

**CITY OF GLOUCESTER  
CONSERVATION COMMISSION MINUTES  
WEDNESDAY MARCH 16, 2011 - 7:00 PM**

**CITY HALL, KYROUZ AUDITORIUM  
ROBERT GULLA, CHAIRMAN**

**Members Present:**

**Robert Gulla, Chair  
Ann Jo Jackson, Co Chair  
Charles Anderson  
Barry Gradwohl  
Helen Farr  
Arthur Socolow  
Steve Phillips- **absent****

**Staff:**

**Lisa Press, Agent  
Pauline Doody, Recording Clerk**

**Items may be heard 15 minutes before their scheduled time.**

**I. 1-5 minutes, review of amended, updated or final information, status reviews, modifications, signing decisions etc.**

**None**

**II. PUBLIC COMMENT**

**None**

**III MINUTES REVIEW**

**Tabled until next meeting**

**IV PUBLIC HEARING approximately 7:15 PM**

- A. Continuation -28-2127- 13 Rogers Street, Notice of Intent submitted by the City of Gloucester, Harbormaster, to conduct maintenance to existing piers in a coastal resource area.**

**Presenter: Jim Caulkett, Harbormaster, City of Gloucester**

**Mr. Caulkett** stated that 5 different proposals were filed for City owned piers as well as several private piers. He stated it was going to be routine maintenance and would be nothing greater than replacing 10 piles per year.

**Commission Comments:**

**Mr. Gulla** confirmed that this work was completely under the Harbormaster's jurisdiction.

**Mr. Gradwohl** asked if the privately owned piers would have fees attached to them.

**Mr. Caulkett** stated the state fee has been paid and each private owner will pay locally when the work is scheduled to be done. They will use the City's DEP permit number.

They are all wooden piles. He stated it was a three year permit and the commission and DEP would watch how the work is done and any impacts on the environment.

**Public Comment:**

**John Feener** asked if the pilings are for ports or riverfront.

**Mr. Caulkett** stated just DPA only.

**Motion: To accept the project 28-2127- 13 Rogers Street, submitted by the City of Gloucester, Harbormaster, to conduct maintenance to existing piers in a coastal resource area.**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Arthur Socolow**

**Vote: Approved 6-0**

**B. New- 27-29 Harbor Loop**, request for determination submitted by Captain Carlos LLC, to construct a wood frame structure over existing deck in a coastal resource area (Map 10 Lot 31).

**Presenter: Shawn Cranston 12 Thompson St**

**Mr. Cranston** stated the work to be done is to construct an A frame to make the area a three season room. It will have folding glass doors.

**Commission Comments:**

**Ms. Press** asked about additional footings that may be needed.

**Mr. Cranston** stated there was an additional footing to be added for support of the roof. There will be two posts put but there is no excavation work and no work to be done on the pier.

**Public Comment: none**

**Conditions:**

- **All debris to be cleaned up from construction work**

**Motion: For a Negative Determination for the project at 27-29 Harbor Loop, submitted by Captain Carlos LLC, to construct a wood frame structure over existing deck in a coastal resource area (Map 10 Lot 31)**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup> Charles Anderson**

**Vote: Approved 6-0**

**C. Continuation- 28-2128- 2R Cambridge ave.** Notice of Intent submitted by Peter & Quincy Bent, to construct a deck and a gangway and floats in riverfront. (Map 119 lots 53, 54).

**Presenter: John Judd Gateway Consultants**

**Mr. Judd** stated that a site visit was made at low tide. Memos were received from Jim Caulkett and Dave Sargent.

**Commission Comments:**

**Mr. Gulla** stated concern over the size of the float. It is oversized, but it is understood that because of the strong currents and tides its size is needed to keep the dock safe.

**Ms. Press** stated a lot of floats are in areas that at low tides bottom out. In this area it will always be in the water.

**Mr. Gulla** asked about any shadowing issues.

**Ms. Press** stated there is shadowing on gangway.

**Mr. Judd** stated because it extends out, is cantilevered and has a southern exposure, there is no concern.

**Ms. Press** stated the shadowing would not be much different from the shadowing from the wall. She stated that off season this float will be taken away by water.

**Mr. Gulla** wants to verify the times of year that the floats must be taken out.

**Ms. Press** stated there are places where the floats are left in the water year round because it is best for the area.

**Public Comment: None**

**Conditions:**

- **Dave Sargents conditions**

**Motion: To accept the NOI as submitted for 28-2128- 2R Cambridge Ave. submitted by Peter & Quincy Bent, to construct a deck and a gangway and floats in riverfront. (Map 119 lots 53, 54).**

**Note: It is seasonal and larger than normal because of strong currents and tides to keep the dock safe.**

**1<sup>st</sup>: Barry Gradwohl**

**2<sup>nd</sup>: Ann Jo Jackson**

**Vote: Approved 6-0**

**Mr. John Feener stated if the commission ever needed his advice to please contact his at [jfeener@barlett.com](mailto:jfeener@barlett.com).**

- C. Continuation -28-2126- 14 Pond Road-** Notice of Intent submitted by Paul Butman, to develop a commercial site with an access way, parking, and associated drainage and utilities in the buffer to an inland resource area. (Map 264 lot 33).

**Presenter: John Judd, Gateway Consultants**

**Mr. Judd** stated a site visit was held on March 8<sup>th</sup> and there were still two areas of concern. There are two wetlands and the entire site is exposed gravel. The proposed entrance will be moved and has been reduced to 28 feet in width. There will be plantings over-storey with Birch trees & shrubs. The condition of the site and habitat will be improved.

**Commission Comments:**

**Ms. Press** stated engineering has held off in reviewing this. The lot is not divided yet. There is a possibility that the road can be moved farther from the stream. It's up to commission

**Mr. Judd** explained the proposed lot line, which is part of Varian's lease for parking for the other buildings. To take away the parking spaces may be a violation of lease. He stated he would check on the information.

**Mr. Gulla** stated a violation had occurred and it looks like it will be repaired.

**Mr. Gradwohl** stated the wetland markers are excluded from this plan. He also suggested a time limit be placed on the remediation of the site and to be put into the narrative so it can't be appealed.

**Mr. Gulla** stated if nothing happens on site within 6 months the mitigation planting must be planted.

**Ms. Press** stated she wanted to review the conditions further and for the application to be continued to the next meeting.

**Public Comment: None**

**Motion: To continue the project at 14 Pond Road- Notice of Intent submitted by Paul Butman, to develop a commercial site with an access way, parking, and associated drainage and utilities in the buffer to an inland resource area, (Map 264 lot 33) to April 6, 2011 at 7:05.**

**1<sup>st</sup>: Arthur Socolow**

**2<sup>nd</sup>: Barry Gradwohl**

**Vote: Approved 6-0**

**V. PUBLIC HEARINGS approximately 8:15 PM**

**A. Continuation- 28-2125 - Newell Stadium, 26 Centennial Avenue**, Notice of Intent submitted by the City of Gloucester, DPW, to remove and replace athletic field, add additional fill, remove and replace seating and to construct an accessory building in the buffer to inland and coastal resource areas. (Map 4 lot 1).

**Motion: To continue the project at Newell Stadium, 26 Centennial Avenue, Notice of Intent submitted by the City of Gloucester, DPW, to remove and replace athletic field, add additional fill, remove and replace seating and to construct an accessory building in the buffer to inland and coastal resource areas. (Map 4 lot 1) to April 6, 2011.**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Charles Anderson**

**Vote: Approved 6-0**

**B. Continuation- 28-2101-31 Stanwood Ave.** Notices of Intent submitted by Gary Litchfield, Litchfield Company, to construct 3 duplex dwellings, driveways, utilities, grading and landscaping in a riverfront resource area. (Map 230 lot 51).

**C. 28-2100 33 Stanwood Ave**

**D. 28-2099 35 Stanwood Ave**

**Presenter: Bill Manuell, Wetlands & Land Management**

**Mr. Manuell** stated Gary Litchfield is the applicant and Peter Sova is the land owner. He stated there are separate NOI's for the construction of duplex structures. There is riverfront area coming in from 2 sides. The original proposal and concept was to come in off of Standwood Ave. We want to minimize the amount of impact and keep the development tight towards the west. Mr. Manuell reviewed the drawings in detail to the commission. He stated the best approach is keeping everything to the west. Some work is in riverfront and there is a driveway that leads into the duplex area. The rest will remain natural. Each of the lots is compliant with riverfront impact thresholds.

**Mr. Socolow** asked if the houses were on city sewer.

**Mr. Manuell** stated yes.

**Ms. Press** stated she would like to do site walk since the snow is gone.

**Ms. Press** asked about lot 4 and why it wasn't part of the plan.

**Mr. Manuell** stated lot 4 is not for sale.

**Mr. Gradwohl** questioned the swale that would not work out because of ground water in the original plan. He stated the driveways would be hot topped.

**Mr. Manuell** stated that this is how the BMP's going to work because of high water table. We have to deal with conditions that are there and we have to deal with the storm water to the maximum extent practicable. The swale would work when water table is lower.

**Ms. Press** stated the site walk would take place March 19, 2011 at 12:00 noon.

**Bill Jones: John Crowe Assoc.**

**Mr. Jones** reviewed his findings of the Alternative Analysis reports with the Commission. He stated that because of lack of information regarding the parcel listings that a comparison was not able to be done. One of the main issues is cost and availability of utilities. Additional information regarding the parcels meeting the requirements would also be helpful.

**Bill Manuell, Wetlands & Land Management**

**Mr. Manuell** stated the offsite lots are not an alternative. The owner has the right to be able to monetize the land. Mr. Sova purchased the land as an investment.

**Mr. Gulla** stated the value of the property is not our concern. Our concern is the intensity of the use of the land.

**Mr. Manuell** stated the riverfront act requires the Commission to look at the value as well. There would be a 33-66 % reduction of economic gain.

**Ms. Farr** asked about having single family homes instead of duplexes

**Mr. Manuell** stated the project before the Commission is for duplexes.

**Mr. Gulla** stated the concern of the 3<sup>rd</sup> lot near the resource.

The commission and applicant had extensive discussions regarding the lots, their value, and buildability as well as the misapplication of the alternative analysis.

**Bill Manuell, Wetlands & Land Management**

**Mr. Manuell** reviewed all Alternative Analyses with the commission.

**Option #2** develops the entire site. This is the most costly and most site impact.

**Option #3**

Keeps the same orientation, but positions homes out of riverfront area. The whole site becomes fragmented. This places a house right against riverfront area.

**Option #4**

This plan showed a common drive that comes off of Sassafras or Stanwood. Mr. Manuell was not sure if the Planning Board would allow this layout. This plan has more pavement and encroaching on two riverfronts and is near the salt marsh. It will need utilities and storm water management. The cost is enormous. The entire development is pushed toward interior of the site.

**Mr. Manuell** stated; "We chose what we chose because it keeps everything near the road, is the shortest length of drive possible and has the least amount of impact to the site.

**Mr. Socolow** stated none of the alternatives offers to reduce the number of homes  
**Mr. Manuell** stated the reduction in homes creates a monetary loss that is too great.  
The finances of the project must be considered.

**Bill Jones: John Crowe associates**

Mr. Jones stated the analyses involved are based on three lots and there are sections in regulation that say to consider reduced number of lots. Every one of the lots as submitted is at 10% of riverfront area. There are two concerns; the costs are all over the place and the applicant does not own the land. The economics of the project could change.

**Mr. Manuell** stated these lots are zoning compliant and can be developed in the threshold. Under City regulations they are viable lots.

**Commission Comments:**

The board discussed in length the alternative analysis and their concerns.

**Ms. Press** asked Mr. Manuell for more specific numbers regarding the economic viability. She requested information and numbers regarding 2 lots with 2 duplexes, or three lots with three single families etc.

**Public Comment:**

**Toby Burnham, 50 Mt. Vernon St, Gloucester.**

**Mr. Burnham** informed the commission of upcoming extra high tides in the area.

**Ann Cody, 13 Stanwood Pt.**

**Ms. Cody** submitted pictures to the agent of November tides on the marsh. She stressed strong concerns about work that was done over 5 years ago When they paved nature went away for about 2 years. She stated it is one of the few areas left that still have nature. It will disturb the area.

**Kathryn Hines, 38 Stanwood Ave**

Ms. Hines stated this proposal is too intense. It is a jammed packed area. Those swales were tested at the lowest tide of the day. The area is beautiful and is worth fighting for.

**Motion: To continue the project at 28-2101-31 Stanwood Ave, 28-2100 33 Stanwood Ave, 28-2099 35 Stanwood Ave. Notices of Intent submitted by Gary Litchfield, Litchfield Company, to construct 3 duplex dwellings, driveways, utilities, grading and landscaping in a riverfront resource area. (Map 230 lot 51) to April 6, 2011**

**1<sup>st</sup>: Arthure Socolow**

**2<sup>nd</sup>: Charles Anderson**

**Vote: Approved 6-0**

**VI. AS TIME PERMITS: COMMISSION BUSINESS**

- A. Requests for Letter Permits/Modifications  
Shellfish bed enhancement project

- **Permits for areas that will not be harvested, will have nets to protect the beds until the shellfish are mature enough to be harvested.**

**Motion: To approve the shellfish enhancement project.**

**1<sup>st</sup> : Ann Jo Jackson**

**2<sup>nd</sup> : Charles Anderson**

**Vote: Approved 6-0**

## **VII. AGENT'S REPORT ON VIOLATIONS**

**B.** Requests for Certificates of Compliance

**C.** Requests for Extension Permits  
28-1444 Riverdale Place

**Ms. Press** did not review the permit and would like Mike Fahety to be here.

If you would like additional information regarding the review status of a particular item, please contact the Community Development Conservation Department via e-mail at [mdemick@gloucester-ma.gov](mailto:mdemick@gloucester-ma.gov) or via phone at 978-281-9781.

Additional information can also be obtained on the Conservation Web Page at [www.gloucester-ma.gov](http://www.gloucester-ma.gov) Click Community Development for a link to Conservation.

**Commission Members: If you are unable to attend the meeting, please contact the Community Development office at 978-281-9781 or send Lisa or Marie an e-mail**