

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, MaryAnn Lash, Alan MacMillan, David McKinnon, 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:

George Ketchopoulos, 34-40 School Street – asks for permission to erect temporary fence alongside brook ; says that insurance requires him to put a fence along stream for safety reasons; shows plan to RCC; says he plans to put up permanent fence in spring; asks RCC how to file for permanent fence. RCC is concerned with permanent fence allowing wildlife through it; suggests filing RDA. Mr. MacMillan moves to authorize temporary fence as discussed; Mr. Claypool seconds. Vote 5:0.

Stewardship

Kiosks – kiosks for Pine Pit & Waring Field are completed. RCC asks Agent Falco to see kiosks before paying bill.

S. Johnson CR - Hannah Wilbur (Essex County Greenbelt Association) has written letter explaining progress on Conservation Restriction (CR) for S. Johnson property. RCC concerns are: only town speaks with Town Counsel; and RCC spend no more than \$15,000 on CR endowment. Chairman Neal moves to spend up to \$15,000 from Conservation Trust Fund for CR endowment; Mrs. Lash seconds. Vote 5:0.

Minutes.

01/20/16: Mr. Claypool moves to approve minutes as written; Mrs. Lash seconds. Vote 5:0.

New Hearings

NOI 62-0721, Joseph Stigliano & Sue Small, 2 Curtis Street (Map 9/Lot 91A). *Demolish garage & construct addition to house within 100' of intermittent stream.* Applicants are present and Mr. Stigliano makes presentation; explains small lot over culverted stream; stream daylight on neighbor's property; plans to remove garage, make driveway porous pavers and make addition to house; existing foundation is concrete with crawlspace beneath. RCC concerns are: will culvert collapse from weight of addition; plan needs engineer's/surveyor's stamp. Site visit is scheduled for March 2, 2016. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0722, Rockport Conservation Commission, South Street (Sandpiper Property) (Map 28/Lot 20A). *Groundwork within 100' of coastal bank, coastal beach & Land Subject to coastal Storm Flowage.* Chairman Neal makes presentation; explains RCC's receipt of property and history of RDA from 2014 to clear property; RCC wants to maintain property in natural condition for wildlife habitat and public enjoyment; property needs clearing of foundation,

removal of cement on coastal bank and removal of old septic system; RCC plans to include history of site be displayed on plaques and old granite steps to be made into benches. RCC visited site on December 5, 2015. Mr. MacMillan moves to close the hearing; Mr. McKinnon seconds. Vote 5:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Continued Hearings

NOI 62-0719, Katherine Reid, 15R Main Street (Map 35/Lot 29). *Demolish garage and construct addition within 100' of coastal bank.* Applicant is present. Jack Campbell (Campbell Architects, Inc.) presents new plan; bump-out addition has been removed making area of new construction equal to area of removed building within 25' No-Disturb Zone; downspout noted at site visit exits water through seawall and wants to use downspout to take water from site. RCC conducted site visit and discusses what it saw. Mr. MacMillan moves to close hearing; Mr. McKinnon seconds. Vote 5:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

RDA 16-01, MBTA, Along Tracks (Map 11/Lot 21E). *Install two (2) monopoles along railroad tracks within 100' of BVW.* (Applicant requests hearing be postponed until February 3, 2016.) Carolyn Barker-Bowmen (Ramaker & Associates) and Holly Palmgren (MBTA) are present; Ms. Barker-Bowman describes project of two (2) monopoles along railroad ROW; explains that power connections have not yet been mapped so will not be part of this filing; poles to be used in positive train control and emergency braking; MBTA must comply with federal regulation for safety on tracks. One pole will be on one side of Loop Pond and one pole will be near Piggery Crossing (closer to Museum); poles to be 65 feet tall and set on concrete slab. *Frank Davis, 10 Evans Way* – asks if communications are in operation now; how many such poles are currently installed along tracks; and how many total monopoles will be installed. *Ted Tarr, 58 Main Street* - asks if project is connected to station issues. *Eric Hutchins, 45 Pooles Lane* - supports safety measures; feels this project (along with other railroad projects) needs comprehensive plan to be reviewed in comprehensive permitting process; says too many projects take place on tracks and cumulative impacts need to be addressed; explains that this is sensitive area to be impacted by these projects. (Ms. Palmgren remarks that this is stand-alone project. Ms. Barker-Bowmen adds that soils and waters from site will be containerized and taken off-site.) *Mary Mintz, 3 High Street* - asks what poles are made of (stainless steel or concrete) . *Jack Campbell, 4 Bayridge Lane* - asks if bid is under government contract and if specs are available. Mr. MacMillan reminds all that this is federally mandated requirement. Mr. MacMillan moves to close hearing; Mrs. Lash seconds. Vote 5:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Review Orders of Conditions:

NOI 62-0720, Chris Trupiano, 14 McKays Drive (Map 11/Lot 52M). Mr. Claypool moves to issue OC as written; Mrs. Lash seconds. Vote 5:0.

NOI 62-0722, Rockport Conservation Commission, South Street (Map 28/Lot 20A). Mr. MacMillan moves to issue OC as amended; Mr. Claypool seconds. Vote: 5:0.

Other Business

- **MBTA clean-up along tracks** – Holly Palmgren (MBTA) is present and explains projects on railroad in Rockport recently: MBTA received Order of Resource Area Delineation , received Determination of Applicability for work at power station/switch yard, and moved tracks away from Evans Field for safety concerns of town. She says that unfortunately workers piled old ballast and railroad ties near wetlands; when Agent Falco contacted her, Ms. Palmgren got workers to remove debris that was illegally placed near wetlands. RCC made site visit with MBTA and its contractors to see where debris was placed and where mono poles are to go; when RCC requested that ties and tracks (not related to track removal) be removed from along tracks near wetlands, MBTA move materials away. *Erin Batistelli, Board of Selectmen (BOS)* – tells how BOS requested MBTA come meeting to explain power upgrade; appreciates that MBTA removed tracks which were a danger to public; has had good feedback from MBTA.. Ms. Palmgren says that track removal did not go through permitting process; that she was not informed of project; but responded to it when notified; says she knows of no impacts to wetlands from illegal activities; she will follow-up this meeting with letter to RCC. no intent to by-pass the commission Mr. Claypool thinks we can work through these things with better communication. *Don Greele , DPW* – says he has had no nice conversations with workmen at railroad; says DPW was not informed of track removal; workmen ripped out some of town’s infrastructure near station and found Kieolis not easy to work with. . *Eric Hutchins, 45 Pooles Lane* - asks for comprehensive review; asks who is reviewing storm water (feels it should be RCC); reiterates that 6-volt batteries were dumped at switch station. RCC says that most of project >100’ to wetlands (outside RCC jurisdiction). *Stephanie Cunningham, 1 Smith Street* - agrees with Mr. Hutchins; without paperwork there is no record of activities. *Mary Mintz, 3 High Street* – agrees that MBTA workers are doing bad job and asks if anyone tests the water supply.
- **Frog Pond work (approval & conditions)** – RCC discusses letter to DPW approving Frog Pond Dredging Plan. Chairman Neal moves to approve letter regarding Frog Pond Dredging Plan with conditions; Mr. MacMillan seconds. Vote 5:0.
- **Dogwood thicket restoration @Millbrook Meadow** – Laura Hallowell (Garden Club and Millbrook Meadow Committee) is present to discuss adding dogwood thicket to NOI for invasive plant removal at Millbrook Meadow (DEP 62-0711); explains that professional volunteer (Mary Mintz) has offered to restore thicket and remove invasives without using herbicides. RCC asks for current dimensions of thicket. Chairman Neal moves to allow minor amendment to OC as discussed; Mr. Claypool seconds. Vote 5:0.

Mr. Claypool moves to adjourn meeting; Mr. McKinnon seconds. Vote 5:0.

9:30 PM

RCC ► Meeting adjourns 9:30 PM ◀ RCC