



**Minutes of
The Danvers Conservation Commission
Thursday, August 22, 2013
Danvers Town Hall**

The Danvers Conservation Commission held a public meeting on Thursday, AUGUST 22, 2013, at the Danvers Town Hall, Daniel J. Toomey Hearing Room, located at One Sylvan Street, Danvers, MA 01923.

Members present: William Glynn, Chairman
Neal Waldman, Member
Michael Splaine, Member
Jeffrey Cary, Member
Tom Manuel, Member

Members absent: Lisa Austin, Member
Matthew Lallier, Member

Staff present: Kristan Farr, Planner
Janell Powers, Secretary

William Glynn opened the Conservation Commission meeting at 7:05 p.m. with a reading of the "Commission Statement."

New Business:

Farr stated that there is no new business. Glynn asked if there was any new information on the Commission going down to 5 members? Farr stated that Nelson will meet with Marquis and decide what they want to do about the 5 member request.

Minutes

May 23, 2013; June 13, 2013; June 27, 2013; July 11, 2013; July 25, 2013; August 8, 2013

Splaine motioned to approve of the meeting minutes above subject to minor clerical corrections. Waldman seconded. Manuel voted nay. Cary was in favor. Glynn was in favor and the motion carried.

Request for Certificate of Compliance:

161 Elliott Street; DEP File No. 14-1141

Alan Roscoe from Hancock Associates and the applicant was present to request the Certificate of Compliance. Roscoe stated that this was a very tough project. They met all requirements for water quality, volume & storage. He presented the as-built. There are some minor differences. The major one, the type of construction was changed. They did geo-piers. It was originally going to be on slab. The grades are much more gradual. There is a slight increase in pavement. There is approximately 5,000 – 6,000 square feet more of pavement. They still comply with the storm water management requirements. All of the basins are vegetated. The foundation changed. Because it wasn't as steep, they paved an additional 5,000 square feet, they had to grade off the back edge. They paved a lot closer to the edge. Farr suggested that there should have been an amendment. Roscoe stated that it was a fairly complicated project. It's about an acre of paving, Manuel stated. Normally, for any

changes to an Order of Condition, there is a request for an amendment. The neighbor appealed it to DEP. Manuel would like to wait another season to see what happens. Glynn stated that the two lagoons are full of water in the pictures that Roscoe has provided. Roscoe stated that they designed the storage below the outlet, they do drain, these pictures were probably taken after a heavy rain storm. Farr stated that they have to go to DEP for a COC also, and told the Commission that we are only issuing under the bylaw. Cary wasn't present for this, he asked if this was pre-disturbed land? Manuel would like to have a site visit. Splaine asked if there was a hardship and that they needed the Certificate of Compliance today? Roscoe stated no. Cary asked for the proposed and actual paving to be flagged for a site visit.

They scheduled a site visit for Thursday, August 29, 2013 at 6:00 p.m.

Manuel motioned to continue the public hearing until the next meeting of September 12, 2013 and schedule a site visit for Thursday, August 29, 2013. Splaine seconded. All others were in favor and the motion carried.

Continued Public Hearing [310 CMR 10.05 (4)] – NOI
108 Water Street; DEP File No. 14-12__

The applicant requested to continue this hearing until the next meeting.

Continued Public Hearing [310 CMR 10.05 (4)] – NOI
7 Colgate Street; DEP File No. 14-1231

Applicant, Michael Gordon, was present to discuss the proposed swimming pool. Gordon stated that he would like to install an in ground pool. Gordon had the engineer cut down on the apron. They took about 22% away. The apron is about 5 feet away from the 35 no disturb. The location of the filter is on the plan now. The filter has a secondary bowl that catches anything until it gets discharged into the ground. It will flow across the grass. The filter will be in a concrete pad. Manuel asked what they will do in the winter when they will drop down some of the water. Manuel stated that he would prefer that the shed out of there, but, it is old and it is staying there. The Commission was happy with the changes that Gordon made to the plan.

Splaine motioned to approve the Public Hearing for 7 Colgate Street; DEP File No. 14-1231 and issue an Order of Conditions. Waldman seconded. All were in favor and the motion carried.

Public Hearing [310 CMR 10.05 (4)] – NOI
58 River Street; DEP File No. 14-1232

Mr. Martignetti, Applicant, Danvers Riverview LLC was present to discuss the proposed wharf wall replacement. Bill Manuell was also present to represent for the applicant. Bill Manuell stated that the wharf wall has gone down hill fast. They thought they were going to just sure it up by repairing what is there. Mr. Martignetti was present and stated that they are looking for long term stabilization. Bill Manuell stated that they are proposing a sloped granite type wall, similar to across the river, one to one. It would end up behind the wall that is currently failing. Bill Manuell stated that the existing wharf wall will stay in place during construction. They will excavate as needed, place geo fabric and place stone. The toe will be on the existing. They will do the entire wall the same way. They will then pull out timbers. All work being done is behind grade. The steel will be seaward, there will be roughly 8 feet between the building and the wall. The closest point to a building is 12 feet. They are proposing 320 square feet of wall. They will try to pull the timbers, if it doesn't work, they will cut the timbers off at grade. He showed the picture. Bill Manuell stated that you will get a more stable bank. Farr stated that it is still under review with DEP. There is an existing Chapter 91 license. They will have to file for a new license when they receive their Order of Conditions.

Jean Argento, works as Attorney for DEP Danvers Resident asked for clarification of ? Bill Manuell showed the drawing to Jean Argento and Pete Clement. Pete Clement, 9 Jersey Lane asked for clarification of the rip rap. Bill Manuell showed him on the plan. Bill Manuell stated that the whole storm water design was designed to meet the storm water management regulations.

Pete Clement wanted to double check that the rip rap will be the same as what's there. Bill Manuell clarified yes. Martignetti stated that there will be a cap on the wall. Bill Manuell stated that they could leave the rail where it is at. They will use 4 ton stone at bottom and make it smaller as it goes up. It is a placed wall. Tom Manuel stated that he was down at the site and there are 2 piles of dirt, and a pile of stone. They look like removal. They are at least 50 yards each pile. There are no covers on the piles. They have erosion controls on the back side of it. Bill Manuell stated that they have been doing site monitoring throughout.

Jean Argento, 41 River Street, stated that there is always run off to the river. Argento stated that the trucks are in and out all day. Martignetti stated that he purposely blocked off the end with hay bales to hold the water. Tom Manuel asked what the time frame was on this project. Bill Manuell stated that the water ways Chapter 91 could take $\frac{3}{4}$ of a year, it is a lengthy process. Tom Manuel asked if they can get rid of the piles or stabilize them and make sure that runoff to the street is prevented. Bill Manuell stated yes.

Splaine motioned to issue an Order of Conditions for 58 River Street, DEP File 14-1232, remove soil and prevent runoff to the street. Waldman seconded. All were in favor and the motion carried. Manuel abstained. DEP has not commented as of yet.

Adjournment:

Splaine motioned to close the meeting and adjourn at 7:55 p.m. Waldman seconded the motion. All were in favor and the motion carried.