



Town of Danvers Conservation Commission

TOWN HALL, 1 SYLVAN STREET ♦ DANVERS, MASSACHUSETTS 01923
TELEPHONE (978) 777-0001 ♦ FAX (978) 762-0215

Commission Members:

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

The Danvers Conservation Commission held a public meeting on Thursday, May 23, 2019 in the Toomey Room at Town Hall, 1 Sylvan Street, Danvers, MA 01923

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

I. ROLL CALL

Mike Splaine, Chair
Peter Wilson, Vice Chair
Vanessa Curran
Chelsea King
Richard Souza
Erin Schaeffer, Staff

II. REGULAR AGENDA

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

B. 15 Mead Street, DEP File No. 14-1237

Applicants: William & Maryann Bartlett

Bill Manuell, Wetlands and Land Management, represented the applicant who is proposing the installation of a new pier, ramp and floats to replace the existing pier, ramp and floats. At the time of the survey the boats were not in the water but extend out to the piles shown on the plan. Also shown on the plan are the existing 16x20 houseboat and three 8x20 boats. However, the problem is that at low tide the floats and boats bottom out. The applicants contacted Mr. Manuell because their current pier is “old & tired”. The proposed project will be upgraded but make use of salvageable piles. There will be 12 piles placed into the mud flat for pier construction and another 6 to anchor the floats on either end. Will be using the existing 25-foot ramp that will land on the T float. The ramp will not land on one of the access floats. The applicant has two 39-foot boats. The pier is a unique design because 45-foot aluminum predesigned will be used which will reduce 3 piles. The piles will be driven in with 2 motions, one drives it down and the other one vibrates. This liquefies the soil around the pile allowing it to slip in easily.

The pier will be extended out to the edge of the dredge channel. The proposed floats will remain in permanent water at all times. The proposed pier that is supported by dry extends from the edge of the maintained lawn at the property, over the mud flat area in order to reach permanent water. The pier will be supported by driven woodpiles. The pier is a unique design because 45-foot aluminum predesigned will be used which will reduce 3 piles. The piles will be driven in with 2 motions, one drives it down and the other one vibrates. This liquefies the soil around the pile allowing it to slip in easily.

The Harbormaster was concerned with where this is placed in relation to the NYC float system across the river. The applicants spoke to the DeLorenzos and they don't have any concern at all. The email from the DeLorenzos was forwarded to Ms. Schaeffer. The moorings are out on the edge of dredge channel. The applicants have a couple of existing mooring and plan to swap them with the neighbor's moorings. The float is in boarding of the mooring line so that when a boat is tied up to it, it is no further out. Mr. Manuell will revise the plan based on the harbormaster's comments. Switching of the moorings will require an agreement between the applicant and his neighbor. If an agreement weren't reached, then the pier would change.

The whole feature is designed according to DEP's docks and piers standards. This dock has remained for about a decade. Everything will now be elevated, 6-7 feet above the mud flats. There is more than a 1:1 height and width ratio. Because it is 4-5 feet wide, it will allow railings on the inside that allows a 4 feet travel lane, consistent with DEP guidelines.

The question was asked where the applicant ties up his boat now. The boat is tied at the end of the float. Can no longer keep it there because at low tide it is in the mud. The boat was purchased 5 years ago, and the applicant keeps it in Beverly.

The new pier will be connected to a concrete footing. The old pier currently just rests on the wall. In terms of removing the pier, will there be any impacts to the seawall? Because it is not attached and only resting, there will not be any impacts.

The current system on a 20' scale plan extends out at an angle roughly about 140 linear feet and hoping to go out 300 feet. The Commission is concerned that it will interfere with the channel.

Ms. Schaffer asked Mr. Manuell to discuss how his proposal meets the design standards and waterway navigation of DEPs docks and piers. Mr. Manuell explained that the navigation portion is subject to the Harbormaster. The proposed project is out of the channel, only out as far as the moorings lined up as far as the channel. No impact on navigation. Discussed the site lines with the Harbormaster but doesn't need to change because the NYC is not concerned with this layout interfering with their docks.

Mrs. Curran addressed the letter from Marine Fisheries that 900 square of float area was excessive for residential use and that the storage area should not be permitted because it is not a water dependent use. Mr. Manuell stated that it is not up to them to decide what is excessive for someone to use. This is adequate for the boats the applicant owns. This will accommodate the boats on the inboard and outboard and the storage area is required for gear that is necessary for boating. The storage area was floated down the river and currently on the Chapter 91 license.

Mr. Manuell again mentioned that this is being redesigned to raise everything off of the mud flats. It complies with the DEP standards.

Ms. Schaeffer addresses the performance standards for the land under the ocean components that includes the 6 piles. The Commission wants to know if there will be alterations areas of land under the ocean and also will 6 piles increase erosion damage to coastal banks and salt marshes. There is no impact due to the methodology used to extract and drive the piles. Ms. Schaeffer asked if there would be skirts around the piles for any water changes? The Commission could include as a special condition.

The question was asked why the pier couldn't be decreased in size? DEP doesn't allow for floats or docks to sit on the sediment. The minimum is 18 inches of water at low tide. The Harbormaster asked to pull back the floats, but more water is needed due to the size of the applicant's boats. Their concern is visibility because the river is narrow and there is a bend in the channel at that point. Staff has received an email from NYC but still waiting on formal letter from the Harbormaster. It was requested that all questions for the Harbormaster be submitted in advance so that he could address them in writing.

All boaters must be in the channel. The only ones that don't are kayakers. But they go under the current pier, so will have no problem going under the proposed one.

Mr. Wilson feels this is an improvement getting the floats off of the mud flats. He is requesting a plan of the river so that he can see the NYC and other boat owners' location in relation to the applicants.

Staff requested for a revised plan based on all comments by the Commission and Harbormaster.

One suggestion to facilitate better visibility was to rotate the 20x16 house float structure to make in line with the dredge. It is currently in line with the moorings and the proposed plan would keep all of the floats in line. This would keep it on the in line that will allow for better navigation.

Lois McKenzie of 20 Harbor Street is in favor of the proposed project. She mentioned that the boat size seems to be a concern, but there are larger boats at DYC.

If we don't know if the neighbor is swapping moorings, then will change the plans. Then will have to come back and span longer along the mud. Longer span means more pilings.

The Commission is requiring comments by DYC and the Harbormaster.

Staff is requesting the plan include the location of current floats and the square footage of existing floats that are sitting on the mud flats to those being proposed. The decision will be based on the plan.

MOTION: Mr. Souza makes a motion to continue the hearing for 15 Mead Street, DEP #14-1237 to June 27, 2019; Mr. Wilson seconded; all in favor

**C. Notice of Intent [310 CMR 10.05 (4)] – Public Hearing
30 Water Street, DEP File No. 14-1326
Applicant: Anthony Ciruolo**

Mr. Splaine excused himself from this hearing.

Bill Manuell of Wetlands Land & Management represented the applicant. Sam & Joe's restaurant is proposing to add a 20x20 dining deck of the end of the building. The current windows in the structure will be replaced with doors. Will require 9 precast concrete supports. They will require saw cuts, augured out, filled and paced around the supports. The deck will be made of pressure treated wood.

Concerning coastal flooding, there are no changes to the banks, wall or asphalt because of this there are no changes to the conditions.

No construction equipment will remain on site.

Mr. Wilson inquires if there will be a realignment of parking since it is already at a premium. The applicant states that were the deck would be installed there isn't any parking in that location. It is used for a grease waste barrel that is picked up once a week.

The deck will be made of pressure treated and deposit decking and railings will be stainless steel cable rails. Items stored underneath will be contained with lattice skirting.

MOTION: Ms. King makes a motion to issue an Order of Conditions for 30 Water Street, DEP #14-1326; Mr. Souza seconded; all in favor

MINUTES

March 28, 2019, April 11, 2019, April 25, 2019 and May 9, 2019

MOTION: Mrs. Curran makes a motion to approve the minutes March 28th with edits; Mr. Souza seconded; all in favor

Mrs. Curran makes a motion to approve the April 11, 2019 minutes with edits to the Smith School; Mr. Souza seconded; all in favor

Mr. Souza makes a motion to approve the April 25, 2019 minutes; Ms. King seconded; all in favor

Mr. Souza makes a motion to approve the May 9, 2019; Ms. King seconded; all in favor

OLD/NEW BUSINESS

132 North Street – Enforcement Order

Mr. Wilson excused himself from this hearing.

Bill Manuell of Wetlands & Land Management represented the tenant.

The Commission reviewed a draft enforcement order. After last commission meeting a couple of conditions were discussed. Ms. Schaeffer has been discussing with DEP circuit writer and has received some helpful information. The storm water standard does not apply to the conditions because there is no change in asphalt or impervious. But it is important to discuss a few items. What jurisdiction does the Commission have beyond the 100-foot buffer? What the commission really wants is that the resource area is not impacted. One is the erosion from the sand that has gone into that area; the water and the pipe that is out letting there. And a concern to the amount of water that is going into that system and that it is being infiltrated properly. Currently existing are the 3 roof leaders, plus the parking area grate; and a 50-gallon drywell that was part of the modification. And a 4-inch perforated pipe that is not sitting on a stone or no sediment control.

Mr. Manuell is proposing to cut back the perforated pipe will be submerged and connected to an additional 50-gallon drywell that will be installed in the ground and filled with stone. The slope will be stabilized with loom and seeded with conservation mix. An erosion blanket will be added. There is one existing drywell and three more will be added. The grate at the playground area will be secured.

Mr. Souza wants to be sure that this system can be maintained. Mr. Manuell agrees that it will all be serviceable.

Ms. King wants to know if there is something more substantial that will contain the sand in the playground. One consideration is a wooden curb.

Mr. Manuell requested to strike 31A in the conditions since the applicant will not be hiring an engineer.

General conditions:

A written narrative and scalable plans will be submitted to the Commission.

The work that occurred on the adjacent property will be cleaned

At the end of the work, property owner will be required to come back to the commission to close out the project. 6 weeks to complete the project.

Any changes must be informed to the commission.

The Commission is allowing the project to be complete in 6 weeks.

Ms. Schaeffer will have been notified for a preconstruction review.

The restoration will be loomed and seeded. It will be a couple of weeks before something begins to grow.

There will be an erosion control blanket.

#23 – trash needs to be removed.

#28 any dumpsters on site? Anything need to be hauled away? Yes, the piece of concrete. The existing container is fine.

MOTION: Ms. King makes a motion to issue the enforcement order conditions with amendments made on May 23, 2019, modify #4 to allow for 6 weeks, omitting 29 and part of 31A that requires a stamp by an Engineer; Mr. Souza seconded; all in favor

Mr. Wilson mentioned that the homes at Holly Hill have been sold. Ms. Schaeffer told the Commission that she has spoken to the homeowners and they are aware that any modifications to the existing Order of Conditions will require a filing to be submitted. She has had a few requests for the install of fencing.

Adjournment

Mr. Wilson makes a motion to adjourn at 8:20pm; Mr. Souza seconded; all in favor