

CITY OF GLOUCESTER

CONSERVATION COMMISSION

MINUTES

WEDNESDAY October 1, 2014 - 7:00 PM
City Hall, 2nd Floor, Kyrouz Auditorium
Robert Gulla Chair

Members Present: **Robert Gulla, Chair, Ann Jo Jackson- Co-Chair - Absent, Charles Anderson, Helene Shaw- Kwasié, John Feener, Barry Gradwhol, Robert Sherman**
Staff: Ken Whittaker, Agent, Temporary Recording Clerk

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

A) Hobbs Agreement - Kondelin Road. Mr. Whittaker explained that the settlement agreement needed to be signed and approved by the Commission members, contrary to what he had reported in the previous meeting. As the acceptability of the settlement was discussed at a previous meeting, the members agreed to sign at the end of the current meeting. .

B.) Continued Discussion – I Chester Square – The owners of the property had some concerns and questions regarding proposed terms of the order of Conditions, with particular attention to where mitigation plantings would be placed and where downspouts would discharge. The commission reviewed the proposed Order and confirmed that new plantings on the right hand side of the property (facing the water) would count as mitigation plantings as would plantings in front of the newly constructed deck (maximum thickness approx. 3 feet). As for handling of downspout drainage, the commission agreed this could be discharged to a four foot wide vegetated strip along the side of the house although downspouts must still be directed away from Lobster Cove. Mr. Feener agreed that he would respond via email to the applicants’ request for guidance as to what type of plants would be acceptable for mitigation. The tree approved for removal (the “leaning tree”) was defined. The commission requires that a planting plan be submitted for approval prior to any further mitigation planting.

II. PUBLIC COMMENT – no comments offered

III Block 1* CONTINUED Projects

A. NEW RFD: Park Playground Construction project: The applicant noted that approximately 500 square feet of impermeable paving would be added which would require removal of several small trees., Commission was concerned that stormwater runoff to off-site sloping area could invite invasive plants so requested that new paving be pitched away from the nearby resource area to ensure “zero impact.” It was agreed that engineering plans would be submitted to the agent for approval which showing the pitch and run-off discharge to other playground areas. Motion for negative declaration, with conditions, made by Kwasié, second by Feener. Motion carried unanimously.

B. Request for Certificate of Compliance -15 Mount Locust Place (Map 140, Lot 25) –
Applicant discussed changes from originally prepared NOI, with commissioners expressing some concern about decreased permeability associated with blue stone pavement placement. Noting that another NOI was soon to be filed, the commission decided that mitigation for this

increase will be incorporated there including consideration of converting the existing putting green into a rain garden. The commission then discussed proposed retaining walls that have been proposed for several erosion areas on the site. The commission expressed concern that this represented a generally unacceptable armoring of a coastal bank, the difficulties in placement a nearly vertical stone wall and the effects of splash up on vegetation. The commission asked for re-consideration of “softer” solutions. The applicant agreed to talk with his client further about softer solutions (i.e. boulders”) supported by plantings to stabilize the bank. Motion by Gradwohl to continue discussion of granting CoC until November 5, 2014, second by Kwasié. Motion passes unanimously. Motion to continue discussion of NOI for retaining walls until November 5 by Kwasié, second by Gradwohl, passed unanimously.

- C. **8 Norwood Court (Map 59, 63, 89-91,16,17)** – The Commission reviewed comments from the Shellfish Constable and the Harbormaster. Noting no net change in the coastal bank the commission discussed the improvements to the resource area proposed by applicant’s representative (use of non-toxic materials, use of flexible structures/pilings to reduce impact on ocean bottom, etc.). Responding to concerns about impacts on outermost dock applicant’s representative indicated that a number of marinas in the area have docks out that far towards the channel. The commission requested that a small planting area be installed at the top of the enhanced rip rap slope to enhance infiltration, that filter fabric be installed behind the outer layer of rocks (the “face”) on the new rip rap and that the area be cleaned of trash every day during construction. Motion to approve the NOI with these conditions by Kwasié, second by Anderson. Motion passes unanimously.
- D. **Continued NOI – Little River Stream Habitat Restoration Project:** Power Point Presentation for the Applicant, City of Gloucester Represented by Director of Planning Gregg Cademartori, to restore this stream and spawning area back to its original state. The owner of the property, Wellspring House is in support of the proposed project. The Commission was favorably impressed with the proposed project, noting that the City will continue to pursue funding. Furthermore, the Commission offered to write a letter in support of the project as an aide to further funding. Motion to approve the project as presented by Gradwohl, second by Kwasié, motion passed unanimously.

IV. **Block II* NEW Projects**

- A. **NOI: 302 Essex Avenue, Wellspring House (Map 220 Lot 128)** – Applicant proposed to move facility parking from the front of the building on Essex Street to a permeable 7000 square foot pavement area in the back of the building. Crushed stone will be used at the boundaries of the parking area. The driveway into the parking area will not be permeable. The commission expressed some concern as to the closeness of the new paving area to the stream area to be restored (as part of the Little River Habitat Restoration Project discussed above) but slope will be pitched away from the nearby stream/resource area and captured in an on-site catch basin. The Commission will require that snow buildup from the new parking lot be stored/disposed on the side opposite from the stream. Motion to approve the NOI with the conditions discussed by Gradwohl, second by Anderson, motion passes unanimously.
- B. **NEW NOI: 32 Horton Street (Map 129, Lot 4)** - Presentation was made by applicant Ocean Alliance Inc. and commission had few questions given that there are no environmentally sensitive areas (i.e. eel grass beds) nearby and the floats will not ground out. It was noted that two flats are proposed but that total float area is generally in conformance with commission guidelines. It was decided to wait on voting on the NOI until written comments had been received from the Harbormaster and the Shellfish Constable, Motion to Continue by Kwasié, second by Sherman passed unanimously. .

C) NEW ANRAD: 58 Great Republic Drive (Map 263, Lot 18) Submitted by Varian Semiconductor Equipment Associates, Inc., (Represented by John McNiff, Jr.) for the purposes of re-establishing a previous and expired wetland resource area determination. Request to confirm existing completed in 2007. Substantial comments were offered by abutters to the site alleging large increase in wet area near the bottom of the rocky slope on the property, and abutters agree to supply photographs showing the increases in the alleged wet area over time. The applicant agreed to conduct a site visit before the next commission meeting at which time the abutters offered to provide information/photos/mapping documenting the increase in the wet area allegedly caused by recent development in the vicinity. Motion to continue by Gradwohl, second by Sherman, passed unanimously.

V. OTHER COMMISSION BUSINESS - Requests for Letter Permits/Modifications. On recommendation of Mr. Whittaker all were approved unanimously.

- A. **6 Old Bray Road - Request For A letter Permit** – minor landscaping activity – relocation of soil on-site to garden area – accepted by commission
- B. **57 Folly Point Road – Request For Minor Modification** - change of plans for proposed dwelling – reduction in size – applicant was requested to provide an overlay drawing showing old and new (reduced) boundaries for on-site structure. (Note, drawing subsequently received and accepted by Agent).
- C. **144 Wheeler Street - Request For Minor Modification** – commission agreed to allow use of a small excavator (rather than “mini” excavator and removed requirement to line equipment access path with plywood sheathing. Applicant to submit plan showing equipment path on site, equipment to stay within that path when entering, exiting and working on the site. Applicant will monitor soil compaction on pathway and, if compacting occurs must loosen soil before re-planting. Erosion control socks to be placed along equipment pathway. (Note – drawing subsequently received by Agent – confirmed via site visit.)

VI. AGENT’S REPORT ON VIOLATIONS: Updates/Investigations

- A. **Keystone Lane Update** – hay bales have been installed to impede erosion – NOI to be submitted for restoration work in the next several days with work to commence in the near future.
- B. **Dollivers Neck Update** – a warning letter has been sent to a resident in the area who reportedly had hired contractors to prune/remove coastal bank vegetation. The work was halted by citizen complaint before damage was done.

VII. CERTIFICATES OF COMPLIANCE - On recommendation of Agent Whittaker, the following properties were proposed for issuance of certificates of compliance. Certificates approved by unanimous vote of the Commission.

- A. **#28-2202: 79 Eastern Point**
- B. **#28-1681: 2 Gloucester Avenue**
- C. **#28-1718: 187-191 Essex Avenue (Duplicate Signing) upon request of attorney, re: real estate conveyance**