

CITY OF GLOUCESTER
Draft CONSERVATION COMMISSION MINUTES
WEDNESDAY October 17, 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, Steve Phillips, Charles Anderson
Staff: Lisa Press, Agent, Pauline Doody Recording Clerk

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.

28-2227 9 Horton St

Motion: Approval of 9 Horton St

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: Approved 6-0

II. PUBLIC COMMENT -

David Dow, 12 Essex St

Mr. Dow informed the commission of vegetation cutting from the annual cyclo-cross taking place at Stage Fort Park. He stated that it has caused severe damage and has been going on for years. Clean up and repairs of the areas have been minimal. Mr. Dow submitted pictures to the commission. He stated the Mayor, Mike Hale, or Mike Cole should be held accountable.

Ms. Press stated she has been aware of this and thanked Mr. Dow for his concern. She said it has been difficult to find out who has been responsible. The organization does not have a base to be able to hold someone accountable. Ms. Press stated she would follow up and inform City Council of what is happening. The work should not be done without commission involvement or without having a detailed procedure for how the work done is to be done.

III MINUTES REVIEW

Motion: To approve the minutes of September 5 & 19, 2012.

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

IV Block 1*

A. New - 28-2230- Essex Avenue, Rte 133 Notice of Intent submitted by MA DOT Highway Div, to conduct repair and maintenance to an existing drainage structure in the riverfront resource area. (Map 218).

Presenter: Andrea Norton, Mass DOT

Ms. Norton stated that Mass DOT has received complaints of drainage issues near and at the Gloucester Cinema. A site meeting was held with Lisa Press and a maintenance crew. Based on that meeting, a contractor ran a video camera down the catch basin and drainage pipe which ended in the salt marsh. The pipe will be pulled back 4 feet and a storm bowl will be placed at the outfall. The pipe will be cut and plugged. It will be cleaned at least once a year or more, but not less than every two years.

Public Comment: None

Motion: Approval of the project at Essex Avenue, Rte 133 submitted by MA DOT Highway Div, to conduct repair and maintenance to an existing drainage structure in the riverfront resource area. (Map 218)

1st: Ann Jo Jackson

2nd: John Feener

Vote: Approved 6-0

B. New- Essex Avenue, Rte. 133, Request for Determination submitted by MA DOT Highway Div, to repair existing sidewalk and to install a new sidewalk.

Presenter: Andrea Norton, MASS DOT

Ms. Norton stated requests were made for MASS DOT to create a safe route for pedestrian travel. Part of the area there will be sidewalk repair and at the Concord Road intersection down to the cemetery, a new sidewalk will be built. The Concord intersection will be reconfigured for new wheelchair ramps and new crosswalks.

Commission Comments:

Ms. Press asked about drainage that runs into a stream and how it will be addressed. There is one area that drainage goes into the stream.

Ms. Norton stated that the scope of work does not include drainage.

Ms. Press and Mr. Gulla made Ms. Norton aware of present drainage issues.

Ms. Norton asked if the commission would like anything else for her to bring back to the district.

Mr. Gulla requested for MASS DOT to look at the near the entrance of exit 14. There is a wetland in the back area. This area has been being used for a dumping ground. Equipment has been stored there, soils etc. He stated it is not just MASS DOT, others have been doing the same thing.

Public Comment: None

Conditions:

- **Only straw wattles or mulch socks to be used for erosion control.**
- **Prior to construction agent to go out to inspect erosion control.**
- **No stockpile of soils in jurisdictional area**
- **Equipment to be stored outside of jurisdictional area**

Motion: Negative determination for the project at Essex Avenue, Rte. 133, submitted by MA DOT Highway Div, to repair existing sidewalk and to install a

new sidewalk.

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

C. 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). **Applicant requests continuation to November 7, 2012.**

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 November 7, 2012.

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 6-0

D. Continuation- 101 Eastern Ave Request for Determination submitted by National Grid, to install an underground gas service.

Presenter: Chris Lutz, National Grid

Mr. Lutz stated most of the work will be in the road and sidewalk. It will be back filled the same day.

Commission Comments:

Ms. Press stated that straw wattles or mulch socks should be used for erosion control.

Public Comment: None

Conditions:

- **Straw waddle or mulch sock used for erosion control**
- **Agent to be called 72 hours prior to work**

Motion: Negative Determination for the project at 101 Eastern Ave submitted by National Grid, to install an underground gas service

1st: Charles Anderson

2nd: Ann Jo Jackson

Vote: Approved 6-0

V. Block 2*

A. Continuation- 28-2223- 222R Atlantic Street, Lelia Noveletsky, to determine the Resource Area Delineation (Map 256, lots 51, 53, 54, 57, 62, 63).

Presenter: Paul Marchaund, Marchaund Associates

Mr. Marchaund stated that the third party reviewer hired for this project, Rimmer Environmental, has submitted their report of October 1, 2012. Their findings agreed with our proposed delineation of the site. The site is not dune.

Public Comment: None

Motion: To accept the delineation for 222R Atlantic Street, Lelia Noveletsky (Map 256, lots 51, 53, 54, 57, 62, 63).

1st: John Feener

2nd: Barry Gradwohl

Vote: Approved 5-0 with Ms. Jackson abstaining.

B. Continuation- 28-2231- 39 Salt Island Road Notice of Intent submitted by Carolyn McGuire, to remove, replace and enlarge dwelling and to re-construct a garage in the buffer to a coastal resource area. (Map 177, lot 5).

Presenter: Bill Manuell, Wetlands and Land Management

Mr. Manuell stated that the project includes demolishing the old house and constructing a new home on the existing foundation, rehabilitate the garage, driveway and walkway to be removed. The driveway will be pea-stone and walkway will be a combination of pea-stone and bluestone. The dwelling will be expanded and will include an expanded foundation. There will be no blasting. There is a net reduction of impervious of 149 square feet, 3 trees will be removed and replaced with 6 trees in the same area. A new sewer connection will be installed and upgraded water and electric. There is a concrete seawall along the width of the property with only two openings. The wall stands two feet high and will be a sediment barrier for the project. The two open areas will be blocked with straw bales. There is a dry stonewall along the street that will be dismantled to get onto the site during construction.

Commission Comments:

Mr. Feener stated the bluestone walkway may slow down water velocity and help the area around it.

Ms. Press stated she would like the area between house and coastal bank to stay vegetated.

Mr. Manuell stated the Rosa Rugosa will be brought back to a controlled state and other plantings will be added.

Mr. Feener stated that when Rosa Rugosa is removed the soil will not have any growth and suggested putting down wood chips to help protect erosion of the area.

Mr. Gulla stated he would like to see something left purposely to help stop debris from going to into the resource. He asked for more definitive limits and edges put in place. He stated that he is more concerned with the replacement than the removal. He asked what the width of the walkway will be.

Mr. Manuell stated it will be a 4 foot wide walkway.

Public Comment: None

Conditions:

- **4 foot wide walkway**
- **Planting plan to be submitted**
- **Cut Rosa Rugosa area to be covered with 3"layer of wood chips for erosion control**

Motion: To accept the project at 39 Salt Island Road submitted by Carolyn McGuire, to remove, replace and enlarge dwelling and to re-construct a garage in the buffer to a coastal resource area. (Map 177, lot 5).

1st: Ann Jo Jackson
2nd: Barry Gradwohl
Vote: Approved 6-0

C. Continuation-28-2229- 48 Fort Hill Avenue Notice of Intent submitted by Kate Stavis, to construct a dwelling with associated utilities, driveway and landscaping and to repair a seawall in a coastal resource area. (Map 136, lot 47).

Presenter: Dan Ottenheimer, Mill River Consulting

Mr. Ottenheimer stated the project includes the construction of a home, garage, breezeway, driveway, rainwater catch basin, septic and pump tank, leeching facility, repave a portion of the driveway, a shed located in buffer to be moved out of the buffer, and a 270 foot seawall in need of repair. The environmental enhancements include 5000 square feet of plantings, debris of 1800 square feet to be removed and 3800 square feet of pavement will be removed. To protect the natural resource, there will be siltation control, a specified construction sequence, stockpile area, and a dewatering area surrounded by siltation controls. There will be directional drilling underneath the resource which will come up on other side for minimal impact. Any exposed soil will be stabilized with mulch or vegetation.

Commission Comments:

Ms. Press stated that DEP had a comment said that if there is going to be a septic pipe under the wetland it doesn't qualify for the same exemptions under the act for Title 5. It will need to be sleeved.

Mr. Ottenheimer stated that it can be sleeved using a 4 inch pipe and run a 2 inch pipe through it.

Ms. Press stated that she didn't think removing vegetation to plant other vegetation is necessary. It could be a mess near the wetland. Finding another area to plant would better serve the site.

Mr. Gradwohl asked if blasting will be needed.

Mr. Ottenheimer stated yes, it may be necessary, but there isn't a blasting plan proposed at this time.

Ms. Press stated the commission would contract out at the applicant's expense a geotechnical engineer to review the blasting plan.

Public Comment: None

Conditions:

- **Applicant must return to the commission if blasting is needed.**
- **Revised planting plan to be submitted**
- **Sleeving of septic pipe**

Mr. Feener suggested identifying the invasive species, removing them and then doing the desired plantings.

Motion: To approve the project at 48 Fort Hill Avenue submitted by Kate Stavis, to construct a dwelling with associated utilities, driveway and landscaping and to repair a seawall in a coastal resource area. (Map 136, lot 47).

1st: John Feener

2nd: Barry Gradwohl
Vote: Approved 6-0

D. New- amend-31 Salt Island Road, Douglas Fifield, requests to amend Order of Conditions #28-2196 to demolish and rebuild entire dwelling in a coastal resource area. (Map 177, lot 1).

Presenter: Bill Manuell, Wetlands and Land Management

Mr. Manuell stated that the amendment is for the original application. A section of the house was going to be preserved, but after some thought, the applicants have decided to bring the entire house down to the foundation. The new plan will have a deck, no covered porch, and the covered walkway has been removed. The impervious has been reduced, but the mitigation has not been reduced.

Public Comment: None

Motion: To approve the amendment for 31 Salt Island Road (Map 177, lot 1) Order of Conditions #28-2196 to demolish and rebuild entire dwelling in a coastal resource area.

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

VI. Block 3*

A. New- 27 Wingaersheek Road, Notice of Intent submitted by George Adam, to construct a garage and ground level and elevated walkways in coastal resource areas (Map 257, lot 1).

Presenter: Bill Manuell, Wetlands and Land Management

Mr. Manuell stated the applicant would like to construct a new 24x36 garage elevated on piers. There will be a ramp off of the existing drive up to elevation of the garage. Two trees will be removed and 4 will be planted. The applicant would also like to create a walkway around the home and out to the beach. The proposal is for a ground level section of removable walkway. Grass can grow up through the slats. An elevated walkway will be constructed closer to the beach. ACQ pressure treated decking is specified. It will be elevated 2 feet off the dune surface. There will be an additional 864 square feet of rooftop. The site is mostly undisturbed. Mr. Manuell suggested a site walk be scheduled to discuss a mitigation plan. There are areas of invasives species and fragmites.

Commission Comments:

Ms. Press stated DEP's comments stated that this does not meet the small accessory clause.

Mr. Manuell stated it is designed for the dune performance standards

Mr. Gulla stated it is aggressive in meeting the accessory structure.

A site visit was scheduled for October 27 at 8:30 a.m.

Public Comment: None

Motion: To continue the project at 27 Wingersheek Road, Notice of Intent submitted by George Adam, to construct a garage and ground level and elevated walkways in coastal resource areas (Map 257, lot 1) to November 7, 2012

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

B. New - 4 Eastern Point Road, Notice of Intent submitted by Alex Eisenzopf, Rokhaya Waring, 4 Eastern Point Road, to demolish and remove 2 structures and to construct a addition with a garage in the buffer to an inland resource area (Map 131, lot 7).

Presenter: Meredith Fine, 38 Pleasant St

Attorney Fine stated there are two outbuildings on the property. One is a cottage which will be taken down, then an addition will be built onto the house. It will be on a slab. It is within 100 feet of an intermittent stream. The stream goes down the back of the property, into a subsurface pipe to Wonson Cove. The driveway will be replaced with pea-stone. A small piece of the foundation will be removed. A drip edge and gravel drip-line will be installed. The shed/garage is made up of three piece's structure. The original structure will be kept, and the other structures will be removed. It will be up on piles with gravel underneath. Overall, there will be less impervious with no impact on the stream.

Commission Comments:

Ms. Press stated she does not believe the existing driveway is impervious. There is plenty of room for additional planting for mitigation needed.

Attorney Fine stated that when water is on the driveway the water stands on it.

Mr. Gulla stated that the driveway will have to be dug up to make it a truly impervious surface. It may make more sense to do additional plantings.

Public Comment: None

Conditions:

- **New plan to be submitted**

Motion: To continue the project at 4 Eastern Point Road, Notice of Intent submitted by Alex Eisenzopf, Rokhaya Waring, 4 Eastern Point Road, to demolish and remove 2 structures and to construct a addition with a garage in the buffer to an inland resource area (Map 131, lot 7) to November 7, 2012.

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 6-0

C. New- 28-2232- 47 Commercial Street Notice of Intent submitted by Sheree DeLorenzo, Beauport Gloucester LLC, to construct a hotel with associated utilities and parking in a coastal resource area. (Map 1 lot 33).

Presenters: Todd Morey, Beals Associates

Mr. Morey stated this project is on 1.85 acres of developed land. The proposal includes a hotel with ground level parking and 3 levels of hotel area. The westerly side has

exterior parking. There is an 8 foot walkway for access to the beach from Commercial St., and a 10 foot wide walkway in front of hotel on the beach side. There are 3 new access points to the beach. There will also be handicap access to the beach.

Drainage features: The current drainage has a series of catch basins and manholes along Fort Square and along Commercial St. The main discharge now is an 18' concrete pipe on the beach. The elevation of the pipe is 0.7, which is just above sea level. Mean high water is elevation 4 and mean low water is negative 5. There is a drainage easement that runs from the basins, northerly, through an abutting piece of property and discharges to the inner harbor. It is easily flooded with 1inch of rainfall. Changes have been designed to alleviate storm water overflow. The city is undertaking a design for some infrastructure improvements. In the proposal is a design to install a formal storm drain system in the parking lot and storm sceptor to remove sediment. Also in the proposal is an underground infiltration which will reduce the volume of the runoff to the Commercial St system. This will take up to a 25 year storm/5.3 inches of rain. Another issue looked at are the influences of the tidal conditions on the existing pipe: Once to elevation 4, there is minimal impact. In extreme high tide combined with extreme rainfall events, some flooding will still occur to Commercial St.

There is a seawall proposed along the front of the hotel walkway. It is at elevation 13, it then drops down to elevation 12 for the walkway and towards the middle of the beach area it drops to 5' 9".

Limits of coastal beach area. The improvements will constructed behind the existing building wall or behind the existing parking surface. The ramp will be built behind the existing chain link fence is today. The beach will be extended by 2000 square feet To protect the beach after demolition, work will done 2 feet in from the lot line behind a sheet pile wall. It will be at elevation 15; it will be installed along where the building is today. It will allow building the seawall and other site improvements, without having any construction debris/runoff of the wall going towards beach. It will also protect the site of work from high waves coming in. It is temporary and once the seawall is constructed the sheet pile wall will be cut off 2 feet below grade.

There is an existing concrete pad on the beach side of the building. The limit of coastal beach is located in front of the concrete pad that will be removed.

The other issue being faced is that the site is in 3 FEMA zones. 1 foot flood area, wave velocity zone, and 100 flood plain. The 1st floor of the garage is set at elevation 12.

There is a reduction in size from the existing building of 25%.

Commission Comments:

Mr. Gulla stated this project will be under a third party review by BETA. He stated concern of debris getting pulled out during extreme weather and wanted to know about protecting against this.

Mr. Morey stated that at elevation 12 is when wave velocity comes in. Mr. Morey detailed the mechanical room area which is sited at elevation 12 and the transformers and generators are lifted up.

Public Comment:

Mike Faherty, representing Mortilaro Lobster Company

Attorney Faherty stated the Resource Delineation is under appeal at this time and is still an open question.

Motion: To continue the project at 47 Commercial Street Notice of Intent submitted by Sheree DeLorenzo, Beauport Gloucester LLC, to construct a hotel with associated utilities and parking in a coastal resource area. (Map 1 lot 33) on December 5, 2012.

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 6-0

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications
28-1754 58 Rocky Neck Ave

VII. AGENT'S REPORT ON VIOLATIONS

B. Requests for Certificates of Compliance
28-2179 88 Causeway St
28-1778 69 Revere St
28-1959 3 Wolf Hill Rd
28-2004 11 Jebeka Lane
28-2186 66 Thurston Pt

Motion: Approval of Certificates of Compliance for 28-2179 88 Causeway St, 28-1778 69 Revere St, 28-1959 3 Wolf Hill Rd, 28-2004 11 Jebeka Lane, 28-2186 66 Thurston Pt

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: Approved 6-0

Motion: To Adjourn

1st: Ann Jo Jackson

2nd: Charles Anderson

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