



**Minutes of
Danvers Conservation Commission
Thursday, August 9, 2018
Danvers Town Hall**

The Danvers Conservation Commission held a public meeting on Thursday, August 9, 2018, at Danvers Town Hall, Toomey Room, 1 Sylvan Street.

Members present: Michael Splaine, Chairman
Peter Wilson, Vice-Chair
Michelle Borge, Member
Jean Hartnett, Member
Chelsea King, Member
Neal Waldman, Alternate

Staff present: Susan Fletcher, Sr. Staff 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 [310 CMR 10.05 (9)]
20 Loris Road, DEP File No. 14-1170**

Applicant was not present but requesting a Certificate of Compliance. An Order of Conditions for this project which was issued in February 16, 2011. The project was to grade grass and re-build stairs and retaining wall. Staff conducted a site visit and confirmed that the retaining wall was constructed but the stairs were not. The question was asked why the stairs weren't built. Staff stated that it is a gradual slope and may be the reason for not including the stairs. The wall is stable and there is no evidence of any negative impacts on the wetland resource area. Mr. Waldman has been in backyard and is fine with the decision to issue a Certificate of Compliance.

MOTION: Mr. Wilson makes a motion to issue the Certificate of Compliance for 20 Loris Road, DEP File No. 14-1170; Ms. Borge seconded; all in favor

**2. Request for Certificate of Compliance [310 CMR 10.05 (9)]
51-55 Ash Street, DEP File No. 14-913**

The applicant is Thomson Companies and away on vacation. The Order of Conditions was issued for this project in October 2002 and amended in July 2003. The project was the construction of 4 multi-family residential buildings, with garages, parking areas, utilities and storm water management. An as built plan was submitted. Staff conducted a site visit and there does not appear to be any negative impacts on the wetland resource area. Most of the area has wood fencing, no grass clippings. This was cemetery land which was sold and townhouses were built. The Commission is not comfortable with issuing a decision on such a large project.



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MOTION: Mrs. Hartnett makes a motion to continue to September 13th, 2018 for 51-55 Ash Street, DEP File No. 14-913; Ms. King seconded; all in favor

**3. Request for Certificate of Compliance [310 CMR 10.05 (9)]
106 Bradstreet Avenue, DEP File No. 14-1237**

Bob Griffin of Griffin Engineering represented the applicant Lisa DeRosa. The project was an addition along the Danvers River. There were no changes to the approved plan. A portion of the house was torn down, reconstructed and raised up a bit so the floor is no longer in the flood zone. The applicant also had permission to expand the paved driveway which was done, but with pavers instead of concrete. The driveway is less impervious because it was built just a bit smaller than the approved plan. Mr. Griffin pointed out the resource areas. There was a structure previous to this project in the same location.

MOTION: Mrs. Hartnett makes a motion and issue a Certificate of Compliance for 106 Bradstreet Avenue, DEP File No. 14-1237; Ms. King seconded; all in favor

**4. Request for Certificate of Compliance [310 CMR 10.05 (9)]
8 Princeton Street, DEP File No. 14-1254**

Krystyna & Alexander John Hincman, the applicants were present. Mr. Hincman represented himself. All of the project was completed in 2017, except for the driveway. Previous staff told Mr. Hincman that he could seek administrative approval later to complete the driveway. The old driveway is still existing. The plan was to repave the driveway at the end of the project. Mr. Hincman was doing the work until he experienced a hand injury. He then hired contractors so the work to the driveway had to be postponed due to financial reasons. The driveway wasn't on the original plan but isn't within the 100 foot buffer zone because it is in the front of the home, and intermittent stream is in the back. An amendment was issued in April of 2017 for the garage which was completed. The pool also required approval from the Conservation Commission because it was within the buffer zone.

MOTION: Ms. Borge makes a motion to issue a Certificate of Compliance for 8 Princeton Street, DEP File No. 14-1254; Mrs. Harnett seconded; all in favor

**5. Public Hearing [310 CMR 10.05 (4)] - RDA
115 Dayton Street, RDA 2018-03**

Scott Cameron of the Morin Cameron Group represented the applicant, William Trail. Mr. Trail is purchasing this lot which was approved under prior subdivision. The 100 foot buffer zone extends into the front of the lot. The work proposing is outside of the buffer zone which includes construction of driveway, grading of lawn, reconstruction of swale that will help control runoff to Dayton Street, utilities and sewer, reserve of gas connection. A silt fence will be installed for erosion control. The wetlands is on the other side of Dayton Street. The question was asked how the swale will be treated. Mr. Cameron responded that the swale is less than ½ percent so any sediment will drop, a passive treatment.



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MOTION: Ms. King makes a motion to issue a negative determination of applicability for 115 Dayton Street, RDA 2018-03; Mr. Wilson seconded; all in favor

**6. Public Hearing [310 CMR 10.05 (4)]
13 Tibbets Street, RDA 2018-04, RDA 2018-04**

The applicants Robert and Mary Marchand were present. They are requesting a letter from the Conservation Commission to please the section chief of DEP. DEP originally told the applicants that they could not do anything. The applicants had DEP review again, they did and admitted they were wrong. DEP suggested that the applicants request a public hearing before the Conservation Commission. The applicants showed pictures of the bulkhead, 5 feet high/50 feet long which is in the Porter River. The question was asked if it is in good condition. Mr. Marchand stated that it doesn't look it, but it is stable. The applicant wants to do the simplified filing for a Chapter 91 license. The applicants will not be doing any work. The applicant has a terminal illness and wants to make sure his affairs are in order so that his wife and family aren't stuck with this burden in the long run. They are not looking to replace, only if repair is needed. The bulkhead was built before DEP so there wasn't a licensing requirement at the time. The person who owned the property at that time never applied for amnesty. The square footage of the wall and the fill put the applicants over the 600 square footage limit. There is about 525 square footage of fill, so DEP is requiring the applicants to go through the simplified process to obtain the license.

MOTION: Mrs. Hartnett makes a motion to issue a Negative Determination of Applicability for 13 Tibbets Street, RDA 2018-04; Mr. Wilson seconded; all in favor

**7. Public Hearing - Minor Modification
Holly Hill, 309 & 309R Locust Street, DEP File No. 14-1294 through 14-1289**

Scott Cameron of Morin Cameron Group represented the applicant, DUC Residential, LLC.

Holly Hill is a seven lot subdivision, with one lot in the front of the site that falls within the buffer zone. A section in the back portion of the subdivision with the drainage culvert, falls within the buffer zone. Individual Notice of Intents were filed for each of the front lots. At the May 2017 meeting, there were two assumptions presented to the Commission. One was blasting and the other was planning on designing homes. The house designs are not ready yet. The assumptions made to the footprints of the homes and driveways were conservative. They also anticipated using the rock from the blasting to build a 4 foot wall/slope. However when the rock was removed, it either wasn't large enough or broke up.

The applicant is requesting minor modifications to the final house prints, driveways, and roof drywells which have been added to the plan. There is now less impervious area. Catch basins have been added to each driveway to pick both the roof and driveway run off. All of the homes and driveways have been pulled away from the wetlands. There is no change in the work or the vertical grades, but a swale was added. The difference in elevation is 78 to 72, slope 6 feet to 15 feet. The change is going from rock to vegetative slope. It was going to be a 1:1.



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It will be seeded with an erosion control mix. Erosion control will include rip rap in two areas. The question was asked what the satiability of it failing in 100 year storm. Mr. Cameron responded that there is none, because there is no water going to it. There is a slight mound that has been there since March. The question was asked what happened to the rock not used. Some was moved off site and some became fill. The property line is between each home and extends back to the rail trail.

The applicant is trying to obtain the approval because time sensitive before winter sets in. The Town Engineer had concerns about now having a grass slope rather than a wall. Ms. Fletcher read the conditions from the Town Engineer. He wants a condition that the changes in layout in size of driveways are reflective in a post development storm water report for the Towns records, and the proposed drywells are included on the new permits. Also of the opinion that the vegetative slope would at the very least serve as a deterrent to erosion during the construction phase of the development. He believes that whether the final treatment is of stone or vegetation will be within the Planning Boards jurisdiction. Mr. Cameron explained that the applicant is reducing impervious and adding drywells. The new storm water report, dropped from 1.1 to 0.69.

The Commission asked Mr. Cameron to describe where any the run off will flow. With a couple of the lots, a portion will come from the back and wrap around the wetlands. And from the other half, it will flow toward the rock slope that will remain. Other lots will flow toward the rock slope and the catch basin toward Locust Street.

The question was asked if there will be fences. Not at this time, but the home owners may decide to install them. Occupancy is a year out. All plantings will be well grown by then.

David Sherwood of 295 Locust Street, told the Commission that the silt sock that is in front of his property is constantly blocked. And all of the sediment from neighbor's property floods his property. Flooding has always been an issue prior to this project, but worse now. He is unable to mow his lawn without first raking out debris. Mr. Sherwood is requesting the install of a curb which will cause the debris from the runoff to flow into the catch basin. The swales are always backed up and flooding his property. Mr. Sherwood has been in touch with both the Town Engineer and The Morin Cameron Group regarding this problem and doesn't feel anything is being done.

Mr. Cameron responded to the resident's complaint. He stated that once the silt sack, catch basins are in place and road is paved this will eliviate the problem to Mr. Sherwood's property. Mr. Sherwood's request for a curb should be addressed with DPW, not the applicant, because it is out of his jurisdiction. The silt socks are not able to be removed at this time because everything has to be seeded and stabilized.

Ms. Fletcher will speak to Engineering and DPW concerning Mr. Sherwood's situation.

Mr. Splaine reminded the Commission that Mr. Sherwood's issue is not what is being presented and that Staff will follow up with the appropriate departments.



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MOTION: Mr Wilson makes a motion to approve the Minor Modification for Holly Hill, 309 & 309R Locust Street, DEP File No. 14-1294 through 14-1289 with conditions that the paper work be submitted for stormwater modifications; Ms. Borge seconded; all in favor

8. Minutes 6/28/18 – Add Michelle Borge to the attendees list

MOTION: Ms. Borge makes a motion to approve the minutes as amended; Mr. Wilson seconded; all in favor

9. Other business

- Mr. Wilson notified the Commission that William Dillon's Eagle project, a bridge on the Rail Trail Marker 3.2 is complete.
- Mrs. Hartnett will begin the fall school session and unable to attend meetings. She will however review filings and provide comments to Staff.

Adjournment:

MOTION: Mrs. Hartnett makes a motion to adjourn at 8:20pm; Ms. King seconded; all in favor.