

Danvers River Committee
Monday November 23, 2020
Meeting Minutes

The Danvers River Committee held a public meeting on Monday November 23, 2020, Holten Richmond Middle School, Multi-Purpose Room, at 6:00pm.

Member(s) present: Dan DeLorenzo, Vice Chair
Matthew Byrne
Bill Fouhey
Louie George
Robert Hemeon
Joseph Marabito
Gardner Trask, Selectman Liaison – (Present Virtually via DCAT Connection)

Member(s) absent: Joan George
Bob Moore
Bill Nicholson
Tom Perry

Staff Present: Christopher Sanborn, Director of Natural Resources
Aaron Henry, Director, Land Use and Community Services

Media Present: None

Other:

Dan DeLorenzo called meeting called to order at 6:00pm.

The committee paid tribute to Aileen L'Abbe, long time member and Chairperson of the River Committee who passed away earlier this year, remembering her fondly for her passion and dedication for the town of Danvers and particularly the Danvers Waterfront over decades of generous service. Dan DeLorenzo asked those in attendance to take a moment to think of Aileen and all the wonderful things she's done for the Town of Danvers.

Dan welcomed the three new River Committee members, Robert Hemeon, Joe Marabito and Tom Perry.

Secretary's Report:

Carolann Powers (Admin.) was not in attendance. In her absence Chris asked the committee to accept the minutes of the November 21, 2019 & January 16, 2020 meetings

With a correction to Nov. minutes to correct that Aileen L'Abbe was in attendance

Motion: Made by Bill Fouhey, seconded by Matt Byrne, to accept the minutes of the November 21, 2019 meeting, with a correction reflecting that Aileen L'Abbe was in attendance; All in favor 6:0.

Motion: Made by Lou George, seconded by Bill Fouhey, to accept the minutes of the January 16, 2020 meeting; All in Favor 6:0.

New Business:

Aaron Henry, Director of Land Use and Community Services, spoke regarding waterfront access parcels, public access points to the waterfront in and around town. Waterfront access points were reviewed in 2018 in and around town. In the late 1990's the town had conducted in depth research regarding public access points which resulted in signage being installed at some but not all of those access points based on legal finding. Some of the signage has unfortunately disappeared over the years, which prompted reminders from the community to identify these access points. The town is currently revisiting all locations where signage was posted and is refreshing and replacing those signs. In addition, the town has applied for a grant to survey and study for these sites to create a more clear and permanent access plan for marking access points. To his knowledge all the signs are still in place except for one that was on private property where the town did not have access rights. Recently a concern was brought to the Select Board, the Conservation Commission and to Department of Land Use and Community Services staff regarding a specific encroachment of the public access point at 107 Bradstreet Ave. The town is aware of this concern and has been in touch with the homeowner to establish a plan to correct this problem. This homeowner has deviated from what they were allowed to build, and where, and this is being addressed. We understand importance of waterfront access in the community. Our next step is to take initiative to correct the problem as to not take steps back in process and identify what we can do to eliminate these concerns in the future.

Gardner Trask stated he worked in 2018 with Darryl Parker a former member of River Committee and others who drafted documents regarding public access points to the waterfront in town. He noted that Andrea Daley has shared these documents with the Select Board. He noted there are many access points that are in need of remediation and we need to be thoughtful and methodical with this process.

Joe Marabito said he is familiar with the property in question on Bradstreet Ave. and has been there to view the construction the homeowner did.

Louie George inquired with Aaron Henry regarding the friendly conversation the town had with the homeowner at 107 Bradstreet and wanted to know what the timeline was for the homeowner to rectify the problem. Aaron H. said he can't give a specific timeline but noted the Conservation Commission will hear that case and after that will have a better idea. In meantime he stated the town is working with the homeowner to find an amicable

solution. It needs to be determined if they built within the parameters of a permit issued to them or not; and in addition, it needs to be determined what is on town land. Lou G. asked if he the homeowner went off script, will he then need to come to the town to get permission after the fact. Louie asked if we are up against any timeline? Aaron H. said no.

Dan D. said Andrea Daly put together packets for all member re: what has happened with the project at 107 Bradstreet. Andrea Daly took the floor. Ultimately her group is looking to re-establish the public access right of way at 107 Bradstreet Ave. They want the fencing the homeowner installed removed from town property so townspeople can have an unobstructed route to the water. The concern with the pier and float can come at another time, but initially the fencing needs to come down so that the right of way can be 50' feet wide, as it should be, but due to his project it has been reduced to only 5 feet; which is not acceptable. She referenced the mooring fees and excise tax that the town collects from boaters and noted that they are put into a fund which, the waterways fund. Her thought was if the grant the town was seeking to improve public access ways was not received then she would like the River Committee to pursue funding from this account to be used toward establishing and maintaining public access point in the town. She suggested that the Board of Selectmen see what money would be available to use toward this. The stated the fund has been growing over the years and would like to see part of this money go toward this cause. Dan D. thanked Andrea for her insight and her time to preparing the information she shared.

Gardner Trask clarified two items that Andrea spoke to. He noted that every year each budget and department get audited and the Waterways Fund has been audited every year. He stated the primary purpose for holding money in that fund is for dredging the river. It is difficult to raise taxation and difficult to obtain enough grants which is the primary reason they hold the money in the account. The Board of Selectmen, as the chairman noted at their recent meeting, will provide River Committee with the last audited findings and any update to that document. He also stated that the River Committee does not have ability to expend funds but can petition the town to do so through Chris Sanborn and himself to the Town Manager to pursue the survey work.

The 2021 meeting calendar was discussed. It was noted that due to the ongoing pandemic the River Committee may not be able to meet in person regularly as they would need to be socially distant and within the Covid guidelines. Chris S. said the question is with the pandemic should we move forward with in person meetings or virtual meetings, noting that either way we may have members who cannot participate but it is important to make sure they have a quorum for each meeting. He also noted that there are only two approved town locations for in person meetings at this time. Reserving the space may be difficult, and in addition it must be approved by town management. Bill F. stated he would prefer in person. Joe M. agreed. Bill F. said he also thought the committee could revisit taking the months of February and March off; he noted this was done as some of the members, particularly the Chair, Aileen L'Abbe, were in Florida for the winter creating issues with a quorum, but since the majority of the committee is now local

during the winter months it may be beneficial for the committee to meet. Lou G. is ok with in person meetings and there are advantages to that, but stated on the converse there are several members who are not here tonight and cannot be here in person for a variety of reason including the fact that they are in a higher risk group regarding Covid. Also noted was that in person meetings could exclude members from participation. It was noted that participants from the public may feel prohibited from attending. Lou asked if there is an ability for hold a hybrid meeting that can be in person and remote simultaneously. Dan D. asked if the committee can hold a hybrid meeting, part live and part virtual. Gardner T. said it may need to be pursued with Town Manager for clarity regarding the hybrid option. He noted there are specific rules that must be followed for remote meetings and its member's that all votes must be accounted for in a way. He also raised a concern that not all members are technically able to participate in a virtual meeting. It was agreed that in person meetings are preferred so it was suggested the committee try to schedule the December meeting in person and in meantime find out if we can do that meeting and future meeting in a hybrid model. Dan D. asked the committee if they wanted to meet in February and March. Matt B. felt it would be prudent to continue to meet in those months, noting if there were no reason to hold the meeting they could cancel, but better to have it scheduled if needed. Dan D. agreed it was a good point. With that in mind the committee decided to plan to meet on the third Thursday of every month starting December 17th (after an answer from the town regarding the availability of a room and a hybrid option so as not to exclude members from participation).

Motion: Motion made by Joe Marabito, seconded by Matt Byrne, for the River Committee to meet on the third Thursday of each month with confirmation from the town that a room is available, or a virtual meeting could be set up. All in favor: 6:0

The committee discussed nomination for Chair and Vice Chair for the committee. Bill F. nominated Dan D. as chair, seconded by Matt Byrne and as Chairperson and Vice Chairperson.

Motion: Motion made by Bill Fouhey, seconded by Matt Byrne, to nominate Dan DeLorenzo as Chair of the River Committee. All in favor: 6:0

Dan said he was honored to serve as chair.

The committee discussed the nomination of a Vice Chair. Matt B. asked if they could nominate a member who was not in attendance. Matt said he would like to nominate Bill Nicholson for the position. Bill F. seconded Matt's nomination. Louie G. also agreed with the nomination. Matt noted that Bill has served the town, this committee and worked very closely with Aileen L'Abbe for many years and felt he would be an asset in this position. Dan D. said they could ask Bill if he is interested and confirm his response at the December meeting

Dan said he spoke to Chris S. regarding the term of Chair and Vice Chair. He felt there should be an annual nomination process for these posts to allow a rotation of the positions.

Matt B. agreed with this thought process saying he felt an annual tenure, aligning with the annual appointment of committee members at the Annual Town Meeting in May would be beneficial. The committee could nominate/elect these positions each June after those appointments. Gardner T. mentioned that this is the model the Board of Selectmen follow. Lou G. if the committee should wait on its nominations of Chair/Vice Chair until June of 2022. Matt. said no, he felt the nominations should go on now, in the interim and revisit them again in June. Dan stated it was agreed the committee would follow this model.

Chris S told the committee he has been thinking about how they can honor Aileen L 'Abbe's memory. He said he can't think of a better way to honor Aileen than to have a mooring named in her honor. The town will place a public mooring available to visiting boaters free of charge for an overnight stay in Danvers. The committee agreed this was a very fitting tribute to commemorate her dedication to the River Committee and the town's waterfront, the members spoke highly of her amazing contributions to the town and what a loss it is for the community.

Motion: Made by Matt Byrne, seconded by Lou G. to support Chris' idea to honor Aileen L'Abbe for her dedication and love of the waterfront by naming a mooring in her honor to be available to those visiting Danvers free of charge. All in favor: 6:0

Bill F. asked if in addition to the mooring could they consider another memorial such as a plaque in the harbor area so there is something more visible to those on land and not just those visiting by boat. Dan agreed that this was a great idea and suggested that perhaps a location at Popes Landing be considered for this. He deferred to Chris S. to see what the appropriate memorial process would be. Chris S. said there is a specific process in place and said that he can initiate that and will determine what can be done and will plan to move forward with the process.

Chris S told the group that 2020 proved to be the busiest year in many on Danvers Waters. Due to Covid many people cancelled vacation plans that required travel and took to the local waters. It was a challenging year for staff, but they managed it admirably. He noted they did not run Pump Out Boat this year due to Covid related health guidelines. He told the committee that Sandy beach was not staffed with lifeguards this summer due to budget restrictions and said there were no notable incidents at beach.

He shared some statistics from the season and supplied the members with a month to month comparison of this year. Service calls, citations and Waterways Fee violations for failure to pay were all up this year from last year. There were two boat crashes this year (no related injuries), one boat fire, one tragic drowning of a child in the Crane River, a sunken vessel and many citations (mostly warnings issued). Chris said it was a very busy and expects next year to be busy as well but feels they are in a good place staffing wise.

Dan D asked Chris when the committee should typically review rates for slip and mooring fees. Chris S. said he typically brings a recommendation for the proposed rates to the committee for review at their December meeting. However, this year does not feel like it is the right time to increase fees as times are difficult financially for everyone. He will confer with his leadership team to confirm that they will not be recommending any increases.

Chris Sanborn updated the committee regarding the FY22 budget for the Harbormaster's Department. He noted that Covid made things difficult budget wise, and noted they are level funding for 2022.

Chris had good news regarding the status of the 33-year-old M25 patrol boat replacement. He stated he appreciates the committees support in process of replacing the vessel. They received \$100k appropriation in FY 21. The estimated total cost of the patrol boat is \$225K. He was pleased to inform the committee that they were able to secure a used 25' surplus, safe boat defender from the Coast Guard out of North Carolina that is in great shape. They will be making some improvements to it and are very confident it is a solid platform that will serve community well for many years to come. The River Committee congratulated him on the purchase. Dan D. asked when they boat is expected to be ready for use. Chris S. is hopeful it will be in service for the upcoming boating season.

Lou G. asked what will happen to the old 25' patrol boat. Chris said it is his understanding that it will go out to auction or bid, and any funds received will go back into general fund.

Old Business:

Chris gave the committee an update on the Crane Riverbank stabilization project. He had given them a copy of the minutes from a conference call with Coastal Zone Management, CDM (the town's consultants) and town representatives regarding the status of the project. He said unfortunately most of the news is not positive. Despite that the town has been pursuing this aggressively but Coastal Zone Management has not been pleased and has not approved their plans. The town initially submitted a hybrid solution, then a plant based one and now they are requiring the town to have a lot of studies performed to see if that solution would be effective. We were trying to work with Coastal Zone Management to submit a grant application but unfortunately, they did not approve the plan in time to submit the grant and sadly the funding is no longer available. Unfortunately, the town is at a point where they have exhausted the funds allocated for this phase of the plan. The town will need to submit for a grant in 2021 with a two-year project window asking for full or most funding to include all phases of the design plan. The town continues to aggressively pursue a solution and is doing their best, despite not making a lot of progress they are not throwing in the towel.

Dan DeLorenzo updated the committee regarding the kayak storage proposal that a resident had brought before the River Committee last year. The committee had originally thought perhaps it would be a good Eagle Scout project. Dan said he has noticed that Beverly has several areas that have Kayak racks. He said it is managed by the Harbormaster in Beverly. He would like Danvers to reach out to them to learn the details and any liability concerns that they are aware of. He feels there is a need in Danvers and would like to pursue it and see what we can do. Chris S. said it could be an Eagle Scout project and if not, it could be an in-house project. The racks could be a first come first served basis and lock them up. He didn't think we would charge or take reservations for them. Joe M. said likes idea of the storage racks, but the racks and the kayaks need to be secure due to the wind concerns. Matt B. asked if he had any locations in mind for the kayak storage racks. Chris S. said Sandy Beach is likely the best spot. Lou G. liked the idea. Bill F. liked the idea but felt it should be fee based. Bob H. said he thought Salem had kayak storage racks on Winter Island and believes there is a waitlist. Joe M. said he agrees it is a good idea, perhaps have the use of the storage racks determined in some type of lottery and he also suggested limiting the length of use so others have a chance to use them; otherwise people aren't likely to give up their storage space and that would prohibit other community members from using them and accessing the river.

Matt B. asked if the harbor was all closed for the season. Chris S. said most boats are out, the town docks are out at Marina and this coming week they will pull out the remaining docks at Popes Landing.

Motion: Motion made by Matt Byrne, seconded by Joe Marabito, to adjourn the meeting of November 23, 2020. All in favor: 6:0

cc: Steve Bartha, Town Manager
David Mountain, Recreation Director