



# Town of Danvers Conservation Commission

1 Sylvan Street, Danvers, Massachusetts 01923 | p: 978-777-0001

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## Conservation Commission

### Members:

Peter Wilson, Chair  
Ann McGill  
Mike Splaine  
Vanessa Curran

## June 08, 2023 7:00 p.m. Conservation Commission Meeting

Meeting called to order at 7:00PM

Called to order by Peter Wilson, Chair. Board in attendance Peter Wilson, Michael Splaine, Ann McGill, Vanessa Curran

Staff present: Georgia Pendergast

### ***Permit Extension Request***

*7 Doty Ave; DEP File No. 14-1344*

*Applicant: Robert and Marilyn Rebal*

Staff-Order of Conditions issued to improve present pier to match Chapter 91 license. Plan to bring floats off of mud and improve pier. Applicant requires additional year to do this work. If approved, new date is July 9, 2024. Not a public hearing; abutters were not notified. Administrative matter.

Pete Clemente (presented with and on behalf of Mr. Rebal)-plans have not been changed from what was previously approved. Requesting one year additional. Anticipate starting and completing work on time with extension.

Mr. Splaine-no problem with extension.

Motion to grant one year extension for 7 Doty Ave DEP #14-1344 made by Michael Splaine. Seconded by Vanessa Curran. All in favor.

### ***Request for Certificate of Compliance***

*58 River Street; DEP File No. 14-1311*

*Applicant: Michael R. Landers, Esq.*

Michael Landers (attorney at 447 Boston Street, Topsfield)-presented on behalf of applicant which is a condominium complex. Order of conditions expired-work was never started. Buyer would like certificate of compliance resolved. Not an encumbrance but problem with regards to selling.

Mr. Splaine-no questions.

Ms. McGill-no questions.

Ms. Curran-no questions.

Staff-on certificate of compliance form, will note that work was never started.

Motion to issue certificate of compliance indicating that work was never started for DEP #14-1311 made by Michael Splaine. Seconded by Vanessa Curran. All in favor.

***Minor Modification Request***

*3 Tibbetts Avenue; DEP File No. 14-1372*

*Applicant: Margaret Kelley*

Bob Griffin (Griffin Engineering)-presented on behalf of applicant. Reviewed previously approved plans; house construction underway; foundation and structural problems discovered in the garage. Applicant would like to replace the garage. Reviewed the scope of the garage plans. Minor modifications because lot is already under construction and will not be adding to already existing disturbance. Will not increase impact to wetlands; garage will be compliant to flood zone regulations.

Mr. Wilson-garage floor at grade?

Bob Griffin-reviewed flood elevations at site and what is being proposed. Discussed plan layout of garage. Approximately 500 sf garage existing and new will be approximately 575 sf.

Staff-Commission could grant minor modification or request formal amendment with new public hearing. Under bylaw, minor modification are allowed which can be approved administratively. Field inspector visiting Tibbetts street 1-2x/week to review projects on the street. Waiver issued for original work. No further waiver required.

Mr. Splaine-rationale for not making garage higher?

Bob Griffin-garage elevation has to be similar to street based on location of garage to street.

Ms. McGill-when will construction begin? Timeframe?

Bob Griffin-housework underway. This will not extend beyond time of construction overall.

Ms. Curran-erosion controls in place?

Bob Griffin-noted erosion controls on plans. Shed in rear being removed.

Motion to issue minor modification request for 3 Tibbetts Avenue DEP #14-1372 as shown on the May 26, 2023 plan. Seconded by Michael Splaine. All in favor.

*Notice of Intent [310 CMR 10.05 (4)]  
57 River Street; DEP File No. 14-1399  
Applicant: Jonathan Penni*

Bob Griffin (Griffin Engineering)-presented on behalf of applicant. Reviewed home and site improvements applicant is proposing on the property. Discussed past work that has been done to address prior encroachment. Work includes paving; landscaping wall on property line; utility work; solar panels; water shutoff moved to street; vegetable garden. Existing deck to be reconstructed. Garage addition; cistern for roof runoff for onsite irrigation. Proposed seawall reviewed. Beach area being proposed-changing area from lawn to sand with stairs to get to sand. Landscaping improvements reviewed.

Mr. Wilson-seawall across beach area? Salt marsh?

Bob Griffin-reviewed where stairs will be in relation to beach area. Noted salt marsh areas.

Mr. Splaine-would like to go on site visit.

Ms. McGill-phragmites section? Plan to mitigate expansion? Vegetation list?

Bob Griffin-pointed out phragmites on plan. List not included with NOI but would select from coastal plant selection list.

Ms. Curran-flood zone vents in garage? Cistern flood? Review wall square footage. Does wall need building permit? Erosion prevention in beach area? Compensatory flood storage necessary for garage?

Bob Griffin-fill in flood zone and will raise garage floor so it is above elevation where flood vents are needed. Will need watertight connection for cistern. Wall approximately 150' long and 2' wide. Beach area flat and below elevation. Reviewed flood contours. Compensatory flood storage not needed-not a performance standard for this property.

Staff-wall will need to follow floodplain bylaw. Engineer will wall specifications to building inspector, who will sign off on it. Filing NOI resolved violation. Will work to schedule site walk.

Mr. Wilson-plantings to extend salt marsh?

Bob Griffin-will review.

Motion to continue DEP #14-1399 to June 22 made by Vanessa Curran. Seconded by Ann McGill. All in favor.

## **OLD/NEW BUSINESS**

- Minutes: 04/13/2020 and 8/25/2022

Staff-minutes are from 4/13/2023. Three members did not read minutes. Will continue. Will not require motion.

Mr. Wilson-new members?

Staff-new member Jonathan Gawrys as full member with 3 year term. Reviewed knowledge base and background. Mary Haight as alternate – also reviewed knowledge base and background. Will be starting at July 13, 2023 meeting. Will then have one alternate position open but will have full board with 5 full members. Reviewed current board availability for July meetings.

Motion to adjourn made by Vanessa Curran. Seconded by Ann McGill. All in favor. Meeting adjourned at 7:54PM.