



Projects:\5590\Fenn School\NOI

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July 31, 2020

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**Subject: DEP File No. 137-1534 | Additional Information - Notice of Intent for Proposed Seasonal Floating Dock at 767 Monument Street, Concord, Massachusetts | Fenn School - Applicant**

Dear Commission Members:

With collaboration from the Fenn School, Inc. ("Fenn School"), Epsilon Associates Inc. ("Epsilon") submits this additional information package in response to comments made during the July 22, 2020 Public Hearing and written comments submitted to the Commission through July 22, 2020. Following are the questions / comments / topics regarding the proposed seasonal dock relative to the Wetland Protection Act and Concord Bylaw in *italics* typeface followed by our response in normal typeface.

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The Fenn School seeks to be a good steward of their lands including the waterfront. As described in the NOI and the Public Hearing, this dock and ramp is proposed to protect the riverbank from repeated traffic over the bank to launch and land canoes. The attached draft Seasonal Dock Management Plan presents the dock installation and removal procedures, off-season dock and canoe storage outside of wetland jurisdictional areas, plus measures to manage the waterfront in manner to keep in clean and free of debris.

*Develop a "management plan" for installing and removing the seasonal dock and use of the waterfront area.*

See the attached draft Seasonal Dock Management Plan.

*Show or note the off-season storage area of the seasonal dock sections and canoes.*

The dock sections, gangway and canoes will be stored outside of the 100-foot buffer Zone and Riverfront Area off-season. See the attached draft Seasonal Dock Management Plan.

*The seasonal dock is expected to collect floating debris. How will the school address that issue?*

The school's facility staff will inspect the dock on a regular basis, at least three times per week, and will remove the debris. Trash will be removed from the river for proper disposal. Organic matter (e.g. leaves and sticks) will be deposited in the river downstream from the dock so that nutrients and organic matter are not removed from the river ecosystem.

*Will the dock be used by the summer camp program?*

Yes, it is expected that canoeing will be offered to summer campers. The increased use of canoes supports the need for the seasonal dock to minimize traffic over the riverbank to launch and land canoes.

*The river is narrow and the floating docks will obstruct the river and interfere with wildlife movements.*

The river is approximately 135 feet wide at the easterly edge of the dock and wider to the west. We have re-oriented the dock so that it is parallel with the shoreline and now extends approximately eight to 12 feet into the river. Leaving over 120 feet of unobstructed river corridor.

*What are the number of canoes to be used by Fenn School?*

The number of canoes is based on programming. An entire class or camp group along with the accompanying and trained adults will use the canoes (and dock) during a single session. A class tends to have 14 to 16 students; thus 8 to 10 canoes would be used during a session, assuming two students per canoe. A fair limit to Fenn's canoe count is 22 which allows for two groups to be on the water at one time plus two canoes with adults and a safety canoe on shore.

*What is the master plan for 676 Monument Street and will other support structures be added in the canoe launch area in the future (e.g. boat house, parking, etc.)?*

There are no other structures planned for the canoe launch and waterfront at this time. The leadership at Fenn is having ongoing discussions regarding the use of 676 Monument Street and to date have not come to agreement on the use or programming of this parcel. Regarding the WPA and the Concord Wetlands Protection Bylaw, the on-site wetlands and their boundaries have been established plus the accompanying buffer zones, therefore any proposed alteration in wetland resource areas or within 100 feet of those resources will require the Fenn School to seek needed approvals before anything else can be implemented.

*Will motorized watercraft be used / docked at this facility?*

No.

*Auger casing detail lacks dimensions. How will the casings be inserted into the river bottom? Are the casings permanent?*

No auger casings are proposed. There are various post designs, the post proposed by the preferred manufacturer does not include a casing. Posts fitted with a threaded tip will be used and augered (screwed) into the substrate with a clamp affixed to the post. The clamp is removed after the post is secured.

*Provide a plan profile.*

The plan profile is depicted on Sheet 2 of the plan set revised July 9, 2020.

*The dock will adversely affect habitat.*

The dock, ramp, seasonal and off-season boat storage racks requires no vegetation removal. The project is located in estimated habitat as mapped by the Massachusetts Natural Heritage and Endangered Species Program ("NHESP"). A copy of the NOI was submitted to the NHESP and they commented that the project "... will not adversely affect the actual Resource Area Habitat of state-protected rare wildlife species. Therefore, it is our opinion that this project meets the state-listed species performance standard for the issuance of an Order of Conditions."

*The dock will reduce light penetration, disturb aquatic life, alter river flow. Dredging will damage the river.*

First no dredging is proposed or required for the shallow draft canoes and floating dock. The placement of four 1½- to 2-Inch diameter posts will not interfere with water flow in this reach of the river that is well over 100 feet wide. The dock occupies 144 square feet of water sheet and is over a reach of river with no rooted aquatic vegetation, the minimal area of shading will have no effect on aquatic vegetation.

*Will canoes remain in the water, "be parked in the river" during school and camp sessions? Will canoes be removed from the river at the end of each day?*

Canoes will be removed from water when not in use.

*Does the canoe count of 22 include safety/rescue boats?*

Yes, however the safety / rescue boats (canoes) are only in the water when students / campers are using the canoes.

*How will high water and flooding effect the dock?*

The typical seasonal water level ranges two to three feet (for example the April 2018 water level was approximately el. 114 feet NAVD 88 (normally a high-water season) while the December 2019 water level was approximately el. 112 feet NAVD 88 (typically a lower water season). The support posts are inserted in a collar on the dock which allows the dock to rise and fall with changes in water elevation. The posts

will extend above the dock surface to allow the docks to rise and fall with changes in water elevation and still be held in place by the posts.

*Will others related to Fenn be allowed to use the dock?*

Fenn School students, campers, faculty, staff, administrators and trustees as well as certain other neighbors have been granted access to the property and the river.

*What are effects in wildlife from lighting?*

No lighting is proposed.

*The Fenn School does need a dock to launch canoes.*

We concur that a dock and ramp is needed to launch and land canoes to avoid traffic over the riverbank.

*The dock is too large in this narrow section of river.*

The dock was designed to meet the Fenn School's needs. This design allows two canoes to tie up at the dock for launching and landing, and space for a teacher / counselor to be on the dock to manage students / campers. The river is about 135 feet wide. The dock was realigned so it is now parallel with the shore and only extends eight to 14 feet into the river.

*From a safety standpoint casting one canoe at time from the end is more prudent.*

The Fenn School seeks to operate a program that focuses on the safety of children. The program will be operated in accordance with the American Canoe Association and American Camp Association.

We look forward to discussing the project at the next Commission meeting, schedule for August 12, 2020. If you have any questions regarding this NOI please do not hesitate to contact me at (978) 897-7100 or via e-mail at [ddunk@epsilonassociates.com](mailto:ddunk@epsilonassociates.com).

Sincerely,  
EPSILON ASSOCIATES, INC.



Dwight R. Dunk, LPD, PWS, BCES  
Principal

encl. Draft Seasonal Dock Management Plan

cc: MassDEP NERO  
D. Platt, Fenn School