

Location: Rockport Town Hall, Meeting Room A

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

Absent: Andrea Nichols/ Secretary

Citizen Inquiries:

Chris Martin, Rockport Water Department – presents plan and asks to extend area of clearing for Millbrook well field; wants to clear-cut from along brook southeast to under pine grove, removing saplings and low brush; make view easement up Applecart Road; this will make maintaining area easier for his crew; needs to amend Ongoing Maintenance Protocol. RCC is concerned with invasive species; asks for list of plants to be removed; asks if burning in place is better than bringing to Transfer Station. Chairman Neal moves to allow amendment to protocol; Mr. MacMillan seconds. Vote 5:0.

Tim Olson, DPW – requests minor amendment to Cape Hedge Beach Parking Lot OC (DEP 62-0524) to include maintenance clause as continuing condition; submits written request with revised plan; tells RCC that CoC was issued. RCC asks if it can amend continuing condition on case with CoC. Agent Falco says she thinks it can be done. Chairman Neal moves to accept minor change to continuing condition; Mr. MacMillan seconds. Vote 5:0.

Minutes:

12/18/13: Mr. MacMillan moves to approve minutes as amended; Mr. Allen seconds. Vote 5:0.

01/08/14: Mr. MacMillan moves to approve minutes as written; Mr. Allen seconds. Vote 5:0.

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.* Mrs. Lindsay McGuinness is present and apologizes for not coming to January meeting; she and her husband did not know they were supposed to contact RCC. RCC would like to see area, but snow is too deep; suggests that a springtime site visit be scheduled.

New Hearings

RDA 14-01, Kenneth & Cheryl Grey, 4 Pooles Terrace (Map 24/Lot 41). *Construct a screened porch within 200' Riverfront Area and within 100' of BVW.* Applicant is present and makes presentation; explains that house is within RA, above salt marsh and separated by stone wall, but also there is neighboring house between it and salt marsh; shows photos; all proposed work > 50' to salt marsh. RCC has no questions. Mr. MacMillan moves to close hearing; Mrs. Lash seconds. Vote 5:0. Mr. Claypool moves to issue a negative determination, category number 3 with conditions; Mr. MacMillan 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 14-02, Gardener Gray, 114 Long Beach (Map 25/Lot 28). *Rebuild a short block wall on a barrier beach.* Gabrielle Schaefer (Dirty Hands Landscaping) is present for applicant and makes presentation; low wall is perpendicular to seawall/beach; proposes to take out blocks then replace in same location at same height; will plant native beach plants in area (no sod); suggests beach grass. RCC has concerns about vegetation to be planted here and wants list of those plants. Mr. MacMillan moves to close hearing; Mrs. Lash seconds. Vote 5:0. Mr. Claypool moves to issue a negative determination, category number 3 with conditions; Mr. MacMillan 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.**

NOI 62-0686, Claudia Kearns, Rockport Housing Authority, Millbrook Park (Map 18/Lots 165 & 167). *Redesign, repair and maintain existing walkways within 100' of BVW and 200' Riverfront Area to Mill Brook.* Ryan Bianchetto (Allen & Major Associates) is present for applicant and makes presentation; all sidewalks & parking area to be repaired/repaved; building #18 needs sidewalk repair to direct stormwater away from building; will add rip-rap between this building and brook; requests continuous condition for maintenance; requests waivers from 25' No-Disturb and 50' No-Build zones. RCC asks about parking lots on site; asks can walkway be made pervious; reminds applicant that maintenance clause only good for repairs, total repaving will require new NOI. Mr. MacMillan moves to close hearing; Mr. Allen seconds. Vote 5:0. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passes and all appeals resolved.**

Continued 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 Consulting) is present along with applicant. RCC discusses site visit; no issues with delineation. Mr. MacMillan moves to close hearing; Mr. Allen 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.**

Amendment to Order of Conditions (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 Mr. Rauseo are present; site visit is discussed; new site plan was submitted prior to meeting and discussed here. RCC has concerns with house on Lot #14 so close to coastal bank (CB); wants house 50' from CB. Ms. Madeja discusses performance standards for CB; no harm to CB by house 25' from it; says house to be built with break-away panels in foundation. RCC had requested alternatives and sees only one (1) moving house back 25'; some have concerns with Stormwater Management Report; feel it is poorly presented; some feel second opinion should be rendered on it; discussion regarding streams through site. *Ted Tarr, 154 Main Street* – is concerned with Story Street stream; its condition should be determined. Mr. MacMillan moves to close hearing; Mr. Claypool 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 OCs

ORAD 62-0685, Mason Browne, 0 South Street (map 28/Lots 1&2). Mr. MacMillan moves to issue ORAD as written; Chairman Neal seconds. Vote5:0.

Other Business

- MACC Spring Conference (March 1, 2014) – some commissioners sign up.
- DEP Emergency Certificate – RCC concerns include weak public announcement and length of time to finish work; Chairman Neal suggests he and Agent Falco create letter to DEP with RCC comments.
- DEP Funding for Climate Change -

Chairman Neal moves to adjourn the meeting; Mr. MacMillan seconds. Vote 5:0.

9:42 PM

RCC ► Meeting adjourned 9:42 PM ◀ RCC