



**Minutes of
Danvers Conservation Commission
Thursday, June 8, 2017
Danvers Town Hall**

The Danvers Conservation Commission held a public meeting on Thursday, June 8, 2017, at Danvers Town Hall, Toomey Room, 1 Sylvan Street.

Members present: Michael Splaine, Chairman
Jean Hartnett, Member
James Elliot, Member
Chelsea King, Member
Peter Wilson, Member
Neal Waldman, Alternate Member

Staff present: Georgia Wilson, Planner
Alicia Linehan, Secretary

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

1. Request for Certificate of Compliance

- **9 Doty Avenue; DEP File No. 14-1049**

The applicant has requested to continue the hearing to June 22, 2017.

MOTION: Mr. Wilson makes a motion to continue the hearing for 9 Doty Avenue, DEP File No.14-1049; Mr. Elliott seconded; all in favor

2. Public Hearing [310 CMR 10.05(4)] - NOI

- **27-29 Prince Street; Lot B; DEP File No. 14-1296**

Scott Cameron of Morin Cameron Group represented the applicant, Michael Panzero of Fellows Construction LLC. The existing site is being used for commercial purposes, a moving company located on the corner of Prince and Garden Streets. The lot houses a single family home with a series of garages. Both lots are under the same ownership. The current condition of the property is vegetation and top soil, fill and debris. This property is currently 2 lots, proposing to create 3 lots with the entry on Prince Street. The homes will be as far forward to Prince Street with large back yards. The current single family will remain, with an addition of 2 more single family homes. The existing structures will be raised and removed. The lot will be cleaned up, replaced with top soil and graded out. Each home will include a deck and patio in the back. The contractor is requesting to work from 25 no disturb zone to remove the barn structure. Also requesting a variance to work in the 25 foot no disturb zone on the existing single family home. The question was asked where the resource area is. It is bordering the wetlands. Contractor will do their best to save the existing trees. The silt fence is being placed on the inside of the trees. Will the contractor try to save the tree? As long as the roots haven't grown into the foundation. Mr. Panzero stated that the foundation may be field stone granite due to the age of the structure but unsure because he hasn't been able to view that closely. The site will be graded so that water will go along the boundary. Is there a net increase impervious? There



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is a slight increase. Any projects under 4 homes is exempt from the standards. Is there a restoration plan should any trees need to be removed? The intent is to preserve the trees. However applicant is willing to plant tree if the existing one needs to be removed. All demolition will occur first then will handle the restoration. Is the swale going between Lot A and Lot B? If in between both properties is there any way to establish who will be responsible for maintaining it? It will take a natural root. Owners would not be able to trespass and would need to coordinate with their neighbors. What are the lot sizes? Lot A is ½ acre, Lot B is three quarters of an acre; Lot C is a 2 & ½ acres. Mr. Wilson states that this is a huge improvement to the existing lot.

MOTION: Mr. Elliot makes motion to issue an Order of Conditions for 27-29 Prince Street; DEP File No. 14-1296 with the condition that 3 foot high labeled black locust posts are installed following construction as to maintain the natural buffer in the rear of the property, and assure no mowing will take place. Any restoration or removal of trees are replaced; Ms. King seconded; all in favor.

MOTION: Mr. Wilson makes a motion to re-open the hearing for 27-29 Prince Street, Lot B, DEP File No. 14-1296; Ms. King seconded; all in favor

MOTION: Mr. Wilson makes a motion that as the part of Order of Conditions to approve the 25 foot waiver in the no disturb zone; Mr. Elliott seconded; all in favor.

3. Public Hearing [310 CMR 10.05(4)] - NOI

- **27 Prince Street; Lot C; DEP File No. 14-1295**

Scott Cameron of Morin Cameron Group represented the applicant, Fellows Construction LLC. This is a clone of the last application. The buffer zone goes through the home. There is no work beyond the 25 foot line. The contractor has agreed to protect the trees; grade to the lot line; and clear out any trash in the muddy boo behind the land.

MOTION: Mr. Wilson makes a motion to issue an Order of Conditions for 27 Prince Street, Lot C, DEP File No. 14-1295 with the condition that the locust posts are installed at the 25 foot line and that applicant has agreed to clean out the muddy boo; Mr. Elliott seconded; all in favor.

4. Public Hearing [310 CMR 10.05(4)] - NOI

- **309 & 309R Locust Street; Subdivision Roadway; Holly Lane; DEP File No. 14-1294**

Scott Cameron of Moring Cameron Group represented the applicant. There was a site walk by the Commission on this subdivision. It is an 8.7 acre parcel in aggregate 2 properties. The site is bounded by a wetland and the Danvers rail trail on east side of site. There's an intermittent stream that flows along the southern boundary and goes into a man-made farm pond. The site historically has been farmed for horses. Most of the property has been cleared. There are some trees growing in certain areas. The area 5 feet from wetland to 35 set back is also cleared. The majority of the property is open field. In the middle of the property is an old barn that has collapsed. This property has a dwelling and a shed. Also on the property is



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utilities, a gas transmission line and a sewer main. Existing utilities do come from the house. These utilities will be cut and capped at the main. The existing dwelling all services come out on the front. Mr. Cameron presented at a previous meeting to see how the Commission wanted to permit this subdivision. The reason for requesting to open up the roadway and all the house lots at the same time is because the site buildout and design was done as one project. Hoping to build out the site, get it up to a stable grade and then the home constructions will begin. Constructing this way will allow for erosion control. The roadway will be private at the start but once it's finished the engineering department will sign off on it. It will then be brought to Town Meeting to be accepted as a public road. The majority of road and the development is all outside of the buffer zone. On Locust Street there are some wetlands across the street. There will be drainage at the front of the property which will be treated before reaching the municipal sewer on Locust Street. The applicant has agreed to replace some damaged water main infrastructure in the street. There will also be insulation of the utility pole. All utility lines will be overhead. On the roadway application, the roadway will be cut in and there will be an excavation of earth. The area will be built up to form house lots that will be an average of 10-14 feet above the wetlands. The reason for requesting permitting all at once is the contractor doesn't want to be in a situation where they have all of this fill material and nothing to do with it because permitted at different times. This will eliminate hauling it all offsite. The request for the roadway permit is to bring the site up to subgrade as one project. There will be a 4 foot wall with slope on top bounding all of these lots. Drainage infrastructure will be one outlet from the infrastructure which will have a stabilized outlet to wetland. In order to have a legal lot there must be a legal road to access. Area was made for an infiltration system, which will look like a sloping field. What sort of vegetation will be in there? Mowed and seeded. Who will maintain? The Town. The lots will be completed and owners will be living in the homes before the road is made public at the Town Meeting in May. The Conservation Commission will be able to review work issued by the Certificate of Compliance. The Town Engineer, Stephen King, has reviewed all of the plans. Has there ever been a history of the town not accepting the road? Yes, usually due to deficiencies in construction. Is the first request for the road? That is correct. Is there access to get behind the retaining wall? There will be no access. There will be a 4 foot or shorter wall, not structural. If under 4 feet do not need a structural engineer to structure. Out of curiosity who gets to name the roadway? The developer decides, the Town votes on it.

Nancy Lockhart of 312 & 314 Locust Street asked if what will happen with her wetland area. And what will happen with the runoff from the development? Right now comes off the hill and over the land. The installation of the catch basins which will take the run off and distribute it into the ground.

MOTION: Mr. Wilson makes a motion to issue an Order of Conditions for 309 & 309R Locust Street, DEP File No. 14-1294 must include all the standard subdivision roadway conditions; Mrs. Hartnett seconded; all in favor

5. Public Hearing [310 CMR 10.05(4)] - NOI

- **309 & 309R Locust Street; Subdivision Lot 2; Holly Lane; DEP File No. 14-1293**

Mrs. Wilson mentioned to the Commission that DEP had no comments for the roadway or any of the house lots, and issued this decision pretty quickly. All grading will be completed & wall installed by the time Lot 2 construction of home begins. A portion of the lot is within the 100 foot buffer zone. Each home



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will have its own drywell system, with individual 8x14 tanks. These will be better from an environmental stand point because they will distribute all of the roof/driveway run-off. They are not visible except for the riser catch for maintenance purposes. When this subdivision comes before the commission again, the house & driveway will already be built, utilities installed, and loom and seeded. Where is everything stored from excavation? The loom will be stockpiled. It will depend upon the condition of the loom whether it is on or off site. It will be reused later on. How is it protected? It is protected with either silt fence or silt sock. Contractor does not anticipate much stockpile. It will probably be transported offsite to screen and then be returned. Please give an overview how the fill will go for each site. First a silt fence will be installed, then trees and loom removed. The bare soil will remain up to silt fence line and then the wall will be built. Every lot is erosion controlled as required and monitored by EPA.

MOTION: Mr. Elliott makes a motion to issue an Order of Conditions for 309 & 309R Locust Street, Subdivision Lot 2; DEP File No. 14-1293; Mrs. Hartnett seconded; all in favor

6. Public Hearing [310 CMR 10.05(4)] - NOI

- **309 & 309R Locust Street; Subdivision Lot 3; Holly Lane; DEP File No. 14-1292**

A portion of the driveway is in buffer zone. Can you please show on the lot where the individual infiltration will be installed? It will be in the driveway, with a riser. Is this more sensitive than lot 2 or the same? It is the same.

MOTION: Mrs. Hartnett makes a motion to issue an Order of Conditions for 309 & 309R Locust Street, Subdivision Lot 3, DEP File No. 14-1292; Mr. Elliott seconded; all in favor

7. Public Hearing [310 CMR 10.05(4)] - NOI

- **309 & 309R Locust Street; Subdivision Lot 4; Holly Lane; DEP File No. 14-1291**

Majority of this house is in the buffer zone. The outlet for the subdivision is on this lot, covered under the roadway. Will there be posts? No there is a wall. Will there be markers on all of the lots? Yes, a plaque on the wall. Complying with the standard Order of Conditions. Are the lots being regraded to make the whole subdivision level? There is a 14 foot grade difference from the road. There will be a 2% grade from the road up. There was a lot of emphasis placed on the flow of the runoff. All of it will be caught in one of the two catch basins and distributed back into the wetlands. Who will do the snow removal prior to the sale of each home? The contractor will maintain the snow removal and plow to curb. There will be sidewalks on one side of the street. Where is the drywell on this lot? It is under the driveway.

MOTION: Ms. King makes a motion to issue an Order of Conditions for 309 & 309R Locust Street, Subdivision Lot 4, DEP File No. 14-1291; Mr. Wilson seconded; all in favor

8. Public Hearing [310 CMR 10.05(4)] - NOI

- **309 & 309R Locust Street; Subdivision Lot 5; Holly Lane; DEP File No. 14-1290**

The lots are 35 feet off of the wetlands. Portions of this home and driveway will be in the buffer zone. Where is the slope from wall to house? It is 1 to 1 which is meant to stabilize the slope. Please explain how this works. The grade of the street will be at the first floor, and the grade at the back will be at the



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basement. The house will be higher than the drop. Where is the entrance door? It is at sidewalk grade. The flat area of these lots will be in front & back. There will be a 30 foot yard in back of each before the drop off. What size will the homes be? Around 3200 sq. ft., 2 story homes.

MOTION: Mr. Elliott makes a motion to issue an Order of Conditions for 309 & 309R Locust Street, Subdivision Lot 5, DEP File No. 14-1290; Mr. Wilson seconded; all in favor

9. Public Hearing [310 CMR 10.05(4)] - NOI

- **309 & 309R Locust Street; Subdivision Lot 6; Holly Lane; DEP File No. 14-1289**

This lot is an acre and ½ in size. The gas easement is through the 25/35. The gas company will oversee the work performed in that easement. Is everyone on an equal plain or is water flowing from lots to lots? Everything is going out. All of the blasting will be done at one time. Only expecting 5000 yards of blasting work. The soil has been analyzed already. The first step will be to remove the sea layer which is structural fill material and relocate on the side for preparation. Who can be on site for the blasting? It is governed by the fire marshal's office. Pre-blast surveys will be conducted for all homes within 250 feet of the blast area. A flyer with start date and blasting protocol will be distributed to these homes. It will also include how to file a claim should there be any damage caused to their property. Any damage claims must be completed at the fire marshal's office. After that the insurance companies will get involved. If there is an ongoing dispute, the contractor will usually get involved and make corrections. All claims must be filed within a very narrow window. The blasting sound is usually a series of whistle. There are monitors put in place during the blasting process. And a fire detail is required during the process. It will probably take 2 ½ weeks. The blasting material can be used as fill. The gas company will be on the premises to monitor the gas line. Can we limit the amount of fertilizer on each lot so that it is not running into the wetlands? This is in the conditions. Each home owner will receive this information at the time of the sale. Mrs. Wilson mentioned that she has been contacted by home owners asking what the plaque on their property means. This is an opportunity to discuss these conditions.

MOTION: Mr. Wilson makes a motion to issue an Order of Conditions for 309 & 309R Locust Street, Subdivision Lot 6, DEP File No. 14-1289; Ms. King seconded; all in favor

10. Minutes – May 25, 2017

MOTION: Mr. Waldman makes a motion to approve the minutes of May 25th, Mrs. Hartnett seconded; all in favor.



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Adjournment

MOTION: Mr. Wilson makes a motion to adjourn at 9:00 PM; Mr. Elliott seconded; motion passed unanimously.

Respectfully submitted,

Alicia Linehan
Conservation Commission Secretary