



**Minutes of
Danvers Conservation Commission
Thursday, May 26, 2016
Danvers Town Hall**

The Danvers Conservation Commission held a public meeting on Thursday, May 26, 2016, at the Danvers Town Hall, Daniel J. Toomey Hearing Room, located at One Sylvan Street, Danvers, MA 01923.

Members present: Matthew Lallier, Chairman
Michael Splaine, Member
Neal Waldman, Member
Peter Wilson, Member
James Elliott, Member
Jean Hartnett, Alternative

Staff present: Karen Nelson, Director of Planning and Human Services
Georgia Pendergast, Planner
Alicia Linehan, Secretary

Mr. Lallier opened the Conservation Commission meeting at 7:00 p.m. with a reading of the “Commission Statement.”

1. Certificate of Compliance

- **107 Bradstreet Avenue; DEP File No. 14-1125**

Joe Skomurski, the applicant, wanted to obtain a certificate of compliance on work that was completed in 2008. It consisted of lifting the home, pouring foundation and lowering the home again. A site visit was conducted some time ago on completed work.

MOTION: Mr. Waldman made a motion to issue a Certificate of Compliance on 107 Bradstreet Avenue DEP File No. 14-1125; Mr. Wilson seconded the motion; motion passed unanimously.

2. Continued Public Hearing – Notice of Intent

- **155 Hobart Street; DEP File No. 14-1270**

Representing the applicants were Scott Cameron of The Morin-Cameron Group, Inc., Brian Madden of LEC Environmental Consultants, Inc. and Attorney Nancy McCann of McCann & McCann, P.C.

A 2 hour site walk was done after last meeting. All viewed the site where the bottomless box culvert will be installed over the stream channel. Comments were received from engineering division. None of these comments will change the layout of the project. The abutter’s comments received responses. Also submitted were cross sections of the replication areas proposing and photos of what the representative of what the crossing structure will look like. Will be presented to Planning Board the second week of June.



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Brian Madden of LEC Consultants went out to the site in early May to conduct soil pit in the proposed replication areas. 2 plots were selected in north and south area. The cross section presents the proposed grades. The purpose is to be sure intercepting hydrology appropriately based on observations in the soil profile. Within the northerly area documented season high water at 20 inches below the existing surface. Areas are relatively narrow in nature. Areas selected to avoid impacting trees. Excavation will be 6 inches below seasonal ground water and add a mix of topsoil and clean compost. The elevation changes from north to south. Within the southerly area is it flatter in nature. Documented seasonal high water at 16 inches. Will add 12 inches of soil and grade into the area. Cross sections show profile within the selected plots.

Presented were photos of proposed structures, open box and box culvert replicates the plan. Impacts are relatively relative in nature. Reinforced silt fencing will be installed to help protect the wetlands stream system within the interior area during construction. The height is from 4-5 feet, and precast footings are down 4 feet. This can all happen in 1-2 days. The wall system would be in a linear fashion that will lessen the Impacts in the buffer zones. The span would be 14 feet in width, an 8 foot swath would not be touched. The wall above would be about 13 feet. The structure will be concrete rather than an aluminum structure because it will require less maintenance, and long-term life structure.

The concern is impounding water and changing something hydraulically with the wetland. Mr. Cameron confirmed not the case with this structure. The footprint impact would be about the same. The span would be shallower to achieve the same ratio. The utilities to neighbors, sewer drain in the center, manhole with ejector pipes outside of the buffer zone, gas line on side of road, conduits on the shoulder of the road.

The replication will be creating a wetland from an upland. 10 trees and 160 shrubs will be planted and the wetlands soils are saved and moved.

Habitat study - an assessment of the wildlife within each wetlands area was conducted in January and March. A determination that within the project there were no unique wildlife within that area. Took a look at the crossing design and how it will impact habitats. Habitat must be able to move through and around the structure. This structure meets the requirements.

Amy Maxner, a direct abutter, asked if bylaw requires mitigation for the no disturb zone impact. Aside from wetland replication is there a separate requirement for creating no disturb zone somewhere else within buffer zone? It is something that is worked out and not required.

Mr. Cameron stated that the next steps are making minor plans in order to address the engineering proposal. This will then be presented to the Planning Board, second week of June with a close to finish plan. Will look at the possibility of a bigger culvert and present findings to the Committee.

MOTION: Mr. Waldman made a motion to continue the Public Hearing of 155 Hobart Street, DEP File No. 14-1270 to June 9th; Mr. Wilson seconded the motion; all in favor

3. Public Hearing – NOI

- **43 Massachusetts Avenue; DEP File No. 14-1271**



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Kyle Lally of Hancock Associates representing for the applicant Joe Palladino. Project is a 31x24 foot addition to the back of the existing home. Add a 1 and ½ story addition and within 75 feet from the resource area. Providing proper salutation barriers. The oil tank will be relocated to side of existing garage. Creating 744 square feet of impervious surface. No need for a site visit. No run off to the brook, very flat land. Small filter socks will be used.

MOTION: Mr. Splaine motioned to issue an Order of Conditions; Mr. Neal seconded the motion; all in favor

4. Continued Public Hearing – Notice of Intent

- **10 Princeton Street, DEP File No. 14-1272**

Applicant cancelled prior to meeting. Continued to June 9th.

5. Certificate of Compliance

- **105 Andover Street, DEP File No. 14-1229**

Continued to June 9th.

6. Public Hearing – RDA

- **3 Braman Street; File No. RDA 2016-02**

Mr. Axelrod wants to attach a garage about 70 feet from water to the existing home. The entire area is currently tar where garage will be built is currently tar. The yard shows signs of erosion. The house has gutters with downspouts placed in pipes that run to the back of the land to eliminate erosion. The same would be placed on the garage. There is a concern with drainage and erosion. This may be an opportunity to improve the overall. Mr. Waldman is suggesting any run off into a French drain.

MOTION: Mr. Waldman makes a motion to close the public hearing with a negative determination and impose a series of conditions for erosion control including a French drain and a site visit.
Mr. Elliot seconded the motion; all in favor

7. Minutes

MOTION: Mr. Waldman made a motion to approve the 5/12/16 minutes; Mr. Splaine seconded; all in favor

8. New Business

- **95-R Centre Street**

A complaint was made by a neighbor of Alan Weeks regarding debris, a wood pallet with a cage, which he has placed within the wetland. Ms. Pendergast handed out pictures of the wetland debris for board members to see.



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Mr. Weeks stated that the pond, a vernal pool, has been there for 100 years. It contains frogs and salamanders and dries up by mid-July. The pallet in the water is for his grandchildren to stand on to view the pollywogs. And the cage next to the pallet is to make them think they are catching pollywogs. There are a couple of seasonal streams that run into the pond. He didn't feel as though he was causing any disturbance to anything within the pond can fit through the holes in the cage and the pallet. Ms. Pendergast did clarify that it is not a certified vernal pool.

MOTION: Mr. Splaine made a motion of no action with requirement of cage removed immediately and the pallet on August 1, 2016; Mr. Waldman seconded; all in favor.

9. Staff Updates

- **107 BradStreet Avenue; DEP File No. 14-1269**

Georgia and Kristan conducted a site visit on 5/22/16 of the rebuilding of the wall and in accordance with the Order of Conditions.

- **Swampwalk**

Extended order to build an observation deck, half on land & half In water. The work would begin next month. Currently the swamp walk can't be used because it is under water. There is 215 feet of deck that got pushed out. It is due to snow, not beavers, the footings aren't footing but sharpened 4x4s. Public works has made recommendations and observation deck will be built over the existing swamp walk. There is some grant money. Swamp walk will be open the end of July. All Commission Members are invited to on June 19th to breakfast at Chuck's at 8:00am followed by a walk at 9:00am.

Adjournment

MOTION: Mr. Splaine made a motion to adjourn at 9:00 PM; Mr. Waldman seconded; motion passed unanimously.

Respectfully submitted,

Alicia Linehan
Conservation Commission Secretary