



CITY OF GLOUCESTER

CONSERVATION COMMISSION

MINUTES

WEDNESDAY May 15, 2013 - 7:00 PM

City Hall, Kyrouz Auditorium

Robert Gulla Chair

Members Present: Robert Gulla, Chair, Ann Jo Jackson, Co Chair, Barry Gradwohl, Robert Sherman, Helene Kwasié, , John Feener, Charles Anderson- [Absent](#)

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.

Larry Durkin DPW- Babson reservoir

Larry Durkin, DPW

Mr. Durkin informed the board of needed repairs at the Babson Reservoir. It is not rated by the state to meet the capacity for a large storm. Its proximity to a populated area.

Tony Zerilli, Weston and Sampson Engineering

Mr. Zerilli gave the commission an overview of the rehabilitation project planned for Babson Reservoir. It is high hazard dam if it was to breach and needs to be brought up to current regulations. The slope will be graded to 3-1, raise the elevation of the dam crest to 3 feet and toe drainage will be installed.

52 Shore Rd

John Dick, Hancock Associates

Mr. Dick stated the wall has been damaged from the winter storms.

Motion: To approve the wall repair at 52 Shore Road

1st: Ann Jo Jackson

2nd: John Feener

Vote: Approved 6-0

7 and 8 Pebble Path

Daniel McLaughlin 7 Pebble Path

Mr. McLaughlin stated he would follow the protocol of the commission.

John Dick Hancock Associates.

Mr. Dick informed the board that this is an emergency order to replace a staircase that was damaged during the winter. The filing is already made, but would like to get the stairway in before July.

Conditions:

- **Agent & Mr. Gulla to be present for the prestart meeting to set the elevation for the deck. All parties to be present.**

Motion: To approve the Emergency Order for 7 & 8 Pebble Path

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

284 Atlantic Rd Enforcement order

Dale Halcheck

Mr. Halcheck explained the work being done on the site with the bobcat He stated he has used an ATV on the beach to pick up debris after the winter. It has been done for 10 years.

Mr. Gulla informed Mr. Halcheck that having a bobcat on the site is a violation. He explained that moving sand, dirt, or vegetation without Conservation approval is fineable. Mr. Halcheck was told to contact the agent to document vegetation damage and within two weeks the process to restore the area should be started.

Mr. Gradwohl told Mr. Halcheck that he cannot bring his ATV onto the beach.

COE: Sumac Lane

Motion: To approve the COE for Sumac Lane

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: Approved 6-0

II. PUBLIC COMMENT - None

III MINUTES REVIEW

The commission tabled the minutes to the June 5, 2013 meeting.

IV Block 1*

A. Continuation– 28-2266- 239 Eastern Ave Notice of Intent submitted by Mark Duval, McMark RT, to construct a stream crossing and roadway for commercial use, a culvert, retaining walls, utilities and drainage structures in an inland resource area. (Map 161, lots 9, 11).

Motion: To continue project 28-2266- 239 Eastern Ave Notice of Intent submitted by Mark Duval, McMark RT, to construct a stream crossing and roadway for commercial use, a culvert, retaining walls, utilities and drainage structures in an inland resource area, (Map 161, lots 9, 11) to June 5, 2013.

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

B. Continuation- 28-2265- 49 Parker – Notice of Intent submitted by Jack LeVie, to construct a 2nd story deck over an existing deck and to construct a 60' retaining wall in the buffer to a coastal resource area. (Map 54, lot 61).

Presenter: Jack Levie, 49 Parker St

Ms. Press stated that a Chapter 91 license is needed before work can start.

Mr. Levie informed the board that he has been told is will be issued.

Public Comment: None

Conditions:

- Peat moss and Lyme be added to turf areas

Motion: To approve project 28-2265- 49 Parker submitted by Jack LeVie, to construct a 2nd story deck over an existing deck and to construct a 60' retaining wall in the buffer to a coastal resource area. (Map 54, lot 61).

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 5-0 with Ms. Kwaise abstaining

C. New- 75 Essex Avenue Request for Determination submitted by Dominick RT/Cape Ann Marina, to re pave portion of area. Map 217 lot 23.

Presenter: Tobin Dominick, 22 River St.

Ms. Dominick explained to the board that a 120x50 area of pavement on the south side of the parking lot is uneven and dangerous and needs to be replaced.

Public Comment: None

Conditions:

- Do not use any type of sealer on pavement
- Filter sock for erosion control in place for 2 month after work is done
- All loose aggregate removed from site

Motion: Negative determination for the project at 75 Essex Avenue submitted by Dominick RT/Cape Ann Marina, to re pave portion of parking area. Map 217 lot 23.

1st: John Feener

2nd: Ann Jo Jackson

Vote: Approved 6-0

Ms. Jackson recused herself

D. Continuation- 28-2251-34 Beach Road Notice of Intent submitted by Bass Rocks Golf Club, to conduct drainage improvements and stormwater management and cart path relocation in the buffer to an inland resource area. (Maps 72, 73, lots 20, 7, 1 & 2).

Presenter: Daniel Armstrong, Armstrong Civil Design 53 Peach St Braintree,

Mr. Armstrong explained the site to the commission stating that there is a flooding problem on the golf course. The work will be on the 5th and 6th holes. The existing drainage is antiquated. To capture more of the runoff in the wetland systems, new wetlands will be created to provide flood storage. There will be 3000 s.f. of temporary impacts on the site to do the work, but 5000 s.f. of wetlands will be created. The wetlands will not be changed, just expanded. The calculations have been reviewed by Linden Engineering and all comments have been addressed.

William Jones, Linden Engineer Partners

Mr. Jones stated he looked at Storm water and Wetland Impacts. The largest area of temporary impact is in wetland G. The total of wetland impact will be 1800 s.f. and only 17 s.f. will be permanent. At the end of the project there will be a significant increase in

the wetlands. There is no impervious. It is a redevelopment project. A 2 year maintenance plan is in place as well as a O & M Plan. The existing pipes cannot handle the runoff that occurs. All comments been addressed

Commission Comments:

Mr. Gulla raised the concern of people traversing through the wetlands to find lost golf balls and the impact it could have on the vegetation as it is trying to establish itself. He also raised the concern of neighborhood impact during a large storm.

Mr. Armstrong stated that all would have emergency spillways. The water will run down the fairway as it does now. It will not damage the wetlands.

Public Comment:

Charles Esdaile, 68 High Popples Rd

Mr. Esdaile stated concern about the surrounding wetlands near the limit of work.

Mr. Jones addressed Mr. Esdaile's concerns stated the wetlands run toward the middle of the fairway and will not affect adjacent wetlands. Wildlife will be temporarily interrupted.

Chris Denardo, Bass Rocks Golf Club

Mr. Denardo stated to protect wildlife and wetlands, the areas will be allowed to naturalize and signage on red stakes with green tops will be installed. The club has alternate holes that will be used as things progress.

Conditions:

- **3 year maintenance plan**
- **During construction monitor to be in place**
- **Additional info given to tournament players**
- **The work being done will not affect the surrounding areas. Impacts to be the same.**

Motion: To approve the project at 34 Beach Road submitted by Bass Rocks Golf Club, to conduct drainage improvements and stormwater management and cart path relocation in the buffer to an inland resource area. (Maps 72, 73, lots 20, 7, 1 & 2).

1st: John Feener

2nd: Barry Gradwohl

Vote: Approved 5-0

Ms. Jackson rejoined the commission

V. Block 2*

A. New- 10 North Landing Way Request for Determination submitted by 10 North Landing Way RT, to replace a well and to remove 3 trees. Map 232 lot 18

Presenter: Richard Talcott

Mr. Talcott explained the site to the commission which included the well location and tree removal.

Commission Comments:

Mr. Feener stated the need to replicate the area and would like a planting plan submitted to the agent for approval.

Public Comment: None

Conditions:

- Submitted planting plan.

Motion: Negative determination for the project at 10 North Landing submitted by 10 North Landing Way RT, to replace a well and to remove 3 trees. Map 232 lot 18

1st: Ann Jo Jackson

2nd: Robert Sherman

Vote: Approved 6-0

B. New- 26 Grapevine Rd Request for Determination submitted by Stephen Kent, to addition and tree and building removal in buffer zone. Map 83, Lot 37

Presenter: Stephen Kent, 26 Grapevine Road

Mr. Kent stated he would like to remove Norway Maples and plant arborvitaes and other native plants. The new addition to the house will be 140 feet into buffer. A shed will be taken down for mitigation.

Public Comment: None

Conditions:

- Straw waddle

Motion: Negative determination for the project at 26 Grapevine Rd submitted by Stephen Kent, to addition and tree and building removal in buffer zone. Map 83, Lot 37

1st: Ann Jo Jackson

2nd: John Feener

Vote: Approved 6-0

C. New- 79 Wingaersheek Rd Request for Determination submitted by Tom Monnle to replace existing deck in coastal dune. Map 261 Lot 8

Presenter: Tom Mannle, 33 Bennett St North

Mr. Monnle explained that a house inspector deemed the deck unsafe and not meeting existing code. The old footings will be dug up by hand and replaced with 10 inch footings. The existing deck is 16x16 and will be the same when replaced.

Public Comment: None

Conditions:

- Hand dig for removal of existing posts.

Motion: Negative Determination for the project at 79 Wingersheek Rd submitted by Tom Monnle to replace existing deck in coastal dune. Map 261 Lot 8

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

D. Continuation- 28-2269-The Fort Improvements Project -Commercial St., Fort Square, Pascucci and Beach Courts Notice of Intent submitted by City of Gloucester, DPW., to conduct infrastructure and roadway improvements in the buffer to a coastal resource area. (Maps 1, 2, & 7).

Applicant requests continuation to August 7, 2013.

Motion: To continue the project 28-2269-The Fort Improvements Project - Commercial St., Fort Square, Pascucci and Beach Courts Notice of Intent submitted by City of Gloucester, DPW., to conduct infrastructure and roadway improvements in the buffer to a coastal resource area. (Maps 1, 2, & 7) to August 7, 2013.

1st: Ann Jo Jackson

2nd: Robert Sherman

Vote: Approved 5-0 with Ms. Kwaske abstaining

VI. Block 3*

A. 11 Jebeka Lane—Notice of Intent-submitted by Nicholas and Deborah Holland to build a garage in ACEC resource areas. (Map 252 lot 17).

Presenter: Nicholas Holland, 11 Jebeka lane

Mr. Holland explained the project to the commission. An 182 foot gravel driveway will be in buffer to riverfront.

Commission Comments:

Mr. Feener requested that shrubs be planted across from the garage to be built to offset water runoff.

Public Comment: None

Conditions:

- **If blasting is necessary agent to be contacted prior**
- **Submit a planting plan**

Motion: To approve the project at 11 Jebeka Lane submitted by Nicholas and Deborah Holland to build a garage in ACEC resource areas. (Map 252 lot 17).

1st: John Feener

2nd: Ann Jo Jackson

Vote: Approved 6-0

B. Continuation- 28-2257- 259 Washington Street, Notice of Intent submitted by Gloucester Housing Authority, to reconfigure and expand a paved parking area in the buffer to an inland resource area. (Map 105, lot 7)

Motion: To continue the project at 259 Washington Street, Notice of Intent submitted by Gloucester Housing Authority, to reconfigure and expand a paved

parking area in the buffer to an inland resource area. (Map 105, lot 7 to June 5, 2013

1st: Ann Jo Jackson

2nd: Barry Gradwohl

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

C. 17 Woodward Ave, RDA, Submitted By Tim and Ruth Sullivan to rebuild an existing garage in Riverfront. (Map 220, Lot 73)

Presenter: Tim Sullivan, 17 Woodward Ave.

Mr. Sullivan explained that there will be a new poured foundation and new roof.

Public Comment: None

Conditions:

- Open area to be tarped
- Rain barrel to be used in warm weather months

Motion: Negative Determination for 17 Woodward Ave submitted By Tim and Ruth Sullivan to rebuild an existing garage in Riverfront. (Map 220, Lot 73)

1st: Ann Jo Jackson

2nd: Robert Sherman

Vote: Approved 6-0

D. 28-2271- 11 Lincoln Street, Notice of Intent submitted by Fred Rote, to install 3 geothermal wells in riverfront and ACEC resource areas. (Map 236 lot 37).

Presenter: Dan Ottenheimer, Mill River Consulting

Mr. Ottenheimer addressed the commission concerns from the May 1st meeting. He stated that one of the trees taken down was done by the City of Gloucester's DPW because it had split and was dangerous, the other tree was dead and removed. Mr. Ottenheimer also explained the drilling process to the commission.

Public Comment: None

Conditions:

- 4 shade tolerant shrubs to be planted

Motion: To approve the project at Lincoln Street, submitted by Fred Rote, to install 3 geothermal wells in riverfront and ACEC resource areas. (Map 236 lot 37).

1st: Ann Jo Jackson

2nd: Robert Sherman

Vote: Approved 6-0

Continuation- 28-2255- 31 Stanwood Avenue, Notice of Intent submitted by Michelle & Mathew Tallgrass, to construct a single family home with associated grading and utilities in a riverfront resource area. (Map 230, lot 158).

Motion: To continue the project at 31 Stanwood Avenue, Notice of Intent submitted by Michelle & Mathew Tallgrass, to construct a single family home with associated grading and utilities in a riverfront resource area. (Map 230, lot 158) to June 19, 2013.

1st: Barry Gradwohl

2nd: John Feener

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

Continuation -28-2254- 33 Stanwood Avenue Notice of Intent submitted by Jacqueline Misuraca, to construct a single family home with associated grading and utilities in a riverfront resource area. (Map 230, lot 158).

Motion: To continue the project at 33 Stanwood Avenue Notice of Intent submitted by Jacqueline Misuraca, to construct a single family home with associated grading and utilities in a riverfront resource area. (Map 230, lot 158) to June 19, 2012.

1st: Barry Gradwohl

2nd: John Feener

Vote: Approved 5-0 with Ms. Kwaske 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
28-1966 3 Chester Square
28-1526 6R Rocky Neck

Motion: To approved the Certificates of Compliance for 28-1966 3 Chester Square and 28-1526 6R Rocky Neck

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: Approved 6-0

C. Requests for Extension Permits

***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

