

**CITY OF GLOUCESTER  
CONSERVATION COMMISSION MINUTES  
WEDNESDAY, August 18, 2010 - 6:30 PM  
Kyrouz Auditorium, City Hall, 9 Dale Ave  
ROBERT GULLA, CHAIRMAN**

**Members Present:**  
Robert Gulla, Chair  
Ann Jo Jackson, Co-Chair  
Charles Anderson  
Arthur Socolow  
Steve Phillips  
John Feener  
Barry Gradwohl-Absent

Lisa Press, Agent  
Pauline Doody, Recording Clerk

**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.

**28-2070 15 Totten Lane**

**Randy Burley, Mill River Consulting, 6 Sargent St, Gloucester**

**Mr. Burley** stated he was present for the final review. A letter was submitted to the commission from the Board of Health.

**Ms. Press** stated that the Board of Health mandated that the septic to be upgraded. If proof can be provided of that the project is okay to move forward.

**Mr. Gulla** stated that the other issue was the corner.

**Mr. Burley** stated that when we discussed this corner at the last meeting, and you asked if I could make an adjustment I said sure on the spot. When I went back to the office I realized you were misreading the plan and that area was in the inner repair and because of the limitation of the site where we placed the leaching area is really the only spot for it

**Mr. Burley** stated that where the leaching field was sited is the best and only place it can go. The area was determined by doing soil testing. We started as far away from resource as possible and moved in until we got an acceptable soil test.

**Mr. Phillips** stated "it is fair to say that the new system will be the same as the existing."

**Mr. Burley** stated that the system will be raised up and the final grade will be higher than the ACEC.

**Mr. Phillips** stated that there is an ordinance in place, that there is a provision for a hardship and we do not have authority to waive it. It has been mandated that the system be upgraded and it is the same degree of intrusion.

**Motion: Robert Gulla made a motion to approve 28-2070 15 Totten Lane with understanding that the reason we are allowing this intrusion is because it has been mandated to upgrade the system by the Board of Health and that the system will be no more intrusive than it is now.**

**1<sup>st</sup>: Arthur Socolow**

**2<sup>nd</sup>: Charles Anderson**

**Vote: All approved 6-0**

**Rob Elwell; Niles Pond Conservancy**

**Presenter: Maggie Rosa 26 Fort Hill Ave**

Ms. Rosa stated she was a member of the conservancy and asked if the commission had received their letter. The letter is self-explanatory. We wanted to provide you with the information needed to raise the funds for Niles Pond. We have established the conservancy and we are ready to raise money. We are going to hire someone to see why the changes to the pond have happened. The ownership of the pond is complicated, but the state does own the pond. Ms. Press stated that it would make ideal mitigation for the people in the watershed.

**II. PUBLIC COMMENT – None**

**III MINUTES REVIEW**

**Motion: Robert Gulla made a motion to approve the minutes for May 19 & June 2, 2010**

**1<sup>st</sup>: Steve Phillips**

**2<sup>nd</sup>: John Feener**

**Vote: 4-0**

**IV PUBLIC HEARING 6:15 PM**

**A. Continuation- 28-2034- 99A Essex Ave-** Notice of Intent submitted by David Hill, Gloucester Hotel LLC, to construct a 15, 940, 00 sq. ft. commercial building, a 1,710 sq. ft canopy with associated excavation, foundation and utilities and parking area in riverfront and coastal bank resource area. (Map 216 lots 1, 17 &126)

**Applicant requests continuation to September 1, 2010.**

**Motion: Robert Gulla made a motion to continue 28-2034- 99A Essex Ave- Notice of Intent submitted by David Hill, Gloucester Hotel LLC, to construct a 15, 940,0 00 sq. ft. commercial building, a 1,710 sq. ft canopy with associated excavation, foundation and utilities and parking area in riverfront and coastal bank resource area. (Map 216 lots 1, 17 &126 9-1-10 at 8:15**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Steve Phillips**

**Vote: All approved 5-0 with John Feener abstaining**

**D. Continuation – 28-2072- 30 Sleepy Hollow lane** Notice of Intent submitted by George Surabian, to demolish and re-build dwelling, add decks and stairs in a coastal dune resource area. Map 257, lot 36.

**Presenter: John Dick, Hancock Associates, Danvers, Ma**

**Mr. Dick** stated that we have revised the concept to pull the stairs at the right upper corner of the plan. The stairway is outside footprint of the existing patio of the house. The plan dated the 18<sup>th</sup>, which I just gave to Ms. Press. I spoke with engineering and the net change is retracting the stairs and we will file a NHESP tomorrow? The impervious reduction is 280 square feet.

### **Commission Comments**

**Mr. Gulla** asked if there are any other outstanding issues or concerns

**Ms. Press** asked for Natural Heritage comments.

**Mr. Dick** stated that he had received comments and read them to the commission.

**Ms. Press** stated there is an issue with fact that the screened in porch is additional and there is an increase in impervious.

**Mr. Dick** stated that they will be taking away the roof overhang and there will be a decrease in impervious of 285 square feet.

**Mr. Feener** stated that the bittersweet is shade tolerant and will continue to grow under the house.

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**Public Comment: None**

### **Conditions:**

- **Screened in Deck and stairs??**
- **Letter from Natural Heritage that this is a null and void issue because that it was above the deck stairs**

**Motion: Robert Gulla made a motion to continue 30 Sleepy Hollow lane Notice of Intent submitted by George Surabian, to demolish and re-build dwelling, add decks and stairs in a coastal dune resource area. Map 257, lot 36 to September 1, 2010 @ 7:05.**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Steve Phillips**

**Vote: All approved 6-0**

**Mr. Feener temporarily left the meeting.**

### **V. PUBLIC HEARINGS 7:15 PM**

- A. Continuation- 28-2074 9 Kirk Road**, Notice of Intent submitted by Dennis Silva, to construct a pier, ramp and float in a riverfront resource area. (Map 101 lot 52).

### **Presenter: Dan Ottemhiemer, Mill River Consulting**

Mr. Ottemhiemer stated that this project entails building a residential ramp and pier. We have made modifications related to the piling system. We will be using existing rock outcrops to pour two concrete pilings instead of driving in two wood pilings. We have also reduced the size of the float.

The mitigation planting has been modified. Native planting will be planted to stabilize the area. (Referenced plan)

### **Commission Comments:**

**Ms. Press** stated that she was happy with the improvements and encourages this form of mitigation.

**Public Comment: None**

**Conditions: All conditions set forth by Dave Sargent**

**Motion: Robert Gulla made a motion to approve 9 Kirk Road, submitted by Dennis Silva, to construct a pier, ramp and float in a riverfront resource area. (Map 101 lot 52).**

**1<sup>st</sup>: Arthur Socolow**

**2<sup>nd</sup>: Charles Anderson**

**Vote: All approved 5-0**

**B. New- 19 Norwood Heights,** Request for Determination after the fact submitted by John Harrington, to maintain newly installed stonewall and landscaped area in buffer to inland resource area.

**Presenter: John Harrington, 19 Norwood Heights**

There was an area along the side of the property that was just gravel. There is a 266 square foot area that lies within the 100-foot buffer. It was eroding onto lawn area. Where it was sloped a dry stonewall was built that is 29' long. It was done to be able to do planting. We will be planting climbing hydrangea, blueberry bushes etc. Mr. Harrington stated he was not aware he was in the buffer. He stated three quarters of the area is outside of the buffer.

**Commission Comments:**

**Ms. Press** stated she had no concerns.

**Public Comment: None**

**Conditions:**

- **Area to be planted before fall**

**Motion: Robert Gulla made a motion for a Negative Determination for 19 Norwood Heights, after the fact submitted by John Harrington, to maintain newly installed stonewall and landscaped area in buffer to inland resource area.**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Charles Anderson**

**Vote: All approved 5-0**

**Mr. Feener rejoined the meeting.**

**C. New- 28-2083-12 Rocky Neck Ave-** Notice of Intent submitted by Jim Caulkett, Harbormaster City of Gloucester. To reconstruct a concrete public access ramp in a coastal resource area. (Map 130,131 lots 13, 27).

**Presenter: Jim Caulkett, City of Gloucester, 19 Harbor Loop**

**Mr. Caulkett** stated that the Waterways board wants to create a public access ramp at 12 Rocky Neck for improved access to the water.

**Commission Comments**

**Ms. Press** stated her concerns regarding the stability of the coastal bank. Ms. Press Coastal Zone Management authorities and it was told that it would have no impact. The ramp will be 30' long.

**Ms. Jackson** asked if any comments were received by from Dave Sargent.

**Ms. Press** projected Mr. Sargents comments on the screen for review.

**Public Comment:**

**Irene Clemens, 19 St Louis Ave**

**Ms. Clemens** stated that she didn't have a clear picture of where the ramp would be. She stated concern that it may be just 2 feet away from her property. The doorway to one of the apartments is about 6ft away. She stated that she is not fond of kayaks coming in, because they put their equipment in front of her tenant's door.

**Mr. Gulla** explained to Ms. Clemens that this commission response is for conservation issues. If the issues are other than that, then the conservation board does not have any jurisdiction. It may be the building inspector or zoning that could help.

**Paul Clemens, 19 St. Louis Ave**

**Mr. Clemens** stated that there is an erosion problem with storms. The used to be steps down to the water that has gotten ripped off over the years.

**Mr. Caulkett:** showed on screen where the city and neighbors property lines exist. He explained where ramp will be and how it will be constructed.

**Mr. Gulla** stated that there is a legitimate discussion to have is the wave impact issues. Having that ramp will allow the wave to roll as they hit the ramp. The end result will allow the wave impact to dissipate.

**Mr. Clemens** asked if there were any plans to touch jersey barriers.

**Mr. Caulkett** stated there was not and explained again to Ms. Clemens how the construction was to be done and site of ramp to be located.

**Mr. Gulla** stated that DEP had no concerns.

**Motion: Robert Gulla made a motion to approve 12 Rocky Neck Ave- submitted by Jim Caulkett, Harbormaster City of Gloucester. To reconstruct a concrete public access ramp in a coastal resource area. (Map 130,131 lots 13, 27).**

**1<sup>st</sup>: Arthur Socolow**

**2<sup>nd</sup>: Steve Phillips**

**Vote: All approved 6-0**

**D. New- 28-2078- 54 Atlantic Street,** Notice of Intent submitted by Merry Chames, to replace a septic system in a riverfront resource area. (Map 246 lot 1).

John Feener recused himself at 7:40

**Presenter: Dan Ottenheimer, Mill River Consulting**

Mr. Ottenheimer stated that this is an exiting single family house with a substandard septic system. The septic is located on the side. Soil testing was done and ended up in the back of the lot. It is out of the jurisdictional area and is the best area for the leeching field. The existing tank will be pumped out and removed and then replaced in same location..

**Commission Comments:**

**Mr. Socolow** asked if any vegetation would be disturbed.

**Mr. Ottenheimer** stated that all grass is in the jurisdictional area and there is no tree removal. Up in the back is outside of jurisdiction and is just overgrown

**Public Comment: None**

**Motion: Robert Gulla made a motion to approve 54 Atlantic Street submitted by Merry Chames, to replace a septic system in a riverfront resource area. (Map 246 lot 1).**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Arthur Socolow**

**Vote: All approved 5-0**

John Feener rejoined commission at 7:55

**VI. PUBLIC HEARINGS 8:15 PM**

- A. New- Emerson Ave-** Request for Determination submitted by National Grid, site adjacent to Emerson Ave, to excavate gas line for inspection and repair purposes in buffer to riverfront resource area. (Map 21).

**Tim Burton, National Grid, 2 Technological Park Drive, Westford**

**Ms Press** stated that exploratory work was done for a valve that was leaking gas. An emergency certificate was issued.

**Mr. Burton** as the excavated they found a gas leak. There is a 15x15 foot wide area to be repaired.

**Ms. Press** stated that the area would need to be revegetated to stabilize the hole. It is not wetland, so there is a wide variety of plantings to choose from.

**Mr. Gulla** asked if there were any plans to be able to access the area in the future.

**Mr. Feener** suggested putting in place 30-inch wide mulch or gravel path.

**Public comment: None**

**Conditions:**

- **5x5 foot square of gravel or mulch. The rest of the 10-foot area will be vegetated.**
- **30 inch wide mulch or gravel path**
- **Document the invasive species in the area that work is to be done**

**Motion: Robert Gulla made a motion for a Negative Determination for Emerson Ave submitted by National Grid, site adjacent to Emerson Ave, to excavate gas line for inspection and repair purposes in buffer to riverfront resource area. (Map 21).**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Charles Anderson**

**Vote: All approved 6-0**

**B. New- 28-2082- 28 St Louis Ave- NOI** Notice of Intent submitted by Mark Andreasson, to demolish dwelling and construct new foundation and dwelling in buffer to inland resource area. (Map 135 lot 7).

**Presenter: Bill Manuell, Wetlands and Land Management, Danvers, Ma.**

**Mr. Manuell** stated that this project entails taking down an old house and put up new one. There is a 375square foot decrease of impervious area. (referenced plan for details and pictures). The house will be moved back and removing all the bituminous material. It is completely out of the buffer and 160 feet away from the wetland. A mulch sock will ring the back and front. The old house will be demolished and removed from the site. We are 75 away from an isolated wetland. There will be a horseshoe shape driveway because of the narrow area and all appropriate erosion controls will be in place.

**Commission Comments:**

**Mr. Socolow** asked "Is new foundation inside or outside the building.

**Mr. Manuell** stated that the existing cellar hole would be used and extended out.

**Ms. Press** stated to the commission to note that impervious is being taken out is outside of the buffer, but is creating impervious inside the buffer.

**Mr. Gulla** stated that the math needs to be done and submitted to the commission regarding the impervious inside the buffer.

**Mr. Socolow** asked if any trees would be removed.

**Mr. Manuell** stated that he wasn't sure at this time and there could be one taken down to accommodate the driveway. If that were the case 2 more trees would replace it.

**Mr. Gulla** asked if Mr. Manuell was confident that no other trees would be impacted and

**Mr. Manuell** stated yes.

**Mr. Feener** requested a list of the trees near the driveway for our records.

**Ms. Jackson** asked what are we basing the mitigation on?

**Mr. Manuell** stated that he would break down the numbers needed and there was ample area on the site for mitigation. He stated that before construction starts we will provide a planting plan.

**Ms. Press** stated that this has to go to engineering first.

**Mr. Gulla** stated issue is the new storm water policy for the city. We have to wait until it has gone through engineering. All projects that qualify over 500 sq feet and tear down will require a review.

**Mr. Manuell:** there is ample room if storm water management needed

**Conditions:**

- **Engineering approval**
- **Math for mitigation to be submitted**
- **Documented tree species along driveway site**

**Public Comment: None**

**Motion:Robert Gulla made a motion to continue 28-2082- 28 St Louis Ave- NOI Notice of Intent submitted by Mark Andreasson, to demolish dwelling and construct new foundation and dwelling in buffer to inland resource area. (Map 135 lot 7). to 9-1-10 at 7:05pm.**

**1<sup>st</sup>: John Feener**  
**2<sup>nd</sup>: Charles Anderson**  
**Vote: All approved 6-0**

**C. New-28-2080- 82 Hesperus Avenue** Notice of Intent submitted by Joseph Amicone to demolish dwelling and garage and construct new dwelling. Pool and patio only in buffer to coastal bank resource area. (Map 192 lot 14). **Applicant requests continuation to September 1, 2010.**

**Motion: Robert Gulla made a motion to continue 28-2080- 82 Hesperus Avenue Notice of Intent submitted by Joseph Amicone to demolish dwelling and garage and construct new dwelling. Pool and patio only in buffer to coastal bank resource area. (Map 192 lot 14) to September 1, 2010.**

**1<sup>st</sup>: John Feener**  
**2<sup>nd</sup>: Ann Jo Jackson**  
**Vote: All approved 6-0**

**D. New- 135 Coles Island Road,** Request for Determination submitted by H A Patrican, to re-construct greenhouse on existing foundation and to install sewer grinder pump in buffer to ACEC resource area. (Map 259 Lot 6B). **Applicant requests continuation to September 1, 2010.**

**Motion: Robert Gulla made a motion to continue 135 Coles Island Road, Request for Determination submitted by H A Patrican, to re-construct greenhouse on existing foundation and to install sewer grinder pump in buffer to ACEC resource area. (Map 259 Lot 6B) to September 1, 2010.**

**1<sup>st</sup>: Arthur Socolow**  
**2<sup>nd</sup>: Charles Anderson**  
**Vote: All approved 6-0**

**E. 28-1659- 63 Atlantic St-** Re- request for extension.

**Ms. Press** explained that this was an order of conditions for a pier and gangway floats. The order expired and at the time we did not have an extension policy. We denied this extension in May because they did not own the property at the time. The permit holders had put in a request for the Commission to rescind its vote. However, since that request, the Governor had instated the permit extension act, which would apply to this permit and give it two more years from the expiration date. However, the permit goes with the property not with the person.

**Presenter: Chris 24 Holbrook Rd**

**Mr. ?** stated that based on that last comment we have obtained some legal counsel for clarity.

There are a number of items in the document submitted. There has been work been done that the Conservation Commission. There is a discrepancy about the order of conditions. We do not want to see changes to the rights of the walkway and how they

are protected. Our counsel differs from the city counsel. We want the rights of the owners for it to stay as is.

**Commission Comments:**

**Mr. Gulla** stated whether this commission approves any project it has regarding use or permits. We do not deal with easements. It is not our purview.

**Mr. ???** that he wanted to make sure the order of conditions stays in tack.

**Mr. Gulla** stated for Mr. ??? to state his concerns during the public comment period. We need environmental conditions to be able to rule.

**Ms. Press** asked **Mr ??** to have it put in writing on the attorney's stationary that the order goes with the applicant not the property.

**VII. PUBLIC HEARINGS 9:15 PM**

**A. New- 28-2081- 4 William Road**, Notice of Intent submitted by Laurie Horne, to construct a pier gangway and float in riverfront resource area. (Map 101 lots 3,4 ).

**Presenter: John Dick , Hancock Associates**

**Mr. Dick** stated that the proposed construction is for a gangway, ramp, and float. The location has been revised for the gangway. (Referenced Plan) In this particular location there is a good size rock that we can put a terminal pier. The pilings would be placed (referenced Plan with pointer). The float will have to be on cleats.

We will propose in the alternative analysis, to cleat the float. No changes to the upland and no affect to coastal bank. This is nothing but a Chapter 91 structure.

**Commission Comments**

**Mr. Gulla** stated he was seeing some conflicting drawings.

**Ms. Press** stated that on site it was discussed to do one piling and two were proposed. We picked that area because there was no salt marsh vegetation growing in that area, just some ivy.

**Mr. Dick** two were proposed for stabilization. There is a 35' span.

**Mr. Socolow** asked if the floats will be seasonally removed and Mr. Dick stated they would be.

**Mr. Feener** asked what kind of ivy was growing and how big of an area is it in.

**Mr. Dick** stated it was just a patch of it in the wall of Virginia creeper.

**Mr. Gulla** asked if there was any bittersweet in the area. Mr. Dick stated that there was

**Mr. Socolow** asked if there were standoffs

**Mr. Dick** yes, they will be timber standoffs (cleats),

**Mr. Feener** asked what the material of the pilings would be.

**Mr. Dick** to use whatever pressure treated product is available at the time of purchase.

**Public Comment: None**

**Conditions:**

- **Natural timber to be used for pilings**

**Motion: Robert Gulla made a motion to approve 28-2081- 4 William Road, Notice of Intent submitted by Laurie Horne, to construct a pier gangway and float in riverfront resource area. (Map 101 lots 3,4).**

**1<sup>st</sup>: Arthur Socolow**

**2<sup>nd</sup>: Charles Anderson**

**Vote: All approved 6-0**

**B. New- 25 Wingersheek Road**, Notice of Intent submitted by Samuel Saccardo to construct a deck addition, stone driveway and installation of a geothermal heat pump in barrier beach resource area. (Map 257 lots 250).

Robert Gulla recused himself at 9:43pm

**Presenter: Bill Manuell, Wetland and Land Management**

**Mr. Manuell** stated that he is working with Chris McCarthy. The owner has made changes to the plan and wants to do an environmentally friendly home. This house is square feet smaller than originally proposed and will be constructed on pilings. There will be two feet of separation from the ground. The main difference is that it is a modular home. It will be a period of 2-3 day of construction opposed to months of stick construction. It reduces the amount of energy and waste on the site. The sections come in on a truck and craned onto the foundation. The other significant change is the garage was taken down. The area between two dominant dune features will be the access to the site. DEP is accepting the use of a pea stone for the driveway. We are modifying the plan showing that there will be driveway to the house. A pile driver will need to be there as well as a staging crane. In the initial project the owner agreed to significant restoration. We have planned over 6300 sq feet of restoration and are willing to do that from the last hearing. Mr. Manuell referenced where the Geo Thermal wells will be sited. The leaching field has not changed from the last plan. A snow fence of plastic construction fencing will be installed around the entire structure. We are coming to you with a proposal with a better house.

**Commission Comments:**

**Ms. Press** stated concern that the resource areas are not accurately depicted on the plan and the plan needs to be corrected and reflect the changes. She also stated that the City and Commission does not have any experience with geo thermal wells in dune and would like to talk to DEP and gather more information from the state. There are no comments from DEP yet.

**Mr. Manuell** explained geo thermal engineering to the board.

**Ms. Jackson** asked how long does the piping last?

**Mr. Manuell** stated he did not know specifically, but would forward the information to the commission.

**Mr. Feener** asked where the crane was coming in, if there will be something in place in case of the crane tips over, will the tractor-trailer be backed in to site. He stated that the crane will be large enough to pick up house and place it on the foundation and wants to make sure nothing is disturbed during the process. He also wanted confirmation that the pea stone driveway will have markers so it wouldn't migrate.

**Mr. Manuell** stated that a geo textile fabric might be put down so it won't migrate.

**Mr. Feener** asked for the delineated species of plantings and a copy of the original order of conditions

**Ms. Press** stated that DEP re-emphasizes that there is no cement in dune.

**Public Comment: None**

**Conditions:**

- **Resource needs to be more accurately delineated**

- Planting along pea stone driveway and species for the drive.
- Can utilities be not encapsulated in cement
- How crane will be set up.
- The pea stone driveway to have markers so the stone won't migrate.
- No cement in dune

**Motion: Robert Gulla made a motion to continue 25 Wingersheek Road, Notice of Intent submitted by Samuel Saccardo to construct a deck addition, stone driveway and installation of a geothermal heat pump in barrier beach resource area. (Map 257 lots 250) to September 1, 2010.**

**1<sup>st</sup>: John Feener**

**2<sup>nd</sup>: Steve Phillips**

**Vote: All approved 5-0**

**C. New - 28-2079- 63 Atlantic Street,** Notice of Intent submitted by Richard Foster, to repair and elevate existing walkway, ramp and floats in riverfront, BVW, salt marsh, beach and mud flat resource areas. (Map 246 lot 50).

Robert Gulla rejoined commission

**Presenter: Bill Manuell, Wetlands and Land Management**

**Mr Manuell** stated that the infrastructure lies on the marsh. We are going to construct an elevated pier with appropriate spacing so that light can penetrate. We have the 1-1 height to width ratio that the core of engineers insists upon. The new owner was directed to file a NOI from for the as part of the terms of sale.

The float will have appropriate standoffs so it stays off the mud. We have proposed something smaller than what was proposed earlier.

There is a caveat on the plan that you can only store boat equipment on the float. We have found there are a lot of people who have rights to use this area but not necessarily right to store on it. A concern is that they may be prohibited from putting dingy or floats. We may as a compromise ask for a kayak rack closer to the road.

The benefits are obvious. It is a system of old walkways and we going to make it all compliant. One additional feature that needs to be addressed is where the walkway meets the road. There is a bituminous swale right under the existing pier that is causing deep erosion. There is road runoff, deep erosion gully; we do have a proposal to lay in some riprap. It will be underneath the walkway. We need to do something to arrest that erosion.

**Commission Comments:**

**Mr Feener** asked if this was a new filing and Mr. Manuell stated it was.

**Mr. Phillips** stated that there were certain changes from the previous NOI. He asked Mr. Manuell to explain the extent of the changes.

**Mr. Manuell** stated that at the beginning at the street is where the placement of the riprap will be. The float is smaller now. There used to be a T float on the end. There were cradles on the original plan and they have been removed. They have been

removed because the owner has found it difficult to manage the number of crafts stored there. It is the same plan just a little smaller. We do have shellfish comments.

Ms. Press. DEP is curious about the line between fresh water and salt water marsh.

**Mr. Manuell** there comments were that you couldn't go on the outer edge of fragmites to determine the salt marsh. My response is that phragmites is an upland plant. And that is why I put my flag there.

Their other comment is regarding the possibility to install spartina plugs. They were worried that the phragmites would move in there. I am not worried about that because it can't tolerate salt water.

#### **Public Comment:**

##### **Susanne Altenburger, Atlantic Street**

**Ms. Altenburger** stated that there has always have been a float at this site since the 1940s. The damage has been done many decades ago. Across the street there is a catch basin, and over the last 2-3 years the catch basin has been slowly filling in with stone. I am asking to leave the door open to consider racks on the upland area to protect the area.

##### **Sam Scola,**

**Mr. Scola** stated that there are inconsistencies of the filing regarding the order of conditions from 2007 and to redo it seems redundant to us.

**Mr. Gulla** stated to email them to the agent.

##### **George Smalanskis**

Mr. Smalanskis stated to please consider that the area of order of conditions. The property owner has to file an NOI.

Ms. Press: We do have a statement from Suzanne Eagan says it follows the property not the owner.

Mr. Gulla stated that there seems to be a problem with this filing and there needs to be clarification regarding it.

#### **Conditions:**

- **All natural piling**
- **Helical anchors**
- **Salt marsh from C1 and D1 to be monitored for Fragmities**
- **The new plan will not have float attached to floats**

**Motion: Robert Gulla made a motion to approve 63 Atlantic Street, Notice of Intent submitted by Richard Foster, to repair and elevate existing walkway, ramp and floats in riverfront, BVW, salt marsh, beach and mud flat resource areas. (Map 246 lot 50).**

**1<sup>st</sup>: Arthur Socolow**

**2<sup>nd</sup>: Steve Phillips**

**Vote: All approved**

**D. New- 52 Shore Road.**-Notice of Intent submitted by Harry Hoglander, to repair and fill a sinkhole in buffer to coastal resource area. (Map 166 lot 10).

**Presenter: Richard Cooper, 12 Silva St Court, Rockport**

**Mr. Cooper** stated that the sinkholes are a result of very high tides last spring; it ruined the lawn and created the sinkholes. The plan is to go in and place stone, loam and reseed. Mr. Cooper doesn't recommend geo fabric, but would rather use pea stone.

#### **Commission Comments**

**Mr. Gulla** stated that we don't want to stop what is going on underneath the affected area. We don't want the topsoil's to go down and clog everything up

**Mr. Cooper** stated he has used marified cloth before and it worked well. He stated that the process is to lay down a tarp and explore to see if there are any rocks for sinkholes. We want open it up to see what is going on.

**Mr. Feener** stated that if it is more than 2 feet around, please contact the agent.

**Mr. Cooper** stated for his clarification that the commission preferred landscape fabric and crushed stone underneath the loam.

**Mr. Gulla** stated to use crushed stone in the larger areas.

**Mr. Feener** concerned about a weep hole.

**Public Comment: None**

#### **Conditions:**

- **Sink hole near the wall will have a foot gravel base and a foot of loam with a geotech fabric**
- **Sink hole in the yard will have all crushed stone with loam and geotech fabric.**

**Motion: Robert Gulla made a motion to approve 52 Shore Road. -Notice of Intent submitted by Harry Hoglander, to repair and fill a sinkhole in buffer to coastal resource area. (Map 166 lot 10).**

**1<sup>st</sup>:Arthur Socolow**

**2<sup>nd</sup>:Annjo Jackson**

**Vote: All approved**

#### **A. AGENT'S REPORT ON VIOLATIONS**

Ms. Press updated the board regarding the violation at the Gloucester High School. She stated that Mike Hale met with John Feener and solutions were submitted for the violations. 7 Liberty Elms will be planted as well as a mixture of grass around trees, boulders down to mark the area. We will work with the school and come up with additional mitigation as work progresses. Sept 15 when the trees and shrubs to be put in along riverfront and coastal bank.

Ms Press stated there was a meeting with the MBTA on Friday. They did not do the work, Tony Tally did. They have been notified to come in to the next meeting.

#### **B. Requests for Certificates of Compliance**

28-1834 6 Island Rock Lane  
28-540 5 Point Rd  
28-2050 104 commercial St  
28-565 21 Wingersheek Rd  
28-2035 6 Lisa Dr.

**Motion: Robert Gulla made a motion to approve all Certificates of Compliance**

**1<sup>st</sup>: Ann Jo Jackson**

**2<sup>nd</sup>: Charles Anderson**

**Vote: All approved 6-0**

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](mailto: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](http://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**