

**CITY OF GLOUCESTER
CONSERVATION COMMISSION MINUTES
WEDNESDAY November 2, 2011 - 7:00 PM**

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

Members Present:

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

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.

28-2165 2 Fortune Lane

Ms. Press reviewed the final conditions with the commission.

Ms. Jackson stated Mr. Feener had stated at the last meeting there were no mid canopy trees on the site.

Ms. Press asked the commission how they would like to handle the 10 trees.

Mr. Gulla stated that this site is unique. The only way we can condition for the trees is how it is stated in the agent's conditions.

Motion: To approve 28-2165 2 Fortune Lane

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: Approved 5-0

28-2168 35 Rockholm Rd

Ms. Press reviewed the final conditions with the commission.

Motion: To approve 28-2168 35 Rockholm Rd

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: Approved 5-0

28-1869 63 Atlantic St revocation

Ms. Press stated there were two small typographical errors that have been corrected.

28-2161 21 Wingersheek Rd

Ms. Press that there will be pressure treated wood used and Mr. Manuell will provide additional information to the commission regarding what type it will be.

Mr. Gulla stated there are all sorts of grades of pressure treated wood. We need more information on what will be used.

Motion: To approve 28-2161 21 Wingersheek Rd

1st: Barry Gradwohl
2nd: Charles Anderson
Vote: Approved 5-0

II. PUBLIC COMMENT - None

III MINUTES REVIEW

Ms. Press stated Ms. Jackson made some corrections to the October 5 meeting minutes.

Motion: To approve the October 5, 2011 minutes with the corrections.

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: Approved 5-0

IV PUBLIC HEARING approximately 7:15 PM

- A. Continuation -28-2174 54 Rowley Shore Rd**, Notice of Intent submitted by Frank Previte, to demolish existing and construct a studio building with septic and utilities in the buffer to an inland and a coastal bank resource. (Map 141 lot 41).

Rob Gulla recused himself from this hearing.

Presenter: Mary Rimmer, Rimmer Consulting

Ms. Rimmer stated that since the last meeting DEP had no comments and a site walk has been done. The ledge where the structure is proposed is mostly broken rock. But some blasting still may need to be done. There is a pretreatment basin to capture runoff from the road.

Commission Comments:

Ms. Jackson asked about the vegetation removal

Ms. Rimmer stated there is 610 square feet of phragmites that is being removed then the area will be loamed and seeded. It will be planted with a detention basin seed mix.

Ms. Press asked about the vegetation removal for the house

Ms. Rimmer stated that on the ledge itself, is covered with English Ivy, poison ivy and some small black cherry, for the most part it will be just trimming along the edges, but no tree removal. It is very contained

Mr. Phillips stated that concern has been raised that the work proposed could likely alter the resource area. In your professional opinion, you are saying that it will not alter the resource area. Is that correct?

Ms. Rimmer stated that is correct. This has been designed and located at the same distance to the resource area as the previously approved studio. We have maintained that same 12 foot setback to the wetland resource. There is a smaller isolated wetland, to the left of the structure that is subject to jurisdiction only under the local by-law and has no buffer zone. The excavation for the foundation will be contained within the rock itself.

Mr. Gradwohl asked if the culvert under the road would be replaced.

Ms. Rimmer stated that it is not part of this project.

John Judd, Gateway Consultants

Mr. Judd explained the state of the culvert to the commission. He stated that with hand maintenance it can be cleaned out and full flow can be achieved. It is not on the

owners' property. The culvert that does exist on the owners' property is functioning fine.

Ms. Rimmer reviewed the mitigation plan with the Commission.

Ms. Press stated that the storm water is the mitigation for this project.

Ms. Rimmer stated there is a mitigation table on the plan. We assumed that the entire cottage area is impervious. We did not count for that. The mitigation numbers should be in excess of what is required.

Ms. Jackson asked Mr. McCowan how confident he was that there will be no impact to the wetland from the blasting

Mr. McCowan stated very confident. We will be drilling very closed spaced holes right at the excavation area closest to the wetland on both east and west side. We anticipate that below ground surface it will be very tight. And because there is very little difference between the wetland elevation and the bottom of the structure, there is very little radiant for any flow through that rock. We will have provision in case of any seepage; we will inject the holes with grout.

Ms. Jackson asked how long is it monitored.

Mr. McCowan stated while doing the project.

Ms. Press stated to the commission to consider a bond.

Mr. Phillips stated he see no need for a bond. Mr. Anderson and Mr. Gradwohl concurred.

Public Comment: None

Conditions:

- **Subject to verifying mitigation**
- **Seepage to be monitored during construction & reported back to agent**
- **Weekly monitoring reports for the site**

Motion: To approve the application for 54 Rowley Shore Rd submitted by Frank Previte, to demolish existing and construct a studio building with septic and utilities in the buffer to an inland and a coastal bank resource. (Map 141 lot 41).

1st: Steve Phillips

2nd: Charles Anderson

Vote: Approved 4-0

Rob Gulla rejoined the commission.

B. Continuation- 28-2166 2 Wolf Hill Rd Notice of Intent submitted by William Friend, Wolf Hill Trust, to construct a dwelling with utilities, landscaping and parking in the buffer to a coastal bank resource area and in a riverfront resource area. (Map 87 lot 3).

Motion: To continue 28-2166 2 Wolf Hill Rd Notice of Intent submitted by William Friend, Wolf Hill Trust, to construct a dwelling with utilities, landscaping and parking in the buffer to a coastal bank resource area and in a riverfront resource area. (Map 87 lot 3) to November 16, 2011.

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

C. New 51 Causeway Street Notice of Intent submitted by Sudbay Inc., to replace a septic holding tank in the buffer to an coastal resource area. (Map 233 lot 61).

Presenter: Isaac Rowe, Mill River Consulting

Mr. Rowe stated the building is used for detailed and restoring cars. There is an existing septic system now and it needs replacement. It is being pumped on a weekly basis. The replacement tank will be a 4000 gallon tank. We have placed it as far away from the ACEC and salt marsh as possible. There will be erosion control in place. There are two catch basins and will propose two inserts for them that will be adjusted to size. The work will take three to five days to complete. We have proposed the silt sock for erosion control.

Commission Comments:

Mr. Phillips stated that in order to approve this under the Gloucester ordinance, we need to find there is no alternative location to the septic that would be less impactful to the ACEC. Please tell us the basis on which you would like us to make that finding.

Mr. Rowe showed where there are gas lines on the property, as well as a gas tank.. This is the only location. We are not sure of the extent of the lines or where they are going. We wanted steer clear to that.

Public Comment: None

Conditions:

- **Silt sock**

Motion: To approve the application for 51 Causeway Street, submitted by Sudbay Inc., to replace a septic holding tank in the buffer to an coastal resource area. (Map 233 lot 61) with a finding that there is no alternate location for the septic system that would have less impact to the ACEC.

1st: Steve Phillips

2nd: Ann Jo Jackson

Vote: Approved 5-0

V. PUBLIC HEARINGS approximately 8:15 PM.

A. Amend- 15 Horton Street, Ginger Attaya, to amend existing order of conditions #28-2153, to change approved addition to a 2 story addition, in a coastal bank resource area. (Map 128 lot 23).

Motion: To continue 15 Horton Street, Ginger Attaya, to amend existing order of conditions #28-2153, to change approved addition to a 2 story addition, in a coastal bank resource area. (Map 128 lot 23) to November 16, 2011.

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 5-0

B. New - 28-2175- 81 Rocky Neck Ave Notice of Intent submitted by Gloucester Marine Railways Corp., to improve stormwater system and to repave parking area and gravel area in a coastal resource area. (Map 128 lot 40).

Presenter: Steve Campbell, Tetra Tech, 160 Federal St, Boston

Mr. Campbell stated this is the existing Gloucester Marine Shipyard. It is 3.33 acres and 1.03 acres is landside of the bulkheads. The project entails on the upland side, landside of all the pilings and walls. This is a MCP site for the DEP. What the DEP is proposing to do, and requiring what the applicant does, is to pave all the landside on the inside. There is no work occurring in the resource area. We are trying to cap entire site with pavement. DEP would like the entire site to be paved and capped.

There is an existing catch basin that has collapsed. That existing catch basin has a pipe that runs out to the harbor in an existing outfall. We are trying to improve the drainage to the site. As part of the project, we will dig out the existing catch basin and replace it, put in line a storm sceptor or equivalent water quality device and downstream of that water quality device there will be a gate valve. The construction sequence on this portion before any construction happens is that we will wait for the low tide cycle put a silt sack over the end of the pipe. Once that is in, we will excavate the catch basin. Once the area is exposed the existing pipe will be checked to see if it needs to be replaced. Then it will be backfilled.

Commission Comments:

Ms. Press stated that she would like Paul Keane from Engineering to review the plan. She stated we can close tonight, but will condition it that Mr. Keane must review it.

Mr. Gulla asked if there were any other projects completed and closed out. He was concern about overlap of projects.

The commission discussed other open projects.

Viking Gustafson, 94 Terrance Ave Winthrop, General Manager Gloucester Marine Railway.

Ms. Gustafson explained the sequence of the other project to the commission.

Ms. Press stated there can be two projects at the same time and they are not overlapping

Mr. Gulla stated his concern regarding the paving.

Mr. Campbell stated that the LSP on the project has gone back and forth with DEP. The cap that is going in has been specifically designed by DEP

Public Comment: None

Conditions:

- **No sealant to be used**
- **Engineering review**
- **Provide the commission the brand and product information for the catch basin**
- **Plug any Storm water outlets**

Motion: To approve 81 Rocky Neck Ave submitted by Gloucester Marine Railways Corp., to improve storm water system and to repave parking area and gravel area in a coastal resource area. (Map 128 lot 40

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

D. New - 28-2177- 31 Rocky Neck Ave Notice of Intent submitted by 2531 RNA

Realty Trust, to demolish and re-build concrete building, replace utilities and to remove by hand debris in mud flat, in the buffer to and in a coastal resource area. (Map 130 lots 5, 6, 7, 8). Kayak rack

Presenter: Mike Faherty,

Mr. Faherty stated that all activity is within buffer to coastal bank. There is an existing concrete building on the site that has a solid footing. The project is to take down the existing building and put a wood frame building back up. We are also seeking permission to build a kayak rack. It will be on 6 sona tubes for support and set off further from the property line. In addition, as part the owner agreement, the applicants are required to reinstall a new water line to connect to city water line and also replace the sewer line. Lastly, there is much junk on the site and at low tide it can be seen. We would like to take it out and most of it will be picked up by hand. If it is too heavy, it will be cranked up with a chain and rope and taken out.

Commission Comments:

Ms. Press stated there were no issues.

Public Comment: None

Conditions:

- **Extend silt sock**

Motion: To approve 31 Rocky Neck Ave submitted by 2531 RNA Realty Trust, to demolish and re-build concrete building, replace utilities and to remove by hand debris in mud flat, in the buffer to and in a coastal resource area. (Map 130 lots 5, 6, 7, 8). Kayak rack

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

E. New-28-2176- 647 Essex Ave Notice of Intent submitted by Alan Murtagh, to excavate and install 2 sewer lines in the buffer to an inland resource area. (Map 237 lot

Presenter: John Judd Gateway Consultants,

Mr. Judd explained the site to the commission. He stated they would be installing 2 six inch sewers connections. The site was walked with the agent and there is approval from Paul Keene

Public Comment: None

Motion: To approve 647 Essex Ave submitted by Alan Murtagh, to excavate and install 2 sewer lines in the buffer to an inland resource area. (Map 237 lot

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

VI. PUBLIC HEARINGS approximately 9:15 PM

- A. New- RFD 22 Beachcroft Road** Request for Determination submitted by Norma Cefalo, to repair a section of concrete wall in the buffer to a coastal resource area. (map 175, lot 11)

Presenter: Stephen Cefalo, 12 Mount Vernon St, Melrose

Mr. Cefalo stated that he was present on behalf of his mother. He explained there is a wall made of cobblestone and it is starting to break up. There is about 25 feet of wall that is failing and falling into the marsh. We simply want to take up the existing cobblestone and reset it. There will be a crushed stone base on the inside of the wall.

Commission Comments:

Ms. Press stated there is no footing on the wall. She said she suggested the applicant do an 8" gravel trench on the outside of the wall for the water

Mr. Gradwohl suggested to also add filter fabric.

Public Comment: None

Motion: Negative Determination 22 Beachcroft Road submitted by Norma Cefalo, to repair a section of concrete wall in the buffer to a coastal resource area. (map 175, lot 11)

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

- B. New- 75 Atlantic Road** Notice of Intent submitted by Rhodri Harries, to construct a covered porch addition and a deck in the buffer to a coastal resource area. (Map 71 lots 1 & 2).

Presenter: Horace Turner 523 Essex Ave, Gloucester MA.

Mr. Turner stated that this a 12x26 covered porch in front of house. It will be open in the front and the area is covered. It will be placed on sona tubes and have a crushed stone gravel base. There will be 2-1 mitigation landscaping on the side of the lot. No pressure treated wood will be used other than the posts.

Public Comment: None

Motion: To approve 75 Atlantic Road submitted by Rhodri Harries, to construct a covered porch addition and a deck in the buffer to a coastal resource area. (Map 71 lots 1 & 2).

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

- B. Continuation- 28-2163 6 Island Rock Lane** Notice of Intent submitted by Ken Revis, to construct an inground pool, patio, and stone retaining wall in the buffer to a coastal bank resource area (Map 133 lot 12).

Presenter: Bill Manuell, Wetlands and Land Management, Danvers, MA

Mr. Manuell stated the structure is smaller and everything has been pulled toward the

street. The pool is now out of the buffer. There is only a small section in the buffer. The impervious area in the buffer is 265 square feet and it will give 530 square feet back in mitigation planting. The application was for the portion of the pool in the buffer.

Commission Comments:

Ms. Press stated she would like to have mitigation planting closer to the resource.

Mr. Manuell stated that the applicants have tried twice before to plant closer to the resource, but because of the splash over nothing survives.

Public Comment: None

Motion: To approve 6 Island Rock Lane submitted by Ken Revis, to construct an inground pool, patio, and stone retaining wall in the buffer to a coastal bank resource area (Map 133 lot 12).

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0

C. Continuation -28-2173 26 Rockwood Lane, Notice of Intent submitted by Joel & Patricia Ray to re-build dwelling adding a second story, a deck and 2 additions with foundations in the buffer to a BVW and coastal bank resource area (Map 141 lot 63).

Presenter: Bill Manuell, Wetlands and Land Management, Danvers, MA

Mr. Manuell stated this was continued so the owners to talk to engineer to discuss the drainage solution. There will be a swale and directed toward the bay. The plan reflects that we added 360 square feet of rooftops and have given back over 720 square feet in mitigation.

Public Comment: None

Motion: To approve 26 Rockwood Lane, submitted by Joel & Patricia Ray to re-build dwelling adding a second story, a deck and 2 additions with foundations in the buffer to a BVW and coastal bank resource area (Map 141 lot 63).

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 5-0

Rob Gulla recused himself from this public hearing.

E. Continuation- Amend- 25 Wingersheek Rd, Samuel Saccardo, to amend existing order of conditions #28-2088, to change approved gravel drive to pavers and landscaping changes, in a coastal resource area. (Map 257 lot 250).

Presenter: Bill Manuell, Wetlands and Land Management, Danvers, MA.

Mr. Manuell stated that in original approval there was a requirement to provide 6300 square feet of mitigation. He explained the mitigation plan to the commission. He stated there are some changes from the original plan; where the post and rail fence was, will

now be densely planted with shrubs, the drive in the original plan was 16" wide, now it changes from 16' to 12' back to 16', the stoop has been raised higher and there will be a 90 degree turn with a few more steps, also added are pitch pine trees that will cover another 3200 square feet of mitigation. The driveway surface will be changed to an open joined paver system. There will be ¾" joints set on a bed of gravel material. We would like the landscape plan to be incorporated within the permit.

Commission Comments:

Ms. Press requested a data sheet on the pavers

Ms. Jackson asked if the steps with the 90 degree turn would be open.

Mr. Manuell stated yes, open steps with open risers.

Public Comment: None

Conditions:

- **Permanently permeable pavers and fill material to be approved by the agent.**

Motion: To approve the amendment for 25 Wingaersheek Rd, Samuel Saccardo #28-2088, to change approved gravel drive to pavers and landscaping changes, in a coastal resource area. (Map 257 lot 250).

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: approved 4-0

Rob Gulla rejoined the commission.

F. 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).

Motion: To continue 31 Stanwood Ave, the Notice 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 December 2, 2011.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

C. 28-2100 33 Stanwood Ave

Motion: To continue the Notice 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 December 2, 2011.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

D. 28-2099 35 Stanwood Ave

Motion: To continue the Notice 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 December 2, 2011.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

G. New 160 Essex Ave. Abbreviated Notice of Resource Area Delineation submitted by Vito Giacalone, Homeport Development Corp, to determine the Resource Area Delineation. (Map 218, lot 38).

Presenter: Bill Manuell, Wetlands and Land Management, Danvers, MA

Mr. Manuell stated he had flagged the wetlands on site and filed an ANRAD to get the wetlands delineated.

Commission Comments:

Ms. Press provided information to the board for three third party reviewers for the project. All three were comparable in price. One will review Mr. Manuell delineation.

Mr. Phillips stated he leans toward DeRosa Environmental for the third party reviewer.

Public Comment: None

Motion: To approve the 3rd party reviewer DeRosa Environmental for the 160 Essex Ave- Abbreviated Notice of Resource Area Delineation submitted by Vito Giacalone, Homeport Development Corp, to determine the Resource Area Delineation. (Map 218, lot 38).

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications

VII. AGENT'S REPORT ON VIOLATIONS

B. Requests for Certificates of Compliance
73 Rocky Neck Ave- piling replacement

Motion: To Approve 73 Rocky Neck Avenue

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 5-0

52 Shore Rd.- wall had to be repaired twice

Motion: To Approve 52 Shore Road.

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 5-0

C. Requests for Extension Permits

Motion: To adjourn

1st: Steve Phillips

2nd: Barry Gradwohl

Vote: Approved 5-0

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