



# Town of Danvers Conservation Commission

TOWN HALL, 1 SYLVAN STREET ♦ DANVERS, MASSACHUSETTS 01923  
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## Commission Members:

Michael Splaine, Chair  
Peter Wilson, Vice-Chair  
Vanessa Curran  
Chelsea King  
Richard Souza  
Neal Waldman, Alternate

**The Danvers Conservation Commission held a public meeting on Thursday, January 24, 2019 in the Daniel J. Toomey Room, Danvers Town Hall, 1 Sylvan Street.**

Mr. Wilson opened the Conservation Commission meeting at 7:05 p.m. with a reading of the “Commission Statement.”

## **I. ROLL CALL**

Michael Splaine, Chair  
Peter Wilson, Vice Chair  
Richard Souza  
Chelsea King  
Erin Schaffer

## **II. REGULAR AGENDA**

### **A. Notice of Intent [310 CMR 10.05 (4)] – Public Hearing**

**63 Riverview Avenue, DEP 14-1318**

Applicant: Timothy & Alice Clarke

Bill Manuell of Wetlands and Land Management, Inc. represented the applicants.

The Notice of Intent was filed in December 2018, but this is the first time the project has been brought before the Commission. Mr. Manuell had an informal meeting with the Harbormaster. After that meeting, an additional survey was conducted to fix the pier and ramp in the Porter River. The proposal is for a fixed pier, ramp and a series of floats in the Porter River. There are various resource areas associated with this project. There is a salt marsh at the back door, and a large area of salt marsh extending to the north which narrows down between two man made boulder walls. These walls would be characterized as coastal bank. Just off shore of that is a length of rocky intertidal shore which transitions out to land under the ocean. The mean low water is shown on the plan in the blue line. The original plan was a 100-foot pier, and 50-foot long gain way and a series of two T floats and three end floats. This brought the whole arrangement to a minus 12 contours which coincided with the line of moorings.

When the Harbormaster reviewed the original plans, he asked why it needed to be this length because it would interfere with the regular dredging. The reason was to allow 3 feet of water beneath the applicants’ boat. The Corp. of Engineers and DEP requires 2.5 feet always remain under floats and boats. The Harbormaster was concerned that it was too close to dredge line. If there were a dredge in coming years, then some of the piles would need to be pulled to accommodate the dredge. Because of the Harbormasters concern, an additional barometric survey was conducted under the float.

The revised plan pulled it back 20 feet and still allowed 3 feet of water under the boat. This was the reason for continuance. This cuts the pier by 8 & ½ feet, eliminated a T-float and able to pull it in 20 feet.

The Division of Fisheries previously sent 2 letters which Mr. Manual had responded to. Both letters were similar except the second letter sited some differences and asked that they have a 1:1 height to width ratio and allow enough sunlight under the pier. In the 3<sup>rd</sup> letter they requested 1.5:1 ration. They were able to meet in the middle with 1.25:1 ratio.

The piles will be driven from the water side with a barge piledriver which will have little impact to water sediments. Floats will be secured by batter pile at the end. The river has lots of current and ice accumulation in the winter, so the contractor stated that this is the best way to secure the floats. There will be two piles at the end with a cross bar at the top so that the end of the ramp can be lifted at the end of the season.

Mr. Souza asked if the work will be done during low tide. Mr. Manuell responded that it wasn't necessary because there is not any driving of piles. There will not be much sediment but if Commission wants silt curtains then can certainly put in place.

The question was asked if they will be pinning to the wall at the first set of steps. Mr. Manuell stated that they are a separate set of piles. They must roll back a stone to start the pile.

Mr. Wilson asked if there is a need for a Chapter 91 license. Mr. Manuell stated that this is the first step in the process. It will require Corp of Engineers approval and a Chapter 91 license.

Ms. Schaeffer has reviewed the revised plan with the Harbormaster. She also stated that the applicant has responded to the Division of Marine Fisheries.

Mr. Manuell reviewed the 4 areas of protection in response to revised proposal:

The coastal bank is constructed of boulder walls so there will be no sediment contributing to the banks. Other than rolling back the boulder to drill through it, there will be no disruption to the coastal bank.

The salt marsh will be spanning over it with 5 feet of separation between pier planks and the salt marsh that exceeds the 1:1 height to width ratio. This allows sediment underneath of it.

Rocky intertidal and land under water, this addresses the water quality and not disrupting the bottom sediment. There must be enough separation with a boat or float, so it doesn't ground out. With direct driven piles there is virtually no sediment caused by the installation of these piles. However, if the Commission requires a silt curtain, this would trap water sediment until low tide came.

Ms. Schaeffer stated that not having pilings in the salt marsh is a nice shift in this petition.

**MOTION:** Ms. King makes a motion to issue an Order of Conditions subject to silt curtains for 63 Riverview Avenue, DEP File # 14-1318; Mr. Souza seconded; all in favor

**B. Notice of Intent [310 CMR 10.05 (4)] – Public Hearing  
99 Andover Street, DEP 14-13\_\_**

Curt Young, Wetlands Preservation, Inc. and Neal Sander, Independence Engineering LLC, represented the applicant. The site is owned by Ira Motor Group. They are proposing a walking path along the perimeter of the site with a sitting area. The Crane Brook is the perineal wetland area. There is another perineal stream that comes in from the West along Andover Street. The area where the work is being conducted is outside of the paved area along the embankment area. The grade comes down to the abatement, next to Crane Brook. It is a pretty shallow area. And there are frequently snapping turtles sunning themselves in this area. Associated with this is vegetation along the bank. The slope is very steep and very close to the riverbank. This was an asphalt, crushed stone and waste area which has been pushed down to stabilize the bank.

Proposed work is to establish a low area of work, steep limit of fill. Fill will be taken out. The loam is very low due to the walking traffic there already. This is a previously disturbed area. The plan is to remove invasive species plantings along the riverbank. This will consist of bringing it back to grade with 12 inches of soil and plant shrubs. Erosion control will be put in as grading is being done because they want to be able to get that material out. This will work fine if conducted on a dry day.

Mr. Sanders stated that this is an existing worn path from people walking around the area. The applicant would like to spruce up the area to make it attractive for employees to walk/sit. They want to do this without creating any pervious surface. This has been designed according to the MA Stormwater manual not be create any adverse conditions.

There is a major storm water pipe to the right of the path with a contact treatment advice. These pipes will connect to that upstream of contact. If there is any TSS not removed, then there is additional all drains towards. The dig will be 2.5. The question was asked what they expect to find when they dig down. Native material that probably won't be infiltrated, the reason for the sand, which will slow it down and give an opportunity to clean it out.

The question was asked who will use this path. It will be used by the employees. The rest of the walking area is reserved for handicap parking.

The area worked in is 450 square feet, including the restored area. There is no work proposed in the no disturb zone area. This area is all previously developed and disturbed. This project will clean it up and become a vegetated buffer zone.

Ms. Schaeffer stated that prior to 1997 the Commission as discretion with consideration of the performance standards may allow alteration up to 5000 square feet or 10% of the riverfront area in a lot, whichever is greater. Provided a minimum of 100-foot-wide area of undisturbed vegetation provided. In this case it is not. If there is not 100 feet width area of undisturbed vegetation within the riverfront area, then the existing vegetation shall be preserved, or replication shall be allowed.

Ms. Schaeffer is unclear on the grading that is happening on the slope. She doesn't understand the connection between the stormwater pipe that's existing and the perverted pipe, so wasn't aware that there was a water quality trench. She stated that it would be helpful to see on the plan. She states that an elevation of how they are going to make the connection but also how the system itself demonstrates that the pipe is being connected above the water quality system. And a landscaping plan would also be helpful. During the site walk it was mentioned that no trees were being removed, mostly shrubs. The plan is to match the existing grade as much as possible. Ms. Schaffer told the representatives that the Engineering Department will need to review the plan.

Mr. Splaine commented that this is a case of a previously disturbed that allows the applicant to make it better.

Ms. Schaeffer stated that she received several questions from the condo association that abuts the project. She clarified that this is not a walkway along the bank, but a six-foot painted line along the asphalt.

**MOTION:** Mr. Souza makes a motion to continue the hearing of 99 Andover Street, DEP File No. 14-13\_\_ to February 14<sup>th</sup>; seconded Ms. King; all in favor

### **C. Notice of Intent [310 CMR 10.05 (4)] – Public Hearing**

#### **12 Scarlet Lane, DEP 14-1319**

Applicant: Michael & Olivia Moulton

John Morin of Morin Cameron Group represented the applicant.

The wetland resource exists on northwesterly corner of the site. There are wetlands resource with vegetation wetlands in the back of the property. Mike DeRosa of DeRosa Environmental delineated the resource areas on the site.

The proposed project is to build an addition with a farmer's porch with walkway. That entire addition is in the buffer zone. All work is outside of 25 foot no disturb and the 30 foot no build. Proposing to increase the pavement to accommodate the addition, outside of the buffer. Proposing a farmer's porch on the front of the house.

There is an existing sewer and drain easement on the side of the property but will be staying outside of that easement. There will be a small walkway coming off that porch to the existing driveway. The project is exempt from the stormwater standards because it is a single-family home. However, there will be an installation of a stone drip edge along that porch. This is 2-foot-wide 2-foot-deep crushed stone trench that will capture one-year storm event. There is an existing walkway that runs along the house with existing pavement. They will be connecting that with the new walkway. Remaining will be a strip between the existing walkway and the dwelling, so they are going to pull the existing lawn and install a stone retention that will need to be maintained. There will be very minimal grading within the buffer zone. Maybe about a 6-inch change of grade. There is an existing lawn drain on the easterly side of the property. This will be protected with erosion control silt sock. DEP issued a file number and didn't have comments.

The question was asked if the water in the drip edges seeps into the ground. The answer is yes. There is a very minor slope. The front lawn is flat. There is a small depression where rain water gets trapped due to the street being higher. All run off heads away from the wetlands. The reason for erosion control so it won't deposit sediments into the drain.

Wetland resource area comes down and flows into an existing culvert into the street drainage. DeRosa could not find any connection to another resource area. It stops within the culvert itself so not within the jurisdiction.

The Commission reviewed a picture that contained an old wire fence that was there before the client bought the property. The question was asked if the fence has collapsed into culvert. And the answer is no, it is stable.

George Saluto of Longbow Road thought this was a very well thought out plan. He is attending the meeting out of curiosity. He thought there was a drain that ran under Longbow Road over to the wetland, behind Mr. Saluto's property.

Mr. Saluto thanked staff for making sure that all information is not only accessible but up to date on the Town website.

**MOTION:** Mr. Souza makes a motion to issue an order of conditions for 12 Scarlet Lane, DEP File No. 14-1319; Mr. Wilson seconded; all in favor.

## **MINUTES**

**Meeting minutes-** October 25, 2018 and January 10, 2019

**MOTION:** Ms. King makes a motion to approve the October 25, 2018 and the January 10, 2019 minutes; Mr. Wilson seconded; all in favor

## **OLD/NEW BUSINESS**

16 Dartmouth Street, DEP 14-1316

Albert Cairns

A request to amend an existing Order of Conditions

Bill Manuel represented the applicant. Mr. Cairns and his partner Mr. Reagan were present. They did a little bit of value engineering after the final approval of the Order of Conditions a couple of weeks ago. The initial house print had the front of the house at an angle, with an angle loading garage. The cost of constructing those angles is tens of thousands of dollars. The reason would be because it is cutting off the corner of the house to match, which gets into removing the foundation. It doesn't make sense to pay that much money for appearance.

The changes are squaring off the front and relocating the driveway because now it's a front-loading garage. Are you adding square footage? There is only 48 square feet additional. However, with relocating the driveway to a front driveway now, it is a lot shorter. This is 12 square feet less in the riverfront area and 387 square feet overall less pavement. This is a net reduction of 339 square feet of impervious area. It gets no closer to the river. All working within the approved footprint.

Ms. Schaeffer stated that the Commission looks at 2 things, one if there is a new NOI needed. Typically, a new NOI is needed if more impacts than originally proposed. In this case there are less. The Commission agrees that there is no need for a new NOI. She also recommends to the Commission to issue a new Order of Conditions and keep all of the conditions the same except for #20, the reference to the plan.

**MOTION:** Ms. King makes a motion that a new Notice of Intent is not needed for 16 Dartmouth Street, DEP File No. 14-1316 for the revised plan; Mr. Souza seconded; all in favor

Mr. Souza makes a motion to approve the changes made on the revised plan for January 16, 2019 plan updated from the December 7, 2018 original plan; Mr. Wilson seconded; all in favor

### **MACC Conference and Training Opportunity for Commission Members**

Staff reminded the Commission to let her know if interested in attending the Annual March MACC Conference.

### **Adjournment**

Mr. Wilson makes a motion to adjourn the meeting; Ms. King seconded; all in favor