

**CITY OF GLOUCESTER
CONSERVATION COMMISSION MINUTES
WEDNESDAY, May 5, 2010 - 7:00 PM
CATA CONFERENCE ROOM - 3 POND ROAD
ROBERT GULLA, CHAIRMAN**

Members Present:

**Robert Gulla, Chair
Ann Jo Jackson, Co-Chair
Steve Phillips, Commissioner
Arthur Socolow, Commissioner
Barry Gradwohl, Commissioner
Charles Anderson, Commissioner
John Feener, 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.

RFD- 1232 23 Biskie Head

Commission Comments:

Ms. Press stated she is still looking for a planting plan and had suggested some items to the applicant and will also check with Marie Demick. The applicant is cooperating with the agent.

Motion: Robert Gulla made a motion for a negative determination on RFD-1232

23 Biskie Head

1st: Ann Jo Jackson

2nd: John Feener

Vote: All approved 7-0

27 Marsh St, Gloucester, Ma. Joel Soucy
Request for Letter Permit

Presenter: Frederick Geisel, 15 Steep Hill Drive

Mr. Geisel stated that because of delays, my applicant wants to have interior finished. We have to create a second egress 2' above the ground. We need to cut a hole in the ground and would like to put a pallet down to step onto. The 2nd item is a cellar door on the side. It needs a proper header and is where the door is. We want to replace a window in the kitchen and window in the cellar. Everything else would stay as a NOI.

Commission Comments:

Ms. Press stated that there are issues with drainage and point source discharge, but the applicant would like to move ahead with some work. Some of the work can go on letter permit and some not. What are questionable are the doors. She stated that the window and one egress would be sufficient to complete the interior work and there is a filter sock around the entire site.

Motion: Robert Gulla made a motion to approve 27 Marsh St, Gloucester, Ma
1st: Ann Jo Jackson
2nd: Barry Gradwohl
Vote: All approved 7-0

II. PUBLIC COMMENT

John Feener stated that the CPA application is on line and they are taking applications now. The deadline for applications is June 1.

III MINUTES REVIEW

The minutes under review were for January 6, 20 and February 3 & 17

Motion: Robert Gulla made a motion to approve

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: All approved 6-0 Steve Phillips abstaining

IV PUBLIC HEARING 7:15 PM

A. New- 33 Salt Island Rd- Request for Determination submitted by Patricia Riley, to construct a deck on sonotubes and repair stairway on a dwelling in a coastal resource area. (Map 177, Lot 2).

Robert Gulla recused himself from this hearing.

Presenter: Bob Cahill 33 Hodgkin's St Gloucester, MA

Mr. Cahill stated that a 12x18 deck would be constructed on sono tubes and would be demolishing a stairwell. There will be 10 sq feet of mitigation and a planting plan would be in an area that Ms. Press suggested. The deck will be Timber Tec and spacing is 3/16 in between the boards.

Commission Comments:

The commission stated that the framing would be pressure treated and there is no way around that.

Public Comment: None

Conditions:

- **10sq of mitigation**
- **3/16 apart flooring for deck**
- **dumpster on site on driveway and covered**
- **stockpiling will be on an existing concrete slab**

Motion: Ann Jo Jackson made a motion to approve 33 Salt Island Rd

1st: Arthur Socolow

2nd: Barry Gradwohl

Vote: All approved 6-0

Robert Gulla rejoined the commission.

B. Continuation- 18 Gale Road- Notice of Intent submitted by Gloucester Commons LLC., to install drainage improvements in an existing driveway in the buffer to a bordering vegetated wetland. (Map 43, lot 2, 4). Applicant request continuation to June 2, 2010

Motion: Robert Gulla made a motion to continue 18 Gale Road to June 2 @ 7:15

1st: Barry Gradwohl

2nd: John Feener

Vote: All approved 7-0

C. New – 99 High St Request for Determination submitted by Harry Millar, to conduct a stone cutting and removal business near the buffer to an inland resource area. (Map 164, Lot 30).

Presenter: Bill Manuell, Wetlands and Land Management, 100 Connifer Hill Drive Danvers, Ma.

Mr. Manuell stated that this area is dominated by large pieces of granite. People come by time to time that would like to buy the granite. It is completely out of the buffer and there are marked wetlands to the north. Mr. Manuell referenced pictures where the area is. We are seeking a Negative Determination so you are aware of it.

Commission Comments:

Mr. Gulla asked that if you see anything near the buffer please pull it away and to make sure the owner knows not to do anything past the buffer line.

Public Comment: None

Conditions:

- **No use of chemicals in the buffer zone without coming back to the Commission.**

Motion: Robert Gulla made a motion for a Negative Determination for 99 High St to conduct a stone cutting and removal business near the buffer to an inland resource area

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: All approved 7-0

D. Continuation- 28-2044- 165 Eastern Ave. Notice of Intent submitted by Catholic Cemeteries Assoc. Calvary Cemetery, to construct paved roadways with storm drainage, to construct a berm and detention basin and add landscaping in the buffer to inland resource area. (Map 160 lot 5).

Presenter: Dave Crispen, BSC Group Boston, MA.

Mr. Crispen gave the commission an update on the project. He stated that he did find that turtle habitat would work in the area planned for. As requested he had modified groups of planting to create a more forested area. (Referenced plan). Also a maintenance plan has been put together regarding rubbish, compost facility, dumpster, and a plan to operate that. The plans have been forward to condo assoc.

Screen of arborvitae will be placed (ref. Plan) as requested.

Commission Comments

Ms. Press and Mr. Gulla would like to see plantings in both places and more plants added. Mr. Crispen was agreeable. Mr. Gulla stated concern that since this is a long-range project that it could look like a construction site. Mr. Crispen stated that it would stabilize itself as the project progresses. The Board of Health is booked for soil testing at this time.

Mr. Crispen presented an idea of using the dead trees in the area and driving them into the ground to make an artificial habitat. Mr. Feener suggested taking the dead trees and laying them in a forested area to create a natural habitat. Mr. Crispen was agreeable. He also wants to give additional screening for the condos and would like to plant some willows in the wetlands. Ms. Press stated that willows in wetlands actually cause changes. Mr. Gulla suggested using something other than willows. Mr. Feener stated that not using any willows is not a fair statement, there are other versions that may be beneficial.

Mr. Crispen clarified what trees will be saved; 7 will be saved, 20 removed, 68 planted

Ms. Jackson stated she would like to see more specifics for the maintenance plan and if the dumpster would be covered. Mr. Crispen stated that trash removal would be monthly and the dumpster is covered and locked. Mr. Feener asked to put in plan a condition that weekly inspection of trash and more frequently around Memorial Day. When limits reach a point it will be removed daily. Ms. Press stated her concern about her ability to be able to monitor a project of this size on her allotted hours and suggested that an environmental representative could help monitor the project if needed. Mr. Gulla stated that the scope of work would not exceed what has been discussed with the agent. Mr. Feener would like a daily log to document work done. And Ms. Press wants trees marked with ribbon before they are taken down and what is going to be saved. She would also like to have weekly meetings with Mr. Crispen during the first 4-6 of the project if an environmental monitor is not provided to keep abreast of work to be done. Bob Bradley of Catholic Cemeteries stated they could not commit to that because of costs.

Public Comment:

Marvin Roberts, Witham Street.

Mr. Roberts stated his concern with the loose term of willows.

Peter Briggs 12 Old Nugent Farm, Gloucester

Mr. Briggs stated that he has been pleased with working with Mr. Crispen. He is waiting to see the maintenance plan.

Mr. Crispen stated that he would email it to Mr. Briggs for his review

Conditions:

- **Ms. Press is going to put together a draft review of the conditions for the board over the next two weeks.**

Motion: Robert Gulla made a motion to approve with the above conditions per Lisa Press- Agent conditions for 28-2044- 165 Eastern Ave

1st: John Feener

2nd: Barry Gradwohl

Vote: All approved 6-0 Steve Phillips abstained

Verbal consent to go to June 2 @ 7: 15

V. PUBLIC HEARINGS 8:15 PM

B. Continuation- 28-2045, 28-2046, 28-2047- at various locations, Notice of Intent submitted by the City of Gloucester DPW, to conduct general maintenance on various City owned roadways, including fire and forested roads – culverts and streams and sewer collection systems in areas within and adjacent to resource areas

Presenter: Frank Ventimiglia, City of Gloucester, Engineering Department

Commission Comments:

Ms. Press referenced draft conditions presented on the projector and stated that we can modify it to be able to add conditions as seems necessary.

- 6 & 7 should read woody vegetation and it should be on a stated list of invasive species

Mr. Feener stated he would like photographs taken before and after and for pictures to be submitted before work is started- email would be preferable. Mr. Socolow stated the general maintenance is not very specific and leaves it wide open. Mr. Gulla stated that a document is needed stating that any new work would have to be presented to us and cannot go beyond the footprint that is presented here. It cannot exceed prior rebuilt. Ms. Jackson stated that the purpose of this is to facilitate the process. Ms. Press stated that it gives us more control and uniforms the process so the DPW knows what the rules are. If we have this it will be a win for us and a way for them to know where to start. There will be a trial period of 6 months. Ms. Jackson stated that she is trying to prevent future violations and would feel more comfortable if the contractor signed it. She would like it to be a condition that the DPW staff is aware of document and in agreement to follow its rules.

Public Comment: None

Conditions:

- **Lisa Press to provide**

Motion: Robert Gulla made a motion to approve the NOI for sewer water and road repair for a 6-month trial period and for whomever is in charge at that time to come back in 6 months to see if the document needs to be modified, changed or revoked.

1st: John Feener

2nd: Barry Gradwohl

Vote: All approved 7-0

C. DPW – amend 28-1826

Presenter: Frank Ventimiglia, City of Gloucester, Engineering Department

Mr. Ventimiglia updated the commission that Way Road and Page St keeps washing out. He reference pictures of the area to be repaired. He stated it was noticed this past winter. Curbing, soil & grass will be installed and backed up with topsoil and seeded.

Commission Comments:

Ms. Press stated that the water needs to be directed through something and not directly into the wetland. Mr. Gulla stated that in general, we need to be more concerned with gravel roads and the issues that arise. And should not to always be averse to paving in certain areas near wetlands.

Public Comment: None
Conditions: None

Motion: Robert Gulla made a motion to approve the amendment to Page St & Way Rd

1st: Charles Anderson

2nd: Barry Gradwohl

Vote: All approved 7-0

VI. PUBLIC HEARINGS 9:15 PM

A. New- 143 Wingersheek Rd - Request for Determination submitted by Ben Caggiano, to construct a 2nd story addition over existing dwelling and to replace decking in a coastal dune and ACEC resource area. (Map 260, Lot 12).

Presenter: Sean Costello, Costello Construction

Mr. Costello stated that this is a construction of a 2nd story m. bedroom and that there will be no alteration to existing footprint. They will be removing rear deck boards and handrails, but the structure itself is to remain. The roof will tie in to existing roof (ref. Plan). The dumpster will be off by the garage, sheltered &, covered. This area will be used to stockpile material. There is drainage around the house.

Commission Comments:

Mr. Feener asked where the water would go from the roof and to please draw that on the plan.

Public Comment: None
Conditions:

- **Standard boiler plate rules will pertain to site clean up and maintenance for project**

Motion: Robert Gulla made a motion for a Negative Determination

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: All approved 7-0

B. New- 32 Leslie O Johnson Road, Notice of Intent submitted by City of Gloucester, Gloucester High School, to construct an addition to an aquaculture shed, erect a challenge course, install a garden and 2 mud moorings in riverfront resource area. (Map 19 lot 1).

**Presenter: Brian Tarr, Superintendent, Gloucester High School
Jim Schoal, Teacher, Gloucester High School**

Mr. Tarr stated that the area of interest in is the back of the high school. They would like to develop programs for testing water, seed flats, garden, and an Adventure Challenge course. Parts of this program is connected to Salem State College who has given the school \$5000 of equipment and is committed to staying with us. The area is abused and we want to be caretakers of the land. The students are very excited and want to help grow and cultivate the area. Mr. Schoal showed pictures of the area to the commission. We are in the process of approval to have moorings in the river. We will be taking out vegetation, but we will replace with garden and trees. There will be a minimal amount removed. 10x10 beds will be put in. There will be 10 of them. We are also looking to clear about 30 trees- Norway Maple and will replace them.

Commission Comments:

Mr. Gradwohl stated that there will be a 16x22 addition to the building and felt there is a very good mitigation plan. Mr. Feener offered to help with the tree aspect of the project. You cannot remove all the Norway Maples because it could cause more issues. How it is to be approached would be beneficial for the overall project. Mr. Gulla stated his concern that this is riverfront and also within the first 100 feet. We will need an alternative analysis plan etc. a sequence of the project, and controls to be in place. Mr. Gulla would like to schedule a site visit. Ms. Jackson stated that trees to be removed are to be flagged. Mr. Feener stated he would do a tree inventory.

Mr. Tarr is hoping for a partnership with the commission. It is a growing process. The kids need to understand the importance of the property and this process will help them with that. **A site visit was scheduled for Friday May 14 11:00.**

Public Comment: None

Motion: Robert Gulla made a motion to continue 32 Leslie O Johnson Road to June 2 @ 8:15

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: All approved 7-0

C. New 6 Fortune Lane Notice of Intent submitted by Thomas Gillett, to remove and re-construct a shed, repair a stone wall, remove and re-plant vegetation and to conduct landscaping in a coastal bank resource area. (Map 141 lot 21).

John Feener recused himself

Presenter: Beverly & tom Gillette 6 fortune lane

Mr. Gillette stated that there are some safety issues on the land and would like to address them before someone came to buy the property. He also stated he would like to do some work to make it look like it would after some one bought it. He would like to keep it trim. There will be a split rail fence installed for safety. They will be leaving the shed as is. Vegetation will be removed along the seawall. We want to remove the Black Locust and replace with appropriate vegetation

Commission Comments:

Ms. Press stated that plans are needed for the mitigation area (referenced plan) Keep the plantings to 1' high. On the seawall there are pockets of erosion and if you put gravel in between you will need to put a silt fence to prevent gravel migration.

Mr. Gulla stated that if you remove the Black Locust you need to replace with trees.

Ms. Press stated she would like to have shrubs not trees along wall.

Mr. Socolow stated " he does not buy this invasive business." Ms. Press stated that there is an area that is being cleared (referenced plan) near an old stone foundation.

The other area is near the foundation and the vegetation is growing right next to it.

We may want an area of replanting. If the shed is to stay as is, you will need 2-1 mitigation and a planting plan.

Mr. Gillette stated that the City has interest in having mitigation down at Plum Cove Beach. We may be able to do that in another area.

Public Comment: None

Conditions:

- **Shed no longer part of application. Task 4 to be removed**
- **Black locust to be removed**
- **Filter fabric to be installed for stone wall gravel protection**
- **Planting plan**
- **Area to be trimmed to 1 foot**

Motion: Robert Gulla made a motion to approve the project at 6 Fortune Lane

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: All approved 6-0

John Feener rejoined the commission

D. New 325 Concord St Request for Determination submitted by William Taylor, to perform soil testing in riverfront and ACEC resource areas. (Map 240, Lot 5).

John rejoined commission

Presenter: Issac Rowe, 6 Sargent St Gloucester

Mr. Rowe stated that the septic is failing and was ordered by the Board Of Health.

The cesspool is located in the front. They will use a mini excavator and the work will be done in the same day and backfilled the same day. The machinery will come in through a removed fence. There will be erosion controls with a filter sock to prevent runoff. We need to see what kind of soils are there

Commission Comments:

Mr. Feener stated that when the machinery is used to place plywood down on the ground to prevent soil disruption and damage. A spill response kit is needed on site and to label oil hydraulic fluid.

Public Comment: None

Conditions:

- **Spill kit**
- **Mats provided for machinery**
- **No loss of trees based on tree preservation on file**

Motion: Robert Gulla made a motion for a Negative Determination for 325 Concord St

1st: Charles Anderson

2nd: John Feener

Vote: All approved 7-0

E. New- 31 Niles Pond Rd Notice of Intent submitted by Kevin & Joan Lane, to construct an addition to an existing dwelling with foundation in buffer to inland resource areas. (Map 136 lot 49).

Presenter: Kevin Lane, 31 Niles Pond Rd, Gloucester

Mr. Lane referenced the plan where mitigation would be. There will be a gravel trench for roof runoff and the contractor will remove debris daily. There is one tree to be removed.

Commission Comments:

Mr. Gulla stated that he was not comfortable with stating that mitigation is needed because of impervious surface of existing patio. Mr. Socolow stated that: 2-1 tree mitigation is needed.

Public Comment: None

Conditions:

- **Trees of the same type to create habitat for lost habitat for original tree removed.**
- **2-1 mitigation & to submit to agent for approval**
- **Gravel drip line to capture run off**

Motion: Robert Gulla made a motion to approve 31 Niles Pond Rd

1st: Barry Gradwohl

2nd: Charles Anderson

Vote: All approved 7-0

VII. AGENT'S REPORT ON VIOLATIONS

284 Atlantic Road

Commission Comments:

Mr. Gulla stated that he received a phone call from the owner (played message for commission) The DEP has been watching this for 5 years. He has made a road to the beach and drives on it. DEP wants it to have it removed and restored with a date certain. Enforcement order: by June 2nd. He needs a plan, and restoration is to be done by August 1 or sooner.

Motion: Robert Gulla made a motion for an Enforcement order

1st: Ann Jo Jackson

2nd: Charles Anderson

Vote: All approved 7-0

45 Laurel Street

Commission Comments:

Public Comment:

Conditions:

Motion:

1st:

2nd:

Vote:

Page Road

Commission Comments:

Public Comment:

Conditions:

Motion:

1st:

2nd:

Vote:

VIII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Certificates of Compliance

28-1775, 30 Lawndale Circle

28-1886, 40 Woodward Ave.

28-1992 139 Wingersheek Rd

Commission Comments:

139 Wingersheek Rd, did the work first

Motion: Robert Gulla made a motion to approve

1st: Arthur Socolow

2nd: Charles Anderson

Vote: All approved 7-0

B. Requests for Extension Permits

28-1875 16 Hesperus Circle

28-1874 33 Two Penny Lane

28-1869 Brooks Road

Commission Comments:

16 Hesperus can be approved,
Brooks didn't own the land and doesn't have clear title

Motion: Robert Gulla made a motion to approve 16 Hesperus Ave

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: All approved 7-0

33- 2 Penny Lane

Robert Gulla recused himself

Motion: to approve

1st: John Feener

2nd: Barry Gradwohl

Vote: All approved 6-0

Robert Gulla rejoined the commission

Motion: Not to approve Brooks Road until further information is provided

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: All approved 7-0

- C. Request for Modification
28-1873 19 Harbor Loop

Commission Comments:

Ms. Press stated it was approved for the testing for national grid and want to test behind the seawall.

Motion: To approve minor modification

1st: Ann Jo Jackson

2nd: Arthur Socolow

Vote: All approved 6-0 Barry Gradwohl abstained

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