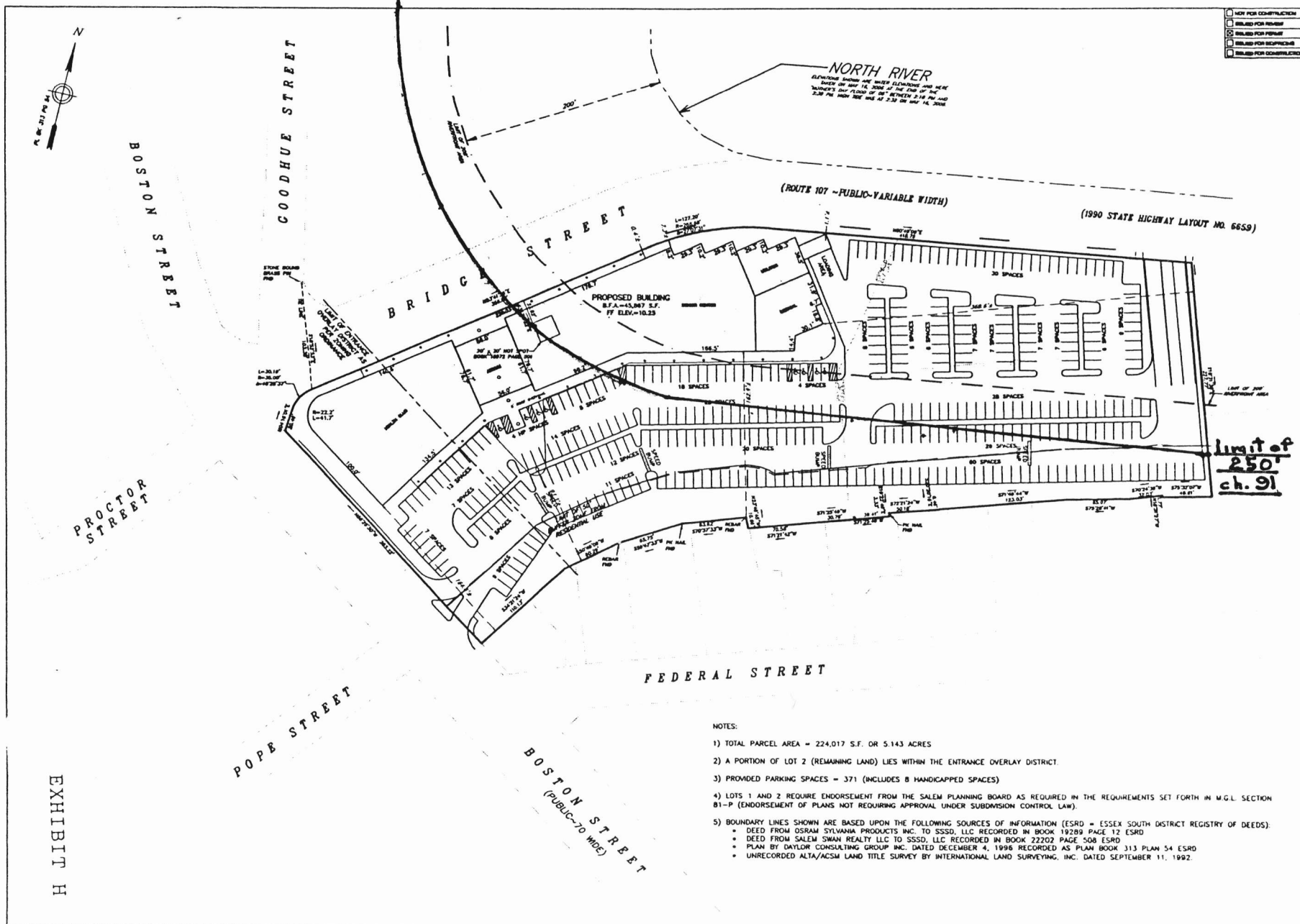


Figure 10

Blubber Hollow Area (c. 1872)

rg-un/b-pes



Project No. SA-0002 Date: 10/1/00 Scale: 1" = 100'-0" Sheet: 1 of 10	
Prepared by: SSSD, LLC 20 WALL ROAD, SUITE 305 BURLINGTON, MA 01801	Checked by: Daylor Consulting Group, Inc. 1000 Main Street Salem, MA 01970 Tel: (978) 944-8800 Fax: (978) 944-7974
Site Plan "Gateway Center" 401 Bridge Street Salem, MA 01970	
Parking & Layout Plan PL	