

Location: Rockport Town Hall, Meeting Room A

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

Absent: Rob Claypool

Citizen Inquiries:

Caleb Gilbert, 50 Curtis Street - tells RCC of plan to run power cable from house to shed within 100' of vernal pool at 50 Curtis Street; shed is approximately 50' from vernal pool. Chairman Neal moves to approve installation of electric cable within 100' of a vernal pool with no rock/ledge disturbance: Mr. MacMillan seconds. Vote 4:0.

David Valchuis, 36½ Eden Road - explains deck construction at his 36½ Eden Road property; Agent Falco had been to site and shows photos. RCC is concerned that all work was to be on existing footprint but sees new porch bigger than old porch, propane tank being put underground with trench to house and no paperwork; tells Mr. Valchuis to produce plan showing work at site and submit NOI.

Minutes.

06/17/15: Mr. MacMillan moves to approve minutes as amended; Mr. McKinnon seconds. Vote 4:0.

New Hearings

NOI 62-0713, Cape Ann Trail Stewards, Briar Swamp (Map 6/Lot 1). *Repair boardwalk on a Bordering Vegetated Wetland.* Nick Holland (CATS) is present and makes the presentation on behalf of city of Gloucester (land owner); shows photos; original boardwalk construction with railroad ties and hemlock planks has held up well; ~50' of boardwalk needs repairs; will replace with hemlock, if possible and not treated wood. *Eric Hutchins, 45 Pooles Lane* - is fully supportive of repairs. *Ted Tarr, 154 Main Street* - says area is parallel to old dam in Gloucester and gives good views of bog; would like to build raised platform there for view (in future). RCC needs no site visit. Mr. MacMillan moves to close hearing; Mr. McKinnon seconds. Vote 4:0.

Hearing is continued. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.

NOI 62-0712, Joseph Mueller, 52 Marmion Way (Map 30/Lot 37). *Landscape yard within isolated wetland & 100' of coastal bank.* Joel Favazza (Seaside Legal Solutions) is present for applicant and makes presentation; explains goals are to enhance area; project is to remove vegetation within RCC wetland and within 100' of coastal bank; believes that RCC wetland was caused by leaking pipe; once pipe was removed, no more water runs there (shows photos of RCC wetland after water pipe removed); vegetation to be cut, then roots removed and grass planted; coastal bank is across street and project will not adversely impact it. RCC concerns are: where was water pipe (not shown on plan); dead wood in wetlands can be good for habitat (maybe not this wetland); removing invasive plant species is good for environment. RCC needs no site visit. MacMillan moves to close hearing; Mrs. Lash seconds. Vote 4:0. **Hearing is closed. The digital**

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RDA 15-08, Myles Cox, The Lobster Pool, 329 Granite Street (Map 1/Lots 5A, 6B). *Erect fence for dumpster placement within 100' of coastal bank.* Myles Cox is present and makes presentation; work includes digging four posts for fence around dumpster; to be placed next to building. Mr. MacMillan moves to close hearing; Mr. McKinnon seconds. Vote 4:0. **Hearing is closed.** Chairman Neal moves to issue Negative Determination with conditions; Mrs. Lash seconds. Vote 4:0. **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 62-0710, DPW, Penzance Road (Maps 28 & 32). RCC discusses DPW OC; Mr. Olson is present and submits maintenance plan. Chairman Neal suggests slight changes to OC and that more diligent inspections of area be done by RCC/Agent Falco. Mrs. Lash, while aware of site's health and safety of community, wishes to deny project. Mr. MacMillan reads from letter to RCC regarding environmental damage paving has on barrier beach; quotes from book ISLANDS IN THE STORM (pub.2014 by William Sargent- NOVA consultant (PBS)) about sea level rise, how it should be taken into consideration; natural cycle of barrier beaches; continuing cost to town; says he cannot approve project. Mr. Olson counters these remarks with DEP & MA NHESP finding project acceptable; requests clarification on reasons for denial. Chairman Neal reasons that Wetland Protection Act allows public roads to be restored and maintained, DEP will allow this project; denying this project, is denying WPA (which is what RCC is charged to uphold). Chairman Neal moves to issue OC as amended; Mr. McKinnon seconds. Vote: 2:2. NO DECISION.

- **NOI 62-0709 Paul Desrosiers, 27 Atlantic Avenue, (Map 36/Lot 6).** Chairman Neal moves to issue OC as amended; Mr. McKinnon seconds. Vote 4:0
- **NOI 62-0711 Millbrook Meadow Committee, Millbrook Meadow (Map 18/Lot 325).** Chairman Neal moves to issue OC as amended; Mr. MacMillan seconds. Vote 4:0.

Other Business

- Update Wetlands bylaw—Chairman Neal suggests RCC update Wetlands Bylaw at Fall Town Meeting and asks RCC look it over for next meeting; Mr. Michaels will review town meeting regulations.
- MACC Dues –Chairman Neal moves to approve payment of MACC dues; Mr. MacMillan seconds. Vote 4:0.
- RCC Phone List – RCC approves updated phone list.
- Agent Falco's October, 2015 vacation - Chairman Neal moves to cancel October 2, 2015 meeting; Mrs. Lash seconds. Vote 4:0.

Chairman Neal moves to adjourn meeting; Mr. McKinnon seconds. Vote 4:0.

10:19 PM

RCC ► Meeting adjourns 10:19 PM ◀ RCC