

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Alan MacMillan, Charlie Allen, Rob Claypool, MaryAnn Lash, David McKinnon/Associate Member, Andrea Nichols/ Secretary, GERALYN Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Five voting members are present.

Absent: Mel Michaels/Associate Member

Citizen Inquiries:

Zenas Seppala, 92 Granite Street - is recording the meeting; asks what can be done about higher taxes on property within watershed; comments that Johnson's Road not wide enough for frontage.

Toby Arsenian, 95 Granite Street - spoke with Assessors' Office; future will be speculation of woodland lots & RCC should be concerned.

Ted Tarr, 154 Main Street - says all "unbuildable" lots will need to be assessed to include wetlands concerns.

Stewardship:

Ted Tarr, 154 Main Street - is concerned about fence and "No Trespassing" sign on Lanes Farm Way; feels access to town land should remain open.

New Hearings

ANRAD 62-0685, Mason Browne, 0 South Street (Map 28/Lots 1&2). Review and approve wetland resource area boundaries. Dan Ottenheimer (Mill River Consultants) is present to represent applicant; discusses wetlands on property; says Mary Rimmer delineated wetlands (BVW); no endangered species or vernal pools on property. *Ian Crown, 67 Eden Road* - is concerned about well contamination by septic system; asks how determination was made for no vernal pool. *Jeff Dangerfield, 121 South Street* - asks about walls on site; allows RCC to park in his driveway for site visit. RCC schedules site visit for Saturday, January 11, 2014. With permission from the Applicant, hearing is continued until January 22, 2014, pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Amendment to Order of Condition (DEP 62-0507), Cape Ann Tool, LLC, Granite Street (Map 16/Lots 26A, 28 & 28A). Decrease overall site development density of the project to construct townhouses by creating 13 single-family house lots within land subject to coastal storm flowage, coastal bank, land under waterbodies and waterways, land under the ocean and rocky intertidal shore. Jamy Madeja (Buchanan & Associates) and Paul Campbell (Chess Engineering) are present to represent applicant; Ms. Madeja explains amendment. *Toby Arsenian, 95 Granite Street*- asks if amendment is allowable; feels RCC is making mistake; will protest to BOS, Finance Committee and DEP. Ms. Madeja refers to December 13, 2013 documents; says applicant will abide by old OC except for the few changes; storm water calculations were not ready before meeting but will be submitted to Agent by end of this meeting (on CD and paper); hands out new plans; changes are discussed as detailed in letter (no stream diversion, no blasting, new planting plan - to be submitted). RCC concerns are: timing of project start/completion of 13 houses; how impervious

area was determined (for storm water management report) since all houses will not be constructed; adhesive gravel area; reminds that underground stream is resource area; discuss underground stone culvert closest to Breakwater Avenue and need to protect it (2 houses too close); discuss underground stream near Curtis Street; house on Lot 14 is too close to CB; would like to see alternatives of Lot 14 house locations; requests site visit to see where Lot 14 house is located; asks for float storage area to be placed on Amendment plan. Agent Falco cautions that construction may impact stream. Ms. Madeja says that underground stone culvert will not be disturbed; feels By-law regulations should not apply; asks for waiver; talks briefly on Ch. 91 (answers to questions available). *Toby Arsenian, 95 Granite Street*- feels RCC should decide on amendment or new hearing; feels streams should be monitored; asks who is responsible for maintenance of storm water management structures; states that Ms. Madeja only concerned with coastal bank, but area is also within flood plain; asks about gravel area, is it permeable; will floats be stored there; retaining walls (new to plan) will impact area due to storm waves; is concerned with RCC allowing house in 25' and 50' zones; states that if this is Amendment then RCC cannot use its Bylaw Regulations. *Bob McIsaac, 2 Clark Avenue* - asks what about condition of culvert; asks if floats have been approved. *Ted Tarr, 154 Main Street* – asks if stream will be moved. *Stephen Schaefer, 12 Breakwater Avenue* – asks where house on Lot 14 is in relation to breakwater in cove. *Anastasia Brown, 2 Edgemere Road* - is supportive of project but concerned with house on Lot 14. Site visit is scheduled for Saturday, January 11, 2014. Hearing is continued until January 22, 2014 pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Other Business

- 2013 Annual Report - Chairman Neal moves to accept annual report; Mr. MacMillan seconds. Vote 5:0.
- New Business/Announcements:
 - ***Enforcement Letter, Paul McGuinness, 6 Charles Street (Map 18/Lot 11). Installing a six (6) foot fence within 100' of intermittent stream without a permit.*** No one is present.

Chairman Neal moves to adjourn; Mr. Claypool seconds. Vote: 5:0.

8:55 p.m.

➤ *RCC* ► *Meeting adjourned 8:55 PM* ◀ *RCC*