

**CITY OF GLOUCESTER**  
**DRAFT CONSERVATION COMMISSION MINUTES**  
**WEDNESDAY, January 6, 2010 - 7:00 PM**  
**CATA CONFERENCE ROOM - 3 POND ROAD**  
**ROBERT GULLA, CHAIRMAN**

**Members Present:**

Robert Gulla, Chairman  
Ann Jo Jackson, Co- Chairman  
Barry Gradwohl, Commissioner  
John Feener, Commissioner  
Charlie Anderson, Commissioner

Lisa Press, Agent  
Pauline Doody, Scribe

➤ **Items on this agenda will not be heard before the time specified.**

I. 1-5 minutes maximum, review of amended, updated or final information, status reviews, modifications, signing decisions etc.

**None**

**II. PUBLIC COMMENT**

**None**

**III MINUTES REVIEW**

Barry Gradwohl noted that attendance was not taken on the November 18th meeting. He also noted that an extension permit does not show a vote. Lisa Press will check on this permit and the vote.

**Motion: To approve the minutes**

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

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

**Vote: All approved**

**IV PUBLIC HEARING 7:15 PM**

**A. Continuation- 28-2034- 99A Essex Ave-** Notice of Intent submitted by David Hill, Gloucester Hotel LLC, to construct a 15, 940, 00 sq. ft. commercial building, a 1,710 sq. ft canopy with associated excavation, foundation and utilities and parking area in riverfront and coastal bank resource area. (Map 216 lots 1, 17 &126)

**Presenter: Rick Latini, of Howard Stein Hudson**

Mr. Latini of Howard Stein Hudson briefly reviewed the project stating that it is a site of approximately 50 acres. It will be a 90-room hotel with 100 parking spaces.

The parking lot will be stone and the area will have walking trails. There will also be a stormwater management plan in place that will be all interconnected and flow to the back of the site.

He stated that the DEP asked them to remove the infiltration system and to take out the pervious pavement.

Thad Berry of Howard Stein Hudson was also present and stated that he has not yet looked at the letter from the DEP. He wants to gather all comments and information prior to responding to issues presented to the project.

William Jones of John Crowe Associates stated that at this point he does not have enough information to proceed with certain aspects of his alternative analysis plan.

**Commission Comments:**

Lisa Press and Robert Gulla stated that until the details of the DEP requirements have been addressed by Howard Stein Hudson that Mr. Jones should not proceed with the his analysis. Once Mr. Jones has a final package he will be able to inform the commission and begin his analysis.

Mr. Gulla stated his concern over the entire project. He would like to talk with the public, William Jones, and the commissioners further as more defined details are presented.

Ann Jo Jackson also stated she would like to see the project come in as a unit.

John Feener asked about a 100-year storm event information. He is concerned with flooding and the building and questioned if they have done enough to protect the area.

Lisa Press stated the David Sargent will be meeting on the site Friday 1/8/10.

Lisa Press questioned Mr. Jones if the alternative analysis included the hotel project purpose. Mr. Jones said it is just the hotel.

Chapter 91 --1/3 of building will be on filled land. Mr. Jones was asked if there is a Chapter 91 history of the site. Mr. Jones stated that he would like to review the information to find out more about the property.

Lisa Press suggested to Mr. Latini and Mr. Berry that they submit an offsite alternative analysis plan as well as an onsite alternative analysis plan before getting into storm water plans. She also suggested to the applicant to look at different sites for the project, which has not been done.

Lisa Press spoke to the public informing them that William Jones has been hired to do an alternative analysis plan as a third party reviewer.

**Public Comment:**

**Dean W.Harrison 5 Rocky Pasture Rd, Gloucester**

He wants to make sure that enforcement of laws will be in place. He sees many inconsistencies in this project and would like the commission to look at a previous project – Briar Neck Crossing – to see the issues that had taken place.

**Kathleen Doane 3 Stuart Rd, Gloucester**

Ms. Doane presented pictures of what area looked like over 100 yrs ago and how pristine it was. She also showed pictures from 1986 where flood water was up to a garage door and another storm where a point of land was completely underwater from the ocean. She said to keep in mind that the tides are getting higher. Mr. Gulla suggested that she send the pictures in to the commission.

**Susan Taormina 115 Essex Ave, Gloucester**

Ms. Taormina showed new storm flooding on the causeway.

**Sam Frontiero Stuart Rd, Gloucester**

Mr. Frontiero stated that the area has been filled in and that there is a problem with water. He also feels it will create negative economic issues. He has collected signatures from area residents saying that this it is not the place for a hotel.  
Mr. Gulla stated that the board must keep focused on conservation issues only.

**Jill Mc Glashan, 64 Bond St, Gloucester**

Ms. Mc Glashan asked about the water filtration what is cost and profit. She also wanted to know if market research had been done to see if a 90-room hotel if viable for Gloucester.

**Charlene Delaney, 9 Stuart Rd, Gloucester**

Ms. Delaney was very concerned about the disturbance to the wildlife and wanted to know if there would be habitat protection. The marsh is alive and active with shellfish, birds, etc.  
She also stated that the storm of January 1 & 2 brought water that came in over the wall and flooded her yard for the first time, lapping at the base of trees.

**Mike Favoloro, 11 Essex Ave, Gloucester**

Mr. Favoloro stated he is very concerned that the soil is contaminated what will happen once they start digging and it is disturbed.  
Mr. Gulla stated the soil testing will be done and if contaminants are found they will be cleaned up. If the project goes forward it could be better for the environment than what it is now because what they are proposing is to heavily vegetate the area.  
Mr. Favoloro also would like it noted that the company involved has been misrepresenting some neighbors saying that they have approved of the project

**Sandra Favoloro, 111 Essex Ave, Gloucester**

Ms. Favoloro asked if the area was filled with contaminants can they leach out if disturbed. Mr. Gulla stated again that if contaminants are found they will be removed, capped etc

**Jill Mc Glashan, 64 Bond St, Gloucester Jill**

Ms. Mc Glashan asked of the impact of taking away the animal habitat and how far it will reach, also is concerned with the type of wildlife that might change. Mr. Gulla stated that it would be site specific only.

**Conditions:** None at this time

**Motion: To continue to January 20 at 9:15**

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

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

**Vote: All approved**

**C. Continuation- 28-2032- 210 Eastern Avenue-** Notice of Intent submitted by Poole Construction Inc. 210 Eastern Ave, to construct a 6,000 sq.ft. Commercial building with associated excavation, foundation and utilities in riverfront resource area. (Map 264 lot 23).

**Presenter:**

**Michal Seekamp, Seekamp Consulting**

Mr. Seekamp provided information on alternatives plans as required by the Commission.

A revised report has been submitted for the planting species and there is significant mitigation on the site. He stated that the primary reason for riverfront is for wildlife and they feel they are increasing natural vegetation and improving the area.

John Judd has revised the storm water calculations.

**Stan Poole 1 Farm Lane, Rockport**

Alternative 1

The building is shown toward the pond to a zoning setback, which blocks access. Also there is an overhead wire that would be interfered with. There is an easement for the wire to power the area.

Alternative 2

The building is pushed forward toward Eastern Ave that would then block the entrance to Eastern Ave. If this were done it would mean expanding the parking into the resource area, which will increase impact. If the building is put near the resource area it will be cleaner than putting parking there.

Alternative 3

This plan shows the building pushed into the corner that will cause parking issues as well as interfere with the wire easement.

**Commission Comments:**

Alternative 1

Mr. Gulla would like to know the width of easement for the wire. He stated to applicant to document the information on the plan then Alternative 1 will be done.

Alternative 2

Mr. Gulla asked if the building can be moved just a bit one-way or another to fit the site better. Mr. Poole stated that he has spent many hours to come up with the most efficient way to position building.

Alternative 3

Does not work at all

Lisa Press asked if we have to hold the building to its original purpose and she was informed that it does not. If the purpose changes then the building could be moved. Ms. Press also asked how the size of the building was determined. Mr. Poole showed a

conceptual design of 100x 60 'depicting the interior space plan of building and what it is used for. Ms Press asked about a curb cut and Mr. Poole stated that he was told not to proceed with the curb cut until having approval from the commission.

Stan went to various facilities and then came to determine what is needed for this plan. Robert Gulla again stated his concern over the size and asked if the project size could be reduced in any way. Mr. Poole stated that this is what his client wants. Lisa Press suggested building up and putting the offices above. Mr. Poole stated the building costs would go up. The commission understands this; however reducing the footprint is a good solution to reduce impact on the area.

Mr. Gulla instructed Mr. Poole to get a letter from another authority stating that the cost factor would be higher in adding a second story.

Stormwater management revised documents are done, however Robert Gulla questioned whether a 3rd party should be involved in the matter. Lisa Press said anything over 1000' sq ft should get 3<sup>rd</sup> party review.

Mr. Poole said he was saddened that he has to pay for another engineering plan when other projects that have been bigger than his have moved forward without a 3<sup>rd</sup> party review.

Mr. Gulla asked fellow commissioners; -do we have a 3<sup>rd</sup> party review now for this project or state "that moving forward with future projects of over 1000 sq ft of impervious will be subject to a 3rd party review".

Ann Jo Jackson said comfortable with review process at this time and feels it is not fair to this applicant to subject him to a third party review. John Feener and Barry Gradwohl agreed.

Dave Sargent will try to look at this with Melissa within the next two weeks or John Judd will meet with Melissa and it would be satisfactory to the Commission. John Feener wanted to clarify that the increase in impervious will be approximately. 2000 sq ft.

**It was asked of the applicant to enhance the alternative analysis plan, to get a building height affidavit regarding costs, and to document on the drawing regarding easement of the wire prior to the next meeting.**

**Public Comment:** None

**Conditions:** None at this time

**Motion: To continue to January 20 at 9:15**

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

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

**Vote: All approved**

### **PUBLIC HEARING 8:15 PM**

**A. New- 147 Essex Avenue**, Request for Determination submitted by Essex Pond Land LLC and the Caleb Foundation, to demolish building K and removal of debris in riverfront resource area. (Map 218, Lot 32).

**Presenter: Jeff Nangle 82 Old Turnpike Rd Salisbury, NH**

A demolition permit was not mentioned in original plan. There had been a letter permit but it had expired. It is a straightforward demolition. There will be siltration controls and fencing put in place and a designated stockpile location.

**Commission Comments:**

Commission is glad it is being resolved now.

**Public Comment:** None

**Conditions:**

Lisa Press will provide appropriate conditions to move forward.

**Motion: Negative Determination**

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

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

**Vote: All approved**

**AGENT'S REPORT ON VIOLATIONS**

Release of EO for 8 Samuel Riggs Circle

EO for 19 Wingersheek Rd

Fence put in without permit in sand dune

Fence needs to come out

**Motion: To approve**

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

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

**Vote all approved**

**AS TIME PERMITS:**

**COMMISSION BUSINESS**

**A.** Requests for Letter Permits

- 29 Rockwood Lane

Permit for vegetation management. Lisa Press asked owner to file an RFD

**Motion: To deny letter permit**

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

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

**Vote: All approved**

- 25 River Road

The driveway borders a resource area.

**Conditions:**

- Tarp the deck
- Magnetic sweep
- Daily search for debris
- Secure plywood

**Motion: To Approve**

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

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

**Vote: All approved**

**B.** Requests for Certificates of Compliance

28-1267 14 Fort Hill Ave

Site restored. Rcvd letter from DEP

motion:

1<sup>st</sup>

2<sup>nd</sup>

vote

**C.** Requests for Extension Permits

**D.** Correspondence and Other Commission Business as time permits

**Motion: To close meeting**

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

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

**Vote: All approved**