

CITY OF GLOUCESTER

CONSERVATION COMMISSION

Meeting Minutes

WEDNESDAY, January 20, 2016 - 7:00 PM
City Hall, 3rd Floor Conference Room
Robert Gulla Chair

Members Present: Rob Gulla- Chair, Barry Gradwohl, Helene Kwasié, Linda Charpentier, John Feener, Ann Jo Jackson-[Absent](#)
Staff: Ken Whittaker

Mr. Gulla called the meeting to order at 7:02 p.m.

I. ADMINISTRATIVE BRIEFING

- A. **NOI: 337 Concord Street – Enforcement Action - (Map 240, Lot 1) – Applicant proposed to provide an update on current site status - awaiting further action/notification at next meeting to discuss new filings and mitigation measures to address violations.**

Mr. Whittaker reported that the applicant will be filing a NOI soon.

Geoff Andrews Wetlands Preservation

Mr. Andrews reported that the boundaries of the isolated vegetated wetlands at the site have been determined and an NOI will be filed on February 3. The jurisdictional territory is still being determined and the field work with regard to site stabilization is done.

Public comment:

Leslie Davison 334 Concord St

Ms. Davison stated that there was never a field on the site, contrary to Mr. Andrews' assertion that a large portion of the now cleared area had originally existed as a field for horses.

Deborah Cramer 318 Concord St

Ms. Cramer stated that there has been extensive clearing and wants to be clear as to what is existing, but not what existing originally. Mr. Whittaker reported that he would provide an aerial photograph to Mr. Andrews for the purposes of establishing these "original" conditions.

II. PUBLIC COMMENT -

Mr. Feener informed the board on the likelihood of failure with regard to possible replanting of trees on the site as defined by the ISA Tree Risk Assessment Qualification methodology. Care must be taken to ensure that trees proposed to be replanted are suitable for the microhabitat in which they will be placed.

III Block 1: Continued Projects

A. ANRAD: 30, 48 and 50 Atlantic Avenue #28-2413 (Map 257, Lots 167, 202 and 201) Submitted by Francis Goodhue for Abbreviated Notice of Resource Area, coastal wetland – Applicant requests continuation to February 3 .

Motion to continue the ANRAD at 30, 48 and 50 Atlantic Avenue #28-2413 (Map 257, Lots 167, 202 and 201) submitted by Francis Goodhue for Abbreviated Notice of Resource Area, to February 3, 2016, at applicant's request, was made by Ms. Kwasi, seconded by Mr. Feener and unanimously approved.

Mike McMann

Mr. McMann stated concern that the peer review has not progressed because of funding and that another expert could be brought in and undermine the process, i.e. a concern that the Commission may choose to credit a consultant offered by the applicant rather than by one of the Commission's own choosing.

Mr. Gulla stated that if the commission gets the sense that the applicant is not moving forward they will be informed that they risk denial of their application for lack of action. The commission will not be swayed regarding the third party reviewer.

B. NOI: 178 Atlantic Road # 28-2414 (Map 76, Lot 5) – Submitted by James Harwood to construct a residence/appurtenances on undeveloped rocky shore/flood zone – brief discussion of current and future status of NOI in light of recent developments concerning proposed subdivision plan for this and adjacent parcels.

Mr. Whittaker reported that he received a letter from Mr. Harwood's attorney requesting that the NOI be allowed to be withdrawn without prejudice.

Motion to approve the withdrawal of the NOI 178 Atlantic Road # 28-2414 (Map 76, Lot 5) submitted by James Harwood to construct residence/appurtenances on undeveloped rocky shore/flood zone without prejudice was made by Mr. Gradwohl, seconded by Ms. Charpentier and unanimously approved.

C. NOI: 4 & 6 Eastern Point Boulevard #28-2428 (Map 133, 10 & 26) Submitted by James & Jan Bordinaro for duplex home/common driveway within 3-lot subdivision in buffer zone.

Michael Faherty, 111 Main St

Mr. Faherty stated clarified the trees that may/will be affected by the proposal; the 3 trunk Ash tree and a Choke Cherry tree. In light of previous comments Attorney Faherty proposed conditions which he believed would satisfy the commission. Mr. Faherty read the special conditions to commission;

- Any trees lost will be replaced with 6-7 inch diameter trees and will remain in place for two years
- The knotweed does not extend to the wetland and will be taken out for mitigation and properly disposed of.

- Place monuments of cedar posts cemented to the ground and they will be noted on the plan

Mr. Faherty asked if the owners may go on protected land to remove debris from detention basin with the commission's approval. There was general agreement on this point, the Commission noting that there were reasonable assurances that knotweed infestation would be addressed in the future as unrestricted growth would likely impact drainage from homeowners' property.

Public comment

Lillian Olmstead 10 Eastern Point Boulevard – commented that many of the points which she was concerned had been addressed by the revised application/Commission efforts.

Motion to approve the NOI at 4 & 6 Eastern Point Boulevard #28-2428 (Map 133, 10 & 26) Submitted by James & Jan Bordinaro for duplex home/common driveway within 3-lot subdivision in buffer zone was made by Ms. Kwasié, seconded by Ms. Charpentier and unanimously approved.

- D. NOI: 161, 165 & 171 Atlantic Road #28..... (Map 73, Lots 37, 37, 26) - Submitted by OVL, LLC to construct 4 buildings/4 duplex homes/1 single family home and driveway and intermittent stream crossing in FEMA flood plain – Applicant requests continuation to February 3.**

Motion to continue the NOI 161, 165 & 171 Atlantic Road #28..... (Map 73, Lots 37, 37, 26) Submitted by OVL, LLC to construct 4 buildings/4 duplex homes/1 single family home and driveway and intermittent stream crossing in FEMA flood plain to February 3, 2016 was made by Ms. Charpentier, seconded by Ms. Kwasié and unanimously approved.

- E. NOI: 29 & 34 Marble Road #28-2422 (Map 75, Lots 42 & 17) - Submitted by Bernice Lichtenstein to construct a house, cottage, septic system and wells in buffer zone. - Applicant requests continuation to February 3.**

Motion to continue NOI: 29 & 34 Marble Road #28-2422 (Map 75, Lots 42 & 17) - Submitted by Bernice Lichtenstein to construct a house, cottage, septic system and wells in buffer zone to February 3, 2016 was made by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.

V. Block II: New Projects

- A. NOI: 52 & 68R Poplar Street #28.....(Map 106, Lots 13 and 25) Submitted by CGC Associates, Inc. on behalf of the City of Gloucester Housing Authority to replace existing bridge access/way over Alewife brook on westerly side of development, including concrete headwalls, concrete footings, guardrails and complete culvert replacement.**

Mike Carter – BCG – consultant to David Holden Gloucester Housing Authority
Mr. Carter reported that a second bridge to this housing complex is failing, the first having been repaired several years ago after coming before this Commission. The concrete walls are failing and that gaps have appeared in the bridge pavement. The bridge is proposed for replacement with the underlying culvert to be replaced with a box culvert. Mitigation will include creating a rain garden to collect storm water adjacent to the bridge in an area that appears to currently collect rainwater.

Mr. Feener requested a maintenance plan to take maintain control of invasive species in that area and that the applicant place planting material to delineate the edges of the proposed curbing to promote water infiltration and to improve safety.

Public comment: None

Motion to approve the NOI: 52 & 68R Poplar Street #28..... (Map 106, Lots 13 and 25) Submitted by CGC Associates, Inc. on behalf of the City of Gloucester Housing Authority to replace existing bridge access/way over Alewife brook on westerly side of development, including concrete headwalls, concrete footings, guardrails and complete culvert replacement was approved by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.

B. NOI: Blynman Bridge #28.....(Map 3, Lot 70) Submitted by BSC Group on behalf of the Massachusetts Department of Transportation to demolish and construct a temporary replacement of the Tender's House immediately adjacent to the bridge to allow its continued operation.

Taylor Dowdy BSC Group

Ms. Dowdy stated that the old tender house will be removed and be replaced on the opposite side of the Blynman Bridge. It will be a smaller but similar structure and will be connected to city utilities installed in trenches from the main roadway.

Robert Hasier, 60 K Street, Boston

It will be permanent structure until the bridge is replaced. It will be stick built on concrete pad.

Mr. Feener stated that the tree next to the site has to be protected. He requested that the applicant place 4-6" of mulch out to drip edge of the tree (to protect against crushing of roots, the mulch is not to be driven upon) and an orange construction fence on the canal side to catch debris before it can find its way into the canal

Mr. Whittaker reported that DEP commented on the concrete pad and that it should be a wooden platform.

Mr. Gulla suggested that they talk DEP and to be clear regarding temporary vs permanent structure on the site, i.e. if the applicant can reach agreement that the new construction can be considered semi-permanent removing MassDEP concerns regarding concrete emplacements. The applicant indicated that they

would make this clarification and obtain approval from DEP that the structure as proposed would therefore be acceptable. It was proposed that once this clarification was made and agreement by DEP to remove their comment the Commission could approve the NOI at the next meeting without need for attendance by the applicant.

Public comment: None

Motion to continue the NOI: Blynman Bridge #28.....(Map 3, Lot 70) submitted by BSC Group on behalf of the Massachusetts Department of Transportation to demolish and construct a temporary replacement of the Tender's House immediately adjacent to the bridge to allow its continued operation to Feb 3, 2016 was made by Ms.Charpentier, seconded by Mr. Gradwohl and unanimously approved.

There being no other business, the meeting was adjourned at approximately 8:30PM.