



Town of Danvers Conservation Commission

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

www.danversma.gov

Conservation Commission

Members:

Peter Wilson, Chair
Ann McGill
Mike Splaine
Vanessa Curran
Jonathan Gawrys
Mary Haight

July 13, 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, Vanessa Curran, Mary Haight. Absent: Ann McGill; Jonathan Gawrys.

Mary welcomed in as new board member in an alternate role. As alternate, can ask questions and offer comments, but abstain from voting unless she would constitute a quorum.

Staff present: Georgia Pendergast

Request for Certificate of Compliance
13 Toomey Street; DEP File No. 14-520
Applicant: Richard Gilmore

Richard Gilmore (presented remotely on behalf of applicant)-reviewed that Order of Conditions from 1993 still open and would like to close out.

Staff-conducted site visit. Project built in compliance. Materials in wetlands removed. Spoke with new owners regarding future alterations.

Ms. Curran-tarps to prevent Japanese knotweed-what can be done?

Staff-fence separates maintained lawn from wetland area. Manage on lawn side but not on wetland side.

Ms. Haight-alternative to tarp to manage?

Staff-all measures can be done on lawn side without encroaching onto fence side.

Motion to issue certificate of compliance for 13 Toomey Street DEP #14-520 made by Michael Splaine. Seconded by Vanessa Curran. All in favor. Mary Haight abstained.

Request for Certificate of Compliance
27 Garfield Avenue (a/k/a Lot 39 of Hilltop Estates); DEP File No. 14-728
Applicant: Richard Gilmore

Richard Gilmore (presented remotely on behalf of applicant)-Order of Conditions from 1998; amended in 2003.

Staff-noted on plan where the property is and all properties that were part of overall conditions at Hilltop Estates.

Mr. Splaine-how are things different now?

Staff-recommending a partial COC which releases just this lot.

Motion to issue partial certificate of compliance for 27 Garfield Avenue (a/k/a Lot 39 of Hilltop Estates); DEP File No. 14-728 made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Mary Haight abstained.

Minor Modification Request

12 Colantoni Drive (Lot 6); DEP File No.14-1332

Applicant: Morin-Cameron Group

John Colantoni-informal review of 12 Colantoni Drive which was part of original conditions.

Jarret Bastys (Morin-Cameron Group)-presented on behalf of applicant. Noted original approved plan and changes needing approval to accommodate buyer's requests. Deck and patio moved to accommodate pool; changed retaining wall plan. Limit of work has not changed. 183 sf riverfront alteration was approved. Reduced to 105 sf.

Mr. Wilson-driveway new location?

Jarret Bastys-yes. Noted on plan previous location of driveway.

Mr. Splaine-reason for change?

Jarret Bastys-buyer wanted driveway in different location.

Motion to approve plan dated July 6, 2023 for 12 Colantoni Drive (Lot 6); DEP File No.14-1332 made by Michael Splaine. Seconded by Vanessa Curran. All in favor. Mary Haight abstained.

Notice of Intent [310 CMR 10.05 (4)]

152 Endicott Street; DEP File No. 14-1402

Applicant: Pete Doucet

Robert Clark (Allen & Major Associates). Presented remotely on behalf of applicant. Also present remotely Gregg Mikolaities (owner's representative). Would like to open public hearing, set up site walk and peer review and continue to July 27 meeting. Filed ANRAD, flagged wetlands and will present at next meeting.

Mr. Wilson-part of proposal is to fill wetlands and have mitigating areas. Would like to have that all peer reviewed.

Staff-if Commission agrees to peer review, will join that consultant on site walk. Will contact peer reviewers.

Robert Clark-Chalet Court is paper street and only access to site is through Chalet Court which is where filling will be.

Mary Murphy (10 Tammie Lane, Peabody)-during work, what will be done for rodent and wildlife mitigation?

Staff-for demolition, will follow all procedures including working with the board of health, pest control. Animals in the wetlands living there will stay there. Rodent control managed on site. Advised to contact Board of Health for what their process entails.

Ms. Curran-continue to July 27 or August?

Staff-July 27 if possible; August as backup.

Mr. Splaine-timeline with public hearing open?

Staff-Commission has to vote within 21 days unless applicant agrees to extend and continuances if required.

Motion for Danvers Conservation Commission to hire peer reviewer for Notice of Intent 152 Endicott Street DEP File No. 14-1402 paid for by applicant made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Mary Haight abstained.

Motion to continue public hearing for 152 Endicott Street; DEP File No. 14-1402 to July 27 made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Mary Haight abstained.

Notice of Intent [310 CMR 10.05 (4)]

154 & 170 Water Street; DEP File No. 14-1405

Applicant: Chuck Crush/New England Homes for the Deaf

Ryan Roseen (Goddard Consulting)-presented on behalf of applicant. Also present Rami Schneider (WinnDevelopment); Jesse Johnson (Civil Engineer-Weston & Sampson); Chris Macfarlane (Landscape Architect-Landworks Studio-present remotely). Reviewed existing conditions of property and easement. Noted resource areas; ORAD issued October 2022 confirming resource areas. Presented photographic images of existing conditions. Presented approved project plan. Proposing stormwater management system. No portion of building within riverfront or IBW buffer zones; no work in 35' no disturb zone. No structure in 50' no build zone. Landscape screening proposed. Noted new curb cut, parking, stormwater basin. Drive reconfigured. Work will connect to existing sewer easement. Reviewed landscaping plan. Discussed impact to resource areas. Reviewed erosion control measures to be taken. Discussed waivers being requested, alternatives that were researched, and rationale behind selections.

Mr. Wilson-permanent impacts? Separate stormwater plan?

Ryan Roseen-pointed out permanent impact areas on map. Stormwater report included in submission. Meets standards.

Ms. Haight-who maintains basins after construction is complete? What is required?

Jesse Johnson (Civil Engineer-Weston & Sampson)-reviewed number and layout of basins. Will be maintained by WinnDevelopment and NEHD. Each has standard timeline requirements for maintenance. All documents included in stormwater report that was submitted.

Mr. Splaine-review waivers in 35' and 50'.

Ryan Roseen-no work in 35'. Noted limit of work on the plan.

Staff-waivers are required for permanent new alteration. Reviewed triggers that require waivers.

Ryan Roseen-sewer line not within 35', 50' or 100' of IBW. Discussed areas to be graded and areas to be returned to existing conditions once work complete.

Ms. Curran-snow storage? Fencing/conservation medallions at 50' to keep people/debris out of that area? Timeline?

Jesse Johnson-snow storage brought into consideration when plan was designed; snow storage areas were presented during peer review; grading designed to run back into site rather than off when snow melts. Matching current closest touch points to wetlands. Matching curb lines so not encroaching further. Proposing guard rail because of grading. Estimate 2 years from start; looking to start Q4 2024.

Mr. Splaine-relief required? 40B?

Jesse Johnson-relief from height and density of units within structure.

Mr. Wilson-review photo of stumps?

Jesse Johnson-noted high tension lines. National Grid can go in. Noted easement areas.

Staff-falls under maintenance right of way. Inform staff if doing this but are allowed to do this.

Sandy Lane (Town Meeting Member Precinct 3; 17 Jacobs Avenue)-Alan Fiorente and myself are spokespeople for neighborhood with regards to this project. NEHD is great neighbor; present staff continue with this. Would like someone appointed from NEHD to get information from when project moves along and ends. Zoom meeting early July to review 6 items with NEHD and WinnDevelopment. Question presented to WinnDevelopment and NEHD-great and direct answers from team-satisfied with answers received. Concern regarding snow and do not want runoff into wetlands. Access road near stone area-will there be hot top over that?

Ramie Schneider (WinnDevelopment)-Will stay as is – portions within 200' riverfront zone.

Sandy Lane-all issues have been taken care of; good company to work with; have received prompt answers to all questions.

Ramie Schneider (WinnDevelopment)-noted that plans show snow storage locations. Winn Residential manages buildings throughout New England and works with snow removal providers. If at capacity, snow will be hauled offsite.

Sandy Lane-25 conditions on project.

Chris Farrin (8 Jacobs Landing)-100' buffer zone-concern about how steep plan is with regards to elevation and runoff into backyard and wetlands. Stormwater flow concern.

Jesse Johnson-reviewed grading and drainage plan. Drainage directed towards site; not towards wetlands or neighbors or abutters. Stormwater structures in paved areas manage this flow.

Chris Farrin-please note other area of drainage on plan. Past developers have looked at site-did they go before board? Would like there to be consistency within riverfront.

Jesse Johnson-reiterated that snow and melt and runoff always will go back towards project site.

Staff-not aware of past applications. Wetlands Protection Act standards would always apply.

Motion to close public hearing for 154 & 170 Water Street; DEP File No. 14-1405 made by Michael Splaine. Seconded by Vanessa Curran. All in favor. Mary Haight abstained.

Motion to issue waiver for temporary work proposed to be done in the 50' and 100' zones. If work needs to be done in the 35' zone, applicant would need to come back to Commission made by Michael Splaine. Seconded by Vanessa Curran. All in favor. Mary Haight abstained.

Motion to issue order of conditions for 154 & 170 Water Street; DEP File No. 14-1405 with special condition of medallions/placards as discussed made by Michael Splaine. Seconded by Vanessa Curran. All in favor. Mary Haight abstained.

Notice of Intent [310 CMR 10.05 (4)]
130R Water Street; DEP File No. 14-1403
Applicant: Wendy Cheever

Bill Manuell (Wetlands and Land Management)-presented on behalf of applicant. Portion of seawall at Liberty Marina has failed and needs to be rebuilt. Reviewed prior structure of wall and existing conditions. Tie back rods in debris of timber wall. Will drive sheet piles (corrugated steel generally 3' wide and have receiving and joining ends so piles slide into each other) and tie into existing sheet pile.

Mr. Splaine-work tide sensitive? Where does fill come from?

Bill Manuell-Best to set at low tide. Reviewed construction process in full with corresponding plans. Will amend Chapter 91 license to show new structure and materials; will need approval from Army Corp of Engineers. Approval from ConCom is first step. Bring in clean fill.

Mr. Wilson-why steel wall instead of concrete blocks?

Bill Manuell-ease of installation. Concrete blocks require more excavation; more intrusive.

Mr. Splaine-process used anywhere else? Is this less expensive?

Bill Manuell-one section of this steel already exists. Concrete popular for residential use. Steel will need to be coated. Process is what marine contractor suggested as best way to stabilize slope. Will ask regarding longevity and follow up.

Ms. Curran-further into river than existing wall? Will going further out be part of modifying Chapter 91?

Bill Manuell-approximately 1'. Did not want to go right on top of timber footprint. Anything seaward of mean high water line requires license. Division of Marine Fisheries will weigh in and comments will be shared.

Ms. Haight-image of what it will look like?

Bill Manuell-looks like one continuous wall along waterfront.

Motion to continue public hearing for 130R Water Street; DEP File No. 14-1403 to July 27, 2023 meeting made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Mary Haight abstained.

Notice of Intent [310 CMR 10.05 (4)]
12 Jacobs Landing; DEP File No. 14-1404
Applicant: Edward & Cathleen Reed

Bill Manuell (Wetland and Land Management)-presented on behalf of applicant. Ed and Cathleen Reed also present. Elevated pier, ramp and float project. Have been to site with harbormaster and staff; reviewed feedback which is incorporated into design. Prefabricated aluminum sections. Pier 170' long. Pile boxes 42.5' between piles. Ramp 40' long with two floats- one is 8' x 12' that ramp lands on; 20' x 5.2' on outboard. 3' water under float inboard and 5' water outboard at low tide. Boat will not touch bottom at low tide. All work done off of a barge. Do not have marine fisheries comments yet so will have to continue. Favorable letter from harbormaster. Floats are 200 sf. Providing 6' clearance to salt marsh elevation.

Mr. Splaine-clearance for navigation underneath pier? Clearance standard? Closest pier to this one? How much stored during winter?

Bill Manuell-low tide is mudflat. High tide roughly 2'-4' closest to land. During mid-tide, person could row under it. 76' separation to adjacent float. Reviewed feedback provided from harbormaster. During winter, pier stays; ramp hoisted; floats moored offshore.

Staff-5' above mean high. Chapter 91 license number to be posted.

Tripp Knox (11 Jacobs Landing)-owner of pier next to applicant. No objections to pier going in.

Motion to continue 12 Jacobs Landing; DEP File No. 14-1404 to July 27, 2023 made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Mary Haight abstained.

Amendment Request [310 CMR 10.05 (4)]
9 Tibbetts Avenue; DEP File No. 14-1338
Applicant: Brian LeBlanc

Motion to continue 9 Tibbetts Avenue; DEP File No. 14-1338 to July 27, 2023 made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Mary Haight abstained.

OLD/NEW BUSINESS

- *6.08.2023 Minutes*
- *6.22.2023 Minutes*

Staff-minutes to be addressed at next meeting.

Motion to adjourn made by Vanessa Curran. Seconded by Michael Splaine. All in favor. Meeting adjourned at 8:50PM.