

**CITY OF GLOUCESTER
CONSERVATION COMMISSION MINUTES
WEDNESDAY June 6, 2012 - 7:00 PM
CITY HALL, KYROUZ AUDITORIUM
ROBERT GULLA, CHAIRMAN**

Members Present:

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

Staff: Lisa Press, Agent, Pauline Doody, Recording Clerk

Items may be heard 15 minutes before their scheduled time.

The Commission is currently seeking members.

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

28-2207 114 Wheeler St

Rob Gulla recused himself.

Ms. Press stated that all the issues have been tied up, except for the use of ACQ when submerged for periods of time. The applicant had asked if could be used for under the deck. After speaking the Division of Marine Fisheries, they stated they were not concerned about areas that were not submerged. Ms Press stated she asked other coastal agents and they said they would allow it for the decking and cross bracing. DEP creates a guidance document for small and piers and it is very specific about materials and they recommend ACQ as a material.

The commission voiced no issues against the ACQ use.

Motion: To accept the project at 114 Wheeler St to include the ACQ material in non submersible applications.

1st: Barry Gradwohl

2nd: John Feener

Vote: Approved 5-0

Mr. Gulla rejoined the commission

II. PUBLIC COMMENT - None

III MINUTES REVIEW

Motion: To approve the minutes of May 16, 2012

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

IV Block 1*

A. New 518 Washington St Notice of Intent submitted by Thomas Weber, to replace retaining walls, and construct a covered porch in the buffer to riverfront resource area. (Map 111 lot 40).

Rob Gulla recused himself

Presenter: Thomas Weber,

Mr. Weber explained the site to the commission. He stated there is an existing 2-3 foot high wall with railroad ties. The existing wall will be replaced with granite blocks that will be 2 foot high when stacked. The change in imperious will be an increase of approximately 100 square feet.

Commission Comments:

Ms. Press stated she had no issues. A very good planting plan has been submitted.

Mr. Feener stated the commission will need a copy of the proposal of the tree movement. He also stated to the applicant that once the railroad ties have been removed the new work will need to be in the same place.

Public Comment: None

Conditions:

- **Removal of tree and replacement of new tree closer to the resource area**
- **New wall to have the same starting point as the existing wall**
- **Copy of proposal for tree removal submitted to the commission**

Motion: To accept the project at 518 Washington St submitted by Thomas Weber, to replace retaining walls, and construct a covered porch in the buffer to riverfront resource area. (Map 111 lot 40).

1st: Barry Gradwohl

2nd: Hugh Prichard

Vote: Approved 5-0

Mr. Gulla rejoined the commission
John Feener recused himself

B. Continuation- 28-2206- 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 that on the recent site walk there were questions about which trees would be removed and which were to remain. All the trees have been surveyed. Five trees will be removed for the construction of the dwelling and four trees removed because of the driveway. Mitigation will be 22 shrubs, trees, and a rain garden. The only change to the plan is the location of the trees as requested. The driveway is pea-stone. We have consulted with the arborist and it was recommended to add midlevel shrubs.

Public Comment:

George Craig: 9 Norrock Road

Mr. Craig stated his house is above the property. He stated he was concerned with the Wetlands in Annsiquam. We do not replace a wetland with housing units. That is why we create a 100 foot buffer. They serve very important functions. He stated he does not know the source of the Wetland survey. Someone should verify this survey to make sure it is accurate. The Army Corps of Engineers certifies the wetland. The presence

of the rain garden is concerning and am not sure that it will provide a good collection point. There is no hydraulic data to support the design. There is a great drainage area above it now that is feeding the wetland

Jonathan Poor 115 Leonard Street

Mr. Poor stated he lives across the street and has already submitted a letter for the commission. He stated he wants to hit some points that have not been addressed. He stated there is quite a bit of filling around the garage and there has been no indication of how that is being vegetated or what the hardscapes will be. What does the hardscape look like? It is a fairly steep and disturbed slope. He stated that he has a question about the stone retaining that is above the rain garden. The driveway abuts the stone retaining which means the water will be running across the pea stone. The grade drop is 4-6 feet into the rain garden which is small. The rain garden is sloping down hill, traversing the slope and it also has a pipe. That means the water comes into the rain garden, and terminates on Norrock Road. What are the discharge strategies? There is an existing rim of plantings all around the wetland that borders the street frontage. What does the application include as far as the vegetation being preserved or altered?

John Newcomber, 29 Rockholm Road

Mr Newcomber stated concerns as to where the floodwaters will go. The rain tends to flood back into Rockholm. He stated that 9 Rockholm Road has had to replace their gravel driveway twice and has now gone to asphalt. He stated it will add to the flooding concerns of the area.

Robert Fritz 22 Rockholm Road

Mr. Fritz stated the road has flooding issues. We just paid \$25,000 to have the road repaired from water run off and flooding. Adding to the issue is the construction of houses.

Isabelle Brown 121 Leonard St

Ms. Brown stated that it is her understanding that the Conservation Commission may require additional information from other city departments as well as from the applicants regarding any impacts. Ms. Brown questioned who was currently on the commission.

Mr. Gradwohl stated the City website is not up to date and the commissioners here this evening are current.

Ms. Brown asked the commission for the date of the application and if the commission has responded in writing.

Ms. Press stated May 2 and the commission issues a permit or denial within 21 days of the closed hearing.

May Louise Guiliano 11 Norwood heights

Ms. Guiliano submitted a letter to the commission which she read to the commission and public. The letter is available for review at 3 Pond Road

Ethel McDonald 9 Rockholm Road

Ms. McDonald informed the commission of flooding issues and erosion of driveways in the area. She stated that there is nowhere for the water to go and asked for the commission to please look at the area before proceeding.

Ms. Press explained to the public how storm water issues are reviewed.

Commission Comments:

Ms. Press explained what defines “stream” as in the Wetlands Protection Act. In this case it is not a river and the wetland flags will be a better protection than being 100 feet from the stream.

Mr. Gulla asked Ms. Press if she had walked the line.

Ms. Press stated she has seen the line but had not walked it.

Mr. Judd stated that the city engineer has received the plan, and has issued a statement that he has no issues. In response to Mr. Craig’s statement about the Corps of Engineers-the state of Massachusetts has much more stringent delineation techniques and methods and there is a much more conservative line which includes hydric soil consideration, vegetation consideration, and hydraulic conditions. Mike Seekamp did the delineation and it is a conservative line. In reference to the rain garden; this is a new technique on handling storm water runoff. Excavate out the soil and put in crushed stone and a perforated pipe which is not to discharge runoff into the road. There will be no discharge of runoff onto Norrock Road. The rain garden is below the elevation. The perforated pipe acts as vehicle to allow the runoff to be distributed and filtered. We are looking to enhance the 2-1 ratio of vegetation and introduce native species to the area. There will no work other than what is shown on the plan. A 3-1 slope is not too steep, it will be fortified with an erosion control sock and will be stable. The hardscape includes stepping stones into the house. We have already accepted a condition of no blasting.

Ms. Press asked to have Mr. Seekamp to send the data sheets and ask if he is going through the process of being certified.

Mr. Gulla stated he would like to see a drawing showing a better section through the driveway and the rain garden. He also asked for the figures for mitigation. He also requested more specific information on the actual disturbed area, that an area be roped off as a “no disturb loop”. This will show where the area of work is being done.

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 27.

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 5-0

Mr. Feener rejoined the commission.

C. Continuation- 28-2125 - 26 Centennial Avenue, Newell Stadium, 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, RLA CDM Smith, 50 Hampshire St. Cambridge, MA.

Mr. Landgren stated that at the last meeting the discussion focused on the wetlands

and the work/treatment on the phragmites. After several discussions with Ms. Press and Steve Winslow, we are modifying the pipe by changing the angle at the end. We have created a rain garden/stilling basin to give more buffer from the end of the pipe and the edge of the wetland. The other issue was the control of the phragmites. There have been discussions about a mowing/cutting program as well as soil testing to see what type of nutrients are in the soil. Then there will be appropriate planting for the area.

Commission Comments:

Mr. Feener revisited the site and stated there are two chain link fences. He stated that the focus of phragmites control could be between the two fences. The fence that is closest to the resource will be the stop mark for the invasive control. The soil testing will be part of the mitigation. He ask that the findings be documented to create a narrative so it may be used as a tool.

Mr. Landren stated that it could part of the project.

Ms. Press clarified that the phragmites will be controlled by mowing with soil supplements and then no additional planting and we will rely on the sea bank.

Mr. Feener nursery items selected for installation should be single stem. Additional hand pruning under canopy may be needed to insure that installed plants will have the greatest chance to establish itself and "outcompete" the invasive material present as part of the long term maintenance program.

Mr. Landgren stated the timing of the cutting of the phragmites is critical before it seeds. We have submitted suggestions for a planting plan that we think will work. We will submit a planting plan as part of the final project.

Dwight Dunk, CDM Smith, 50 Hampshire Street, Cambridge, MA

Mr. Dunk stated that the plantings we proposed are because of the slope. The long term plan is to maintain the phragmites. It will be cut.

Mr. Feener asked when the water finally empties out, will it empty out to the preexisting culvert. It seems the exit point is similar to what the culvert is now.

Mr. Landgren stated that drain is being removed. We are removing the direct discharge into the wetland

Ms. Press stated that it is critical that the revised plan be submitted to DEP.

Public Comment: None

Conditions:

- **Identify zone and elevation**
- **Identify native species with soil sample to ensure they will be able to out compete the species that is there.**
- **Findings to be document**
- **Narrative created to be used as tool**

Motion: To approve the project at 26 Centennial Avenue, Newell Stadium, 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)

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: 5-0 Mr. Gradwohl abstained.

Rob Gulla recused himself

V. Block 2*

A. 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)

Presenter: Michael Faherty

Attorney Faherty stated at our last meeting all the issues were resolved except for the planting plan. Ms. Costello will speak to the plan.

Kimberly Costello- 66 Woodward Ave

Ms. Costello stated that all plantings will be native. We will be replanting the three removed trees with Birch trees. The plantings will sustain salt water.

Commission Comments:

Ms. Press stated the applicants have complied with the commissions requests.

Public Comment:

Nicholas Danikas, 57 Woodward Ave

Mr. Danikas stated this is a huge project on a small piece of fragile bank. It doesn't make sense to me. Why don't they go up if they need more space? The drainage flies down and toward my house. Where is it going to go?

Laura Croser, 57 Woodward Ave

Ms. Croser stated here opposition to the project. It will disturb the ecological system of the area.

Michael Faherty stated that the drainage and vegetation issues have all been addressed and there is nothing to add. This project will not have an impact on the water quality and will not be detrimental to the area.

Conditions:

- **Mulch sock**

Motion: To approve the project at 66 Woodward Avenue 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)

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 3-0 with Ms. Jackson and Mr. Feener abstaining.

Mr. Gulla rejoined the commission.

- B. New- 28-2209- 32 Laurel Street** Notice of Intent submitted by Catherine Schlichte, to replace a septic system in the buffer to inland resource area. (Map 213 lot 2).

Presenter: John Judd, Gateway Consultants

Mr. Judd stated this is a replacement of a sewerage disposal system Soil testing has been performed and is suitable for the project. It has been approved by the Board of Health. A mulch sock will be installed and all contaminated soil will be trucked offsite. The deck will be replaced with loose laid stepping stones.

Public Comment: None

Motion: To approve the project at 32 Laurel Street submitted by Catherine Schlichte, to replace a septic system in the buffer to inland resource area. (Map 213 lot 2).

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

Ann Jo Jackson recused herself

- C. New- 21 Salt Island Road,** Request for Determination submitted by Ann Jo Jackson, to replace granite stairway. (Map 176 lot 50)

Commission Comments:

Ms. Press stated it is repairing and replacing concrete stairs that go into coastal bank. Nothing is changing.

Public Comment: None

Motion: Negative determination for the project at 21 Salt Island Road, submitted by Ann Jo Jackson, to replace granite stairway. (Map 176 lot 50)

1st: Barry Gradwohl

2nd: Hugh Prichard

Vote: Approved 5-0

Ms. Jackson rejoined the commission

- D. New- 4 Stanwood Point,** Request for Determination submitted by Sandra Weakland, to construct a deck and stairway. (Map 230 lot 69),
Applicant has withdrawn application.

VI. Block 3*

- A. New- 19 Norseman Avenue,** Request for Determination submitted by Craig Cervo, to clear vegetation to create a pathway. (Map 144 lot 87)

Presenter: Craig Cervo, 19 Norseman Avenue

Mr. Cervo stated he would like to move an existing footpath to another area. The new path will be shorter and will provide better access to the water. He explained the site to

the commission.

Commission Comments:

Mr. Feener stated a meandering path rather than a straight path would be best. It will help with erosion issues.

Mr. Gulla stated to consult with the agent to finalize the design of the path. The path can be 3-4 feet wide.

Public Comment:

Carolyn Haines 15 Lincoln Ave,

Ms. Haines stated she was in support of the path but concerned with runoff.

Steven Kutensky

Mr. Kutensky stated he was in support of the relocation of the path. He read and submitted a letter to the commission.

Conditions:

- **Photograph path after work is done and submit to Agent.**
- **Plant shrub at head of path to mark and for erosion control**
- **Path to be 3-4 wide**
- **Walk through with agent**

Motion: Negative determination for the project at 19 Norseman Avenue, submitted by Craig Cervo, to clear vegetation to create a pathway. (Map 144 lot 87)

1st: Ann Jo Jackson

2nd: Hugh Prichard

Vote: Approved 6-0

- A. New 12 Duley St,** Request for Determination submitted by Joan Wardwell, to construct an addition on sonotubes and add a deck. (Map 142 lot 37)

Presenter: Joan Wardwell

Bill Zwemke, Zwemke Property Service

Mr. Zwemke stated there will be two additions to the structure. It will sit on the existing foundation. The 9x12 addition will sit on two concrete piling.

Commission Comments:

Ms. Press stated that impervious is being added.

Mr. Gulla stated that when impervious is increased, it needs to be offset with 2-1 mitigation. In this case, it is cantilevered, so only 1-1 mitigation is need. We will need to plant the same square footage as the impervious roof. It is best to plant near the resource or where the surcharge will be.

Mr. Feener suggested surrounding the addition with shrubs.

Public Comment: None

Conditions:

- **Hand dug sona tubes**

- Planting plan to be submitted prior to construction
- Preconstruction site walk

Motion: Negative determination for the project at 12 Duley St, submitted by Joan Wardwell, to construct an addition on sonotubes and add a deck. (Map 142 lot 37)

1st: Ann Jo Jackson

2nd: Barry Gradwohl

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

**** Applicant requests continuation to July 18, 2012.**

Motion: To continue the project at 31 Stanwood Ave, 33 Stanwood Ave, & 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 July 18

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0 with Mr. Feener abstaining.

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications

VII. AGENT'S REPORT ON VIOLATIONS

B. Requests for Certificates of Compliance

C.
 28-1862 70 Poplar St
 28-935 Great Republic Dr
 28-1672 Great Republic Dr
 GWO08-08 47 High St
 28- 1969 31 Rockholm road
 28-2168 35 Rockholm road
 28-1807 186 Magnolia Avenue
 28 1585 139 Wingaersheek

Motion: To approve the Certificates of Compliance for 28-1862 70 Poplar St, 28-935 Great Republic Dr, 28-1672 Great Republic Dr, GWO08-08 47 High St, 28- 1969 31 Rockholm Road, 28-2168 35 Rockholm Road, 28-1807 186 Magnolia Avenue, and 28 1585 139 Wingaersheek

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: approved 6-0

D. Requests for Extension Permits

Adjournment

Motion: To Adjourn

1st: John Feener

2nd: Barry Gradwohl

Vote: Approved 6-0

*** 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