



# CITY OF GLOUCESTER

## CONSERVATION COMMISSION

### MINUTES

WEDNESDAY July 17, 2013 - 7:00 PM

City Hall, Kyrouz Auditorium

Robert Gulla Chair

**Members Present:** Robert Gulla, Chair, Ann Jo Jackson, Co-Chair, John Feener, Robert Sherman, Helen Kwase, Barry Gradwohl, 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.

None

II. PUBLIC COMMENT - None

III MINUTES REVIEW

Executive session

Motion: To approved the minutes and Executive Session of June 19, 2013

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

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

Vote: Approved 4-0 with Mr. Sherman abstaining. Mr. Feener was not present at the time the vote was taken.

Mr. Feener joined the commission.

IV **Block 1\***

**A. NEW- RDA 1366 5 Aileen Terrace:** Submitted by John Haley Jr for the construction of wooden terraces, relocation of an existing fence and landscaping. (Map 137, Lot 3).

**Presenter: Ann Marton of LEC Environmental Wakefield ma**

**Ms. Martin** explained that the project includes installing a series of decks and terraces. set on sono tubes with gravel underneath. It will be 56 feet from top of coastal bank.

The deck area is 400 s.f. and proposed plantings are 800 s.f. The fence will be relocated to enclose the pool and decks.

**Public comment: None**

**Motion: Negative Determination for the project at 5 Aileen Terrace submitted by John Haley Jr for the construction of wooden terraces, relocation of an existing fence and landscaping. (Map 137, Lot 3).**

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

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

**Mr. Feener** voiced concern about the selected plants spreading into other of the site and suggested to the applicant that others species be chosen.

**Vote: Approved 6-0**

**B. NEW – RDA-1364 40 Sumner Street:** Submitted by Debby Thomson for the construction of a 42 x 21 deck. (Map 240, Lot 22)

**Ms. Press** informed the commission that the deck is already built.

**Public comment: None**

**Motion: Negative Determination for the project at 40 Sumner Street submitted by Debby Thomson for the construction of a 42 x 21 deck. (Map 240, Lot 22)**

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

**2<sup>nd</sup>: Robert Sherman**

**Vote: Approved 6-0**

**Mr. Feener recused himself**

**C. NEW – RDA 1363 25 Ferry Street:** Submitted by Allan Goodhue for the construction of an addition on an existing single family house. (Map 92, Lot 94)

**Presenter: David Hurd, 707 Washington St**

**Mr. Hurd** explained the addition will be a second floor over the existing second floor. Extend. It will come out 8x18 off the front of the house.

**Commission Comments:**

**Ms. Press stated the project is completely in buffer.** There are overlapping buffers.

**Public Comment: None**

**Conditions:**

- **Erosion controls in place**
- **Planting along resource are in back yard**
- **Contact Agent 72 hours prior to work starting**

**Motion: Negative determination for the project at 25 Ferry Street submitted by Allan Goodhue for the construction of an addition on an existing single family house. (Map 92, Lot 94)**

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

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

**Vote: Approved 5-0**

Mr. Feener rejoined commission

**D.) New – RDA-1365 462 Essex Street:** Submitted by Jeffrey French for the removal of invasive species from a mitigation area. (Map 208 Lot 8)

The applicant was not present and the commission continued the project.

**Motion: To continue the project at 462 Essex Street submitted by Jeffrey French for the removal of invasive species from a mitigation area. (Map 208 Lot 8) to August 7, 2013.**

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

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

**Vote: Approved 6-0**

**E. NEW- RDA-1363 21 Rocky Neck:** Submitted by Chris Herter for the expansion of a permitted dock from 10' x15' to 10' x 20'. (Map 130 Lot 9)

**Presenter: Chris Herter, 21 Rocky Neck**

**Mr. Herter** explained that his boat is 17 feet long and the larger dock will support it better. The dock will be removed off season and stored at a marina.

**Public Comment: None**

**Conditions:**

- **Standoffs specifications apply**
- **Removal in fall**
- **Jim Caulkett approval**

**Motion: Negative determination for the project at 21 Rocky Neck submitted by Chris Herter for the expansion of a permitted dock from 10' x15' to 10' x 20'. (Map 130 Lot 9)**

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

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

**Vote: Approved 6-0**

**F. NEW- Amended Order 28-2135 2 Banjo Way:** Submitted by Miles Schlichte for the removal and reconstruction of an existing deck. (Map 215 Lot 5)

**Presenter: Miles Schlichte, 2 Banjo Way**

**Mr. Schlichte** explained that he would like to remove the existing deck, reconstruct a new one. It will be 35 s.f. The bottom of the deck will be enclosed.

**Commission Comments:**

**Mr. Feener** asked for a 12 inch planting bed to mitigate for the footings.

**Public Comment: None**

**Conditions:**

- **12 inch planting bed with a minimum of three plants.**

**Motion: Approval of the amended order at 2 Banjo Way submitted by Miles Schlichte for the removal and reconstruction of an existing deck. (Map 215 Lot 5)**

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

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

**Vote: Approved 6-0**

**G. NEW- RDA-1361 19 Biskie Head:** Submitted by Charles Crowley for the installation of two fiberglass piles at the end of an existing dock. This will replace the current weight and chain anchoring system. (Map 232, Lot 2)

**Presenter: Charles Crowley 19 Biskie Head**

**Mr. Crowley** explained that the chains are to be replaced with fiberglass piles. The Harbormaster, Shellfish Warden, and Waterways board have reviewed the site and are in agreement that this is a good solution. There is no change in use or size.

**Public Comment: None**

**Motion: Negative determination for the project at 19 Biskie Head submitted by Charles Crowley for the installation of two fiberglass piles at the end of an existing dock. This will replace the current weight and chain anchoring system. (Map 232, Lot 2)**

**1<sup>st</sup>: John Feener**

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

**Vote: Approved 6-0**

**V. Block 2\***

**A. Continuation 28-2278 17 Sunset Point Road:** Patricia Rosenblatt, 17 Sunset Point Road, to demolish and replace dwelling within the buffer zone to coastal bank and bordering vegetated wetlands. (Map 143 lot 45).

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

**Mr. Manuell** stated that revised plans have been submitted. There is a new buffer zone line that captured more of the house and the impervious calculation. Net increase of impervious is 1303 s.f. There is an increase in the amount of plantings for mitigation. A rain garden (vegetated bio retention area) will be installed at the outlet of the pipe. A gutter collection system has been added and will be directed to a new infiltration trench.

**Commission Comments:**

**Ms. Press** stated that these are positive improvements to the site. The plan still needs to go to engineering.

**Public Comment:**

**Michael Gerstein, 15 Sunset Point road**

**Mr. Gerstein** voiced concern that the house will increase the runoff that is already significant on the site. He stated he was hopeful that calculations are correct and that the rain garden will help with the runoff

**Mr. Gulla** explained that the plan still has to go to engineering for approval and the revised plans are addressing other runoff issues.

**Motion: Approval of the revised and signed plans for the project at 17 Sunset Point Road, to demolish and replace dwelling within the buffer zone to coastal bank and bordering vegetated wetlands. (Map 143 lot 45).**

**1<sup>st</sup>: john Feener**

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

**Vote: 5-0 with Mr. Sherman abstaining.**

**B. NEW- NOI 28-2282 8 Sea Rule Lane:** Submitted by Tom Cronin for removal of an existing single family house and construction of a new single family house. (Map 202, Lot 2)

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

**Mr. Manuell** explained there are new owners of the property who would like to build a new home. There is a current OoC still open for the site. The project will consist of

removal of the existing home and existing driveway. The driveway will be reconfigured and will be pea stone. The house will be moved back 20 feet. The garage is near a ledge outcrop and blasting will be necessary. A new upgraded leeching field will be installed and is outside of buffer. This increase of impervious is 808 s.f. There will be 2-1 mitigation placed between the edge of the pool and the top of coastal bank. Drainage will include bio retention areas.

**Andrew McKown, McKown Associates, Beverly**

**Mr. McKown** explained the area of drilling and blasting. The drilling/blasting contractor will space the blasting at 4 feet, 2 feet on center. He stated he would be on site to monitor the blasting and review blast plan.

**Commission Comments:**

**Ms. Press** stated she would be on site when the blast is to occur and to check the site after.

**Mr. Feener** questioned the selected plants near the water and suggested they should be revised.

**Ms. Press** asked for a revised planting list.

The commission discussed the preservation of as many trees as possible for the project.

**Public Comment:**

**Tom Cronin, 8 Sea Rule Lane**

**Mr. Cronin** gave further detail on the blasting plan. He stated he was very pro tree.

**Beverly Fineberg 10 Sea Rule Lane**

**Ms. Fineberg** asked if the abutters could see the proposed drawings. Mr. Manuell showed the drawings to her. She said that the drawings were not clear to her and that she didn't completely understand what is happening on the site.

**Mr. Gulla** explained that all plans are available at City Hall and reviewed with what is being proposed and what is existing on the project. He explained that drainage and runoff will be reviewed by city engineering. He also explained the commission's jurisdiction.

A site walk was scheduled for August 3rd at 830 a.m.

**Motion: The project at 8 Sea Rule Lane submitted by Tom Cronin for removal of an existing single family house and construction of a new single family house. (Map 202, Lot 2) was continued to August 7, 2013**

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

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

**Vote: Approved 6-0**

**C. NEW – NOI 9 Diamond Avenue:** Submitted by Diane Gustin to remove and reconstruct a single family home with driveway, patio, landscaping and utilities. (Map 187, Lot 64)

**Presenter: Bill Manuell, Wetlands and Land Management, Mike Gomez, 31 Pooles Lane**

**Mr. Manuell** explained that the house is not a tear down but a 1 floor addition onto the house. It will be resided and a new roof will be done. A paved driveway and garage will be added. Part of the existing stone wall will be cut. 1-1 mitigation will be done and placed close to the ocean. The old driveway will remain and will stay gravel.

**Commission Comments:**

**Ms. Press** asked that the draft FEMA lines be placed on the plan.

**Mr. Feener** voiced concerned about the paved driveway and requested that something be designed to reduce the velocity.

**Public Comment: None**

**Conditions:**

- **10 foot cobble strip at the end of paved driveway no bigger than 4 feet with an overall width of 10 feet**
- **Group planting planted near wall**

**Motion: To approve the project at 9 Diamond Avenue submitted by Diane Gustin to remove and reconstruct a single family home with driveway, patio, landscaping and utilities. (Map 187, Lot 64)**

**1<sup>st</sup>: John Feener**

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

**Vote: Approved 6-0**

**C. NEW NOI- 22 Vine Street:** Submitted by Wendy Tarricone for the purpose of landscaping, drainage and installation of a spa.(Map 112, Lot 10)

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

**Mr. Manuell** explained the drainage issue on site. All runoff comes into Ms. Tarricone's driveway. The project is to break up the sheet flow. Stepping stones and a drainage structure near the driveway will be installed. The paved driveway will be taken up and a paver driveway will be installed. The area around the foundation will be hand dug to investigate as to why the water is coming into the basement. The impervious patio will be removed and replaced with paver stones. There is a net reduction of 300 s.f. of impervious.

**Commission Comments:**

**Ms. Press** stated she would like the tree replaced in the buffer.

**Wendy Tarricone , 22 Vine St**

**Ms. Tarricone** stated she would plant a pear tree in place of the cherry tree. She informed the commission that Vine St is owned by property owners on the street.

**Public Comment: None**

**Conditions:**

- **The existing cherry tree to be replaced with a pear tree in the same location**

- Allow phragmites to be trimmed 1 foot from edge of boardwalk
- Machinery used should be on tracks
- Machinery to be stored in front of the house

**Motion: Approval of the project at 22 Vine Street submitted by Wendy Tarricone for the purpose of landscaping, drainage and installation of a spa.(Map 112, Lot 10)**

**1<sup>st</sup>: John Feener**

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

**Vote: Approved 6-0**

**D. NEW – ANRAD 28-2283 37 Niles Pond Rd:** Submitted by Society of Jesus of New England C/O Rev. William Ryan for the determination of resources located at 37 Niles Pond Road. (Map 135 Lot 2)

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

**Mr. Manuell** explained that the wetlands were flagged on northern side and 5000 s.f. of resource area was delineated. This has been done in preparation for an upcoming project.

**Commission Comments:**

**Mr. Gulla** stated that a third party reviewer will be needed.

**Ms. Press** stated she contacted Mary Rimmer and Mike DeRosa. The fee is \$3500.

**Mr. Manuell** agreed with the \$3500 for Mr. DeRosa.

**Public Comment: None**

**Motion: To continue the project at 37 Niles Pond Rd submitted by Society of Jesus of New England C/O Rev. William Ryan for the determination of resources located at 37 Niles Pond Road. (Map 135 Lot 2) to August 7, 2013.**

**1<sup>st</sup>: John Feener**

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

**Vote: Approved 6-0**

**E. NEW – NOI 28- 2284 12 Baker Street:** Submitted by Eleanor McGrath for the construction of a single family house, driveway, utilities and landscaping at 12 Baker Street (Map 36, Lot 37)

**Presenter: Bill Adams 8 Revere St**

**Mr. Adams** explained that the project has been previously approved. The original plan has been used with small modifications.

**Commission Comments:**

**Ms. Press** questioned if the site had an isolated wetland. The wetland could be from road runoff. She stated she would like to see as many trees as possible saved.

**Bill Manuell** stated that he believed there was runoff from adjacent properties. It was channelized, so it would be an intermittent stream

**Mr. Feener** stated the trees should be identified first before a decision is made.

**Ms. Press** stated she would like to save as many trees as possible. The foundation is close to some roots of trees. The Norway Maples can be removed and then a certain number should be replaced with another type of tree. A plan needs to be submitted by John Judd before a permit can be issued.

**Public Comment:**

**Paul Dundin 19 Whittemore St**

**Mr. Dundin** stated that the wetland has changed since the project was previously approved. The drainage ends up in the Annisquam. He voiced concern that the runoff will deposit on his property. Mr. Adams also wants to fill in the gully in the back of the site.

**Raymond Mello 15 Whittemore St**

**Mr. Mello** stated that he was opposed to the project. He stated that the land cannot handle the water and concerned that the water will be more concentrated.

**Conditions:**

- Letter of approval from engineering
- Final plan to be submitted from Mill River
- Final plan meeting on site to delineate trees and determine new trees to be planted.

**Motion: To continue the project at 12 Baker Street submitted by Eleanor McGrath for the construction of a single family house, driveway, utilities and landscaping at 12 Baker Street (Map 36, Lot 37) to August 7, 2013.**

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

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

**Vote: Approved 6-0**

**E. Continuation 28-2070 15 Totten Lane: Submitted by Chris Petersen for the larger mitigation, installation of water cisterns, removal of construction debris and construction of a screened porch. (Map 252, Lot 4)**

**Motion: To continue the project at 15 Totten Lane submitted by Chris Petersen for the larger mitigation, installation of water cisterns, removal of construction debris and construction of a screened porch. (Map 252, Lot 4) to August 7, 2013.**

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

**2<sup>nd</sup>: Robert Sherman**

**Vote: Approved 6-0**

**VI. Block 3\***

**Continuation 28-2280 937 Washington** Submitted by John & Patricia Austin, site location 937 Washington Street for installation of seasonal float and ramp. (Map 157 lot 26).

**Motion: To continue the project at 937 Washington submitted by John & Patricia Austin, site location 937 Washington Street for installation of seasonal float and ramp. (Map 157 lot 26) to August 7, 2013.**

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

**2<sup>nd</sup>: Robert Sherman**

**Vote: Approved 6-0**

**B. Continuation RDA 1357 7 Pebble Path :** Submitted by Daniel McLaughlin to construct a platform and stairs in dune for beach access. (Map 261 Lot 15)

**Presenter: John Dick, Hancock Associates**

**Commission Comments:**

**Ms. Press** informed the commission that the sand has started to come back. The commission should review the conditions again in late September or October to decide whether the structure should come down or not.

**Mr. Dick** stated he would also like to nourish the path.

**Public Comment: None**

**Conditions:**

- **Letter to be sent to Conservation Agent in September to ensure the sand deposit is sufficient to support the platform and stairs**

**Motion: Negative Determination for the project at 7 Pebble Path submitted by Daniel McLaughlin to construct a platform and stairs in dune for beach access. (Map 261 Lot 15)**

**1<sup>st</sup>: John Feener**

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

**Vote: Approved 6-0**

**D. New- NOI: 28- 2285 58 Commercial Street:** Submitted by J. Michael Faherty for the installation of batter piles associated with an existing bulkhead. (Map 1, Lot 73 )

**Motion: To continue the project at 58 Commercial Street submitted by J. Michael Faherty for the installation of batter piles associated with an existing bulkhead. (Map 1, Lot 73 ) to August 7, 2013.**

**1<sup>st</sup>: Robert Sherman**

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

**Vote: Approved 6-0**

**E. NEW- RDA 10 Lupine Lane:** Submitted by Riverdale Partners Place LLC to access a drainage structure, mow and landscape. (Map 108, Lot 27)

**Presenter: Michael Faherty**

**Mr. Faherty** explained there is a drainage structure in rear of structure that will connected to a manhole.

**Commission Comments:**

**Ms. Press** stated that a plan needs to be submitted to show what everything is.

**Public Comment: None**

**Conditions:**

- **Picture of site after area is mowed**
- **Limit of work marked on plan**

**Motion: Negative Determination for the project at 10 Lupine Lane submitted by Riverdale Partners Place LLC to access a drainage structure, mow and landscape. (Map 108, Lot 27)**

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

**2<sup>nd</sup>: Robert Sherman**

**Vote: Approved 6-0**

**B. Requests for Certificates of Compliance**

- A. 28-1180 8 Norwood Court
- B. 28-115 8 Norwood Court
- C. 28-1332 6 Samuel Riggs
- D. 28-1951 57 Adams Hill
- E. 28-2183 20 Brace Cove
- F. 28- 1353 26A Vine Street Condominiums (Re-issue Duplicate CoC for recording purposes)
- G. 28- 932 26 Vine Street (Work never started)
- H. 28-2 Fortune Lane

**Motion: To approve the Certificates of Compliance as listed.**

**1<sup>st</sup>: John Feener**

**2<sup>nd</sup>: Robert Sherman**

**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 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 Stacy an e-mail [scarpenter@gloucester-ma.gov](mailto:scarpenter@gloucester-ma.gov).**