



# Town of Danvers

## Conservation Commission

1 Sylvan Street, Danvers, Massachusetts 01923  
p: 978-777-0001 x. 3095 | [www.danversma.gov](http://www.danversma.gov)

Commission Members  
Peter Wilson, Chair  
Vanessa Curran  
Chelsea King  
Michael Splaine

The Danvers Conservation Commission held a public meeting on Thursday, February 27, 2020

Mr. Wilson opened the Conservation Commission meeting at 7:00pm with a reading of the “Commission Statement.”

### I. ROLL CALL

Peter Wilson, Chair  
Vanessa Curran  
Chelsea King  
Georgia Pendergast, Staff  
Mike Splaine

### II. REGULAR AGENDA

#### A. Request for a Certificate of Compliance [310 CMR 10.05 (9)]

**30 Water Street, DEP File No. 14-1326**

Applicant: Anthony Ciruolo Trustee

Bill Manual, Wetlands & Land Management, was present for the applicant. The applicant is seeking a Certificate of Compliance to close out the project at Sam & Joe’s Restaurant, that consisted of constructing a dining deck in the back over the existing pavement. Holes were cut in the pavement to install supports with pergola. Originally the project included a set of stairs from the deck to the parking. However, the Board of Appeals rejected it because they did not want patrons stepping into the parking lot area. They will instead enter and exit the deck area through the restaurant.

Ms. Pendergast did conduct a site visit and is satisfied with the project.

**MOTION:** Ms. King makes a motion to issue a Certificate of Compliance for 30 Water Street, DEP File No. 14-1326; Mrs. Curran seconded; all in favor

#### B. Request for Determination of Applicability [310 CMR 10.05 (3)]

**6 Holly Lane, Lot 3, RDA 2020-02**

Applicant: Grace Cerpa

Annie Raftery of Morin Cameron Group was present for the applicant. This lot is part of the Holly Hill Subdivision project that received a Certificate of Compliance at the end of last year. The applicant is looking to install a combination of a 4-foot-high safety fence, installed 50 feet from the wetlands, and 6-foot-high privacy fence around the property; a patio, firepit and stone walkways leading from the driveway around to the side of the home. The impervious coverage was calculated at 6,600 square feet at the design stage of the lot, and this project will only be using 5,100 square feet.

The patio and walkway will be constructed with pervious pavers. And the south walkway off the patio will be used by the applicant to walk around to the side yard. This is a tight area and will make it look nicer with the slate pavers and landscaping.

This is considered a minor project under the Wetlands Protection Act because it meets the requirements of 50 feet from the wetlands, solely within the buffer zone and they provided evidence that the project will not be



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impactful and erosion control measures. The old erosion control is still onsite and will be reset for this project.

Conditions can be placed a Negative Determination, but not as extensive if this were an Order of Conditions.

Staff will conduct a site visit prior to construction to be sure that all erosion control is intact.

There is minimal material to stockpile, stone dust and pavers, will be placed in the driveway which is outside of the buffer zone.

**MOTION:** Mr. Splaine makes a motion to issue a Negative Determination of Applicability for 6 Holly Lane, Lot 3, RDA 2020-02 with the conditions that the silt fence be repaired, no stock piling and stone is kept outside of the 100 foot buffer; Ms. King seconded; all in favor

**C. Continued Public Hearing – Notice of Intent [310 CMR 10.05 (4)]  
9 Tibbetts Avenue, DEP File No. 14-1338  
Applicant: Brian LeBlanc**

The applicant has requested a continuance to March 26, 2020.

**MOTION:** Mrs. Curran makes a motion to continue the hearing for 9 Tibbetts Avenue, DEP File No. 14-1338 to March 26, 2020; Mr. Splaine seconded; all in favor

**D. Notice of Intent [310 CMR 10.05 (4)]  
22 Riverside Street, DEP File No. 14-13\_\_  
Applicant: Anthony Valente**

Bill Manual of Wetlands and Land Management and the applicant were present. Mr. Valente bought the property last summer and inherited a severely eroded bank. His property is probably 12 or 15 feet from the mud flat. The elevation from his deck almost drops vertically because it is so eroded. There is a large maple tree on the bank, shown on the plan, and the soil under the roots have been washed out. If the tree were to fall it would land in the water and take the bank with it. The top of the slope is only 8 feet from the applicant's deck, so it is important to stabilize the bank. Once this portion of the projected project is complete, the applicant would like to install a ramp with a series of piers and a float.

It appears the previous owner may have tried to stabilize the slope with a significant amount of cinderblock and rubble at the water line base of the slope. There is no way to get down to the water line without jumping over this. Some options were reviewed, sheet piling or granite rock wall, but both options started at \$100,000. The proposal is to stabilize the water line with a rock toe then build the bank up behind it with earth using terraces made from landscape timbers. Each terrace 2-feet in height and 3 feet in length is plastic and will be anchored vertically into the ground, and each section will be spiked into each other. They will be vegetated with salt tolerant species that will stabilize the slope and survive. This is a much less expensive way to slope the slope from eroding and at the same time material can be worked underneath the eroding root mass to save the maple tree. All this work will be done from the land side. There is space from the street to get around the house to bring materials in. A mini excavator will be used to do the shaping and take out the rubble. A bobcat will be used to bring material back and forth to the driveway.



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Staff inquired whether Mr. Manual has seen this structure used along a coastal bank. He has not but there should not be a concern because this is a low energy environment and not subject to waves. He will provide the Commission with some catalog pictures since they are not familiar with the terrace structure.

The other part of this project is to access the water with a float. There appears to have been something existing in the past, two posts on the water's edge, maybe the remnants of a pier. There are floats on either side of this property. The condition at the water level is a mud flat. The proposed pier is short, 112 feet, and only extends to the float. It will include a concrete pad with a fixed pier beyond the slope, 33 feet long with 6 piles. It will include a prefabricated aluminum gangway that will attach to the concrete landing and a landward side fixed pier. This extends an additional 35 feet and now there is a 35-foot ramp that will lead to a 10x20 float. The float will be supported off the mud flat on wood legs that meets the Army Corp of Engineers requirements for providing the separation to the mud flats. There will be two driven piles that will anchor the pier. The float will be taken out at the end of the season and the ramp will be hoisted up. The pile driving will be done from a barge in the water that will be floated in at high tide. If it takes longer than a day, then the barge will be floated out so it will not ground out on the flat and will be brought back at the next tide cycle. Once the piles are in, then the rest is a carpentry project of a 33-foot deck.

The permitting will require approval from the Conservation Commission first. It will then require a Chapter 91 license under the Army Corp of Engineers.

Mr. Manual explained the mean high tide measurements. They are taken from a 19 & ½ year arithmetic mean of the high tides taken out of Boston Harbor and does not vary much up and down the coast. The mean high number is the elevation of the average tide measured from above mean sea level. Mean sea level is zero and the average mean high is 4.5 above the mean sea level.

A site visit is scheduled for Monday, March 9, 2020 at 6:00pm.

The area is prohibited for shellfish harvesting.

**MOTION:** Mrs. Curran makes a motion to continue the hearing for 22 Riverside Street to March 12<sup>th</sup> with a site visit on Monday, March 9<sup>th</sup> at 6:00pm; Mr. Splaine seconded; all in favor

### III. Minutes

**MOTION:** Mrs. Curran makes a motion to accept the minutes from January 23, 2020; Ms. King seconded; all in favor

The minutes for February 6<sup>th</sup> and February 27<sup>th</sup> will be continued to March 12<sup>th</sup>.

### IV. OLD/NEW BUSINESS

The new members will be starting on March 12<sup>th</sup> for the Conservation Commission meeting. All three members have been appointed; they just need to be sworn in. Ann McGill will serve as a full member for one year; Ken Walley will serve as an alternate for three years; and Joseph O'Donnell will serve as an alternate for one year.



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### V. Adjournment

Ms. King makes a motion to adjourn the meeting at 7:50pm; Mr. Splaine seconded; all in favor

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