



**Minutes of  
Danvers Conservation Commission  
Thursday, May 28, 2015  
Danvers Town Hall**

**The Danvers Conservation Commission held a public meeting on Thursday, May 28, 2015, at the Danvers Town Hall, Daniel J. Toomey Hearing Room, located at One Sylvan Street, Danvers, MA 01923.**

**Members present:** Jeffrey Cary, Chairman  
Michael Splaine, Vice Chairman  
Bill Glynn, Member  
Neal Waldman, Member

**Members absent:** Matthew Lallier, Member

**Staff present:** Kristan Farr, Planner

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

**Request for a Partial Certificate of Compliance**

- **25 Bradley Road, Lot 23 (5 Hilltop Road); DEP File No. 14-728**

David Trueira, 5 Hilltop Road, was present, regarding Lot 23 of the Folly Hill/Hilltop development. Mr. Trueira’s has sold the home and the real estate closing was on March 6, 2015. Mr. Trueira explained the confusion on the wetland area of this subdivision. 5 Hilltop Road is at the top of a hill and not in the buffer zone. The buyer’s attorney withheld \$3,500 until a Certificate of Compliance is received. The original permit was for a 40 lot subdivision, and Ms. Farr explained that not all of these lots were in the buffer zone. Mr. Trueira petitioned the State because there was a superseding Order of Conditions and the State released this one lot.

There was discussion regarding the original Notice of Intent for the entire subdivision, including all lots and the road. The Commission is concerned about the entire development meeting the requirements of the original Order of Conditions. Mr. Cary is concerned about voting on a Certificate of Compliance without the opportunity to review the documentation from the original Order of Conditions. Mr. Cary did not serve on the Conservation Commission when this project was approved. Mr. Splaine recommended pulling the original file and reviewing the Notice of Intent and Order of Conditions before another resident in the development requests a Certificate of Compliance. Ms. Farr explained that it could be five years before another applicant comes before the Commission. Mr. Cary asked Ms. Farr, as a standard procedure, to provide to the Commission a summary of the Notice of Intent, one copy of the plan, and the Order of Conditions when a Certificate of Compliance is presented.

**MOTION:** Mr. Splaine made a motion to issue a Partial Certificate of Compliance on 25 Bradley Road, Lot 23 (5 Hilltop Road), DEP No. 14-728; Mr. Waldman seconded; and the motion passed by a vote of 3-1.



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**Public Hearing - NOI**

- **17 Florence Street; DEP File No. 14-1258 – Applicant requested to continue until June 11, 2015**

**Violations**

- House on the river; 15 Mead Street; on floats; possible pilings. Ms. Farr noted that the pier and patio are permitted. There are two new pilings that are not permitted. Chapter 91 was discussed, along with what permits are required. The original pier was permitted by the Conservation Commission. Mr. Cary would like to review the original Notice of Intent, and feels that the enforcement is taking too long. Mr. Cary would like Ms. Farr to ask the Building Inspector about a building permit for this house on the river.

**MOTION:** Mr. Glynn made a motion to have Ms. Farr investigate the legalities of the house on the river and provide the Commission a copy of the original Notice of Intent and approved plan to possibly issue a violation warning; Mr. Waldman seconded; and the motion passed unanimously.

Discussion continued about the house on the river. The Commission would like Ms. Farr to issue the violation letter within the next two weeks.

- Condos at the end of River Street. Mr. Glynn would like the Commission to look at the original Order of Conditions before they come back for the Certificate of Compliance. Ms. Farr suggested doing a site visit with the plans in hand. A site visit was scheduled for Saturday, June 20<sup>th</sup> at 8:30 a.m.
- Andover Street Church – Mr. Glynn reported that the access road is a mess. The access road is in the Conservation Commission jurisdiction.
- Garden Street – Mr. Glynn asked about a big house going up south of the industrial development. This property runs next to the stream. It is 2-3 houses down from the gym. It might be one that was permitted for handicapped access.

**Adjournment**

**MOTION:** Mr. Glynn made a motion to adjourn at 8:00 PM; Mr. Waldman seconded; motion passed unanimously.

Respectfully submitted,

Christine Marshall  
Conservation Commission Secretary