

**CITY OF
GLOUCESTER
CONSERVATION COMMISSION
MEETING**

**WEDNESDAY, September 7, 2016 – 6:30 PM
City Hall, 2nd Floor, Kyrouz
Auditorium Robert Gulla Chair**

Members Present: Robert Gulla, Chair, Helene Kwasié, John Feener, Barry Gradwohl,
Linda Charpentier
Staff: Ken Whittaker

II. PUBLIC COMMENT- None

III. MINUTES REVIEW AND APPROVAL - July 20, 2016
Motion to approve the minutes of July 20, 2016 was made by Mr. Gradwohl,
seconded by Ms. Kwasié and unanimously approved.

IV. Block 1: Continued Projects

A. NOI: 337 Concord Street #28-2446 (Map 240, Lot 1) - Submitted by
Jeffrey Roberts to construct playing field, driveway, septic system and
plantings in ACEC buffer zone.

Attorney Dan Bailey- Pierce Atwood LLP

Jeff Andrews- Wetlands Preservation

Attorney Bailey reported that there is no resolution at this time. The proposal that is in front of the Commission is the most current. The owner will not remove the section of wall as the Commission requested because it would be a considerable amount of work with allegedly by no obvious environmental benefit. Consideration of planting trees at base of wall not considered feasible because of reported shallow ledge. Same conditions reported at top of new wall.

Mr. Whittaker disputed this as the top of the wall area was extensively filled as part of the site construction effort.

Mr. Andrews reported that an alternative analysis was sent to the Agent today. It is limited to 1 alternate location. It is a heavily forested area located south from the existing activities. It is the highest point on the lot and would require more clearing of vegetation.

Mr. Whittaker informed the Commission that a meeting was held today to try to come up with a solution. The thrust of the Applicant's argument is that the current

location of the project is the best place on the lot including placement of the wall for purposes of locating the new athletic fields. The Applicant has agreed to a continuation so the Commission has a chance to evaluate the alternative analysis.

Mr. Feener stated that he did not agree with the statement “no adverse impacts” associated with the existing configuration of wall and cleared area on the site and it should be removed.

Attorney Bailey stated that there is 17000 square feet of impact to the riverfront area. The allowance is 10%.

Mr. Gulla asked what going to be housed in the barn and asked for a stormwater management plan.

Attorney Bailey stated the barn would be used for storage of farm equipment.

Commission members asked that more vegetation be planted to account for the substantial cutting/removal carried out during wall construction.

Mr. Andrews stated that according to the performance standards it isn't required.

The Commission reminded him that this was an after the fact filing and proposals must be considered in that respect.

Mr. Gulla opined that due to time constraints the Commission must move on to public comments, noting as well that replanting proposals here were for below what is normally requested as part of after the fact filings.

Public Comment:

Betsy Holdsworth, 293 Concord St.

Ms. Holdsworth asked that there be time so the public can review the most recent submission and is astounded at how this project has been creeping along. The wall should be taken down by hand so there are any impacts. The lack of respect shown by the Applicant to the City and the Conservation Commission is also astounding. She also questioned the latter stage addition of the barn and expressed concern about fuel storage near the ACEC.

Following public comments several members of the Commission expressed concern as to the number of cars that might be parked in the area as part of the athletic events and asked that parking plan/stormwater analysis be provided.

Motion to continue NOI: 337 Concord Street #28-2446 (Map 240, Lot 1) to September 21, 2016 was made by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.

B. Request to Amend NOI: 124 Wheeler Street #28-2441 (Map 99, Lot 43)
Submitted by Stephen Arena to raise approved single family home in in Riverfront area. **Applicant requests continuation until September 21, 2016 meeting at the request of the applicant.**

Motion to continue Request to Amend NOI 124 Wheeler Street #28-2441 (Map 99, Lot 43) to September 21, 2016 was made by Ms. Charpentier, seconded by Mr. Gradwohl and was unanimously approved.

C. RDA 1495: 246 Western Avenue (Map 204, Lot 26) – Submitted by Mark Dobson for invasive species removal and replanting in buffer zone.

Motion to continue RDA 1495 246 Western Avenue (Map 204, Lot 26) to September 21, 2016 was made by Ms. Charpentier, seconded by Ms. Kwasi and unanimously approved.

V. **Block II: New Projects**

A. NOI: 26 Rowley Shore #28..... (Map 59, Lot 87) – Submitted by Howard Resnikoff to improve drainage, regrade driveway and install retaining wall in coastal bank buffer zone.

John Judd- Gateway Consultants

Mr. Judd explained that it is an existing dwelling with a driveway. Drainage improvements are needed. There is a trench drain and the outlet is clogged. The trench drain is to be replaced along with two pipes. Ledge currently in the middle of the driveway will be removed, using blasting if necessary, and regraded and will be removed with line drilling. There are no erosion issues.

Commission members indicated that the order should reflect the possibility of blasting and the application should also explain that shallow ledge on site precludes construction of an infiltration rain garden, necessitating direct discharge to the rocky intertidal area.

Public Comment: None

Motion to approve NOI: 26 Rowley Shore #28..... (Map 59, Lot 87) was made by Ms. Kwasi, seconded by Ms. Charpentier and unanimously approved.

B. RDA 1500: 4 Leonard Street (Map 119, Lot 25) – Submitted by Stephen Saylor to construct addition to courtyard and patio.

Bill Manuell - Wetlands and Land Management

Mr. Manuell informed the Commission that there is minor work for a house that is

on the opposite side of the street of the Annisquam River. An 8x10 addition is to be built with a bluestone patio (set on granular base, not cement) with a pergola. The porch roof is to be rebuilt. 160 square feet of native plantings will be planted to compensate for 80 square feet of new roof area. Applicant was asked to consider rain barrels for infiltration control. Work is 145 feet away from the river.

Mr. Whittaker explained that the small scope of the project justified filing of an RDA rather than traditional NOI for Riverfront Area.

Public comment: None

Motion for a Negative Determination for RDA 1500: 4 Leonard Street (Map 119, Lot 25) was made by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.

C. NOI: 15 New Way Lane #28..... (Map 221, Lot 15) – Submitted by Owen Toland and Francis Cullati to install a tight tank in buffer zone.

Bill Manuell- Wetlands and Land Management

The project has been approved by the Board of Health. It is a small lot encumbered by wetlands. The tight tank is the last option for the site. It is a flat area and with no vegetation removal.

Public Comment:

David Height

Mr. Height stated that there is a 20 foot drop with pines and ferns immediately below the proposed location of the tight tank. The tight tank is fine but shouldn't be near the wetlands.

Mr. Whittaker noted limited impact on the site associated with tight tank, most vegetation to be impacted is invasive.

Motion to approve NOI 15 New Way Lane #28..... (Map 221, Lot 15) was made by Ms. Kwasi, seconded by Ms. Charpentier and unanimously approved.

D. NOI: 31 Salt Island Road #28..... (Map 177, Lot 1) – Submitted by Douglas Fifield to repair seawall in coastal bank buffer zone.

Bill Manuell- Wetland and Land Management

Mr. Manuell informed the Commission that 31 and 35 Salt Island Road are in tandem. The homes are on the ocean and have suffered damage to their seawalls from large storms. 31 Salt Island Rd still has an open Order of Conditions from a previous project. There is an existing seawall and the owners would like to add an

additional 40 feet x 3 high with gravel behind it to protect the house. The location of the additional wall will be on rock well above the normal high tide and essentially devoid of existing vegetation. The top of coastal bank coincides with the existing seawall. It is not armoring the bank because it is on bedrock according to the performance standards. The area behind wall is rocky and no attempt will be made to establish grass in the area.

The Commission voted to impose certain conditions such as inspection of concrete forms to prevent gaps before pouring and magnetic sweeping.

Public Comment:

Jane Knot 29 Salt Island Road

Ms. Knot stated she was in favor of the project.

Douglas Fifield., 31 Salt Island Road

Mr. Fifield stated that this work has to be done and the area will not be a lawn.

Motion to approve NOI 31 Salt Island Road #28..... (Map 177, Lot 1) was made by Mr. Gulla, seconded by Mr. Feener and unanimously approved.

E. NOI: 35 Salt Island Road #28..... (Map 177, Lot 3) – Submitted by John Knowlton to repair seawall and deck/construct deck in coastal bank buffer zone.

Bill Manuell Wetlands and Land Management

Mr. Manuell stated that this home has the same problem as 31 Salt Island Road with the same solution but is a more complicated. There is a second floor deck that is supported by the seawall. The supported deck has to be demolished and then reinstalled. The patio behind it will be rebuilt. Utilities wires will be brought in underground. The pump chamber will be abandoned and tied into the sewer.

The Commission voted to impose the same conditions as those for 31 Salt Island Road.

Public comment: None

Motion to approve NOI 35 Salt Island Road #28..... (Map 177, Lot 3) was made by Ms. Jackson, seconded by Ms. Kwasia and unanimously approved.

F. NOI: 29 Marble Road #28..... (Map 75, Lot 42) – Submitted by Barry Lichtenstein to widen existing roadway on property in buffer zone.

Dan Ottenheimer Mill River Consulting

Mr. Ottenheimer informed the Commission that the current roadway is insufficient. The project is to widen the roadway to 20. With its current use it is sufficient, however there is concern associated with traffic safety on this narrow roadway.

Mr. Feener stated concern with the current planting plan and the viability of proposed plantings and that mitigation should be drainage through the plantings rather than “spot drainage” through weepholes.

Mr. Gulla requested a section drawing, for review, for the deepest section of wall. He reported that more information is needed before the Commission can adequately consider this permit application.

Public Comment:

Barney Lichtenstein 29 Marble Road

Mr. Lichtenstein stated that people are backing up for traffic. The road needs to be widened. It is a safety issue.

Motion to continue NOI: 29 Marble Road #28..... (Map 75, Lot 42) was made by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.

G. NOI: 279 Concord Street #28..... (Map 249, Lot 15)- Submitted by Grant Clark for substantial tree and vegetation pruning in ACEC buffer zone.

Grant Clark 74 Grapevine Road

Mr. Grant stated he would like to amend the order to restore the historical views of the property. The view lines have been encroached. All the proposed work is in ACEC buffer zone or Gloucester ACEC upland area.

Mr. Gulla stated that historical view vista is not our concern and a site visit is needed.

Doug Lachance, 311 Concord St

Mr. Lachance informed the Commission that there is a view easement in the deed. He opined that the area is overgrown and needs to be stabilized. The growth will be retained but will be lower. The trees and shrubs will be pruned so the view will be through them. Some vegetation is proposed for removal with vista pruning of several feet from the tops of trees near the ACEC boundary.

Public Comment:

Dennis Leclerc 280 Concord St

Mr. Leclerc stated that he is confident that the work will be done properly. Applicant agreed to host a site visit.

Motion to continue NOI 279 Concord Street #28..... (Map 249, Lot 15) to September 21, 2016 was made by Ms. Charpentier seconded by Ms. Kwasié and unanimously approved.

H. RDA 1501: 13 Harriet Road (Map 76, Lot 120) – Submitted by 13 Harriet Road LLC to extend sewer line and laterals along Harriet Road.

Ron Geary, 209 Atlantic Road

Mr. Geary stated that this is a private low pressure sewer construction project from 10 -18 Harriet Road connecting a number of private residences, on private road, to City sewer. It will be 4 feet deep x1 foot wide, 360 feet long. It will run along Harriet road. The wetland is 20 feet at the point of closest approach to the proposed sewer line.

Mr. Gulla stated the project will need silt fences and “socks” along the line of excavation and day to day cut and fill with no exposed openings.

Mr. Feener requested a vegetation plan to be implemented for pruning of trees (pruning to be done up to 13.5 feet to prevent damage by equipment) and a plan for equipment access areas. Mr. Whittaker will review and do site visit to ensure compliance with plan.

Public comment: None

Motion for a Negative Determination for RDA 1501 13 Harriet Road (Map 76, Lot 120) was made by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.

VI. OTHER COMMISSION BUSINESS

Extension Permit – 159 East Main Street DEP# 28-2226

Motion to approve the extension permit for 159 East Main Street DEP# 28-2226 for one year was made by Ms. Kwasié, seconded by Ms. Charpentier and unanimously approved.

Motion to approve the extension permit for 1 Rowe Square for one year was made by Ms. Kwasié, seconded by Ms. Charpentier and unanimously approved.

VII. CERTIFICATES OF COMPLIANCE

**28-2301 – 650 Washington Street
28-2378 – 154 Wheeler Street
28-1939 – 2 Beachland Avenue**

Motion to approve 28-2301 – 650 Washington Street, 28-2378 – 154 Wheeler Street, and 28-1939 – 2 Beachland Avenue was made by Ms. Kwasi seconded by Ms. Charpentier and unanimously approved

Motion to Adjourn was made by Ms. Charpentier, seconded by Mr. Gradwohl and unanimously approved.