

**CITY OF GLOUCESTER  
CONSERVATION COMMISSION MINUTES  
WEDNESDAY, February 17, 2010 - 7:00 PM  
CATA CONFERENCE ROOM - 3 POND ROAD  
ROBERT GULLA, CHAIRMAN**

**Members Present:**

**Robert Gulla, Chairperson  
Arthur Socolow, Commissioner  
John Feener, Commissioner  
Charlie Anderson, Commissioner  
Lisa Press, Agent**

**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.**

28-2036 29 Ferry Street

Lisa Press stated DEP has not commented yet and we cannot move forward until they do.

**Motion: To approve, pending Lisa Press review of conditions after receiving DEP comments. The order of conditions is subject to change after receiving DEP comments.**

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

**2<sup>nd</sup>: Arthur Socolow**

**Vote: All approved 4-0**

**II. PUBLIC COMMENT: None**

**III MINUTES REVIEW**

Robert Gulla stated that the commission would wait until all commissioners are present to review minutes.

**IV PUBLIC HEARING 7:15 PM**

**Continuation – 28-2038- 458 Washington Street-** Notice of Intent submitted by Frank Piraino to demolish and re-build accessory cottage in coastal bank and riverfront resource areas. (Map 109 lot 1).

**Presenter: Bill Manuel, Wetland and Land Management**

Mr. Manuel stated that revised plans have been sent in, however he has not received comments yet. The location of the new structure has not changed. It has moved out of 100' buffer zone and moved in 3'.

Mr. Manuel showed a building envelope, which displayed the deck and cottage. A more formalized drawing has not been done yet. An overlay of a previously approved mitigation-planting plan showed planting between cottage and pool retaining wall and along back. It will be 3600 square feet. Mr. Manuel stated that he doesn't know if there is an increase in impervious or not at this point.

**Commission Comments:**

**Ms. Press** stated concern that there are problems now on another project that was approved without seeing a final design first and she does not want that to happen again.

**Mr. Manuel** stated that the applicant wants an approval with a generic plan.

**Mr. Gulla** stated that he would require the proper mathematics on the new design prior to construction. Lisa Press would come out to site 72-hour prior and will need to see complete plan.

**Ms. Press** asked how the applicant is going to deal with roof runoff.

**Mr. Manuel** stated that they are just letting it drip onto the lawn.

**Public Comment: None**

**Conditions:**

- **Mitigation to be clarified**
- **Pervious and impervious math to be clarified and marked on plan**
- **Use of rain barrel—In lieu of a rain barrel, a trench drain or rain garden. This will be determined by Lisa Press and her professional assessment of the property.**

**Motion: To approve with prior to pre-start math calculation of pervious to impervious and shown on plan**

**1<sup>st</sup>: Arthur Socolow**

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

**Vote: All approved 4-0**

- B. New- Essex Ave-** Request for Determination submitted by Frank Ventimiglia, City of Gloucester, DPW, the Conservation to replace 3,250 feet of existing water main and to install 500' of new water main system in a buffer zone to coastal resource areas. (Maps 169 & 183).

**Presenter: Frank Vetimiglia, City of Gloucester Engineering**

Mr. Vetimiglia stated that Essex Ave currently has a 20-inch main pipe that narrows down to 6-inch with a gap in the piping. The city needs to replace the existing pipe with a new 20-inch pipe all the way down and to enclose the existing gap. Erosion controls will be put into place and there will be offsite storage near Stage Fort Park. The project will take one month. They may go with a plastic pipe, however they are not sure yet.

**Commission Comments:**

**Mr. Feener** stated that near Tally's there is flooding and asked if anything could be done to alleviate it.

**Mr. Vetimiglia** stated that they would be doing a curb to curb. He also stated that they would have a dewatering plan in place.

**Mr. Gulla** stated that the commission would require the detail of the dewatering plan and that dewatering bags will have to be on site.

**Mr. Ventimiglia** said he would get the information to the commission.

**Mr. Gulla** also stated that this information would have to be run by Dave Sargent.

**Mr. Socolow** asked what was going to be done with the existing piping. Mr.

Ventimiglia stated that they are planning to leave it in the ground unless it needs to be removed.

**Public Comments: None**

**Conditions:**

- **Dave Sargent to be given information and any conditions that Mr. Sargent deems necessary to be followed.**
- **Dewatering bags on site**
- **Fill to be taken off site daily**

**Motion: For Negative Determination**

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

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

**Vote: All approved 4-0**

**C. New- 189 Hesperus Avenue**, Request for Determination submitted by Julie Nagazina and Richard Einhorn, to construct a garage over an existing paved driveway in buffer to a wetland area. (Map 169, Lot 8).

**John Feener recused himself**

**Presenter: Julie Nagazina & Richard Einhorn, 193 Woodland Mead, Hamilton, Ma.**

Ms. Nagazina stated that it would be a small two-car garage, 22x21, built over a paved area, with a deck on top. They may have some build-out, but they are not sure at this time. They will need to remove two trees and are planning to plant 6 shrubs or two new trees. They will also have an extended driveway of permeable pavers. There is an existing structure on a concrete pad that will be removed and the area will become natural again.

Ms. Nagazina also said that some trees need pruning and would like approval for that also.

**Commission Comments:**

**Mr. Gulla** stated that he would like clarification on what will be covered with new structure.

**Ms. Press** stated that the proposed work is closer to a wetland although there is a stream and that the wetland will drive the mitigation.

**Mr. Gulla** asked where the lumber and dumpster will be put and will need to see that documented on the plan. He also stated the planting bed issue will need to be clarified: what is the exact size, will it be built over? The size needs to be determined, times that by two, and that will be the mitigation factor. He stated the plantings should be near the wetlands. If two trees are taken down then four trees must go back in and they must be 2.5" caliper in diameter. Mr. Gulla advised the applicants that the pervious pavers for the driveway must be an approved system and that a filter sock must be in place to catch any debris.

**Mr. Gulla** stated that regarding tree pruning that pictures of the trees must be taken first and that they must be marked showing what and how much pruning is to be done. The pictures must be submitted before the work is done.

**Ms. Press** asked if they could improve the roof runoff with a gravel trench on the side. The roof deck could be pitched toward the back corner, and then something could be installed to take the runoff into the ground.

**Public Comments: None**

**Conditions:**

- **Math for pervious to impervious to be done times 2 for adjacent to wetland**
- **Show what is going to be planted and where**
- **2-1 mitigation for trees with 2.5 caliper diameter trees**
- **Location of dumpster, stock and work area to be right of the garage**
- **Silt sock along edge of driveway bordering the wetland**
- **Rain to be diverted to back north corner of garage into rain barrel or garden**
- **Approved paving system for driveway**
- **Picture of trees for pruning. Pictures to be marked.**

**Motion: Negative Determination**

**1<sup>st</sup>: Charles Anderson**

**2<sup>nd</sup>: Arthur Socolow**

**Vote: All approved 3-0**

**D. New- 84 Causeway Street**, Request for Determination submitted by Corey Grammas, GAG Realty Trust, to remove and replace roof shingles or membrane in a coastal resource area. (Map 233, Lot 47).

**John Feener rejoined the commission**

**Presenter: Bill Manuel, Wetland and Land Management & Cory Grammas**

Mr. Manuel stated that the applicant, Cory Grammas needs to replace the roof of his restaurant. It is an existing rubber roof now. The project is time critical as the restaurant is opening the 1st week of April and the work needs to be done. The dumpster will be located in the front and the work will also be accessed from there. Mr. Grammas will be on site to police the work being done. It will take 2-3 days to complete.

**Commission Comments:**

**Ms. Press** stated that this project is highly visible and must be in compliance at all times.

**Mr. Gulla** suggested that Mr. Grammas be there at all times to ensure the project is being done right.

**Ms. Press** asked if tarps will be in place to catch debris and that on the backside of the building that someone will have to walk around and do a magnet drag every day. Ms. Press also asked in an extreme high tide, where does it come up to?

**Mr. Grammas** stated that he has never seen the tide come up to the building and the highest he has seen it was approximately one foot below.

**Mr. Feener** added that the project could take 4-5 days in case of rain and that the staff should be informed about any conditions put in place for the project.

**Mr. Gulla** stated that the applicant must notify the commission if any delay occurs. This is a highly visible site, which makes it more sensitive.

**Public Comments: None**

**Conditions:**

- **Dumpster to be located in front of building**
- **Cory Grammas will be on site at all times during work**
- **1 site clean up per day to be done especially in back of property**
- **Magnet drag to be done daily**

**Motion: Negative Determination**

**1<sup>st</sup>: Arthur Socolow**

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

**Vote: All approved 4-0**

**PUBLIC HEARINGS 8:15 PM**

**A. New- 21 Myrtle Square**, Request for Determination submitted by Todd Twombly, Myrtle Square LLC, to install 835 ft of wetland replication in a wetland resource area. (Map 24, Lot 51).

Presenter: **Bill Manuel, Wetland and Land Management**

Mr. Gulla stated for the record that he would not recuse himself. He did do the build out, however was not paid for it.

Mr. Manuel stated that the replication was approved under DEP file. The site work is done however the order of conditions has lapsed. There are no changes at all, the grade is similar, and some of it will be scraped off and replaced with topsoil. The work will be done in the spring.

**Commission Comments:**

**Mr. Gulla** stated that he wants assurances that it will be done in the spring or it will go into enforcement.

**Ms. Press** also stated that the work needs to happen. She asked what the start day would be.

**Mr. Manuel** stated by May 15<sup>th</sup>.

**Ms. Press** stated she would require monitoring reports for 2 years at the beginning and end of the growing season.

**Mr. Gulla** stated that there would be no more continuances etc.

**Mr. Manuel** stated he will be fully involved and on site. He will come back 30 days later to check on plants.

**Ms. Press** stated she want the 30 report as well as the 2 years monitoring reports.

**Mr. Feener** commented on the planting plan and root flare installation.

**Mr. Socolow** asked what the depth of the water table?

**Mr. Manuel** stated it is at grade.

**Public Comments: None**

**Conditions:**

- **Project to resume by May 15<sup>th</sup>, 2010 or enforcement will ensue**
- **All original conditions will hold**
- **Reference replication planting plan**
- **30 day report plus 2 year monitoring report to be submitted to commission**
- **Sanitization during removing process of Buckthorn**

**Motion: Negative Determination**

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

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

**Vote: All approved 4-0**

**B. Continuation- 28-2042- 41 Grapevine Road**, Notice of Intent submitted by Laurel Feder, to construct a 2 story addition with foundation, a porch, patio and carport, replacement and expansion of the driveway and relocation of septic system in the buffer zone to a wetland area. (Map 83 lot 58) APPLICANT REQUESTS CONTINUATION TO MARCH 17, 2010.

**Motion; To continue to March 17th at 9:15**

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

**2<sup>nd</sup>: Arthur Socolow**

**Vote: All approved**

**C. Continuation- 28-2041- 9 Rogers Street**, Notice of Intent submitted by Cape Ann Brewing Company, to construct a addition, and outdoor deck and a loading dock and to install underground piping in a coastal bank resource area. (Map 7 lot 15). APPLICANT REQUESTS CONTINUATION TO MARCH 3, 2010.

**Motion: To continue to March 3rd at 9:15**

**1<sup>st</sup>: John Feener**  
**2<sup>nd</sup>: Charles Anderson**  
**Vote: All approved 4-0**

**AGENT'S REPORT ON VIOLATIONS**

**AS TIME PERMITS:**  
**COMMISSION BUSINESS**

**A.** Requests for Letter Permits

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**B.** Requests for Certificates of Compliance  
28-1728 19 Wingaersheek Rd  
28-1930 19 Wingaersheek Rd  
28-1279 19 Wingaersheek Rd

Ms. Press stated that no work has been done and that the fence has been taken down.

**C.** Requests for Extension Permits

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

Enforcement order for Mac Bell – June 30<sup>th</sup>

**Motion: Enforcement to clean up 44 Commercial St by June 30, 2010**

**1<sup>st</sup>: John Feener**  
**2<sup>nd</sup>: Arthur Socolow**  
**Vote: All approved.**

Extension for 24 Bass Rocks Rd

No work has been done yet and they are asking for extension because they need to sell their original house at 24 Bass Rocks Rd before they can start to build their new house at 16 Bass Rocks Road

Two extensions have already been given and if another is approved work has to start.

**Motion: To approve for 1 year. Applicant to be notified that that this is the last extension and work will need to be completed by the end of that year.**

**1<sup>st</sup>: John Feener**  
**2<sup>nd</sup>: Charles Anderson**  
**Vote: All approved**

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](mailto: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](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 Marie an e-mail**