

**CITY OF GLOUCESTER
CONSERVATION COMMISSION MINUTES
WEDNESDAY May 16, 2012 - 7:00 PM
CITY HALL, KYROUZ AUDITORIUM
ROBERT GULLA, CHAIRMAN**

Members Present:

Robert Gulla, Chair, Ann Jo Jackson, Co Chair, Steve Phillips, Hugh Prichard, John Feener Barry Gradwohl, - [Absent](#), Charles Anderson-[Absent](#)

Staff:

Lisa Press, Agent, Pauline Doody, Recording Clerk

Items may be heard before their time.

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

28-2202 79 Eastern Point Blvd

Dan McRichie, 7 Hillside Ave Exeter NH

Mr. McRichie stated there are two trees in buffer zone that will be removed. As requested, we have revised and clarified what is being done and a planting plan has been submitted to the commission.

Motion: To approve 79 Eastern Point Blvd

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote:Approved 4-0 Steve Phillips abstained

28-2193 31 Rocky Neck

Ms. Press stated there are a lot of issues with this project. DEP has several concerns. They haven't met storm water standards.

II. **PUBLIC COMMENT - None**

III **MINUTES REVIEW**

May 2, 2012 minutes were tabled until June 6, 2012.

IV **Block 1***

- A. **New- 28-2024 20 Sumner Street** Notice of Intent submitted by Thomas Mackey, to remove and replace the septic system and to add a boulder retaining wall in buffer to riverfront resource area. (Map 236 lot 26).

Presenter: Thomas Mackey 20 Sumner St

Commission Comments:

Ms. Press stated it is a septic upgrade. It is on upland edge to ACEC on the outer edge. It is 90 feet from the 10 foot elevation.

Public Comment: None

Conditions:

- **Agent to be called 72 hours prior to work**

Motion: To approve 20 Sumner Street submitted by Thomas Mackey, to remove and replace the septic system and to add a boulder retaining wall in buffer to riverfront resource area. (Map 236 lot 26).

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: Approved 5-0

B. New- 87 Riverview Road, Tom Simons, (map 93, lot 1) Request for Determination submitted by Tom Simons to conduct extensive landscaping activities in RRA.

Presenter: Russel Stott, 76 Elm Street, Methuen Ma.

Mr. Stott reviewed the site plan with the commission. He stated that 2400 square feet of lawn will be removed and replaced with plantings from the coastal plant list. The Bluestone pathway will be reset as it is unsafe in its present condition. Additional steps with a handrail and guardrail will also be added. The existing terrace will be relocated with a deck.

Commission Comments:

Ms. Jackson asked if the existing deck is seasonal and is it elevated.

Mr. Stott stated the applicant would like to make it permanent and it is now on a stone base.

Ms. Jackson asked what the square footage of the plantings versus the square footage of the surfaces that are being added.

Mr. Stott stated 2489 square feet of lawn is being removed and replacing 2346 square feet of new vegetative planting. There will be 138 square feet of bluestone. The seasonal deck is 16x3.

Ms. Jackson stated she had no problem with the deck being non seasonal.

Public Comment: None

Motion: Negative determination for the project at 87 Riverview Road, (map 93, lot 1) submitted by Tom Simons to conduct extensive landscaping activities in RRA.

1st: Ann Jo Jackson

2nd: Hugh Jackson

Vote: Approved 4-0. John Feener abstained

C. New- 120-122 Wheeler Street Request for Determination submitted by Steven Evangelista, (map 99), to remove failed concrete wall.

Presenter: Steven Evangelista

Ms. Press stated the wall has fallen apart. They are going to take out the wall and replace it with plantings. It is mostly ledge underneath.

Public Comment: None

Condition:

- **The agent to be called to do final check at the end of the project.**

Motion: Negative determination for the project at 122 Wheeler Street submitted by Steven Evangelista, (map 99), to remove failed concrete wall.

1st: Ann Jo Jackson

2nd: John Feener

Vote: Approved 5-0

D. New- 3 Planters Neck Road Notice of Intent submitted by Geoffrey Richon, , to replace existing foundation wall in the buffer to a coastal resource area. (Map 119 lot 41).

Presenter: Geoffry Richon 5 Woodbury Street

Mr. Richon stated he needs to replace the house foundation that was damaged by a tree. The structural interiority is at risk. It will be in the same location.

Commission Comments:

Mr. Gulla requested a site plan. He stated it will need a siltation fence and a description of how the project will it be managed.

Mr. Richon stated there will be a siltation fence. The concrete will be taken out and immediately taken off the site. There will be a minimal amount of soil on the site. We will have to pull the existing footings out and replace them. The structure will be supported from the inside. It will not be fresh exaction

Mr. Feener requested a snow fence to be placed around the limit of the work where the machinery will travel.

Public Comment: None

Conditions:

- **Siltation control and concrete washout control**
- **Dumpster to be placed on driveway**
- **Snow fence along path of machine travel**

Motion: To approve 3 Planters Neck Road submitted by Geoffrey Richon, to replace existing foundation wall in the buffer to a coastal resource area. (Map 119 lot 41).

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: Approved 5-0

V. Block 2*

A. Continuation- Amend 28-2019 - 57 Folly Point Rd Frederick Taylor, to amend existing order of conditions, to reduce size of dwelling and change location of dwelling moving a portion into a coastal bank resource area. (Map 147 lot 10).

Presenter: Jeffrey Klug, Boston MA.

Mr. Klug stated he has moved the house north because of the geometry of the setback . The house footprint is reduced. The path has been removed and all plantings are indigenous. A neighbor had raised concerns about the decrease of starfish and sea anemones. He stated after speaking with several people, one being Professor Larry Harris, Marine Biologist of University of NH, he was informed that the decline is due to

recent growth of red seaweed. Mr. Klug read a prepared letter by Professor Harris of UNH. The letter is available for review at 3 Pond Road.

Commission Comments:

Ms. Press stated that she thought that the commission had established that it might be wind.

Mr. Gulla stated if there where an issue with wind that wouldn't be an issue with the projection to the buffer. It would be more of an issue of getting the site vegetated. He asked where the runoff is going from the dip in the roof.

Mr. Klug stated there is a scupper for run off in case of a deluge of rain.

Ms. Press stated that her main issue with the site is the fact that the job has been going on for 7 years and has been a mess. The area around the house needs to be planted and stabilized. Let's gets plants on the site.

Mr. Gulla asked if there was a projected completed time

Mr. Klug stated no. The intent is to get as much planted as possible.

Mr. Gulla stated that the applicant is to plant as much as possible. The commission needs to see the soils under control.

Mr. Klug stated he would submit a time sequence.

Ms. Press stated that the house cannot start until certain things have been done.

Mr. Feener recommended to Mr. Klug to treat the soil around the plant that is being planted for better success of survival.

Mr. Feener stated he would like the opportunity to review the plantings.

Mr. Gulla stated he would like to move the project along to get the area stabilized.

Public Comment: None

Conditions:

- Review of planting plan with agent
- House cannot begin until soil is stabilized

Motion: To approve the amendment for the existing order of conditions 57 Folly Point Rd Frederick Taylor, to reduce size of dwelling and change location of dwelling moving a portion into a coastal bank resource area. (Map 147 lot 10).

1st: John Feener

2nd: Hugh Prichard

Vote: Approved 4-0. Ann Jo Jackson abstained.

B. Continuation- - 28-2190 66 Woodward Avenue Notice of Intent submitted by Kimberly Costello and James Lesko, to reconstruct dwelling, construct an addition, a garage and driveway with grading and drainage in riverfront resource area. (Map 219 lot 115)

Motion: To continue the project at 66 Woodward Avenue Notice of Intent submitted by Kimberly Costello and James Lesko, to reconstruct dwelling, construct an addition, a garage and driveway with grading and drainage in riverfront resource area. (Map 219 lot 115) to June 6, 2012.

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: Approved 5-0

Rob Gulla recused himself for this public hearing.

C. New- 112-114 Wheeler Street Notice of Intent submitted by Gerald Byrne, to re-build existing pier, repair marine railway, renovate dwelling, replace a roof and repair and existing retaining wall in riverfront resource area. (Map 99 lot 36).

Presenter: Gerry Byrne, 114 Wheeler Street

Mr. Byrne stated that this site was a former marina. He stated he would like to upgrade 5 structures on the property. There is a 10x10 winch shed that needs a roof replacement. An unused apartment needs roof repair and the deck needs to be replaced. It will keep the same footprint. The railway system needs to be repaired and patched. He stated if the existing concrete pads get damaged during the repairs, he would like to be able to repair them. Everything will be done from land. There is a retaining wall on the water side with old telephone poles that are coming up. We would to replace it with a concrete wall. The existing wooden pier would stay the same in footprint, but we would like to cut off the exiting piles and cover them with piercing piles. The caps will be ACQ treated material. The decking will be Greenut and is not treated.

Commission Comments:

Ms. Press stated she had received a study that when ACQ materials are submerged some leeching does occur. The decking will not be submerged. There is no current policy regarding this issue. The Division of Marine Fisheries gives us guidance. We have to develop our own policy.

Mr. Byrne stated it was my understanding that ACQ on decking was fine.

Ms. Press stated that the commission can rule on everything but the decking and review the study and placement of the material on the 7:05 slot on June 6.

Ms. Jackson asked how the drainage will change with the roof line changes.

Mr. Byrne stated that right now the roof lines are at different heights and will be changed to all one level.

Mr. Feener suggested rain barrels for the apartment roof.

Ms. Jackson asked if the site would be used as an active marine railway.

Mr. Byrne stated he would like to restore it to it previous state.

Public Comment: None

Conditions:

- **Rain barrel of the apartment roof**

Motion: To continue the project at 112-114 Wheeler Street Notice of Intent submitted by Gerald Byrne, to re-build existing pier, repair marine railway, renovate dwelling, replace a roof and repair and existing retaining wall in riverfront resource area. (Map 99 lot 36) to June 6, 2012.

1st: Hugh Prichard

2nd: John Feener

Vote: Approved 4-0

Rob Gulla rejoined the commission

D. New - 132 Wingersheek Road Notice of Intent submitted by Antonio Bertone, to

demolish dwelling construct new dwelling and to re-build existing pool, in the buffer to a coastal dune resource area. (Map 260 lot 18).

Presenter: Robert Coakley, 64 Middle Street

Attorney Coakley stated there is an existing house on site that will be removed and rebuilt. The structure will be downsized. The concrete around the pool will be taken out and a more natural surface will be replacing it. There is a 900 square foot reduction of impervious. The pool will be retained and the existing shed will be replaced with a garage. A construction sequence plan has been submitted. The structure work will begin after the summer.

Commission Comments:

Ms. Press stated this site is buffer to dune, but it is not a functioning dune. The concern is the wind blowing during construction.

Mr. Feener asked for the dumpster location during demolition. He asked how the home is going to be removed.

Antonio Bertone, 132 Wingersheek Road

Mr. Bertone stated his contractor would like to repurpose most of the material of the house.

Mr. Feener stated he would like to see on the site map the area where the dumpster will be located and a staging area adjacent to it.

Public Comment: None

Condition:

- **Monthly report submitted to agent to confirm sequence is being followed**

Motion: To approve the project at 132 Wingersheek Road submitted by Antonio Bertone, to demolish dwelling construct new dwelling and to re-build existing pool, in the buffer to a coastal dune resource area. (Map 260 lot 18).

1st: Ann Jo Jackson

2nd: John Feener

Vote: Approved 5-0

John Feener recused himself from this public hearing.

VI. Block 3*

A. New- 2 Norrock Road Notice of Intent submitted by Timothy & Liane French, 2 Norrock Road to construct a dwelling with associated utilities and driveway in the buffer to an inland resource area. (Map 182 lot 7).

Presenter: John Judd, Gateway Consultants

Mr. Judd stated the project is sited on a vacant parcel. It will be a new single family house with a driveway, utility grading, and a rain garden for runoff of the additional impervious. The applicant has contacted an arborist to assist with the inventory of trees. 10-11 trees have health issues. It is a 2000 square foot footprint and is constrained by zoning setbacks. It is 41 feet from resource and the entire project is in buffer.

Commission Comments:

Mr. Gulla questioned the location of the turnaround.

Mr. Judd stated there are topographical issues to consider and the turnaround works well with a drive under. He stated a site visit might be helpful to the commission. He also stated he will submit a plan for re-vegetation.

Public Comment:

Mary Louise Guiliano, 11 Norwood heights

Ms. Guiliano read a prepared statement to the commission which is available for review at 3 Pond Road.

The commission agreed that a site visit would be helpful to determine where the stream is and that its protection is guaranteed. A site visit is schedule for May 23 at 3:00 pm.

Motion: To continue the project at 2 Norrock Road Notice of Intent submitted by Timothy & Liane French, 2 Norrock Road to construct a dwelling with associated utilities and driveway in the buffer to an inland resource area. (Map 182 lot 7) to June 6, 2012

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: Approved 4-0

John Feener rejoined the commission.

B. 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)

Presenter: Scott Landgren, CDM Smith, 50 Hampshire Street, Cambridge, MA.

Mr. Landgren stated the city has hired CDM Smith as the new design team for the project. The location of the site is essentially, but has been revised. The current plan is to renovate the facility and make it modern. The existing track, field, and bleachers will be replaced. The only additional building will be a restroom facility. The grade of the field will be the same as it is now. We have re-delineated the resource area as salt marsh, fragmites, and wetland. We are calling it a wetland. There is a 100 foot buffer around it. The entire site is in the 100 year flood plan and is at a low point. There are several catch basins for runoff and the rest comes into the field and lower area before making its way into the basin. A drainage system has been designed. We have been working with the city and Mark Cole. There is a separate drainage system for the field itself. The outfall is pulled back from the wetland edge.

Commission Comments:

Mr. Gulla stated that the commissions area of concern is the storm water management and the how the discharge will be controlled. The two biggest issues: surcharge issue and the storm water management issues.

Ms. Press stated that an exemption was given to one of the storm water performance standards.

Mr. Landgren stated the first comment was the storm water standards weren't met. The response to that was that it was being submitted for review 314 CMR 9066C6 which is "shall apply to the maximum extent practicable for footpaths, bike paths and non

motorized traffic.

Jane Wheeler CDM Smith

??? willing to accept that (could not hear her at the meeting or on the tape)

Mr. Feener stated his concern about additional sediment coming from the triangular discharge area. It may raise a level of soil that will allow fragmites to encroach on to the salt marsh area. We may want to add some plantings to reduce any potential sediment discharge.

Mr. Landren there is an invasive species eradication plan. We would like to eradicate the fragmites and replant

Mr. Feener stated to eradicate fragmites it is important to address more of the cause than just the affects. The soil and runoff have to be addressed as well.

Ms. Press stated that she believed that if the catch basins are maintained it would catch the incoming sediment.

Mr. Landgren stated that we should include soil removal as part of the fragmites control. He stated we were moving toward a lower stressor approach for eradication, but if that is the approach that the commission want to take then the city should be amenable to that.

Ms. Press stated it is a long term restoration, but in two or three years it looks great. We will have to access the cost.

Public Comment: None

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 June 6, 2012.

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: Approved 5-0

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications

VII. AGENT'S REPORT ON VIOLATIONS

43 Witham Street

Pam Norman

Ms. Norman stated that her neighbors Japanes Knotweed were invading her yard, so she decided to clear it. She stated that most of it was dead and it was a mess and dangerous. There is a brook down at the bottom of her yard.

Mr. Gulla stated that the Wetlands Protection Act protects the stream. If the area has been de stabilized the soil will wash into the riverbed.

Ms. Press stated that the area needs to be stabilized. She stated it looks like disturbed soil and was not sure what will grow there. The house is in the buffer zone.

Ms. Norman stated she would like to plant grass.

Mr. Gulla stated that grass does not have much benefit for the environment. He stated he would like to schedule a site visit. He stated to plant grass seed to stabilize the soil, but it cannot stay grass.

Mr. Feener stated a snow fence should be put in place and a maintenance plan should be generated. Planting should be done on top of the hill rather than the bottom of the hill.

Ms. Press stated that the slope needs to be stabilized under an enforcement order.

B. Requests for Certificates of Compliance
78 High Street

Motion: To approve 78 High Street Certificate of Compliance.

1st: Ann Jo Jackson

2nd Hugh Prichard

Vote: Approved 5-0

Motion: To adjourn

1st: Ann Jo Jackson

2nd: John Feener

Vote: Approved 5-0

***Please note that items may be taken out of order.**

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