

CITY OF GLOUCESTER
CONSERVATION COMMISSION

MINUTES

WEDNESDAY September 16, 2015 - 7:05 PM
City Hall, 2nd Floor, Kyrouz Auditorium
Ann Jo Jackson - Acting Chair

Members Present: Ann Jo Jackson –Acting Chair, Helene Shaw-Kwasie, Barry Gradwohl, John Feener
Staff Present: Ken Whittaker

Ms. Jackson opened the meeting at 7:05 PM

I. ADMINISTRATIVE BRIEFING

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

A. **MassDEP #28-2262: Niles Pond**- Discussion of one year continuation of phragmites removal program (chemical application) in and around Niles Pond. Bill Manuell acted as representative for the Association of Eastern Point Residents asking for continuation of the herbicide-spraying-based phragmites removal program for Niles Pond. Original Commission approval was for two years of spraying with the third year subject to Commission approval. Photographs and discussion was presented demonstrating the success of the program and the revegetation of native species which has taken place. Commissioner Feener questioned whether some planting/revegetation was necessary but Mr. Manuell indicated that “natural” revegetation appeared to be effective at this point. The Commission voted unanimously to support a one year continuation of the program subject to submission of a final report discussing the merits and success of the program with an analysis of whether any pro-active revegetation would be needed at that point to restore and maintain the pond in a phragmites free (or near phragmites free) state.

B. **Wingarsheek/Coffin’s Beach** - Discussion of options for effective prohibition of tracked vehicles on these beaches. The Agent noted recent complaints from area residents concerning use of ATV-type vehicles in the Area and the attendant damage to the dunes. The Agent proposed a mailing to local residents and perhaps another presentation by a representative of the state’s office of Coastal Zone Management (which has been supported by the Commission in the past) explaining current prohibitions for use of these vehicles and the risks of their continued use, but also sought ideas from the Commission as to what other steps might be taken to discourage and/or

enforce against their use. Suggestions including bolstering any mailings (or insertion of flyers in local mailboxes) with specific references to prohibitions in state regulations and, noting that many of the residences are rented out during the summer months, to implementing a program that holds landlords responsible for the infractions of their tenants. It was also suggested that landlord make available the rules of the local property owners association to entering tenants and indicate that improper use of ATV-type vehicles is grounds for immediate termination of the lease or other damages. Several members of the public commented on the concern but noted care must be taken not to discourage appropriate use of these vehicles (such as for assistance for handicapped individuals). Mr. Feener noted that access points not in the dunes and more suited for entry of these vehicles exist on the beach and that these should be used in such cases. Another resident indicated that this may be related to the number of “walkways on the beach and that there are currently “too many.” Ms. Jackson responded by saying that appropriately built and raised walkways are actually beneficial to the dune stability (rather than pathways on the sand dune) and that construction of these are actually favored by the Commission. The Agent thanked the Commission for their suggestions and agreed to report back to the Commission in the near future when more definitive action plans are in place.

II. PUBLIC COMMENT

III. **MINUTES REVIEW AND APPROVAL** – Minutes for the August 19, 2015 meeting were accepted unanimously, with Mr. Gradwohl abstaining as he was not in attendance at the meeting.

IV. Block 1: Continued Projects

- A. Request for Amendment of NOI: 161 Thatcher Road #28-1940 (Map 178 Lot 60) Submitted by Jack Hyland for construction of a duplex home and landscaping improvements in wetlands buffer zone – Applicant Requests Continuation until October 7, 2015. The Agent noted recent questions regarding site drainage had arisen and the applicant wished to continue the matter. Matter was continued to October 7 via unanimous vote.
- B. NOI: 102 Hesperus Avenue # 28-2404 (**Map 192 Lot 20**) – Submitted by Erich and Jennifer Budenhagen to construct a detached garage and expand septic. Applicant requested a continuation to the October 7, 2015 due to the absence of a voting quorum at this meeting. Matter was continued to October 7 meeting via unanimous vote.
- C. **NOI: 76 and 78 Hesperus Avenue #28-2408 (Map 191, Lots 50 and 51)** – Submitted by Jean and William Bellissimo to make house renovations,

develop access roadway and rebuild terrace and stairs. Applicant representative Bill Manuell requested a continuation to the October 7, 2015 due to the absence of a voting quorum at this meeting. Matter was continued to October 7 meeting via unanimous vote.

D. RDA 1455: 45 Witham Street (Map 16, Lot 43) – Submitted by William Normand to remove invasive vegetation, install sewer and fill in pool. Agent reported that discussions regarding methodologies for invasive species removal from the property were not completed and, on behalf of the applicant, requested a continuation until the October 7 meeting. Continuation was approved by unanimous vote.

E. NOI: 12 Samuel Riggs Circle #28-2412 (Map 112, Lot 20) – Submitted by Richard Cella to replace floats, ramp, and gangway. Applicant noted that proposed dock and floats already had a valid Chapter 91 license and had been inspected by the Shellfish Constable, Harbormaster and Conservation Agent. The project is a replacement project for an existing structure and the only change from the original will use of thicker dimensional lumber for stability. He also noted that they were prepared to incorporate all suggestions from the Shellfish Constable or the design (18” standoffs, no toxic materials in the water, use of elastic rodes where possible, although he noted that the existing depth might make use of elastic rodes difficult and perhaps helical anchors with floating nylon rope might be used in this case. Motion was made to issue an Order of Conditions for the project subject to applicant complying with all comments of the Harbormaster and Shellfish Constable, including seasonal removal (except for use of rope and anchors as described herein) and also that any anchoring rope be replaced each year. Motion was seconded and passed unanimously, Mr. Gradwohl abstaining.

F. ANRAD: 30k, 48 and 50 Atlantic Avenue #28.....(Map 257, Lots 167, 202 and 201) Submitted by Francis Goodhue for Abbreviated Notice of Resource Area, coastal wetland

V. Block II: New Projects

A. RDA 1462: 5 and 19 Pond Road– Submitted by Northshore Scrap Steele LLC for storage and handling of scrap metal/appliances etc. on outer edge of wetlands buffer zone.

B. RDA 1463: 5 Butler Avenue – Submitted by Robert Moran for construction of second floor on single family home in buffer zone to bordering vegetated wetlands.

C. RDA 1464: 71 Concord Street– Submitted by City of Gloucester for soil and loam mixing and handling in buffer zone

D. RDA 1465: 136 Leonard Street – Submitted by Robert Quine to construct an 8 ft. by 8 ft. carport in wetland buffer zone.

E. RDA 1466: 61 Crafts Road– Submitted by Kimberly Tipert to expand existing garage and roofline by approximately 300 square feet in outer edge of buffer zone.

VI. OTHER COMMISSION BUSINESS
Requests for Letter Permits, Minor Modifications, Extensions, etc.

VII. AGENT'S REPORT ON VIOLATIONS

VIII. CERTIFICATES OF COMPLIANCE

8 Walker Road MassDEP #28-2087

2 Howard Road MassDEP #28-1846

6 Barn Lane MassDEP #28-1167

91 Cole's Island Road MassDEP # 28-2242

12 Wyoma Road MassDEP # 28-794]

548 Washington Street MassDEP #28-2341

15 Horton Street – MassDEP # 1928