

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Alan MacMillan, Charlie Allen, Rob Claypool, MaryAnn Lash, , David McKinnon/Associate Member, Bailey Coates/Student 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, Mel Michaels/Associate Member

Citizen Inquiries:

James Powers, 30 Pleasant Street – requests permission to remove boulders and asphalt driveway within 100’ of Intermittent stream; explains that under entire yard is asphalt (6” down) making it hard to plant trees/bushes; wants to replace asphalt on part of driveway with screened loam and plant grass. RCC concerns: closeness of activity to stream; piped stream under yard; and silt in stream. RCC requests details be made in writing and continue discussion until next meeting.

John Bassett, 3 Rowe Avenue - is concerned about Little Parker Pit; owner (Paul Bryant) mowed within 25’ No Disturb Zone; asks RCC to look at property; hopes RCC will require brush to grow back; leaves copies of emails, plan, photos and list. *Christina Wolff, 3 Rowe Avenue* – explains where area was mowed. RCC to contact Mr. Bryant, go see site, and continue discussion at next meeting.

Denise Marika, 75 South Street – (also present is Tim Miller –landscaper) has deed-related issues on property including path in stream; Mr. Miller presents: there is lots of water going onto property; deed requirements are for view and ROW path; he thought it was okay to take care of area without contacting RCC; now knows that he should have contacted Agent Falco 1st to remove fallen trees and cutting brush in path; removed cut brush; asks permission to: 1) prune winterberry and remove invasive species; 2) prune pussy willows near coastal bank; 3) prune/remove willows in middle of yard; remove Norway maple up near house. Will submit permit application to address water flow onto/off the property. RCC concerns are: vista pruning of trees may only reduce canopy by 10% and may be done here in short-term; this area needs wetland delineation in long-term; questions if path can be put in stream. Chairman Neal moves to allow vista pruning and maple tree removal as proposed; Mr. MacMillan seconds. Vote 5:0. *Roy Bonderant, 11 Whale Cove Lane* – happy to hear there is understanding between Ms. Marika and RCC; thought RCC asked her to delineated and work with neighbors years ago.

Minutes.

08/06/14: Mr. MacMillan moves to approve minutes as written; Mrs. Lash seconds. Vote 5:0.

Continued Hearings

EO 14-01, George Bajoras, 48 Bearskin Neck (36/Lot 86). Working on lot within 100’ of a coastal bank and within Land Subject to Coastal Storm Flowage without a permit. Chairman Neal recuses himself from deliberation due to conflict of interest; Mr. Claypool acts as Chairman. Gus Kreuzkamp (Harbor Engineering) is present for applicant and goes over report; explains FEMA flood zones; explains that seawall is vertical stone structure; is less stable than typical sloped walls; says that what was done to strengthen wall is short-term solution; impermeable

structure will not allow water to leave area causing ponding behind wall; three ways to correct ponding issue are: A) drill weep holes through wall, B) using wave overtopping data, construct appropriate drainage system under apron with pipes, or C) remove structure and start over. RCC questions/comments: RCC thanks Mr. Kreuzkamp for well detailed presentation on dynamics of area; Are all properties private? (Yes) What would it take to physically protect this area? (Mr. Kreuzkamp: Plan C-remove and install proper seawall with revetment stone in front); this was structure constructed without permit and one RCC would not have allowed; abutters complaint is that this work negatively impacts them; What is difference in cost between Plan B & C? (Mr. Kreuzkamp: ~\$100K - \$150K). *Wendy Lawton, 8-10 DoYLES Cove Road* – scoured area in front of wall has been there for years; smaller rocks have built up creating ramp for waves to ride; is concerned about how much water will be funneled from apron to her property; gravel gets thrown up during storms onto cottages yearly; it is good to have town and property owners working together in this area; this is a Bearskin Neck problem that needs long-term plan; would like seawall undone and repaired properly; will participate in supporting seaside of wall. *Rick Nazzaro, 50 Bearskin Neck* – since 2010, storm have gutted his property many times; water comes into his property; is concerned that as water comes over wall there is nowhere for it to go; wants wall constructed correctly, but not at risk to him; why not put wall back to the way it was before? *Peter Goodwin, 6 North Road* – town owns all walls here; armor stones are projectiles in storms; his wall is double walled and faces Sandy Bay with laid rock on the ground where water returns to bay from beneath; his wall is taller than these walls; thinks that concrete should be removed and proper wall built. *Tom Hargrove, 8-10 Doyle's Cove Road* – next storm will impact this area and his property. *Steven Atwood, 48 Bearskin Neck* – wants work done right; is it correct that this will include removing wall and apron? *Bill Young, 48 Bearskin Neck* - if we agree to remove cement will that satisfy RCC? (RCC reply is: if owners return wall to pre-storm condition (3'-4' stone revetment), that is a good suggestion and would meet the MA DEP Emergency Declaration; however, a restoration plan needs to be proposed first). Mr. Kreuzkamp asks if scope of restoration could be increased to include seaward face slope restoration so that work may be done simultaneously. Mr. MacMillan moves to require applicant to return site to 2013 pre-storm conditions (by a date certain) and be able to come forward with a NOI for further work. Discussion ensues: to give owners two (2) weeks to consider a plan and bring it to RCC; remove apron 1st then give them time to repair wall; this is enforcement, RCC should be more strict. The motion is repeated; Mr. Allen seconds. Discussion: RCC requires work done in 90 days. Vote 4:0. Hearing is continued until September 3, 2014. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

RDA 14-09, Marcie Behman, 144 Long Beach (Map 25/Lot 43). *Install 12' x 25' stone patio on barrier beach.* (Applicant requests withdrawal of RDA.) Chairman Neal reads Bill Manuell's, email stating that applicant wants to withdraw RDA for this project; will submit NOI for it. **Hearing is closed. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved**

Other Business

- Erosion issue at 25King Street – Agent Falco shows photos of past and current conditions at site. Chairman Neal moves to take no action; Mr. MacMillan seconds. Vote 5:0.

- Climate Change Checklist – Agent Falco & Chairman Neil have discussed with Tim Olson (DPW) and find Rockport has Hazard Mitigation Plan and Comprehensive Emergency Management Plan; these plans are reviewed and updated every 5 years; and DPW is studying Long Beach. Chairman Neal suggests RCC look at checklist and these plans.
- **Request for Certificate of Compliance, NOI 62-0671, Woodridge Realty Trust, 14 Holbrook Court (Map 18/Lot 310A).** Chairman Neal moves to issue CoC; Mr. MacMillan seconds. Vote 5:0.
- **Request for Certificate of Compliance, NOI 62-0666, Frank Castagno, 25 King Street (Map 18/Lot 317).** Chairman Neal moves to issue CoC; Mr. MacMillan seconds. Vote 5:0.
- New Business/Announcements –
 - Mr. MacMillan reports new artwork on Headland and complaints he has heard about it; Agent Falco shows photos of three (3) such art pieces around town. Chairman Neal suggests RCC write letter to Town Administrator telling of negative comments to artwork; because they are on coastal banks, RCC should have been notified prior to installation.

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

10:05 PM

RCC ► Meeting adjourned 10:05 PM ◄ RCC