

**CITY OF GLOUCESTER
CONSERVATION COMMISSION MINUTES
WEDNESDAY August 17, 2011 - 7:00 PM
CITY HALL, KYROUZ AUDITORIUM
ROBERT GULLA, CHAIRMAN**

Members Present:

Robert Gulla, Chair
Ann Jo Jackson, Co Chair
Charles Anderson
Steve Phillips
Barry Gradwohl
Arthur Socolow

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.

28-2153 15 Horton St. Conditions

Mr. Gulla stated that item 10 needs correction.

Motion: Approval of 15 Horton St. conditions

1st: Steve Phillips

2nd: Ann Jo Jackson

Vote: Approved 6-0

28-1769 27 Kondelin Rd- sign

II. PUBLIC COMMENT -

Nicky Bach, 10 Folly Point Rd

Ms. Bach stated 57 Folly Point Rd has been under construction for quite awhile.

Ms. Press stated she had visited the site a few weeks ago and that the erosion controls have been re-applied.

III MINUTES REVIEW

May 18, 2011

June 15, 2011

July 6, 2011

Motion: Approval of the minutes for May 18, June 15, & July 6, 2011.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 6-0

IV PUBLIC HEARING approximately 7:15 PM

A. New- 12 Links Road Request for Determination submitted by James Towne, to remove and re-construct an inground pool in buffer to an inland resource.

Presenter: James Towne 12 Links Road

Mr. Towne stated this project is to update the old pool which is 30 years old to a new pool. Since the pool was first installed the code has changes, and the pool must be installed further away from the house. The pool will be 1-2 feet into the buffer zone. We will be reconstructing some walkways due to the construction. During construction the proper controls will be in place. There will not be any stockpiling. All dirt will be removed.

Commission Comments:

Ms. Press stated she had no concerns and the only condition would be the pool water cannot be let into the wetland.

Public Comment: None

Conditions:

- Pool water cannot be drained into the wetland

Motion: Negative Determination for 12 Links Road submitted by James Towne, to remove and re-construct an in- ground pool in buffer to an inland resource

1st: Arthur Socolow

2nd: Ann Jo Jackson

Vote: Approved 6-0

B. New- 11 Dory Road, Request for Determination submitted by Equity Industrial Turbines LLC, to construct 2 wind turbines on concrete pads. (map 262, lot 16),

Presenter: Rich Kleinman, Equity Industrial Turbines LLC

Mr. Kleinman stated the wind turbines will be located at the Gloucester Engineering site. One will be located in the parking lot and the other near an established gravel road. Ms. Press inspected the site and nothing is near the wetland and wetland buffer zone.

Commission Comments:

Ms. Press stated they are outside of our jurisdiction. She asked Mr. Kleinman if any trees would be taken down.

Mr. Kleinman stated no.

Public Comment: None

Motion: Negative Determination for Dory Road, submitted by Equity Industrial Turbines LLC, to construct 2 wind turbines on concrete pads. (map 262, lot 16),

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: Approved 6-0

C. New- 32 Horton Street Notice of Intent submitted by Ocean Alliance, to remove 2 buildings on a coastal resource area. (Map 129 lot 4).

Presenter: Ian Kerr, 3 Taylor Road, Acton MA.

Mr. Kerr stated the buildings have deteriorated and both Ms. Press and Mr. Sanborn have visited the site. At this time the buildings will not be rebuilt until there is funding. When funding is available, the buildings will be put up exactly as they were. The buildings are on pilings. A crane and booms will be brought in. The buildings now are an environmental and safety hazard.

Commission Comments:

Mr. Socolow asked if the pilings will be removed.

Mr. Kerr stated that half will be removed. We want to see is what can be saved. We will make that determination when the buildings come down.

Mr. Gulla stated the pilings cannot be pulled out. They can be cut down or left as is.

Ms. Press stated that the time comes for the buildings to be rebuilt, Building D may not be allowed by the state because of regulations that are in place now. She stated to Mr. Kerr that he may want to look into the issues that could arise preventing the rebuilding of structure D.

Mr. Kerr stated we have taken virtual immersion photographs for the historic perspective. We have also laser measured all the buildings for the record.

Mr. Gulla suggested to continue the hearing so further information can be gathered on the applicants part and an emergency order can be issued if the buildings become even more unstable between now and the next meeting.

Public Comment: None

Motion: To continue 32 Horton Street Notice of Intent submitted by Ocean Alliance, to remove 2 buildings on a coastal resource area. (Map 129 lot 4) to September 7, 2011.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 6-0

D. Continuation-28-2151- 8 Riggs Point Road, Notice of Intent submitted by Mary Villare, to demolish and re-build single family dwelling with a deck in riverfront resource area. (Map 112 lot 71).

Applicant requests continuation to September 21st 2011

Motion: To continue 8 Riggs Point Road, Notice of Intent submitted by Mary Villare, to demolish and re-build single family dwelling with a deck in riverfront resource area. (Map 112 lot 71) to September 21, 2011.

1st: Ann Jo Jackson

2nd: Arthur Socolow

Vote: Approved 6-0

V. PUBLIC HEARINGS approximately 8:15 PM

A. New - 275 Atlantic Road, Request for Determination submitted by Leanne Robinson, to cut vegetation to 4 ' level in buffer to inland and coastal resources . (map 134, lots 33,34

Presenter: Leanne Robinson

Commission Comments:

Ms. Press stated there cannot be any pruning below the Boardwalk area, that is wetland.

Public Comment: None

Conditions:

- **Agent to be on site during pruning**
- **Do not cut below the foliage**

Motion: Negative Determination for 275 Atlantic Road, submitted by Leanne

Robinson, to cut vegetation to 4' level in buffer to inland and coastal resources.

(map 134, lots 33,34

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

B. New - 37 Wingersheek Road, Request for Determination submitted by Frank & Paula Zavrl, to raise the dwelling to re-construct dwelling, reinforce concrete walls and add 2 sonotubes in buffer to coastal resource. (map 258, lot 1)

Presenter: Brian Hollenbeck, Thomas rd, Methuen Production Manager, Red Apple Renovation

Mr. Hollenbeck stated the structure will be raised 6 feet. The owners are doing this to get a better view. The concrete foundation will be reinforced from within. Then the house will be jacked up, in fill below it and redo the first floor. We are not expanding the structure. The deck surface will be replaced and will be cantilevered with steel. It will only be touching down in two points. There will be the elimination of 8 concrete pilings. A crane will be used to place the steel cantilevers.

Commission Comments:

Mr. Gulla stated concern is the use of the heavy equipment and believes this should have been filed as an NOI. This area is very sensitive, we have had issues come up in the past with other projects and with an NOI we would be able to heavily condition the project to ensure it is done properly.

Ms. Press stated it is an RDA because there is no excavation, no change in vegetation and it is the same footprint.

Mr. Phillips stated he shared the same concerns as Mr. Gulla.

Ms. Jackson stated I think its okay, because most of the work is being done from the inside.

Public Comment: None

Motion: Negative Determination for 37 Wingersheek Road, submitted by Frank & Paula Zavrl, to raise the dwelling to re-construct dwelling, reinforce concrete walls and add 2 sonotubes in buffer to coastal resource. (map 258, lot 1)

1st: Ann Jo Jackson

2nd: Arthur Socolow

Vote: 3-3

Ms. Jackson withdrew her motion for the Negative Determination

Motion: Positive Determination for 37 Wingersheek Road, submitted by Frank &

Paula Zavrl, to raise the dwelling to re-construct dwelling, reinforce concrete walls and add 2 sonotubes in buffer to coastal resource. (map 258, lot 1)

1st: Steve Phillips

2nd: Ann Jo Jackson

Vote: 4-2 with no abstentions

C. 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).

D. 28-2100 33 Stanwood Ave

E. 28-2099 35 Stanwood Ave

Applicant requests continuation to September 7th 2011.

Motion: To continue 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).

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications

None

VII. AGENT'S REPORT ON VIOLATIONS

Clarence Hamilton, 6 Lawrence Mountain Road

Ms. Press stated Mr. Hamilton did go onto the City website and saw that he was 200 feet away from the wetland, but there is an intermittent stream that runs through his property. The silt from the excavation works was running into the stream. He has stabilized the area and has hired Bill Manuel of Wetlands and Land Management. The site needs further stabilization. She stated she would like to see an Enforcement Order, an after the fact filing fee, a proposal from Bill Manuell

Mr. Hamilton stated he still needed to put a new roof on the house and finish the foundation. The foundation is the work in progress. The front of the house and one side is not done.

Ms. Press stated that a plan should be submitted by the September 7 or 24 meeting. We can issue an enforcement order and need an updated plan by September 7.

Motion: Enforcment Order for 6 Lawrence Mountain Road

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 6-0

B. Requests for Certificates of Compliance

28-1520 55 Two Penny

Ms. Press stated there are no issues

Motion: Approve 28-1520 55 Two Penny Certificate of Compliance

1st: Ann Jo Jackson

2nd: Arthur Socolow
Vote: Approved 6-0

28-1781 3 Reef Knot Way

Ms. Press stated the planting isn't as much as they had stated they would plant, but they did not pave the driveway, so it is a wash.

Motion: to approve 28-1781 3 Reef Knot Way Certificate of Compliance

1st: Ann Jo Jackson
2nd: Arthur Socolow
Vote: Approved 6-0

41 Grapevine Road

Ms. Press stated they removed a driveway and put down gravel. They didn't originally have the extension before. There was some planting was done. The math works out.

Motion: Approve 41 Grapevine Road Certificate Of Compliance

1st: Ann Jo Jackson
2nd: Barry Gradwohl
Vote: Approved 6-0

63 Atlantic Street

Motion: Enforcement order for 63 Atlantic Street

1st: Ann Jo Jackson
2nd: Barry Gradwohl
Vote: Approved 6-0

Adjournment;

1st: Barry Gradwohl
2nd: Charles Anderson
Vote: Approved 6-0

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 or via phone at 978-281-9781.

Additional information can also be obtained on the Conservation Web Page at 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