

**CITY OF GLOUCESTER
CONSERVATION COMMISSION AGENDA
WEDNESDAY, December 15, 2010 - 7:00 PM
FRIEND ROOM~ SAWYER FREE LIBRARY*
ROBERT GULLA, CHAIRMAN**

Members Present:

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

Staff:

**Lisa Press, Agent
Pauline Doody, Recording Clerk**

Items may be heard 15 minutes before their scheduled time.

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

To be signed:

28-1628 179 Hesperus Ave COC
28-2034 99A Gloucester Ave
RFD-1268 7 Forest Lane
28-2110 109 Wheeler St

II. PUBLIC COMMENT - None

III MINUTES REVIEW

Motion: To approve all the minutes up until November 3, 2010

1st: Ann Jo Jackson

2nd: Barry Gradwohl

Vote: All Approved 6-0

IV PUBLIC HEARING approximately 7:15 PM

A. New- 28-2116- 31 Chester Square Notice if Intent submitted by Marcia Brown, to replace an existing water service within a vegetated wetland resource area. (Map 122 lot 10).

Presenter: John Judd, Gateway Consultants

Mr. Judd explained to the commission that there is a ½ water line that comes across Leonard Street to the structure and it needs to be replaced. It is going through the wetlands as a limited project. It is wet and there is 5 ft wide channel that exists within the wetland boundaries. There will be 2 sets of hay bales to channel the 5 ft wide ditch and then a temporary 12 inch plastic pipe will be inserted. It will be a temporary measure that would allow the installation of the water line. There is no intent to have machinery in the wetland and it should be one days work. It will be back at same the grade and re-vegetated. For the dewatering, there is a device called a dirt bag. The pump would discharge into the device. It has a series of mazes within in it and the water

goes through it and when it leaves, it is clear. It will be behind another row of hay bales. It is ¾ inch diameter water service that will be four feet deep.

Commission comments

Mr. Gulla recommended that the area is to be left as if was found.

Ms. Press stated concern that the weather will affect the plants.

Mr. Gulla stated to Mr. Judd to make sure there are enough photographs to review after the fact and also pictures to be taken in the spring to make sure nothing is dying.

Mr. Feener stated that even though it is dormant season, you need to be careful of root damage and bringing in wood chips to cover all root systems. Any area of soil that is replaced needs to have 2-3 inches of non dyed mulch to cover all seams.

Public Comment None

Conditions:

- **Non dyed mulch to be put down after work is done to cover all root systems and to cover all seams**
- **Pictures to be taken in the spring to make sure nothing is dying.**

Motion: To approve 28-2116- 31 Chester Square Notice if Intent submitted by Marcia Brown, to replace an existing water service within a vegetated wetland resource area. (Map 122 lot 10).

1st: Barry Gradwohl

2nd: Ann Jo Jackson

Vote: All approved 6-0

B. New-28-2115- 40 Sumner St Notice of Intent submitted by Deborah Thompson, to replace a septic system in ACEC and riverfront resource areas. (Map 240 lot 22).

Presenter: Isaac Rowe, Mill River Consulting

Mr. Rowe stated that this project is to upgrade the septic system which has been mandated by the Board of Health. There has been soil testing done by the Board of Health and was approved by them. There will be no trees removed and it is 93 feet away from ACEC.

Commission comments

Ms. Press asked if the area will be re vegetated.

Mr. Rowe stated it will be loam and seeded

Mr. Feener requested that Jute to be put down in the specified area.

Mr. Gulla stated that the area should be re vegetated the way it was.

Mr. Phillips stated Ms. Press notes suggest that there is an exception to the ordinance The commission needs to find that there is a hardship mandated by the board of appeals. The ordinance has a hardship and the directive from the Board of Health creates a hardship. As a technical matter we need to find a hardship.

Mr. Feener made a suggestion to Mr. Rowe for future presentations.

- To use language- woody vegetation
- To use language- native non invasive species

Public Comment:

Roger Doucette, 44 Sumner St

Mr. Doucette stated that there was no leaching field and is running on to his property. He stated he would like to see the leaching field fixed before spring. The creek runs up next to the water

Mr. Gulla asked Mr. Rowe to contact Mr. Doucette and the Board of Health.

Francis Doucette; 44 Sumner St

Ms. Doucette stated that there is a sauna on the property and it is leaking. The area where septic system is now is eroding down. Our concern is we don't want it to go onto our property.

Mr. Gulla stated that there is a drainage channel there and asked Ms. Press to look at the erosion issues.

Conditions:

- **Jute netting to be put down**
- **Bare area to be re vegetated.**
- **Any woody vegetation that is damaged to be replaced or transplanted.**

Motion: To approve the project 40 Sumner St Notice of Intent submitted by Deborah Thompson, to replace a septic system in ACEC and riverfront resource areas. (Map 240 lot 22) finding that the mandate from the Board of Health to replace the septic system creates a hardship which overrides the prohibition contained in the city ordinance against the installation of components of a drainage system or septic system within 200 feet of the ACEC

1st: Steve Phillips

2nd: Ann Jo Jackson

Vote: All approved 6-0

C. New -28-2114-68 Sumner St Notice of Intent submitted by Peter Colby, to replace a septic system in ACEC and riverfront resource areas. (Map 248 lot 9).

Presenter: Isaac Rowe, Mill River Consulting

Mr. Rowe reviewed the project with the commission stating that the septic has failed by the Board of Health and has to be replaced. The leeching field is just above the ACEC line. He stated that erosion controls will be in place. Shrubs will be moved and transplanted on site.

Ms. Press stated that the ACEC is at the 10 ft elevation. There is 300 feet that it goes out that we have jurisdiction over

Commission comments

Mr. Feener stated the Mr. Rowe stated that protection would be putting a snow fence 2 feet out from stem for every two inch of DBH and suggested to **add or to edge of drip edge.**

Ms. Jackson asked about a boat house and pier.

Ms. Press stated that there is an illegal boat house and pier and that Jim Caulket and Dave Sargent have been alerted.

Public Comment: None

Motion: To approve the project 28-2114-68 Sumner St Notice of Intent submitted by Peter Colby, to replace a septic system in ACEC and riverfront resource areas (Map 248 lot 9). finding that the mandate from the board of health to replace the septic system creates a hardship which overrides the prohibition contained in the city ordinance against the installation of components of a drainage system or septic system within 200 feet of the ACEC.

1st: Steve Phillips

2nd: Ann Jo Jackson

Vote: All approved 6-0

D. New- 28-2113- 65 Sumner St Notice of Intent submitted by Geoff Thomas, to replace septic system in ACEC and riverfront resource areas. (Map 240 lot 28).

Presenter: Isaac Rowe, Mill River Consulting

Mr. Rowe stated that soil testing was done and there is a lot of exposed ledge on the property. A new 2000 gallon septic tank will be installed and a new leeching field. A 42inch tree will be removed. Also existing stairs and a 135 square foot addition is part of the project. Mr. Rowe stated that the planting would be done in the back near the wetland.

Commission comments;

Mr. Gulla stated that the addition is outside of upland edge and the septic is in it.

Mr. Feener suggested planting toward the woodlands. It will be a benefit to the area.

Public Comment: None

Conditions:

- **Tree removed is on the no plant list**

Motion: To approve the project 28-2113- 65 Sumner St Notice of Intent submitted by Geoff Thomas, to replace septic system in ACEC and riverfront resource areas. (Map 240 lot 28). finding that the mandate from the board of health to replace the septic system creates a hardship which overrides the prohibition contained in the city ordinance against the installation of components of a drainage system or septic system within 200 feet of the ACEC.

1st: Steve Phillips

2nd: Ann Jo Jackson

Vote: All approved 6-0

V. PUBLIC HEARINGS approximately 8:15 PM

A. Continuation-28-2102- 101R Riverview Road, Notice of Intent submitted by David de Sieyes, to re-point and or resurface existing seawalls and to increase height of walls in riverfront resource area. (Map 93 lot 7). Applicant requests continuation to January 19, 2011.

Motion: To continue the project 28-2102- 101R Riverview Road, Notice of Intent submitted by David de Sieyes, to re-point and or resurface existing seawalls and

to increase height of walls in riverfront resource area (Map 93 lot 7) to January 19, 2011.

1st: Arthur Socolow

2nd: Steve Phillips

Vote: All Approved 6-0

- E. New -28-2111- 23 River Road** Bill and Jane Remsen, to demolish and rebuild dwelling and detached studio with 2 additions to dwelling, in a coastal bank and riverfront resource area. (Map 118 lot 13).

Rob Gulla recused himself

Presenter: Bill Manuell, Wetlands and Land Management

Mr. Manuell stated that this property is a seasonal dwelling and the owner want to upgrade it to year round living. It is built on old stone wharf on large rubble and back filled. The tide comes in and out and brings away the fines and is causing subsidence of terrace area and part of structure is touching the earth. All of the area is in tideland and the applicant will be getting a Chapter 91 license. There is also a detached studio. It will be taken down to the ground level. In order to fix it, we are going to scrape off the over burden and put down filter fabric and fill the area with crushed stone and bring up to grade. It is a continuous footing with concrete and it spans entire area. There will be nothing to heave and frost because it is stone. The filter fabric will keep it from falling into the rubble. The only new additions are two bay bump out windows and connection from studio to the home, stairs and the front stoop.

There is a terrace on easterly side of property. It is stone terrace and is impervious. It will be made pervious by creating a living terrace. The terrace elevation is at elevation 10. Right now the water comes up onto the terrace. The plan proposes to raise the seawall and bring the front half of site up 18 inches which will match a neighbor's wall height. The studio and home will be a retaining wall. It gets the home structure out of the tide cycle and provides an element of buffer.

Commission comments

Mr. Gradwohl asked for the finished grade height.

Mr. Manuell stated elevation 11 ½. The house will be out of harms way. The wall will be an open joint.

Ms. Press asked if it would go beyond the existing granite walls.

Mr. Manuell stated it would be about 2 feet of excavation and a silt boom is needed. Everything will be staged in the driveway and the material will be trucked off site. The excavator will work from behind the wall. The spot grade is 11. 1 feet at the fence post, about 1 foot above the patio

Mr. Feener stated that it be about 6 inches above. The final grade will be at the granite block.

Mr. Manuell stated that there is an existing ramp and float. It has been there for decades. The previous owner got an annual harbor master permit and instead of getting one every year the applicant will be folding it in with the Chapter 91 license.

Ms. Jackson received clarification from Mr. Manuell regarding the wall build and asked how long filter fabric lasted.

Mr. Manuell stated 40 – 50 years

Mr. Feener asked that the 11. 1 wall be marked on the plan

Ms. Press suggested the commission to do a site walk.

Mr. Feener stated that the gate is below the 11.1 and asked that what the filter fabric is made of be marked on the plan.

Public Comment

Jane Remson, 23 River Rd.

Ms. Remson thanked the commission for their time and stated that she has a petition from the neighbors that is signed and in support of the project.

A January 8, 2011 site visit was scheduled.

Motion: To continue the project 28-2111- 23 River Road Bill and Jane Remsen, to demolish and rebuild dwelling and detached studio with 2 additions to dwelling, in a coastal bank and riverfront resource area (Map 118 lot 13) to January 19, 2011.

1st: Barry Gradwohl

2nd: John Feener

Vote: All approved 6-0

Robert Gulla rejoined the commission.

C. Continuation-28-2109- 99A Essex Avenue, Notice of Intent submitted by Allan Hill, for after the fact removal of 42 cubic yards of soil in a riverfront resource area. (Map 218 lot 126). **Applicant requests continuation to January 19, 2011.**

Motion: To continue the project 28-2109- 99A Essex Avenue, Notice of Intent submitted by Allan Hill, for after the fact removal of 42 cubic yards of soil in a riverfront resource area (Map 218 lot 126).

1st: Arthur Socolow

2nd: Barry Gradwohl

Vote: All approved 6-0

D. Continuation- 28-2101-31 Stanwood Ave. Notices of Intent submitted by Gary Litchfield, Litchfield Company, to construct 3 duplex dwellings, driveways, utilities, grading and landscaping in a riverfront resource area. (Map 230 lot 51).

28-2100 33 Stanwood Ave

B. 28-2099 35 Stanwood Ave

Applicant requests continuation to January 19, 2011.

Motion: To continue the project 28-2101-31 Stanwood Ave. Notices of Intent submitted by Gary Litchfield, Litchfield Company, to construct 3 duplex dwellings, driveways, utilities, grading and landscaping in a riverfront resource area (Map 230 lot 51) 28-2100 33 Stanwood Ave 28-2099, 35 Stanwood Ave to January 19, 2011

1st: Arthur Socolow

2nd: Barry Gradwohl

Vote: All Approved 6-0

VII. AS TIME PERMITS: COMMISSION BUSINESS

A. Requests for Letter Permits/Modifications- None

VII. AGENT'S REPORT ON VIOLATIONS

EO 239 Eastern Avenue

Robert Gulla recused himself

Presenter: Chris McCarthy 90 Dennison Street.

Ms. Press stated that the violation is cutting and storing of material without a permit.

Mr. McCarthy stated that his neighbor dumped trashed, pavement shavings and stored boats on the property without his permission. He stated that he and his partner have requested that the items be moved for over 2 years. My partner decided to start the move the debris out himself and in the process cut brush and cleared the area. At this time there are no plans to develop the property. We do want to keep it clean and also want to put in a fence to prohibit this from happening again. At this time most of the debris has been removed and there is only one boat on the site. We will submit and NOI for the next meeting.

Ms. Press recommended that within the 100 feet to take out any volatile materials and then replant. The commission will need the information 1 week prior to the January 19th meeting.

Mr. Feener stated that pictures need to be taken to update the commission.

111 Wheeler Street

Ms. Press stated that at the site there was vegetation taken down and a pile of earth. The gravel has always been there and there is vegetation growing in it, but was cut.

Mr. Gulla stated that an assessor's map is needed to see what has been removed.

Ms. Press stated that it was hard to tell what was done.

Gina Barrett, 113 Wheeler St.

Ms. Barrett stated that it used to be a boat yard. It was all crushed stone and over the years the ragweed and poison ivy has grown to 10-12 feet. We just cut it down and had no idea it was an issue.

Ms. Press suggested that a native seed mix to replant the area. They can come to us with some sort of plan.

Doreen Sawyer 5 Duane Road

Ms. Sawyer stated that a home will be built on the land in the future. We just want to keep it cleaned up.

Mr. Gulla stated that in the meantime the soil has to be stabilized.

Ms. Press stated that in the meantime some vegetation needs to be put down. She stated that she would help with the quantity.

Mr. Gulla stated that the agent would be in contact with you within the month.

Motion: To adjourn at 9:15pm

1st Ann Jo Jackson

2nd Barry Gradwohl

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 or via phone at 978-281-9781.

Additional information can also be obtained on the Conservation Web Page at 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