Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
WPA Emergency Certification Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

A. Emergency Information

1. Site Location: Salem Conservation Commission
   115 Derby Street, Salem, MA

2. Reason for Emergency:
   Sink hole in the lawn area adjacent to the seawall at the House of the Seven Gables (museum and event venue). This was discovered when a guest fell through the lawn in that location up to their thigh.

3. Applicant to perform work: House of Seven Gables, working with Thomas Mackey and Sons (contractor)

4. Public agency to perform work or public agency ordering the work to be performed:

5. Date of Site Visit: 9/5/19
   Start Date: 9/9/19
   End Date*: 10/8/19
   * no later than 30 days from start date or 60 days in the case of an Immediate Response Action approved by DEP to address an oil/hazardous material release.

6. Work to be allowed*:
   Removal of existing sod, excavation of a 4' wide trench to expose the existing voids. These voids will then be filled with compacted stone dust and ground retaining fabric will be installed to keep fill in place. The removed earth will then be put back on top of added fill and the ground re-sodded.

* May not include work beyond that necessary to abate the emergency.

B. Signatures

Certified to be an Emergency by this Issuing Authority.

Signatures: 

Chairman (or designee)  

Date: 9/9/19

A copy of this form must be provided to the appropriate DEP Regional Office.
C. General Conditions

1. Failure to comply with all conditions stated herein, and with all related statutes and other regulatory measures, shall be deemed cause to revoke or modify this Emergency Certification or subject to enforcement action.

2. This Emergency Certification does not grant any property rights or any exclusive privileges; it does not authorize any injury to private property or invasion of property rights.

3. This Emergency Certification does not relieve the applicant or any other person of the necessity of complying with all other applicable federal, state, or local statutes, ordinances, bylaws, or regulations.

4. Any work conducted beyond that described above, and any work conducted beyond that necessary to abate the emergency, shall require the filing of a Notice of Intent.

5. The Agent or members of the Conservation Commission and the Department of Environmental Protection shall have the right to enter and inspect the area subject to this Emergency Certification at reasonable hours to evaluate compliance with this Certification, and may require the submittal of any data deemed necessary by the Conservation Commission or the Department for that evaluation.

6. This Emergency Certification shall apply to any contractor or any other person performing work authorized under this Certification.

7. No work may be authorized beyond 30 days from the date of this certification without written approval of the Department.

D. Special Conditions

When more extensive and permanent renovation is planned, applicant must file with the Conservation Commission.

E. Appeals

The Department may, on its own motion or at the request of any person, review an emergency certification issued by a conservation commission and any work permitted thereunder; a denial by a conservation commission of a request for emergency certification; or the failure by a conservation commission to act within 24 hours of a request for emergency certification. Such review shall not operate to stay the work permitted by the emergency certification unless the Department specifically so orders. The Department’s review shall be conducted within seven days of issuance by a conservation commission of the emergency certification; denial by a conservation commission of the emergency certification; or failure by a conservation commission to act within 24 hours of a request for emergency certification. If certification was improperly granted, or the work allowed thereunder is excessive or not required to protect the health and safety of citizens of the Commonwealth, the Department may revoke the emergency certification, condition the work permitted thereunder, or take such other action as it deems appropriate.
To, Darya Mattes,

The House of the Seven Gables has recently seen the appearance of a sink hole in our lawn area adjacent to the seawall. This was discovered when a guest fell through the lawn in that location up to their thigh. There was no serious injury and the area was cordoned off for public safety. This area sees considerable public and employee foot traffic.

We request permission to perform limited emergency excavation in the affected area. We have contracted with a local contractor, (Thomas Mackey and Sons) to remedy the situation as it now stands. The plan is to remove the sod, excavate a 4’ wide trench to expose the existing voids. These voids will then be filled with compacted stone dust and will install ground retaining fabric to keep fill in place. The removed earth will then be put back on top of added fill and the ground re-sodded. We appreciate your prompt response to our situation and thank you for visiting the site yesterday.

Thanks, Kevin White

Director of Maintenance

The House of the Seven Gables