



**Minutes of
Danvers Conservation Commission
Thursday, January 12, 2017
Danvers Town Hall**

The Danvers Conservation Commission held a public meeting on Thursday, January 12, 2017, at the Danvers Town Hall, Daniel J. Toomey Hearing Room, located at One Sylvan Street, Danvers, MA 01923.

Members present: Michael Splaine, Member
Peter Wilson, Member
Jean Hartnett, Alternate

Members absent: James Elliott, Member
Neal Waldman, Member

Staff present: Georgia Pendergast, Planner
Alicia Linehan, Secretary

Mr. Splaine opened the Conservation Commission meeting at 7:00 p.m. with a reading of the “Commission Statement.”

1. NOI

- **26 Robin Hill Road, DEP File No. 14-1283**

Greg Hocmuth of Williams & Sparages represented the applicant. The location is the second to last house of the Choke Farm subdivision. This subdivision was approved in 2006. An RDA was filed in 2013 for a pool and patio around the pool. It is bordered by vegetation wetlands, no elevation is associated with it. The wetlands did get higher in slope. The wetlands markers are still within the woods from the subdivision filing. Mr. Hocmuth believes the wetlands has moved up quite a bit, about 10 feet. The entire backyard is within the commission’s jurisdiction. There is a 6 to 7 feet retaining wall in the rear of the property. All of the work is proposed on the upland side of the retaining wall with an existing maintained lawn & landscaped areas. The family has outgrown space, wants to put in a first and second floor addition pretty much in the plan of the existing deck and stairs. Would propose new deck/stairs off of addition on existing active area. Behind property is the Great Wenham Swamp and 100 feet is the Danvers Swamp Walk. The flood plain with elevation and Zone A is taken from the FEMA maps. Not proposing to fill anything. Mr. Splaine asked if the pavers are pervious. Mr. Hocmuth stated that for the most part all pavers prohibit water to go through. Mr. Splaine then asked if the retaining wall is original to the lot. Mr. Hocmuth confirmed that it is. The question was raised how the patio got into the no build, was it a waiver. Mr. Hocmuth stated that the patio was there before the RDA filed for the pool. It might have been part of the NOI that came through for subdivision. A patio doesn’t require a permit. It will require excavation and there are already erosion controls in place that will last the remainder of the project.

MOTION: Mr. Wilson makes a motion to issue an Order of Conditions for 26 Robin Hill Road, DEP File No. 14-1283; Mrs. Hartnett seconded; all in favor



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2. Request for Determination of Applicability

- **1 Riding Club Road, DCC File No. 2016-05**

Justin MacEachern, the applicant is proposing to install a fence to divide yard from wetlands which will extend the backyard 800 square feet. The entire house was built within the 100 foot no buffer zone. Applicant is not proposing anything in the 35 foot no build zone. There is 12 feet of backyard in the 25 foot no disturb zone. Mr. MacEachern would like to keep that same line of backyard along the marsh. Current area is elevated from the marsh, no wetlands within that area, mostly low growing brush. The question was asked if he is a conservation specialist. He is not, but has monitored the space over the years and also requested George to walk the property and help him understand the process. There are three trees that will need to be cleared, two are 7 inches in diameter and one is 4 inches in diameter. Mrs. Wilson informed the commission of the history on the marsh. When the subdivision was constructed wetlands vegetation was disturbed a couple of lots over. To mitigate for that disturbance, more wetlands plants were added at applicant's property. Mr. Wilson asked if there is a water that flows through the applicant's street. The runoff from Locust Street runs into the marsh. There are a couple of driveways that you need to drive over the water. Mr. Splaine asked how big the lot is, almost an acre. The applicant is considering Barbosing or Cormac brothers to do the work and hoping to begin in the spring. Looking to install a black chain link fence. It is dry in the summer and fill up in the fall. The frontage is on Locust Street. The applicant would like to extend the deck. The original plan on file with the building dept. showed a 10x24 foot deck, but it was built 10x15. Mr. Wilson asked if it is just a lawn on the extended backyard area. He's concerned with fertilizer draining into the wetlands. Mr. MacEachern agreed he would not have it fertilized.

An abutter, Ingrid Barry of 3 Riding Club Road supports the applicant's proposal.

MOTION: Mrs. Hartnett makes a motion for a negative determination applicability for 1 Riding Club Road with the conditions applicant does not fertilize; Mr. Wilson seconded; all in favor.

3. Minutes - 12/22/16

MOTION: Mrs. Hartnett makes a motion to approve the December 22, 2016 minutes; Mr. Wilson seconded; all in favor

4. New Business - None

6. Staff Updates –

Mrs. Wilson would like to run another workshop. The committee agreed to January 26th at 6:00pm, prior to the next meeting. She requested that each committee member submit interested topics via email. Otherwise she'll pick a topic.



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Adjournment

MOTION: Mr. Wilson made a motion to adjourn at 7:30 PM; Mrs. Hartnett seconded; motion passed unanimously.

Respectfully submitted,

Alicia Linehan
Conservation Commission Secretary