The formal record of the hearing is the audio tapes.
The Agents notes area attached to, and part of, the minutes folders in the Com. Dev. office.

CONSERVATION COMMISSION
MINUTES OF THE MEETING
WEDNESDAY, OCTOBER 15, 2008
CATA CONFERENCE ROOM
3 POND ROAD
ROBERT GULLA, CHAIRMAN

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT
Robert Gulla, Chairman	Arthur Socolow	Nancy Ryder, Conservation Agent
Ann Jo Jackson	Brandon Frontiero	Carol Gray, Recording Clerk
John Feener		
William Febiger		

Mr. Robert Gulla, Chairman, opens the meeting of the Gloucester Conservation Commission at 7:26 PM, having only three members at this time. Four members are needed for a quorum.

PUBLIC COMMENT: None/closed.

MINUTES REVIEW: The minutes review for 08/20/08 were discussed.

Ms. Ryder inquires with the GCC as to any comments they may have regarding the Conditions in an OoC. Mr. Feener states that a sign off sheet at sites regarding the construction workers may be a good idea.

The Agent notes the yearly budget stating that it is $10,000.00, down from July 1st with the next fiscal year being June 30, 2009 and further notes that they may have to cut the current staff.

7:48 PM Mr. Febiger arrives.

BUNGALOW ROAD AND BAYBERRY LANE Map 257, Lots 54 & 61.
This is a Notice of Intent submitted by Davis Beach Association to perform beach maintenance, and to implement a beach management plan.
There was a request for continuation to 11/5/08.
Mr. Gulla entertains a motion to continue the matter to 11/05/08 8:00 PM.
MOTION: Mrs. Jackson moves to continue the matter to the above date and time. SECOND: Mr. Feener VOTE: 4-0 all in favor.

4 STANWOOD POINT
This was on the agenda for discussion regarding issues on site and to vote whether to re-open the existing enforcement order.
Mr. Gulla went on the site visit and notes a list to be given to the applicant.
The Agent notes that a long term management plan is expected to be submitted, but nothing has been submitted yet.
Mr. Gulla entertains a motion to continue the matter to 11/19/08 8:30 PM.
MOTION: Mrs. Jackson moves to continue the matter to the above date and time. SECOND: Mr. Feener VOTE: 4-0 all in favor.

116 ATLANTIC STREET Map 246, lot 40
This is a Notice of Intent submitted by Peter Seminara to maintain a newly constructed stone wall and fill, to restore driveway and conduct landscaping work in a Riverfront Resource area.
Mr. Seminara is present and before the GCC along with Mr. James McKenna, Esq. representing the applicant.
Mr. McKenna states that they are here this evening to respond to the letter from the GCC regarding work that was done. The applicant had the area re-surveyed and photos were reviewed by the GCC.
He notes that the abutters land is used as a parking lot and a prior wall defined the property line. This adds an additional 12 ft. Stones were put in for vehicle traffic re: any septic pumping to be done. They would like to do some landscaping as a result of the activity on the site.
Mr. Seminara notes a particular section on a photograph showing the use of old and new stones to create the wall. He notes the use of railroad ties and overturning the grass along with the use of stone to the dune for a parking space.
Ms. Ryder notes that the riverfront resource area was an existing lawn and grass to stone is what the GCC would have worked on with 2 to 1 mitigation.
Mr. Gulla states that this is a very sensitive zone and any further work to be done on the site needs to come before the GCC. Mitigation is needed.
Mr. McKenna states that all we are talking about is really just a lawn.
Mr. Gulla notes a triangular area of dirt and that he would like to see something in that location.
Mr. Seminara notes where he overturned weeds.
Mr. McKenna states that the GCC reviewed this before viewing the pictures.
Mr. Feener inquired as to stone dust being against the wall with Mr. Seminara stating he doesn't know if it is or not.
Mr. Gulla reminds the applicant that the GCC looks for 2 to 1 mitigation and a planting plan is needed and should be submitted to the Agent. He notes that where the weeds were some viable bushes should be placed.
Ms. Ryder states that it would 800 sq. ft. with 2 to 1 mitigation.
Mr. Seminara states that he does not have that kind of area to do that.
Mr. Gulla notes that this is a tight site and does the GCC adjust it to 1 to 1 or being after the fact, stick to the 2 to 1 ?
Mrs. Jackson states that they should stick with the 2 to 1 mitigation and if there is no room then they need to look elsewhere to accommodate the 2 to 1.
Mr. Feener states that part of the mitigation could be where the weeds were and they can put lawn where over the stone.
Ms. Ryder notes that no plantings were noted in the packet that was received.
Mr. Gulla states that this is a very sensitive site and the alternative is to use lawn which we now do not do, along with shrubs or the like in the other "weed" area. The applicant needs to set up a mitigation plan with the Agent and finalize it at the site.
Mr. Gulla states he will entertain a motion to continue the matter with the aforementioned mitigation plan to be submitted.
MOTION: Mr. Febiger moves to continue the matter
SECOND: Mrs. Jackson
Mr. Feener states that on the side nearest the water the applicant should try to fill as much open space as possible. They should go as heavy as possible with plantings.
Ms. Ryder states that the applicant needs to have a mathematical balance re: the plantings.
PUBLIC COMMENT: none/closed
VOTE: 4-0 all in favor.

FERNWOOD LAKE DAMS (Map 219) and
BABSON RESERVOIR DAM (Map 296)

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The matter was tabled until later in the evening.

Enforcement Hearing
46 Leverett Street, Map 162, Lot 13
Ms. Christine Peterson, to discuss violations that have occurred on site in a resource area in violation of an issued Order of Conditions and the State Wetlands Protection Act. The hearing will include discussion and possibly a vote regarding restoration, remediation and any other action the Commission may require of the property owner, including issuance of administrative penalties.
Mr. Wesley Prevost, Ms. Christine Peterson and Mr. O'Brien, the contractor are all present and before the GCC.
Nancy Eaton, CART provider is present for Mr. O'Brien.
Mr. Prevost notes 2 issues: the violations of the OoC and the State Wetland Protection Act.
He states that the project narrative was filed and read from the NHSEP noting this not being near the wetland or vernal pool area.
Mr. Gulla states that we all agree there is an OoC. He stated that re: the OoC the GCC would leave it up to Mr. Prevost to explain how we got to this point.
Mr. Prevost states that he did not receive a copy of the OoC and does not believe Ms. Peterson lied about not getting them. Once she received it she adhered to the Cease and Desist Order. He notes that signs were put in place and vandals took them and a straw wall was done. The Registry of Deeds filing was done. They could not comply with the photos taken previous to work being done as the photos were burnt in the fire and not available. The GCC asked her to move 8 sq. ft. at a cost of approx. $100,000.00. He notes that all precautions were taken and further noted an allegation of debris being found on the other side of the problem area. He states that in the black and white photos, nothing other than overgrown brush. He notes a photo that was taken from behind a tree showing a white van as the plumber was working on a broken pipe.
Another complaint noted was construction runoff, (muddy). He states that this was a prefabricated house with no construction going on to run onto Leverett Street. This has always been a dirt road and nothing was coming off the construction site. He notes that Ms. Peterson never intended to violate any OoC and once again noted that she adhered to the Cease and Desist Order.
He states that everything the GCC wanted was done and more. They used sand bags for extra protection. He states that a claim was made that no wall ever existed but the GCC has photos showing an existing wall. Concrete was poured using the existing stones. Her father had a wall in that location and as far as they were concerned the wall was something they could do. Being stuck in a construction mortgage the erosion happened as a result of the Cease and Desist.
They would like to keep working.
Mr. Gulla states that it is hard for the GCC to determine due to the photos being burnt up and taking their word that things that were there were actually there.
The GCC has been asking that this be taken care of for a long time now. He notes that in November of 2007 they were trying to get this resolved.
Ms. Ryder notes the planting plan and a small stone wall at the base of the quarry being bigger. The applicant is required to do a planting plan. An alternative would be having it 95% completed with no Certificate of Occupany yet. She notes the wall in violation which is outside the approved area.
Mr. Gulla states that we do not see the retaining wall in relation to the plan drawings and if they are not on the plan how did it get there ? The retaining walls in the picture are not documented in the plan or in the OoC. To the GCC, the walls are new. Mr. O'Brien the contractor states that the patio wall was existing and on the drawing and in the pictures. It even says that the existing patio is to remain.
Mr. Gulla states that the continuation of the wall and being twice as high is not shown on the plan.
Ms. Ryder notes that the existing patio was to remain and not to be taken down and re-constructed.
Mr.O'Brien notes the ariel photos and the walls being shown.
Mr. Gulla states that it is not the position of the GCC to prove your violations.
It is obvious that work was done on the walls and it looks like refacing has taken place. Is that true ?

Mr. O'Brien states that the patio wall was existing and no refacing was done.
He states that in the job narrative it notes that the patio wall is to remain. The house was moved 8 ft. and we had to extend the walls to the house. This is in the narrative and we were told to follow the narrative.
The Agent notes the photos for review and states that no wall is seen. There is no narrative stating that the walls are to be extended to meet the house.
Mr.O'Brien states that the house is connected to two retaining walls. They had to be teared down to move the house 8 ft. Two retaining walls flipped and tumbled into the water three or four feet from the shoreline. He states that he used most of the fallen apart walls (stones) to rebuild it.
Ms. Ryder reads portions of information from the narrative, (refer to audio).
Partial and portions of the narrative were read. It states in the applicant's own narrative that nothing to be within 15 ft. from the top of the bank.
Mr. Gulla notes that to rebuild would be a change in the OoC's. Re: a rebuild with the existing retaining walls, that would need to come back to the GCC and it didn't and with any other issues, the applicant and/or representatives of the applicant should come before the GCC.
He inquired as to the drawing and asked if the house was moved 8 ft. after the drawing was done, or is that an accurate drawing.
The Agent notes that the plan presented is what is existing now and not before the fire.
Mr. Gulla states that the 8ft. shift, by the drawing presented is non-existent.
Mr. O'Brien states that he does not know who is at fault here as they never got the OoC with Mr. Gulla stating that it is is your fault and your responsibility.
Mr. O'Brien states that everytime he talks to someone he gets a different version.
Mr. Gulla states that Mr. O'Brien was given permission to build that retaining wall where you did.
Ms. Ryder clarifies that until the OoC is received nothing to be done, no construction. The entire process was in violation of the state order.
Mr. Gulla states that the mitigation on the drawing is lacking on the site. The site needs to be stabilized and a site visit is needed as well as further mitigation needed, to be determined after the site visit.
Mr. Prevost states that this was not done intentionally or with any disregard.
Mr. Feener inquires as to the retaining wall being proposed prior to construction with Mr. O'Brien stating, absolutely. Mr. Feener states, if that is the case, then why did you not show the retaining wall on the plan.
Mr. O'Brien states that they were told everything was in order to proceed. He notes Richard Clark stating he was to come to him first and that he would deal with the City of Gloucester and the GCC. He was told that anything existing is fine and that anything new would need a filing and that a site visit would be a good idea.
Mr. Gulla states that he is upset as to how long this has taken to get this in front of the GCC and the next thing to do would be to continue the matter.
All needs to be stabilized and everything in good standing with the GCC. We should meet on site and determine what needs to be stabilized. A date of 10/29/08 9:00 AM was noted for a pre site visit and nothing is to be done until then.
Ms. Ryder states the submission of a mitigation plan as well as information regarding soil controls/stabilization. Mr. Gulla notes this as temporary work that needs to be done to stabilize it, then re-review the walls. Individuals should take a site visit on their own before the noted date, if needed.
PUBLIC COMMENT: none/closed.
Mr. Gulla entertains a motion to continue the matter to 11/19/08 7:30 PM
MOTION: Mr. Feener moves to continue the matter to the above date and time.
SECOND: Mr. Febiger VOTE: 4-0 all in favor.
Mr. Febiger notes that any pictures to review showing the original retaining wall would be helpful.

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Ms. Ryder notes that the Agent of record, (Leslie Nitkiewicz) emailed a summary to the Commission members yesterday. Notes and photos are in the file for reference.

167 & 187 Atlantic Street, (Maps 255 & 254, Lots 1& 7).
This is an Abbreviated Notice of Resource Area Delineation submitted by Michael Larkin, Sea Breeze Estates LLC.
Ms. Julie Vondrak to be corrected for all when confirmed by draft correction., Maynard, MA and Mr. Michael Larkin, Tewsbury, MA are present and before the GCC rep. the applicant.
Ms. Von Drock states that this is a refiling as this has expired.
She reviews with the GCC noting (on the plan), this area as 66 acres with an upland knoll surrounded by tidal marshes. She states that the green area on the plan is the toe of the slope and notes 2 small fresh water wetland areas. She notes 200 ft. at elevation 4.7. She notes the survey flags and states that their has been no change of delineation in the past three years.
She states that Ms. Ryder recommended that Flag no. 82 come up 4 ft. and it needs to be noted on the plan. She is seeking confirmation of the wetland boundary.
Ms. Ryder states that she is in agreement. She rechecked the delineation on 10/13/08 with Ms.Vondrak. The soils along the edge of the BVW from 6.3 to 6.6 with non hydric soils.
Ms. Vondrak notes that Flag no. 6A was added and is shown on the plan.
Ms. Ryder states that the plan needs to reflect the inland bank, coastal bank and the surrounding coastal resource area.
Mr. Gulla inquires as to when the original ANRAD was done and was told it was July of 2005 and that it has recently expired.
Mr. Dave Murphy inquires as to this being a new report with Ms. Vondrak stating yes. Mr. Murphy states that he would like a copy of it with Mr. Gulla informing him that he can read it for free from the Community Development Office as there is a fee for copies.
He states that he needs to get on the abutters list.
Ms. Ryder notes that it is not shown on the assessors map and he would need to go to the office to see if he meets the requirements.
He states that a parcel added to his property, he feels, would have him meet the requirements.
******* notes that Flag no.'s 82 and 81 were moved inland 4 ft. and Flag. no. 66A was moved out as well.
Ms. Vondrak states that #82 is up 4ft.
Ms. Ryder states that maps are needed re: the site plan, with bigger numbers.
Ms. Vondrak states that they have 40 scale plans.
Mr. Gulla states that they need to up the font and the size of the numbers.
Mr. Gulla entertains a motion to approve the ANRAD with aforementioned conditions, (flag relocations, updating of the location of the meeting and the font size enlargement)
MOTION: Mrs. Jackson
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

4 POINT ROAD Map 256, Lot 5
This is a Request for Determination submitted by George E. Benoit to construct a 2nd story addition to a dwelling in a coastal dune
Mr. George Benoit is present and before the GCC.
Ms. Ryder addresses the GCC with information stating that this a more a ledge bank rather than a beach. She is not sure if it is part of the coastal dune system.
She has no issues with the project. It appears to be more than 100 feet in any direction to MHW.
The GCC reviews photos that were submitted.
The Agent notes that the backyard is significantly lower than the front and in her opinion, the backyard is not jurisdictional, not ACEC and not riverfront.
PUBLIC COMMENT: none/closed.
Mr. Gulla states he will entertain a motion for a negative determination.

(+2B, -2 , *).
MOTION: Mrs. Jackson moves for a negative determination.
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

Mr. Gulla entertains a motion for a 2 minute break.
MOTION: Mr. Febiger SECOND: Mr. Feener VOTE: 4-0 all in favor.

Meeting resumes.

47 HIGH STREET (Map153, Lot 54)
This is a Notice of Intent submitted by Nancy & Phillip Hoofnagle to construct a dwelling with associated utilities in buffer to wetland resource area.
Mr. Dan Ottenheimer is present and proceeds to review the project with the GCC. He notes this as a 20,000 sq. ft. parcel that was carved out of a 13 acre parcel. They would like to build a house with a pool, shed and garage.
He states that modifications were done and they are the following:
Previously their was a question re: the location of the pool and shed so they have switched the location. The size of the no disturb zone has been expanded to over 2000 sq. ft. The profile is through the house with existing grade to construction and that a crawlspace is proposed instead of a full basement. He notes the total protected area at 11,800 sq. ft, (59% of the lot is protected).
This is not under the State WL Protection Act, just the City of Gloucester.
He states that Leslie met with Mr. William Manuell and noted a certain area which Bill determined as not jurisdictional.
Ms. Ryder notes a small isolated wetland, local jurisdiction, exists near the area of the shed but she does not feel they are relevant to this project.
It is worth shifting the shed just a few feet away to maintain the low lying area.
The no disturb area is much better. In regards to fill removal in the WL area, she does not recommend doing that. The construction and installation of the pool need to be tweaked a bit. She recommends the GCC weigh between having more storage capacity or just leaving it alone.
Blasting is noted as a potential activity in the narrative, but no blasting protocols or pre/post survey protocols are included, and they are needed.
She notes the need for them to confirm the last delineation as accurate, depth of the groundwater, as that is critical and dewatering could be a potential issue.
She further notes that none of these are project breakers.
Mr. Gulla inquired as to leaving the fill piles alone with Mr. Febiger noting the possible use of swamp mats.
Ms. Ryder states that the don't really know where the groundwater actually is on the site.
Mr. Feener states that he is leaning towards leaving the piles with Mrs. Jackson in agreement with Mr. Feener.
Mr. Gulla notes a shed on blocks and in that area there is the potential for ***** storage capacity. He notes hydric soils stating that the delineation of the WL could not be determined.
Their was a discussion with members regarding the location of the shed.
Ms. Hoofnagle states that the shed and pool are projected.
Mr. Feener inquires as to the blocks and how tall they would be with Mr. Gulla stating that typically its 8 inches, (standard). He feels the shed position that is proposed is acceptable.
Ms. Ryder notes hydric soils but no confirmed vegetation and a low lying depression as a no disturb zone.
Mr. Gulla notes that the edge of the pool is right up against the buffer, approx. 6 ft. from the buffer and that does not allow much for a construction zone. He notes a particular on the plan in relation to the pool and states that it could be shifted.
Mr. Ottenheimer states that it is a possibility. He states that an orange construction fence will be done.

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Mr. Gulla states that with a refiling it needs to be noted as being shifted.
Ms. Ryder notes that a condition can be added that the pool as located on the plan to be relocated in the future utilizing a request for a Letter Permit at that time.
Mr. Gulla inquires as to ground water and dewatering with Ms. Ryder stating that we know there is high water but no ground water at this time and because of this we do not know how much dewatering is necessary.
Mr. Febiger inquires as to where the pool will be emptied and supposes it will be the same place as the location for any dewatering.
Mr. Gulla states that they need to have in place that the dewatering area can handle it. The infiltration areas may be too close to groundwater.
Ms. Ryder states that this is a main concern.
Mr. Gulla states that whatever comes out of the Engineering Dept. comes to the GCC as well.
Mr. Feener states that they need to indicate the filtering mechanism on the plan, away from the WL.
Ms. Ryder states that pre and post protocals are needed re: blasting.
Mr. Ron Newman 50 High Street, is before the GCC and states that at one point having to put in a telephone pole 8 ft down, their was no water and that the front was perked years ago.
Mr. Gulla summarizes stating the mounds stay as is, the shed remains, the pool is to be moved away from the Wetland, groundwater and dewatering diagram as a well designed treatment facility, (in case of need), filter location , after Eng. approval to go into the Agent's file.
PUBLIC COMMENT: none/closed.
In regards to the pool, Mr. Gulla states that no chlorine is to be used if they are planning on discharging water and water is to be drained away from the WL.
Mr. Gulla entertains a motion to approve with aforementioned conditions.
MOTION: Mrs. Jackson moves to approve with conditions.
SECOND: Mr. Feener VOTE: 4-0 all in favor.

<u>11 R CHESTER SQUARE</u> Map 122, Lot 21
This is a Notice of Intent submitted by Robert Henriques & Jane Singer, to construct a dwelling on sonotubes with utilities in riverfront
The Agent states that this has been withdrawn pending finalization of the application before the ZBA.

Mr. Gulla states he will entertain a motion to accept the withdrawal.
MOTION: Mrs. Jackson SECOND: Mr. Febiger
VOTE: 4-0 all in favor.

<u>Fernwood Lake dams (map 219) and Babson reservoir dam</u> (map 296),
This is a Request for Determination submitted by the City of Gloucester, Michael Hale, DPW Director, to clear vegetation and conduct surveying and test borings and dam maintenance.
Mr. Mike Hale, City Engineer is before the GCC. He notes photos that were requested and submitted.
He further notes information was submitted re dam management and maintenance included a book on Dam management.
Three cross sections of the dam were submitted along with two technical documents from FEMA. Noted were pg. 4: regarding the removal of growth and bushes and pg. 5: regarding clearing. The FEMA manuel was noted.
He states that vegetation is weakening the dams. They are trying to cut the brush down to 6 inches but this will not fix the dam. Trees will come down re: smaller woody vegetation and brush.
Mr. Gulla states that the GCC feels that some things need to be done in this area.
Ms. Ryder notes Zone 4 and/or 5 stating that the GCC needs to discuss the removal of the root ball. If what Mr. ***** wanted to do was to read extensive information he should follow his own manual of information. A long term maintenance plan is needed. Photos of each dam face is not included.

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Mr. Hale notes the tree removal stating it would 6 inches, 5 ft. off the ground and single stem. He states it would be cleared and/or leave everything larger.
The NoI will involve more than the trees and the maintenance.
Mr. Gulla states that maybe it all needs to go with the root balls removed and the area filled.
Mr. Hale notes that this is an order from the state.
Mr. Gulla states that what they are planning could destabilize the bank and if you are not funded for 20 years and you accidently destabilize the bank, this could destabilize the whole area being worked on.
Mr. Hale notes the responsibility to the dams as well as the people who are below the dam.
Mrs. Jackson notes that Mr. Hale stated 6 inches but the documentation states cutting it level to the ground and clear cutting.
Ms. Ryder states that the GCC is protecting the people and that the intent of the Engineering Dept. and the GCC is the same.
Mr. Feener notes that in so far as stuff growing back, he could point out trees that he knows will stay healthy and have stability.
Mr. Gulla states that the plan needs to be put in place and a time element needs to be addressed re: stabilization and maintenance.
He states that they need a timeline for when they will have a plan and then get back to the GCC.
Mr. Hale states that if he recieves a negative determination he will begin on Monday to work it out and states that it will be months before he gets back to them.
Mr. Gulla states that, in four months, he should get back to the GCC re:
A negative determination, allowing work to go forward in three months with a status report, and at that time the GCC may request that the stumps need to be addressed.
Mr. Gulla states that they should notify the Agent's office the day they are going to start cutting, in case Mr. Feener is unable to be present at that time.
Photos are to be submitted re: each picture of the dam. He further notes the 6 inches and single stem trees 5 ft. above ground to remain.
They should come back the second meeting of the GCC in January.
He notes a three month update re: dam stabilization and then move forward.
The date of the meeting is 01/21/09.
PUBLIC COMMENT: none/closed.
Mr. Gulla entertains a motion for a negative determination.
MOTION: Mr. Febiger moves for a negative determination, (+2B/+5/-2).
SECOND: Mr. Feener VOTE: 4-0 all in favor.

Minutes Review for 08/20/08
Mr. Gulla entertains a motion to approve the Minutes of the Meeting for 08/20/08.
MOTION: Mr. Feener moves to approve.
SECOND: Mrs. Jackson VOTE: 4-0 all in favor.

17 Norwood Heights (Map181 lot 20)
This is a Notice of Intent submitted by William and Deborah Ebeling, to construct a single family dwelling with associated utilities in buffer zone to wetlands.
The Agent notes that this was tentatively approved at the last meeting pending DEP # and comments.
Mr. Gulla entertains a motion to approve.
MOTION: Mr. Feener moves to approve
SECOND: Mrs. Jackson VOTE: 4-0 all in favor.

2-2R DoAnne Road,

This is a memo response to a LP re: additional info needed regarding grading for changes in structure. The Agent notes that there is a grading change and the GCC needed more information having the Letter Permit amended to the existing OoC and the additional information was submitted.
Mr. Gala and Mr. Kukonis before the GCC stating that they re-did the grading to accommodate a window, they removed 6 to 12 inches re: the steps, for appropriate drainage.
Mr. Gala stating that the planting plan was added and submitted.
Mr. Gulla entertains a motion to approve the Letter Permit.
MOTION: Mr. Feener moves to approve
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

117 Wingaersheek Road
Mr. William Manuell is before the GCC to discuss potential options regarding the violations.
The property owners want to do offsite mitigation and want to donate land to offset what was done that was in violation.
Ms. Ryder states that they need to come before the GCC with more details.
They should contact her office and come in for a meeting.

Requests for Letter Permits:

265 East Main Street
Ms. Nancy Ryder, Agent for the GCC recuses.
This is a complete construction project in existing footprint, permitted under DoA 956.
The area to be enclosed consists of an existing patio under an existing deck.
The stockpile area is to be on the existing drive;
Mr. Gulla entertains a motion to approve the Letter Permit
MOTION: Mrs. Jackson
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

19 Salt Island Road
This is a Letter Permit re: dead tree removal on coastal bank.
Mr. Gulla entertains a motion to approve the Letter Permit.
MOTION: Mr. Feener
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

19 Salt Island Road
This is an amendment request, (minor), to the existing landscape mitigation planting plan.
The applicant wants to plant perinneals and plant the trees somewhere else.
Mr. Feener notes that if there is a loss, they should replace the trees.
Shrubs can be replaced with perinneals but the offsite mitigation is needed as previously discussed.
The mitigation for the tree replacement is 2 to 1 and if the applicants disagree they can come before the GCC and discuss the matter.
Mr. Gulla entertains a motion to approve.
MOTION: Mr. Feener
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

20 Twilight Ave
Letter Permit request:
This is a single family home addition on an existing driveway but within 50 feet of a resource area and including foundation.
Mr. Gulla entertains a motion to approve the LP.
MOTION: Mr. Febiger
SECOND: Mr. Feener VOTE: 4-0 all in favor.

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3 Bayberry Lane
This is a Letter Permit re: a prefab. shed on coastal dune associated with an existing single family home.
The Agent states that the issue here is installation and access across the dune.
She notes a 2 ft. elevation above the dune to allow free migration of the dune.
Mr. Gulla entertains a motion to approve the shed which is to be 2 ft. above grade.
MOTION: Mr. Feener moves to approve
SECOND: Mrs. Jackson VOTE: 4-0 all in favor.

60 Dollivers Neck
This is a Letter Permit request re: a roofing project and magnet sweep.
Mr. Gulla entertains a motion to approve.
MOTION: Mr. Feener moves to approve.
SECOND: Mrs. Jackson VOTE: 4-0 all in favor.

Letter Permits and Minor Amendment Requests that were submitted after the posting date:

95 Eastern Point Boulevard
The Agent notes that this is in regards to vista pruning and tree clearing.
She states that the area that is shown is extensive and includes a substantial number of mature trees. This exceeds the allowed scope of the letter permit process.
Mr. Gulla entertains a motion to deny the Letter Permit.
MOTION: Mrs. Jackson moves to deny the Letter Permit request.
SECOND: Mr. Feener VOTE: 4-0 all in favor.

546 Washington Street
This is in regards to the removal of 4 large trees overhanging a home with the closest tree approximately 210 feet from MHW. This is not defined, the bank is not defined. Photos are included.

1 Pirates Lane
This is 150 feet from MHW Smith Cove, not defined with the removal of an Austrian Pine.
Mr. Feener will perform a site visit and it was agreed that the matter is to be continued.
Mr. Gulla entertains a motion to continue the matter.
MOTION: Mrs. Jackson
SECOND: Mr. Feener VOTE: 4-0 all in favor.

25 Norwood Heights
This is in regards to tree cutting in a buffer zone.
The Agent notes that photos and a site plan do not show the location of trees in relation to the wetland or the pond. A site visit needs to be taken.
Mr. Gulla entertains a motion to continue the matter so a site visit can be done.
MOTION: Mrs. Jackson
SECOND: Mr. Febiger VOTE: 4-0 all in favor.

Requests for Certificates of Compliance

6 Harriett Road
This is a request for a CoC.
The Agent notes that the square footage of reduction of the home footprint is significantly greater than the sq. ft. of pavers added within the jurisdictional buffer. There was 50 sq. ft of planting mitigation added, but needed to be more dense. She anticipates that the work is complete.

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Mr. Gulla states at the recommendation of the Agent he will entertain a motion to approve.
MOTION: Mrs. Jackson
SECOND: Mr. Feener VOTE: 4-0 all in favor.

13 Becker Circle
The Agent states that she has no issues and notes no evidence of any continued disturbance from the test pits.
Mr. Gulla states at the recommendation of the Agent he will entertain a motion to approve.
MOTION: Mrs. Jackson moves to approve.
SECOND: Mr. Feener VOTE: 4-0 all in favor.

89 Eastern Point Road
The Agent notes that the project is complete, the site is stable and the only issue is the density of plantings along the area between the septic system and the BVW. Photos viewed.
Mr. Gulla states at the recommendation of the Agent he will entertain a motion to approve.
MOTION: Mrs. Jackson moves to approve.
SECOND: Mr. Feener VOTE: 4-0 all in favor.

Massachusetts Ave, Castle View Homeowners
This matter is on the agenda for a continuation for further discussion.
Mr. Gulla entertains a motion to continue the matter to 11/05/08 9:30 PM.
MOTION: Mrs. Jackson moves to continue the matter to the above date.
SECOND: Mr. Feener VOTE: 4-0 all in favor.

7 Hesperus Ave
The Agent reviews with the GCC stating that the planting in the field does not match the mitigation planting requirements. There is no direction point for stormwater from drive to flood storage is constructed. There is a concern with flooding of Hesperus Avenue during the winter. This needs to be corrected as soon as possible.
Mr. Gulla states at the recommendation of the Agent he will entertain a motion to deny.
MOTION: Mrs. Jackson moves to deny.
SECOND: Mr. Febiger VOTE: 4-0 all in favor to deny

Commission Business
An Update of Conditions in Order of Conditions is needed relating to bounds, vegetation establishment, tree cutting, etc. Their was a discussion referring to the previous recommended wordings sent out.

Budget update – The Agent discussed the budget update with the GCC.

Mr. Gulla entertains a motion to adjourn this session of the GCC.
MOTION: Mr. Febiger moves to adjourn.
SECOND: Mr. Feener VOTE: 4-0 all in favor.

Respectfully submitted,
Carol A. Gray
Recording Clerk

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