

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

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

Members Present:

**Robert Gulla, Chair
Charles Anderson
Hugh Prichard
John Montoni
Barry Gradwohl
Ann Jo Jackson- Absent
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,
September 21, 2011 & November 2, 2011**

Motion: To approve the minutes for September 21, 2011 & November 2, 2011.

1st: Barry Gradwohl

2nd: Hugh Prichard

Vote: Approved 5-0

IV. PUBLIC HEARING approximately 7:15 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 December 7, 2011.

1st: Barry Gradwohl

2nd: John Montoni

Vote: Approved 5-0

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).

Applicants request to continue.

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 December 7, 2011.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

Rob Gulla recused himself

C. New- 28-2182- 27 Wyoma Road Notice of Intent submitted by Sam & Marilyn Sloan, to remove a porch and construct an addition, a 2nd story deck and an arbor in the buffer to a coastal resource area. (Map 256 lot 19).

Presenter: Bill Manuell, Wetlands and Land Management

Mr. Manuell stated that this project is in the buffer zone to coastal bank. He described the site to the commission. He stated the owner would like to remove the existing three season porch and build a two story addition in the same footprint. It will need a foundation. Directly next to the addition will be a second floor deck with a pergola which will connect to the second story addition. The foundation is just over 200 sq. feet and there is 1-1 mitigation. The excavation is minor and the footings will be pinned directly to the rock.

Commission Comments:

Ms. Press stated she does not see any issues.

Public Comment: None

Motion: To approve 28-2182- 27 Wyoma Road submitted by Sam & Marilyn Sloan, to remove a porch and construct an addition, a 2nd story deck and an arbor in the buffer to a coastal resource area. (Map 256 lot 19).

1st: Charles Anderson

2nd: John Montoni

Vote: Approved 4-0

Rob Gulla rejoined the commission

D. New- 28-2181- 79 Eastern Point Road Joseph Hadley, to remove and replace or repair 81' of seawall and stairway and to repair existing pool in a coastal resource area. (Map 136 lot 8).

Presenter: Bill Manuell, Wetlands and Land Management

Mr. Manuell stated there is an extensive series of terraces and seawalls and the stonework needs repair. He stated that prior to filing he had a discussion with Ms. Press about some emergency repairs that need to get done quickly. The northerly wall and stairs is in complete failure and the wall and stairs have crumbled. If the wall goes, the pool will collapse into the ocean. We have requested that certain work been done under

an emergency order. We will hand mortar the stones to get through the winter. It really needs a complete rebuild. It will be patch work for now and more extensive work will be done in the spring. The northerly wall is 81 feet and will be a poured concrete wall. To gain access one of the front garages will be dismantled as well as part of the house. There will be a crane to bring in and take out stones. All of the wooden structures will get repaired and all of the masonry will get re-pointed. The pool will have a new pool shell poured inside the existing pool structure.

Commission Comments:

Mr. Montoni asked if the wall was sitting on sand.

Mr. Manuell stated he believed it is sitting on rock not on sand.

Mr. Gulla asked what would happen if no rock was found.

Mr. Manuell stated if the digging exceeds 6-7 feet deep then engineering would have to change his design.

Mr. Gulla stated if no rock is found after digging two feet down the agent must be called.

Ms. Press stated that they don't have a Chapter 91 license.

Mr. Manuell stated they would be addressing that soon.

Mr. Gradwohl stated concern about tying the rebar to the rock.

Mr. Manuell stated the rebar will be entombed in concrete.

Mr. Gulla stated concern about the impact to the environment.

Mr. Manuell stated the workers will need to be on the flats for some of the work. The work will only be done at low tide. The site will be picked up daily. The staging will also need to be on the flats for the stonework.

Mr. Montoni asked how is the dismantling would be done? He also asked about the use of anchors.

Mr. Manuell stated it would be disassembled rock by rock, and then sheathing will be placed behind the wall so the pool is supported. The anchors have been specified for the project.

Ms. Press stated she would call Division of Marine Fisheries for comments. She stated she would like to require weekly monitoring, as well as, weekly updates of what work would be done for the week.

Public Comment: None

Conditions:

- **Weekly monitoring**
- **Weekly updates of what work would be done for the week.**
- **If no rock is found after digging two feet down the agent must be called.**

Motion: To approve subject to review of the conditions set forth by the agent for 28-2181- 79 Eastern Point Road Joseph Hadley, to remove and replace or repair 81' of seawall and stairway and to repair existing pool in a coastal resource area. (Map 136 lot 8).

1st: Barry Gradwohl

2nd: John Montoni

Vote: Approved 5-0

V. PUBLIC HEARINGS approximately 8:15 PM

A. New- 52 Commercial Street MY Management Group LLC, requests the Conservation Commission to determine the applicability of the Wetlands Protection Act and the local Wetlands Ordinance, to construct a one story addition in a coastal resource area. (Map 1, lots 14,15)

Presenter: Monty Rome, Representing Intershell, 52 Commercial Street

Commission Comments:

Ms. Press stated Mr. Rome would like to add 20x 65 addition on the concrete parking lot. There is no change to the impervious,

Mr. Rome explained the site to the commission. He stated the engineer was confident that there will be rock to anchor to. He stated he spoke to Mr. Keene regarding the runoff plan. It will be channeled by a drain and into a catch basin.

Mr. Gulla stated to Mr. Rome that he may want to speak with Bill Sanborn regarding the piers.

Mr. Montoni suggested to Mr. Rome to consider using a different roofing material.

Public Comment: None

Motion: Negative Determination for the project at 52 Commercial Street- MY Management Group LLC, to the applicability of the Wetlands Protection Act and the local Wetlands Ordinance, to construct a one story addition in a coastal resource area. (Map 1, lots 14,15)

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

B. Continuation- 28-2180 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

Mr. Manuell stated this is the process to have a wetland line verified. We filed an ANRAD and are seeking an ORAD. He stated he had originally flagged the wetlands the Commission hired a third party reviewer for confirmation.

Mike DeRosa, DeRosa Environmental, Ipswich MA

Mr. DeRosa stated Mr. Manuell and he met on site and walked the entire property. One modification was made. He explained the site to the commission. He stated Wetland Series C, is an isolated wetland. There is no defined channel so it remains isolated. More interesting was an area that was identified as a vernal pool by the DEP. In the spring would be a better time to look at the area to make sure it is a vernal pool. The dam is in disrepair and is leaking water. Once the dam is fixed, the Commission should make a note for the ORAD saying there was a wetland there because of the leaking, but it will not be sustainable once the dam is fixed. The delineation is fine.

Commission Comments:

Mr. Gulla stated concern regarding the dam control. He asked if there is an elevation that is safe for the dam according to the state levels. He stated he would want someone to find out what is that safe number for the water dam.

Ms. Press stated the information would be at the dam safety office. She asked if we should hold off voting on the ANRAD until we find out the level.

Mr. Gulla stated the area of delineation isn't going to change. However, before Phase 2 of this project starts, the Commission needs to be informed as to what the elevation of the pond should be.

Public Comment: None

Motion: To accept the revised plan for 28-2180 160 Essex Ave. Abbreviated Notice of Resource Area Delineation submitted by Vito Giacalone, Homeport Development Corp. (Map 218, lot 38).

1st: Barry Gradwohl

2nd: Hugh Prichard

Mr. Manuell stated that from a professional stand point, the reason the isolated wetland is there is because of the dam leaking. He stated he wants to make it clear for the ORAD.

Ms. Press stated she would like to have a minimum for isolated wetlands and for a protected buffer. The ordinance would have to be changed.

Vote: Approved 5-0

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications
None

VII. AGENT'S REPORT ON VIOLATIONS

None

B. Requests for Certificates of Compliance
None

C. Requests for Extension Permits
None

Motion: To adjourn at 8:17pm

1st: Barry Gradwohl

2nd: Hugh Prichard

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

