



CITY OF GLOUCESTER

CONSERVATION COMMISSION

MINUTES

WEDNESDAY August 21 2013 - 7:00 PM

City Hall, Kyrouz Auditorium

Robert Gulla Chair

Members Present: Robert Gulla, Chair, Charles Anderson, Barry Gradwohl, Robert Sherman, Helene Kwasié- Shaw, John Feener, Ann Jo Jackson- **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.

A. 78R Commercial Street Emergency Order

Ms. Press reported that the Emergency Order is to repair cross bracings and piles on the pier.

Motion: To approve the Emergency Order for 78R Commercial St

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 5-0

John Feener joined the commission.

II. PUBLIC COMMENT - None

III MINUTES REVIEW

Motion: To approved the minutes of July 17, 2013

1st: John Feener

2nd: Barry Gradwohl

Vote: 5-0 with Robert Sherman abstaining

Robert Gulla recused himself

IV Block 1*

A. NEW RDA: 18 Ocean Highlands Submitted by Ernest Jones, represented by J. Michael Faherty Esq., for the demolition and reconstruction of a single family house, with portion of the work proposed within the buffer zone. (Map 190, Lot 33)

Presenter: Michael Faherty

Attorney Faherty explained that the application is to take down the existing house and replace it with a slightly smaller house and deck. It is within the buffer zone within coastal bank. A porch will be constructed on new concrete posts. The preexisting posts will be removed. It will be a new foundation pinned to the ledge

Commission Comments:

Ms. Press questioned how the top of coastal bank was determined and why the application is an RDA not an NOI. A house is usually not done under an RDA.

Attorney Faherty explained the site to the commission.

Attorney Faherty explained that only half of the house in the buffer zone and nothing in the resource area. The activities proposed will not affect the resource area. There are no conditions that can be placed on this project that will change anything. Blasting should not be necessary. Attorney Faherty stated that it would be amenable to add as a condition that the applicant has to re-file if blasting is needed. The charge needed for blasting would not affect the coastal bank.

Ms. Press requested documentation from DEP explaining how coastal bank was determined for this filing.

Public Comments: None**Conditions:**

- **Impervious calculations to be written on the approved plan**
- **20 native plants to be planted to absorb runoff from the porch**

Motion: To continue the project at 18 Ocean Highlands Submitted by Ernest Jones, represented by J. Michael Faherty Esq., for the demolition and reconstruction of a single family house, with portion of the work proposed within the buffer zone. (Map 190, Lot 33) to September 4, 2013.

1st: Barry Gradwohl

2nd: Helene Kwasi-Shaw

Vote: Approved 5-0

Robert Gulla rejoined the commission

B. NEW NOI: #28- 2294 14 Samuel Riggs Circle Submitted by Malcolm Kerstein, represented by Gateway Consultants, for the reconstruction of a seawall and mitigation. (Map 112, Lot 21)

Presenter: John Judd Gateway Consultants

Mr. Judd explained the repair is for 96 feet of seawall. Materials will be 2x2x3 cut Cape Ann granite stone, stacked. It will be self sustained. No mortar will be used. Mitigation will include 400 s.f. of plantings. Access will be by done during the off season by barge. A meeting is scheduled with the shellfish warden and harbor master for Friday morning. The work will take 1 week to complete.

Commission Comments:

Mr. Feener stated that plants should be thicker on the side of the wall. Replication is better served by clumping them together.

Mr. Gulla stated his preference to have the plantings planted along the seawall for stabilization and not clumped in one section.

Public Comments: None

Motion: To continue the project at 14 Samuel Riggs Circle Submitted by Malcolm Kerstein, represented by Gateway Consultants, for the reconstruction of a seawall and mitigation. (Map 112, Lot 21) to September 4,2013

1st: Robert Sherman

2nd: Charles Anderson

Vote: Approved 6-0

C. NEW NOI: #28- 2293 728 Washington Street Submitted by Harry Gold, represented by Gateway Consultants, for remodeling and an addition. (Map 116, Lot 12)

Presenter: John Judd, Gateway Consultants

Mr. Judd explained the project as a reconstruction of a section of a house that is very narrow and in disrepair. The addition is to be constructed to provide a stable foundation. There is 200% mitigation that will be planted close to the resource

Public Comment: None

Motion: To approve the project at 728 Washington Street Submitted by Harry Gold, for remodeling and an addition. (Map 116, Lot 12)

1st : Charles Anderson

2nd: Helene Kwasi-Shaw

Vote: Approved 6-0

D. NEW NOI: #28- 2292 16 Old County Road Submitted by S & N Realty Trust, represented by Gateway Consultants, for construction of a storage building partially located within the buffer zone and mitigation. (Map 264, Lot 21)

Presenter: John Judd Gateway consultants

Mr. Judd explained that the site will be for a storage building for car storage as personal use. Removal of the pavement will be the mitigation.

Commission Comments:

Mr. Gulla voiced concern about potential damage to the pond. He stated he would like to see protection of the pond as mitigation in lieu of the pavement removal.

Mr. Judd explained the various elevations of the site. He stated that a planted berm could be created to protect the pond.

Public Comment: None

Conditions:

- **Storage of oils, gases etc. to be stored in a locked tight cabinet**
- **Berm plan to be submitted**

Motion: To approve the project at 16 Old County Road submitted by S & N Realty Trust, for the construction of a storage building partially located within the buffer zone and mitigation. (Map 264, Lot 21)

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 6-0

E. NEW NOI: #28- 2295 90R Hesperus Submitted by Elena Bean, represented by Wetlands and Land Management, to construct improvements to a single family house and install a spa. (Map 192, Lot 19)

Presenter: Bill Manuell Wetland and Land Management

Mr.Manuell explained that the work will be for interior and exterior renovations. Hardscape improvements that are designed so the water is intercepted and the travel time is slowed, some of the water is captured and infiltrated into the ground or infiltrated into a series of boulder walls with crushed stone behind them. The buffer zone comes through the house. A dumpster will be in the driveway. The existing deck will be added onto with a stairway and landing. It falls at grade and there is no loss of vegetation. It is a full story above the ground supported by 3 sona tubes. The exterior will have new siding and windows. Part of the hardscape will be a gunite spa .A drywell will be added in case drainage is needed. There is an increase of 200s.f. of impervious within the buffer. A large mitigation area will be added. Ratios 7-1

Public Comment: None

Conditions:

- **Planting plan to be submitted prior to construction**
- **Spill kit on site**

Motion: To approve the project at 90R Hesperus submitted by Elena Bean, to construct improvements to a single family house and install a spa. (Map 192, Lot 19)

1st: Barry Gradwohl

2nd: Helene Kwasié-Shaw

Vote: Approved 6-0

V. Block 2*

A. Continued NOI: #28-2283 37 Niles Pond Road Submitted by Rev. William Ryan, represented by Wetlands and Land Management, to confirm the boundaries of wetland resource areas identified under the Wetlands Protection Act and the local Wetlands Ordinance. Map 135, Lot 02.

Presenter: Bill Manuell, Wetlands & Land Management

Mr.Manuell stated that Mike Derosa was hired for peer review and is in agreement with the wetland boundaries and coastal bank determinations

Public Comment: None

Motion: To approve the project at 37 Niles Pond Road submitted by Rev. William Ryan, to confirm the boundaries of wetland resource areas identified under the Wetlands Protection Act and the local Wetlands Ordinance. Map 135, Lot 02.

1st: John Feener

2nd: Charles Anderson

Vote: Approved 5-0 with Barry Gradwohl abstaining

B. Continued NOI: #28- 2284 12 Baker Street Submitted by Eleanor McGrath, represented by self, 12 Baker Street, construct a single family house with driveway, utilities and landscaping. (Map 36 lot 37).

CONTINUED AT REQUEST OF APPLICANT TO SEPTEMBER 4 HEARING

Motion: To continue the project at 2284 12 Baker Street Submitted by Eleanor McGrath, represented by self, 12 Baker Street, construct a single family house with driveway, utilities and landscaping. (Map 36 lot 37) to September 4,2013.

1st: Helene Kwasié- Shaw

2nd:Robert Sherman

Vote:Approved6-0

C. Continued NOI: #28-2266 239 Eastern Avenue: Submitted by McMark Realty Trust, represented by Gateway Consultants, to pave an access way, install utilities, retaining walls and drainage structures. (Map 161, Lots 9-11)

Presenter: John Judd Gateway Consultants

Mr. Judd explained that this is for a arched culvert and improvements on the rear portion of Eastern Ave.

Bill Jones:

Mr. Jones explained that in May the project was reviewed, in July it was revised and . 42 items were satisfied leaving 10 items that were not. In August more revisions were completed. The design is non standard. When the arched culvert is built the existing roadway under it will remain. The reasoning behind the design is that this is not a new stream crossing. Pieces of it are new because it is wider on both sides. The problem is that it is a restricted culvert and a roadway which acts as a dam which causes flood water to be retained in the wetland. If culvert and driveway is removed there is nothing to contain the water in the wetland. The wetland will function the same as it does today and the amount of water will be the will function as it is now. The technical issues have been resolved.

Public Comment: None

Conditions:

- Retainer for Bill Jones to review the culvert installation and review of additional material
- Monitor wetland for Beaver activity

Motion: To approve the project at 239 Eastern Avenue submitted by McMark Realty Trust, to pave an access way, install utilities, retaining walls and drainage structures. (Map 161, Lots 9-11)

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: Approved 6-0

D. Continued NOI: #28-2280 937 Washington Street Submitted by John & Patricia Austin, represented by DeRosa Environmental, for the installation of seasonal float and ramp. (Map 157 lot 26).

Motion: To continue the project at 937 Washington Street Submitted by John & Patricia Austin, represented by DeRosa Environmental, for the installation of seasonal float and ramp. (Map 157 lot 26) to September 4, 2013.

1st: Helene Kwasié- Shaw

2nd: Robert Sherman

Vote: Approved 6-0

VI. Block 3*

A. Continued #28-2202 79 Eastern Point Amend Order of Conditions: Submitted by Joseph Hadley, represented by DC MacRitchie Inc., to install stormwater design, minor house footprint modification and patios. (Map136, Lot 8).

Presenter: Dan MacRitchie, DC MacRitchie Inc

Mr. MacRitchie informed the commission that he has worked with Ms. Press to reduce the pervious surfaces on the plan. It has been reduced by 37 s.f.

Public Comment: None

Motion: To approve the amended order of conditions for 79 Eastern Point submitted by Joseph Hadley, to install stormwater design, minor house footprint modification and patios. (Map136, Lot 8).

1st: Charles Anderson

2nd: John Feener

Vote: Approved 5-0 with Barry Gradwohl abstaining

Mr. Gradwohl recused himself

B. Continued NOI #28-2290 47 Riverview Road: Submitted by Frank McCormick , represented by Gateway Consultants, to construct a single family house with appurtenances, grading and landscaping. (Map 94, Lot 16)

Presenter: John Judd, Gateway Consultants

Mr. Judd informed the commission that he has met with Paul Keene who recommends a deed restriction for the rear 1/3 of the lot.

Commission Comments:

Mr. Feener suggested planting a variety of trees for better mitigation. He suggested planting pines in front of the house along with blueberry bushes and rhododendrons.

Mr. Sherman voiced concern that the commission is overreaching its authority for mitigation by requiring specific plants and placement of them instead of a general ratio requirement of native plantings for the project.

Public Comment: None

Conditions:

- **Submittal of a planting plan**

Moton: To approve the project at 47 Riverview Road submitted by Frank McCormick , to construct a single family house with appurtenances, grading and landscaping. (Map 94, Lot 16)

1st: Charles Anderson

2nd: Helene Kwasié - Shaw

Vote: Approved 5-0

Barry Gradwohl rejoined commission

C. Continued RDA-1365 462 Essex Street: Submitted by Jeffrey French, represented by Steve's Landscaping Inc., for the removal of invasive species from a mitigation area. (Map 208 Lot 8)

Motion: To continue the project at 462 Essex Street submitted by Jeffrey French, represented by Steve's Landscaping Inc., for the removal of invasive species from a mitigation area. (Map 208 Lot 8) to September 4, 2013.

1st: John Feener

2nd: Helene Kwasié- Shaw

Vote: Approved 6-0

D. Continued NOI #28-2291 424 Washington Street: Submitted by Gregg Shupe to replace a seawall. (Map 109. Lot 19)

CONTINUED AT REQUEST OF APPLICANT TO SEPTEMBER 4 HEARING

Motion: To continue the project at 424 Washington Street submitted by Gregg Shupe to replace a seawall. (Map 109. Lot 19) to September 4, 2013.

1st: John Feener

2nd: Helene Kwasié-Shaw

Vote: Approved 6-0

Motion: To Adjourn

1st: Robert Sherman

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 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