

**CITY OF GLOUCESTER  
CONSERVATION COMMISSION MINUTES  
WEDNESDAY August 1, 2012 - 7:00 PM**

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

**Members Present:**

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

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

Mr. Gulla opened the meeting opened at 7:03 p.m.

**Items may be heard out of listed order.**

- 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**

**Motion: To approve the July 18, 2012 minutes**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Charles Anderson**

**Vote: Approved 6-0**

**IV Block 1\***

**A. Continuation- 28-2214- 149 Atlantic Road** Notice of Intent submitted by Ralph DiGiorgio, to construct a duplex with associated utilities and gravel driveway in the buffer to an inland resource area. (Map 73 lot 34).

**Presenter: Mary Rimmer, Rimmer Environmental Consultants**

**Ms. Rimmer** stated the requested changes were made after the site visit with the Commission. The decks were moved and plantings were added. The commission reviewed the site plan.

**Commission Comments:**

**Mr. Gulla** stated his concern about monuments on the wetlands edge.

**Mr. Judd** stated he could turn the house a bit for shade and to protect the wetland. It will also help the Grey Birch trees and plantings.

**Public Comment: None**

**Conditions:**

- **Revised plan to be submitted to the Agent**

**Motion: To approve the project at 149 Atlantic Road submitted by Ralph DiGiorgio, to construct a duplex with associated utilities and gravel driveway in**

**the buffer to an inland resource area. (Map 73 lot 34).**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Charles Anderson**

**Vote: Approved 6-0**

**B. New- 16 Doanne Road** Request for Determination submitted by Thomas & Catherine Curran, for after the fact construction of a cabana and to install a new shed. (Map 99 lot 11)

**Presenter: Catherine & Thomas Curran**

**Ms. Curran** stated they had constructed the cabana last summer. They had asked the building inspector at that time if a permit was needed and was told no. She stated she did not think they needed to come before the commission. The walls and patios were built in 2004.

**Commission Comments:**

**Mr. Gulla** asked if there was a permit for the walls when the addition was done.

**Ms. Curran** stated no.

**Mr. Gulla** explained to the Currans that if a property is inside a buffer the commission needs to be contacted to determine whether the work will affect the environment.

**Ms. Press** stated the property is in riverfront to coastal bank; however the commission may not be able to reach back to 2004.

**Mr. Gulla** recommended to the Currans to meet with the Agent on site for a recommended planting plan. He also explained the process of 2-1 mitigation and that there may be a need for an Alternative Analysis for the proposed shed.

**Public Comment: None**

**Motion: To continue the project at 16 Doanne Road Request for Determination submitted by Thomas & Catherine Curran, for after the fact construction of a cabana and to install a new shed. (Map 99 lot 11) to August 15**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Barry Gradwohl**

**Vote: Approved 6-0**

**C. New- 7 Bayberry Lane** Notice of Intent submitted Robert Burns, to construct a 2<sup>nd</sup> and 3<sup>rd</sup> floor addition to a structure in the buffer to a coastal resource area. (Map 257, lot 68).

**Presenter: Bill Manuell, Wetlands and Land Management**

**Mr. Manuell** stated the site is completely developed. The applicants will take off the existing roof and add a 2<sup>nd</sup> story and 3<sup>rd</sup> story widows walk. No work will be done at ground level other than new windows on first floor and siding. It will be foot traffic only. . All vegetation will be staying. New utility lines will be installed underground.

**Commission Comments:**

**Ms. Press** stated that the property is not in dune as DEP has stated.

**Mr. Gulla** stated concern with debris being blown around.

**Public Comment: None**

**Conditions:**

- **Covered dumpster**

**Motion: To approve the project at 7 Bayberry Lane submitted Robert Burns, to construct a 2<sup>nd</sup> and 3<sup>rd</sup> floor addition to a structure in the buffer to a coastal resource area. (Map 257, lot 68).**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Steve Phillips**

**Vote: Approved 6-0**

**D. New- 4 Lane Road** Request for Determination submitted by Ian & Joanne Gardner to excavate Lane Rd and driveway to connect to City water. (Map 183 lot 2)

**Commission Comments:**

**Ms. Press** stated the work will in the existing driveway.

**Mr. Feener** stated that it should be a dig and fill all in same day. Only dig a days worth of work.

**Public Comment: None**

**Conditions:**

- **Dig and fill in the same day**

**Motion: Negative Determination for the project at 4 Lane Road submitted by Ian & Joanne Gardner to excavate Lane Rd and driveway to connect to City water. (Map 183 lot 2)**

**1<sup>st</sup>: Steve Phillips**

**2<sup>nd</sup>: Barry Gradwohl**

**Vote: Approved 6-0**

**V. Block 2\***

**A. Continuation- 28-2211 -47-61 Commercial Street** Beauport Gloucester LLC to determine the Resource Area Delineation. (Map 1, lot 33).

**Motion: To continue the project at 47-61 Commercial Street Beauport Gloucester LLC to determine the Resource Area Delineation. (Map 1, lot 33) to August 15.**

**1<sup>st</sup>: Barry Gradwohl**

**2<sup>nd</sup>: John Feener**

**Vote: Approved 6-0**

**C. Continuation- 28-2218-5 Aileen Terrace** Notice of Intent submitted by John Haley Jr. to enlarge existing floating dock in a coastal resource area. (Map 137, lot 3).

**Applicant requests a continuation to August 15, 2012.**

**Motion: To continue the project at 5 Aileen Terrace Notice of Intent submitted by John Haley Jr. to enlarge existing floating dock in a coastal resource area. (Map 137, lot 3).to August 15.**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>; Barry Gradwohl**  
**Vote: Approved 6-0**

Mr. Gulla recused himself

**VI. Block 3\***

**A. Continuation- 28-2220-138 Wheeler Street**, Notice of Intent submitted by Damian Dell'Anno, to remove and replace dwelling in a riverfront resource area. (Map 100, lot 24).

**Presenter: John Judd Gateway Consultants**

**Mr. Judd** stated that the discussion was started at the site visit regarding the performance standards in 1058 Subsection 3, the 7 interests of the Riverfront Protection Act. Mr Judd referenced the 7 interests of the act and explained how this project/lot does not impact any of them. The proposal will enhance the site with plantings and impervious is being reduced.

**Commission Comments:**

**Ms. Jackson** stated that the next step is to see if there is an alternative. Is there a way this project can be designed as to encroach less on the waterfront.

**Mr. Judd** stated that he understands that he has not sufficiently rebutted the interests at this point.

**Ms. Press** stated there are two items: interests in the act and impacts. There are 3 steps. The first is to prove the lot does not protect the interest of the act. It has not been proven yet. The next step is the Alternative Analysis. This lot does contribute to the interest of the act and it has not been proven otherwise.

**Mr. Phillips** stated that the Agents position is indisputably clear and correct. In order to avoid the Alternative Analysis you have to completely rebut the presumption.

**Mr. Judd** requested an extension to September 2.

**Public Comment: None**

**Motion: To continue the project at 138 Wheeler Street, Notice of Intent submitted by Damian Dell'Anno, to remove and replace dwelling in a riverfront resource area. (Map 100, lot 24) to September 5, 2012.**

**1<sup>st</sup>: Barry Gradwohl**

**2<sup>nd</sup>: Charles Anderson**

**Vote: Approved 5-0**

Mr. Gulla rejoined the commission

**B. Continuation- 16 Cononicus Road**, Peter Alcock, requests to amend Order of Conditions #28-1902 to change the structural support on a portion of the dwelling from sonotubes to a poured foundation and to conduct blasting and other changes in the buffer to a riverfront resource area. (Map 231, lot 13).

**Motion: To continue the project at 16 Cononicus Road, Peter Alcock, requests to amend Order of Conditions #28-1902 to change the structural support on a portion of the dwelling from sonotubes to a poured foundation and to conduct**

**blasting and other changes in the buffer to a riverfront resource area. (Map 231, lot 13) to August 15.**

**1<sup>st</sup> Barry Gradwohl**

**2<sup>nd</sup>: Ann Jo Jackson**

**Vote: Approved 6-0**

**VII. AS TIME PERMITS: COMMISSION BUSINESS**

A. Requests for Letter Permits/Modifications

**VII. AGENT'S REPORT ON VIOLATIONS**

EO 88 Commercial Street to be ratified

**Ms. Press** stated there floor drains going into the harbor. They are in violation until they receive a letter from Joe Guzzo, Plumbing Inspector.

**Motion: To approve the Enforcement Order for 88 Commercial Street**

**1<sup>st</sup>: Steve Phillips**

**2<sup>nd</sup>: Barry Gradwohl**

**Vote: Approved 6-0**

B. Requests for Certificates of Compliance

28-1921 31 Norseman

28-2061 474 Washington St

28-2020 684 Washington

**Motion: To approve the Certificates of Compliance for 28-1921 31 Norseman 28-2061 474 Washington St, and 28-2020 684 Washington St.**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Barry Gradwohl**

**Vote: Approved 6-0**

**Motion: To Adjourn**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Steve Phillips**

**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](mailto: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](http://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**