

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: Dan Aparo

Citizen Inquiries:

Ellen Levine (Treehouse Design) for 20 Longbranch Avenue –requests minor amendment to DEP 62-0729; applicant wants to add 26' x 24' peastone parking area including stone retaining wall and path to the front door; also will relocate generator to >100' from coastal bank (CB); most of proposed work to take place > 100' to CB. Chairman Neal moves to grant minor amendment as proposed; Mr. McKinnon seconds. Vote 4:0.

New Hearings

NOI 62-0???, Cooke Realty, LLC, 37 Squam Road (Map 4/Lot 2A). *Install drainage structures within intermittent stream and repair driveway/walkway within 100' of inland banks and intermittent stream.* John Judd (Gateway Consulting, Inc.) and applicant are present; Mr. Judd makes the presentation; says open ditch in front yard requires wooden walkway to access house and garage; proposes installing new 12 inch diameter pipe in ditch and creating access over pipe to house and garage; explains new manhole at street and connection to town drain pipe under street. RCC concerns are diameter of pipe (will it handle flow) and asks if there are to be any changes in elevation. With permission from the Applicant, hearing is continued until December 7, 2016 pending DEP number. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0???, (Ecological Restoration Limited Project), DPW, Millbrook Meadow (Map 18/Lot 319 & 325). *Restore Frog Pond shoreline & enhance riparian area, and reconfigure Mill Brook all within Riverfront Area & within 100' of inland banks & BVW.* Joe Parisi (DPW), Jason Williams and Matt Sanford (Milone & MacBroom, Inc.) are present. Mr. Sanford explains small changes to plan and submits changes to NOI and site plan. Mr. Williams makes presentation; says brook's channel is undersized and banks are falling in, Frog Pond needs to be dredged and banks restored, existing lawn to remain open, and Garden Club's garden area at Beach Street to be restored; removals include: stone dust path through meadow, stone wall at Beach Street end of brook, granite within brook, vegetation along edge and within brook, small wooden bridge, riprap bank around Frog Pond, some trees, stones in spillway, and some dogwoods within thicket; water handling includes: catch & divert water from mouth of Frog Pond during construction, dewatering area in meadow, anti-tracking area & construction road, silt and chain-link fences; new construction to area includes; retaining wall at Beach Street (gravity stacked boulders used from existing boulders), sinuous brook layout allows water to smoothly access culvert to beach, new playground area, Frog Pond banks restored with boulders/plants for stability and aesthetics and public access; grading across meadow to remain same; brook channel to be 2'-4' wide to handle low flow and most flood events (100' flood to overtop banks); landscaping to include: shade

garden, 3 willows, dogwoods removed to be replaced, and riparian areas around both pond and brook, seven (7) water spigots and added electric outlets within meadow. RCC concerns/questions: with added water, can you add drinking fountain(s); concerns about removing mature trees and replanting with smaller trees, suggests adding white oaks to supplemental planting list; location of playground so near tree may damage root system; how long will construction take; will electric lines be underground in trenches; is there any other way you can lessen impact of stream than changing its current configuration? *Eric Hutchins, 45 Pooles Lane* – says changing stream configuration will restore/benefit habitat within brook. *Laura Hollowell, 37 High Street (Millbrook Meadow Committee)* – stream to be used by public, asks if grate could be placed at Beach Street for safety; discussion ensues regarding pros/cons of grate in stream. Mr. Sanford discusses regulatory impacts; wetland resource areas include Bordering Vegetated Wetland, inland banks, land under waterways, Riverfront Area, and bordering land subject to flooding; says that due to ecological restoration project, thresholds for these resource areas will be exceeded and provides numbers for impacts of each resource area; ecological restoration component of project includes riffles & pools within sinuous stream (boulder heaps, deep pools, increased habitat diversity and replacing 1/3 of dogwood thicket; explains that lawn will not be dried out, plans to keep lawn drain within lawn meadow (replace it and pipe). RCC concerns: with wider stream will there always be water in brook (in large storm events, flood waters will overtop banks; in low-flow times (except during extreme drought), there will be flow in the channel); what about mitigation (native plantings noted on plan in plant schedule); why is pipe in lawn/does it drain lawn; is neighboring parking lot sufficiently handled in drainage from site; why did you remove rain garden adjacent to parking lot? Mr. Parisi explains that pipe in meadow was reviewed last year and found to be clogged. *Eric Hutchins, 45 Pooles Lane* – speaks on groundwater issues in area; brings up sump pump from restaurant draining directly into brook, asks why that is allowed. *Craig Moore, Union Lane* – asks if MA Audubon will comment on project; is concerned with changes on migratory bird habitat; is glad that the project is for ecological restoration. Site visit is scheduled for November 19, 2016. With permission from Applicant, hearing is continued until December 7, 2016 pending site visit and DEP#. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Continued Hearings

NOI 62-0???, The Landing Group Inc., Granite Street & Breakwater Avenue-Cape Ann Tool Co. site (Map 16/Lots 26A, 28, 28A). *Construct on 1 commercial & 13 single-family house lots within land subject to coastal storm flowage, coastal bank, land under waterbodies & waterways, land under the ocean and rocky intertidal shore resource areas.* (Applicant requests continuation of public hearing until November 16, 2016.) No one is present representing the Landing Group. Hearing is continued until December 7, 2016 pending DEP# & more information. 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

- Back Beach Minor Amendment (DEP 62-0716)-DPW - Mr. Parisi asks RCC to postpone discussion until December 7, 2016.

- Halibut Pt. State Park – RCC rewrites letter to Senator/Representative regarding winter hours at park. Chairman Neal moves to accept letter as amended; Mr. MacMillan seconds. Vote 4:0.
- Workshop on November 30th? RCC decides not to hold workshop meeting.
- **Request for Certificate of Compliance, NOI 62-0559, Paul Hickey, Blueberry Lane (Map 3/Lot 9).** Chairman Neal moves to issue CoC; Mr. MacMillan seconds. Vote 4:0.
- New Business/Announcements – none

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

9:16 PM

RCC ► Meeting adjourns 9:16 PM ◄ RCC