



**Minutes of
Danvers Conservation Commission
Thursday, April 9, 2015
Danvers Senior Center**

The Danvers Conservation Commission held a public meeting on Thursday, April 9, 2015, at the Senior Center, 25 Stone Street, Danvers, MA 01923.

Members present: Jeffrey Cary, Chairman
Neal Waldman, Member
Matthew Lallier, Member

Members absent: Michael Splaine, Vice Chairman
Bill Glynn, Member

Staff present: Kristan Farr, Planner
Christine Marshall, Secretary

Mr. Cary opened the Conservation Commission meeting at 7:02 p.m. with a reading of the "Commission Statement."

Request for Certificate of Compliance

- **150 Andover Street; DEP File No. 14-1236**

Peter Pommersheim from Meridian Associates was present, representing MRS Management, the owner of the Danvers Indoor Sports Facility. In January of 2014, the Commission issued an Order of Condition for construction of an addition, expansion of parking lot, expansion of storm water basins, and other associated utilities on the site. The site walk was conducted; a few members walked the site. The work was completed in accordance with the Order of Conditions. Mr. Cary asked about some snow that was plowed near a wetland area. There were no other questions or concerns.

Mr. Lallier made a motion to issue a Certificate of Compliance on 150 Andover Street; DEP File No. 14-1236; Mr. Waldman seconded; and the motion carried unanimously.

Public Hearing - RDA

- **10 and 20 Archmeadow Drive; DCC File No. 2015-1**

Paul Dewsnap of Dewsnap Engineering and Dave Flewelling of Comcast were present. Mr. Dewsnap reviewed the plan for Comcast to place underground conduit to service buildings at 10 and 20 Archmeadow Drive. The conduit will run along the established grass area. It will not go into the wooded area, and will be approximately one foot from the pavement. There will be vaults at the intersections. The trench will be one foot wide and approximately 24-30 inches deep. Soil will be cast to the pavement side when digging the trenches. Mr. Waldman asked about the timing of the project, and Mr. Flewelling expects it to be complete in one to two weeks. Mr. Cary asked about the equipment that will be used, and Mr. Flewelling indicated a small backhoe and hand digging. A Notice of Intent is



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not needed. No maintenance required, no chemicals. The project consists of coaxial cables placed in the conduit.

Mr. Waldman made a motion to issue a negative RDA on 10 and 20 Archmeadow Drive; DCC File No. 2015-1; project requires use of straw wattles; Mr. Lallier seconded; and the motion carried unanimously.

Public Hearing - NOI

- **17 Florence Street; DEP File No. 14-1258**

Renee McDonough from Goddard Consulting presented the proposed redevelopment of 17 Florence Street for the applicant, Paul Fitch. It is a Notice of Intent for a small four family project at 17 Florence Street. Ms. McDonough reviewed the existing conditions plan and the proposed conditions plan.

Ms. McDonough reviewed the existing plan at 17 Florence Street consisting of a doctor's office building and two sheds, parking lot, driveway to sheds, and lawn out to the salt marsh. This area is between Route 128 and the Porter River. Ms. McDonough pointed out the salt marsh along the river, 25 foot and 35 foot buffer zones, and the 100 year flood zone.

Ms. McDonough discussed the proposed plan to join 22 Hardy Street and 17 Florence Street, to create a new lot, which will then be divided again. Each lot will contain a two family home, each unit with a garage, two pervious asphalt driveways leading to the homes from Florence Street and Hardy Street. Most of the work being proposed will be between the 100 and 200 foot buffer zones. There will be no native trees removed. Some small Norway maple trees will be removed for placement of the driveways and buildings.

Ms. McDonough reviewed the regulatory compliance with regards to this project. Because there is an existing building, this project will be filed under the redevelopment standards under the State 310 CMR 10.58 Parts A-E:

- CMR 10.58 (A) – states that the project must be an overall improvement. Ms. McDonough described the proposed plan to be a much nicer looking area and with the added mitigation area, it will improve the wildlife habitat.
- CMR 10.58 (B) – Storm Water Management. This project falls below the requirement for storm water management because it is a four family project; however, infiltration trenches for each building will be provided to reduce storm water runoff.
- CMR 10.58 (C) – The project should not be closer to Porter River. In the proposed project, the pavement will be about 35 feet closer to the river than the existing pavement.
- CMR 10.58 (D) – The project should be outside the riverfront area, if possible. Because most of the property is in the riverfront area and in order to fit both houses, it will be located in riverfront area.



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- CMR 10.58 (E) – There shouldn't be an increase in degraded area; there will be a slight increase by 362 square feet plus 35 square feet for a total of 397 increase in degraded area.

Ms. McDonough explained that if standards C through E do not apply, there should be at least 400 square feet of mitigation area. The proposed plan is for 4,900 square feet of mitigation. Ms. McDonough described the proposed planting plan which are salt tolerant shrubs, and believes it will be a more beautiful site. Ms. McDonough explained that typically with a riverfront area project, an alternatives analysis is done. Ms. McDonough's interpretation of CMR 10.58 4(C) is that the alternatives analysis is required for a redevelopment project; and because this is an existing development, she believes that is not applicable to this project. Ms. McDonough summarized with work being done inside the erosion control barrier, outside riverfront area as much as possible, and the native plantings will improve the wildlife habitat in this area.

Mr. Waldman asked for clarification of the net increase or decrease of impervious area, and Ms. McDonough described 397 square feet of more impervious area, which will be mitigated by the 4,900 riverfront mitigation area. Mr. Waldman also asked about turning the building proposed for 22 Hardy Street to be more horizontal, therefore, out of the buffer zone. Ms. McDonough will look into that recommendation.

Mr. Cary discussed the RDA proposal that came before the Commission two years ago. The Commission had walked the site a few times, and the site is pretty undisturbed. Mr. Cary believes with the 100 year flood zone, the regulations are to be strictly adhered to, which is a major concern. The 100 year flood zone is the current FEMA flood zone, which is elevation ten. The mean high water was flagged, which the elevation is 4.32. Mr. Lallier asked about the pervious pavement, and Ms. McDonough described the pervious pavement as having holes/pores in it. The water goes through it, and it doesn't freeze when it goes through the driveway. There are no concerns with runoff. Mr. Lallier asked how the project is considered a redevelopment. Ms. McDonough described the changes to the property, and there are buildings or pavement on each new lot. Mr. Cary asked if there should be two Notices of Intent, and Ms. Farr explained that this project does not require two Notices of Intent. Mr. Lallier asked about the garages, and why one building has the garage underneath and the other does not. Ms. McDonough does not know why the buildings were designed this way.

The Commission needs time to look closely at the project and conduct a site visit. The site visit is scheduled for Wednesday, April 15, 2015 at 6:00 p.m.

Mr. Cary opened the hearing up to public comment. Jim Morose, 20 Hardy Street, asked about the definition of redevelopment vs. new development. Ms. McDonough will look into that question. Ms. McDonough described their interpretation of redevelopment at 22 Hardy Street because it has some pavement on it and a sewer line runs through it. All existing structures are on 17 Florence Street. Mr.



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Morose also questioned the 100 year FEMA maps, and questioned the elevations of 9.4, 10, and 9.6. Mr. Cary asked Ms. McDonough to resubmit the plan with spot elevations for verification. The plans will be compared from two years ago until now for the buffer zones and elevations. Mr. Morose also asked about the 35 square feet of frontage. Ms. McDonough explained their discussions with the Planning Board with regards to zoning, and the hearing with the Planning Board is on April 28th. Mr. Morose spoke of the property line in question, his garage being on the lot line at 22 Hardy Street, and his use of part of this property for 40 plus years. Mr. Cary asked about the 35 square foot area, which is owned by the town and will require an easement. This area is well inside the 100 foot buffer zone, and may require a separate NOI. Ms. Farr will discuss this question with DPW and Engineering. Mr. Lallier would like see the garage under the building at 22 Hardy Street, compressing the footprint of the home.

Michael Duffy, 18 Hardy Street, asked about redevelopment, when 22 Hardy does not exist right now. If buildings will be torn down, how is it redevelopment. Mr. Cary does not think that 22 Hardy qualifies for redevelopment, and the Commission needs clarification of redevelopment. Mr. Lallier also feels that the changes are substantial, and does not know if it will qualify as redevelopment. Mr. Duffy discussed the project coming before the Commission several times, and questioned the movement of the buffer zones. Mr. Cary has requested a new plan of elevations for comparison. Ms. Farr explained that the same engineer was involved two years ago and now, and the Town Engineer will look at the plans and comment. DEP will also comment on the project. FEMA does have new flood maps, which may be why the flood zones are different. Every wetland scientist has their own tweak on the line and it is subjective, but they all have to conform to guidelines, which could account for some of difference. Mr. Duffy has seen the water coming up near the existing sheds during high tides and Nor'easters.

Pete Clement, 9 Jersey Lane, asked if anyone could go to the site visit on Wednesday night. Ms. Farr explained that is up to the property owner. Ms. McDonough will ask the property owner for permission.

Mr. Lallier when comparing the two maps, asked about the property lines. Ms. McDonough explained joining the two lots and then dividing the lot again. Mr. Lallier asked if this could be done as one lot. Mr. Cary believes the reason to re-divide is because of the two driveways. The Planning Board will vote on April 28th on the lots being joined and then re-divided.

Mr. Cary explained that everyone is welcome back to the next meeting; the public hearing will be continued to April 23, 2015, Ms. McDonough will submit a plan with the spot elevations and prepare a report of the other questions. The next meeting will be at Town Hall.

Marilyn Rebal, 7 Doty Avenue, is concerned with the flood waters in that area, and access to Hardy Street. She is very concerned about the low land, which is susceptible to flooding. Mr. Cary explained that they need to look at the area of the driveway for 22 Hardy Street, and file again for the easement and verify that that area is not in the flood zone.



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Mr. Waldman made a motion to continue the public hearing to April 23, 2015 at 7:00 PM, with a site visit on April 15, 2015 at 6:00 PM; Mr. Lallier seconded; motion passed unanimously.

New Business – Ms. Farr is looking for an Open Space Committee liaison. Mr. Lallier volunteered to serve on the Open Space Committee, which meets once per month on Thursday at 6:00 PM.

Mr. Lallier made a motion to adjourn at 8:15 PM; Mr. Waldman seconded; motion passed unanimously.

Respectfully submitted,

Christine Marshall
Conservation Commission Secretary