

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, Bailey Coates/Student Member, Andrea Nichols/ Secretary, Geralyn Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Five voting members are present.

Citizen Inquiries:

Everett Jylkka, 12 Stockholm Avenue –reports tree fell in pond and on shed next to pond; wants to remove tree on shed but not from pond; will need large vehicle to remove it. Chairman Neal moves to approve tree and shed removal adjacent to pond; Mr. MacMillan seconds. Vote 5:0.
Kevin Lee, 283 Granite Street - wants to erect Quonset hut within 100' of wetland to store tools and motorcycle; structure will be elevated by cinderblocks, temporary and as close as ten (10) feet from wetland. RCC suggests filing RDA.

Minutes:

12/10/14: Mr. MacMillan moves to approve minutes as amended; Mr. Allen seconds. Vote 5:0.
12/10/14 (Executive Session): Mr. Claypool moves to approve minutes as amended; Mrs. Lash seconds. Vote 4:0.

New Hearings

NOI 62-0703, Barbara Sternfeld, 6 Caleb's Lane (Map 22/Lot 205). *Construct bluestone terrace and stone retaining wall within 100' of Bordering Vegetated Wetland.* Hilarie Holdsworth (Walker Creek Garden Design) is present to represent applicant and makes presentation; terrace to be approximately 14' x 28', made of bluestone with granite retaining wall around it, and 63.5' from wetland. RCC requires plan to have P.E. or surveyor's stamp. With permission from the Applicant, hearing is continued until January 21, 2015 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.**

Other Business

- Rockport Flood & Resilience Checklist – checklist provided is not filled in; Agent Falco to provide completed checklist; Chairman Neal suggests putting this and other climate change documents on website.
- 2014 Annual Report (Due January 5, 2015) - Chairman Neal moves to accept 2014 Annual Report as amended; Mr. Allen seconds. Vote 5:0.
- Other Business/Announcements:
 - **Request for Extension to OC, DEP 62-0516, DPW, Loop Pond (Map 12/Lot 73).** Chairman Neal moves to extend OC for one (1) year with condition that flow-device (beaver-deceiver) be installed at culvert; Mr. MacMillan seconds. Vote 5:0.
 - MACC Annual Conference (sign up by next meeting)
 - Alan MacMillan reports that ocean cannot be seen from top of Landmark Lane; suggests doing some vista pruning there.

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

9:02 PM

RCC ► Meeting adjourns 9:02 PM ◀ RCC

Location: Rockport Town Hall, Meeting Room A

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

Citizen Inquiries:

Lars Andreas (UMass Boston) – is studying sediments in three South End ponds (Henry’s Pond, Cape Hedge Pond, Loblolly Cove Pond) as it relates to shoreline change; wants permission to use ground-penetrating radar and obtain core samples of sediment in each pond; expects to accomplish this in February. RCC requires written request; can only give permission for town-owned property (only 1 pond is wholly town-owned); suggests speaking with DPW; requests that he send his study results to RCC.

Agent Falco – reports seawall repair request from Toad Hall; is maintenance activity to chink holes caused by ocean activity; expects to receive letter from contractor before work begins.

Minutes:

01/17/15: Mr. MacMillan moves to approve minutes as written; Chairman Neal seconds. Vote 4:0.

New Hearings

RDA 15-01, Kevin Lee, 283 Granite Street (Map 8/Lot 32). *Erect a Quonset hut within 100’ of Bordering Vegetated Wetland.* Kevin Lee is present and makes presentation; explains that structure will be temporary to store his motorcycle and tools; closest point to wetland is ten feet. RCC has concern about floor of the structure disturbing 25’ No-Disturb Zone. Mr. MacMillan moves to close hearing; Chairman Neal seconds. Vote 4:0. Mr. Claypool moves to issue a negative determination, category number 3 with conditions; Chairman Neal seconds. Vote 3:1. **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 62-0704, Barbara Sternfeld, 6 Calebs Lane (Map 22/Lot 205). *Construct bluestone terrace and stone retaining wall within 100’ of Bordering Vegetated Wetland.* Nobody is present because meeting was continued for DEP number only. Mr. MacMillan moves to close hearing; Mr. Claypool seconds. Vote 4:0. **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 62-0703, Barbara Sternfeld, 6 Caleb’s Lane (Map 22/Lot 205). Chairman Neal moves to issue OC as written; Mrs. Lash seconds. Vote 4:0.

Other Business

- Student Associate Member's midterm report – Ms. Coates makes well-thought out presentation and RCC commends her.
- Rockport Flood & Resilience Checklist – was sent out.
- MACC Annual Conference (bring sign up paperwork to this meeting)
- Other Business/Announcements: Chairman Neal moves to add following discussion items to agenda, Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Chairman Neal.
 - Finances and CPC – Mr. Mr. Michaels spoke with CIPC and reports that it has voted not to allocate \$300K for proposed land acquisition; BOS generally agree with CIPC recommendations; BOS did not meet in Executive Session and it probably will not pass issue; suggests alternatives: 1) ask for \$300K from CPC, or 2) put entire \$500K from CTF and ask for \$100K from CPC. Mr. Claypool suggests he go to BOS meeting and ask if RCC puts up \$500K will town be interested. RCC agree that special meeting be held January 28, 2015 at Town Hall Annex).

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

9: 11 PM

RCC ► Meeting adjourns 9:11 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

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

Citizen Inquiries:

Bill Manuell, for 11 Old Garden Road (DEP 62-0698) – requests minor changes to OC plan; had submitted request in writing explaining changes; house footprint not to change. Mr. Claypool moves to allow modifications as presented; Mr. MacMillan seconds Vote 4:0.

Agent Falco, for DPW – starts discussion of snow disposal into ocean; DPW received permission from DEP and is in constant contact; areas include: Back Beach, T-Wharf and Granite Pier.

Minutes:

01/21/15: Mr. MacMillan moves to approve minutes as written; Chairman Neal seconds. Vote 4:0.

01/28/15 (Executive Session): Mr. Claypool moves to approve minutes as written; Mr. MacMillan seconds. Vote 4:0.

New Hearings

NOI 62-0705, Roger Caro, 35 Mt. Pleasant Street (Map 36/Lot 23). *Repair dry laid granite seawall within 100' of coastal bank and within Land Subject to Coastal Storm Flowage.* Applicant is present. Bill Manuell (Wetlands & Land Management) is also present and makes presentation; project is repair of dry-laid granite wall that is bulging; will use excavator to reposition rocks, create infiltration trench and backfill yard; wall to stay in existing footprint but will add one more stone to raise height 18"-24"; also plan to construct wooden stair to shore with deck overhanging wall and constructed during wall restoration; resource areas include rocky intertidal shores, coastal bank and land subject to coastal storm flowage; surveyor will send stamped plan. RCC: asks if weep holes will be included (dry-laid wall allows water to flow through); wants to see wall and schedules site visit for Saturday, February 21, 2015; is concerned about connection to neighboring walls (applicant to work on inner sections of his wall without impacting neighbors); asks if stairway might require Ch. 91 license; asks who owns wall; wants more detail on stairway; asks if stairway will be removable; asks about sedimentation control (tarp over area or boom in water). *Laura Hallowell, 37 High Street* - informs RCC that knotweed was removed from yard and rhizomes and plant parts still in soils; is concerned about proper disposal so as not to spread this invasive plant. With permission from the Applicant, hearing is continued until March 4, 2015 pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

RDA 15-02, Christian L. Murch, 16 Bearskin Neck (Map 36/Lot 100). *Construct a bulkhead within 100' of coastal bank and within Land Subject to Coastal Storm Flowage.* Mr. Murch is present and makes presentation; would like to install bulkhead for access to basement; explains that

coastal bank is across street behind buildings 60' from area of work. RCC asks about grade elevations and water in basement; suggests raising entrance to keep water out of basement. Mr. MacMillan moves to close hearing; Chairman Neal seconds. Vote 4:0. Mr. Claypool moves to issue negative determination, category number 3 with conditions; Mr. MacMillan seconds. Vote 4:0. **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

- Knotweed Removal Report (2014) – Rockport Garden Club – Laura Hallowell & Nan Blue are present to discuss 2014 Annual Report; power point presentation shows “before and after” pictures of knotweed removal as well as data collected; give heads-up that Millbrook Meadow Committee will conduct invasive species removal before they work on pond and meadow restoration and will come to RCC for permit; ask for approval of Restoration Plan at the Headlands; request reimbursement for 2014 and allocation of up to \$300.00 from RCC for 2015 removal activities at Mill Pond and Headlands. RCC suggests publishing Garden Club’s knotweed removal activity including data. Chairman Neal moves to approve Headland Restoration Plan; Mr. MacMillan seconds. Vote 4:0. Chairman Neal moves to reimburse up to \$300.00 for knotweed removal activities in 2015; Mr. MacMillan seconds. Vote 4:0.
- Earth Day - choose date & think about RCC activity - RCC chooses Saturday, April 25, 2015; will choose activity later.
- **Request for Certificate of Compliance**, ROC 1-01, Richard & Ann Grieco, 11 Gap Head Road (Map 30/Lot 4A). Mr. Claypool moves to issue CoC; Mr. MacMillan seconds. Vote 4:0.
- **Request Extension to Orders of Condition**, DEP 62-0488, Patrick Fortin, 38 Long Beach (Map 21/Lot 13). Chairman Neal moves to deny extension; no second on this motion; discussion ensues. Chairman Neal moves to grant extension until June 15, 2015 with note that non-compliance enforcement will follow if work not complete by that date; Mr. MacMillan seconds. Vote 4:0.
- Review for approval Declaration of Restriction South Street (Map 28/Lots 1&2). Mr. MacMillan moves to approve Declaration of Restriction as presented; Chairman Neal seconds. Vote 4:0.
- Letter sent to UMass Student reaffirming the parameters of his study.
- Executive Session to discuss land acquisition; Chairman Neal moves to go into Executive Session (9:00 p.m.) to discuss Land Protection, Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mr. Allen, Chairman Neal.

Mr. Allen moves to adjourn the meeting; Mr. Claypool seconds. Vote 4:0.

9: 55 PM

RCC ► Meeting adjourns 9:55 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

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

Citizen Inquiries:

Joe Allen, 1 Beach Street (Captain's Bounty) –wants to improve garden area and parking lot adjacent to coastal bank/coastal beach; plans to replace mulch with small stone in gardens and re-pave parking lot (filling in holes); no digging in parking lot. Mr. Macmillan moves to allow landscaping as proposed; Chairman Neal seconds. Vote 5:0.

Minutes:

2/18/15: Mr. Allen moves to approve minutes as written; Mr. MacMillan seconds. Vote 5:0.

2/18/15 (Executive Session minutes): Mr. MacMillan moves to approve minutes as amended; Mr. Allen seconds. Vote 5:0.

New Hearings

RDA 15-03, Joseph Mueller, 52 Marmion Way (Map 30/Lot 37). *Abandon existing septic tank and connect to municipal sewer within 100' of isolated wetland and within Land Subject to Coastal Storm Flowage.* Dan Ottenheimer (Mill River Consulting) is present with applicant and makes presentation; shows present system and sewer pipe greater than 100' to coastal bank but 90' from isolated wetland; erosion control barrier in place during construction. RCC concern is how connection will be made if ledge is encountered. Mr. MacMillan moves to close hearing; Mr. Claypool seconds. Vote 5:0. **Hearing is closed.** Mr. Claypool moves to issue negative determination, category number 3 with conditions; Mr. Allen seconds. Discussion: add condition to notify Agent if blasting is necessary. Vote 5:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved**

RDA 15-04 (RCC RDA15-01), Massachusetts Electric Company, Penzance Road (Map 32). *Replace telephone pole within 100' of a coastal bank and within Land Subject to Coastal Storm Flowage.* Amanda Neville (Coneco) is present for applicant and makes the presentation; pole to be replaced in same location. This activity is exempt from WPA but not from Rockport Wetlands Bylaw. Mr. Claypool moves to close hearing; Mr. MacMillan seconds. Vote 5:0. **Hearing is closed.** Mr. Claypool moves to issue negative determination, category number 3 with conditions; Mr. MacMillan seconds. Vote 5:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0706, Five Gully Point Nominee Trust (Samuel Smart, Trustee), 5 Gully Point Road (Map 26/Lot 71). *Construct a deck within 100' of a coastal bank and within Land Subject to Coastal Storm Flowage.* Bill Manuell (Wetlands & Land Management) is present with applicant and makes presentation; resource areas are non-sediment producing coastal bank and Land Subject to Coastal Storm Flowage (LSCSF); deck to connect to smaller deck and construct without edge railing; deck without railing needs 18 inches from ground, so stone wall to be constructed and backfilled (raising yard elevation); activity will not destabilize coastal bank; deflection of wave within LSCSF will be blocked by house and detached garage (no impact to neighbors); all work to be on grassed lawn. RCC concerns: wall construction and amount of fill; want profile of deck and wall; work totally within No Disturb Zone; expects to see mitigation; FEMA flood levels encompass most of house; armoring coastal resource areas; wall may prohibit land-based runoff; wants to see more onsite vegetation. Site visit is scheduled for March 7, 2015. With permission from the Applicant, hearing is continued until March 18, 2015 pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Continued Hearings

NOI 62-0705, Roger Caro, 35 Mt. Pleasant Street (Map 36/Lot 23). *Repair dry laid granite seawall within 100' of coastal bank and within Land Subject to Coastal Storm Flowage.* Bill Manuell (Wetlands & Land Management) is present for applicant and discusses site visit and small changes to plan; revised plan is submitted showing drain outfalls and stair detail. Chairman Neal moves to close hearing; 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.**

Review Orders of Conditions:

NOI 62-0705, Roger Caro, 35 Mt. Pleasant Street (Map 36/Lot 23). Chairman Neal moves to issue OC as written; Mr. Allen seconds. Vote 5:0.

Other Business

- Earth Day –think about RCC activity – Agent Falco suggests painting shed on Pigeon Hill Street (Stephen Johnson property); RCC agree and adds repair of shed; would like to see more students involved in Earth Day activities.
- **Request for Certificate of Compliance**, DEP 62-0542, John Doue, 73 Eden Road (Map 32/Lot 66). Mr. Allen moves to issue CoC; Mr. MacMillan seconds. Vote 5:0.

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

8:46 PM

RCC ► Meeting adjourns 8:46 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

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

Citizen Inquiries:

Bob Benham (R.C. Benham, Inc.), for 47 Main Street (Toad Hall Bookstore) – requests permission to do minor repairs on seawall, including chinking small holes with cement and larger voids with stone; shows photos of seawall; will use hand tools (no equipment on beach); and requests maintenance program so he does not have to return to RCC yearly. RCC’s concerns are no maintenance plan and suggests coordination with DPW (who works on beach yearly). Chairman Neal moves to approve seawall repair as described; Mr. MacMillan seconds. Vote 5:0.

Jack Campbell, 17 Railroad Avenue - requests minor amendment to Determination of Applicability (RDA 10-14); project was not constructed but new plan is reduced from approved plan; new plan is submitted, showing drainage to catchbasins which flows to Mill Brook (one catchbasin has oil/gas separator); no increase in run-off into Mill Brook. Chairman Neal moves to approves to amend DA, then amends motion to say: motion to approve minor amendment to DA; Mr. MacMillan seconds. Vote 5:0.

Stewardship

Embrace Open Space – RCC discusses how open space benefits town; documents discussed include those from Heidi Ricci (Mass Audubon) regarding tax revenue vs open space values; “The Economic Impact of Proximity to Open Space on Single-Family Home Values in Washington, County, Minnesota”, “Farmland Information Center Fact Sheet, Cost of Community Services Studies”, and The Trust for Public Land’s “The Return on Investment in Parks and Open Space in Massachusetts” (summary); documents say that rather than reducing tax revenues, open space actually increases revenues. RCC needs to educate/be educated on value of open space; considers releasing Executive Session minutes on land acquisition topic (specifically regarding Woodland Acres); continues to discuss Woodland Acres openly; explain that BOS has not voted on request to acquire Woodland Acres for open space; invite Essex County Greenbelt Association to discuss acquiring land in Rockport for open space.

Minutes:

03/04/15: Mr. MacMillan moves to approve minutes as amended; Mrs. Lash seconds. Vote 5:0.

New Hearings

NOI 62-0706, Charles Tarbell, 24 Old County Road (Map 21/Lot 60D). *Renovate existing pier foundation and add 2nd story addition to cottage on a barrier beach and within Land Subject to Coastal Storm Flowage.* Greg Cefalo is present for applicant and makes presentation; project is to remove cottage, secure foundation pilings including some shear foundation walls, rebuild cottage on same footprint (similar to other approved projects on beach); FEMA elevations have

changed, requires higher foundation elevation; DEP has not assigned number. RCC concerns are: foundation elevation need to be noted by registered surveyor; deck/entrance on south side looks new (entrance to be moved from north side of cottage, no increase in deck space); no DEP number. BOS has not seen project. Chairman Neal moves to continue hearing until April 1, 2015; Mr. Claypool seconds. Vote 5:0. With permission from the Applicant, hearing is continued until April 1, 2015 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.**

Continued Hearings

NOI 62-0706, Five Gully Point Nominee Trust (Samuel Smart, Trustee), 5 Gully Point Road (Map26/Lot 71). *Construct a deck within 100' of a coastal bank and within Land Subject to Coastal Storm Flowage.* Bill Manuell (Wetlands & Land Management) is present for applicant and submits revised plan; discusses mitigation (removing invasive plants and creating avian island). RCC concerns include: mitigation within 25' No-Disturb Zone; need for multiple treatments of invasives; and filling land subject to coastal storm flowage. Mr. Manuell asks if deck can be extended two (2) additional feet to accommodate railings; RCC agrees to deck extension in No-Disturb Zone. Mr. Manuell will redesign deck and submit revised plan. With permission from the Applicant, hearing is continued until April 1, 2015 pending new plan. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

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

8:44 PM

RCC ► Meeting adjourns 8:44 PM ◄ RCC

Location: Rockport Town Hall Annex

Present: Larry Neal/Chairman, Alan MacMillan, MaryAnn Lash, David McKinnon, Associate Member Bailey Coates/Student Member, Marianne Peters/ Secretary, GERALYN Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five-member volunteer board. Three voting members are present.

Absent: Rob Claypool, Charlie Allen, Mel Michaels/Associate Member, Andrea Nichols/Secretary

Stewardship:

Beavers at Loop Pond – Mr. McKinnon discusses best beaver management; suggests Beaver Solutions, Inc. (Mike Callahan) come assess pond (this will cost town money); recommends assisting DPW with exclusion fence and flow device installation; will obtain written quote from Mr. Callahan and confer with DPW.

Chairman Neal reports on RCC's South Street property; has seen residents using park; DPW to improve conditions this spring.

Minutes:

03/18/15: Mr. MacMillan moves to approve minutes as written; Mrs. Lash seconds. Vote 3:0.

New Hearings

NOI 62-070?, Stephanie & John Connaughton, 3 & 5 Old Garden Road (Map 22/Lots 151 & 152). Construct addition to house and improve grounds within 100' of coastal bank, coastal beach & rocky intertidal shore. Scott Cameron (The Morin-Cameron Group, Inc.) is present for applicant and makes presentation; most of work to take place on #5; seawall is coastal bank (3 & 5); areas on #5 without building is mostly lawn; propose repair on seawall with new capstone (3 & 5, extending onto town land) and drainage (5), new landscaping (3 & 5), remove one driveway and concrete walkways (5), house addition (5), new patio around house with pool/spa (5), irrigation well (5), new stone wall at street (3 & 5); discusses in detail mitigation for work within 25' No-Disturb and 50' No-Build Zones with native plantings throughout yard. RCC concerns are: no DEP number; stone wall along street; no disturbance to nearby public easement; height of seawall (25.4'); asks applicant to explain table 1; irrigation well; flood zone on property; requests alternatives to filling and solid structures in flood zone. *Susan Morris, 10 Babcock Road* – asks about wall height across both properties at street; asks why RCC would allow pool & addition within 25' No-Disturb Zone; asks why home is more than 25% of lot; shows pictures of her ice-coated house (across street) from waves during winter storm. *Richard Morris, 10 Babcock Road* – asks about proposed tree; will it block view. *Eric Hutchins, 45 Poole's Lane* - asks if properties are being combined. Site visit is scheduled for April 11, 2015. With permission from the Applicant, hearing is continued until April 15, 2015 pending site visit and 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.**

Continued Hearings

NOI 62-0706, Five Gully Point Nominee Trust (Samuel Smart, Trustee), 5 Gully Point Road (Map26/Lot 71). Construct a deck within 100' of a coastal bank and within Land Subject to Coastal Storm Flowage. Nobody is present for applicant; applicant has submitted revised plan and RCC discusses it; RCC concerns: poison ivy is not invasive species and steps added with no discussion. Chairman Neal moves to close hearing; Mr. MacMillan seconds. Vote 3:0. **Hearing is continued. The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0706, Charles Tarbell, 24 Old County Road (Map 21/Lot 60D). Renovate existing pier foundation and add 2nd story addition to cottage on a barrier beach and within Land Subject to Coastal Storm Flowage. Applicant requests continuation of public hearing until April 15, 2015 pending revised site plan and 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.**

Other Business

- Millbrook Meadow Restoration Committee – Sam Coulbourn, Barbara Sparks, Ted Tarr, Eric Hutchins and Laura Hollowell are present to discuss Master Plan for restoration at Millbrook Meadow (commencing spring 2016); includes: dredging of Mill Pond (sediment to be trucked offsite), rebuilding waterway (brook), cutting down willows, widening brook, no work within culvert under Beach Street but reconstructing headwall there, and dredging/replanting Frog Pond. RCC: suggests sediment traps at inlet of pond; will be many issues for discussion during permit process; will need alternatives analysis; suggest replacing willows with sycamore trees. *Eric Hutchins 45 Poole's Lane* - states that project will require State 401 Water Quality Certification, Chapter 91 dredging, Section 404 Army Corps of Engineers permit, and MEPA review (possibly ENF). *Laura Hollowell, 37 High Street* - says Millbrook Meadow will submit invasive plant species removal under separate NOI soon; hope invasive species under control before other restoration work begins; will include stabilization plan.
- Other Business/Announcements: Chairman Neal moves to add following discussion items to agenda, Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mrs. Lash, Chairman Neal.
 - Kiosk @Delamater & Waring Field – Cape Ann Trails has offered kiosk for Rockport open space lands; concern is where to put one; will it need building permit (Agent Falco to ask Building Inspector).
 - Boy Scout project at top of Summit Avenue- Agent Falco went to Summit Avenue and found likely jurisdictional areas; RCC suggests working at top of Landmark Lane.

Chairman Neal moves to adjourn meeting; Mr. MacMillan seconds. Vote 3:0.

8:55 PM

RCC ► Meeting adjourns 8:55 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

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

Tim Olson, DPW - requests waiver of 50' No Build Zone to resurface tennis court & replace fence within 100' (>50') of intermittent stream at Pingree Park; also wants to put in rock swale on western side of court to keep runoff from undermining court surface at southwest corner; shows drainage pipes under and around court. RCC concerns are: neighbor across street complained of sediment in stream; water running down hillside to south; requests rough estimate of stone swale (DPW says 120' by 4') ; agrees that swale is >100' from stream Chairman Neal moves to allow DPW to resurface tennis court & replace fence in existing footprint; Mr. MacMillan seconds. Vote 5:0.

Stewardship

Beavers at Loop Pond – Mr. McKinnon has met with Gary LeBlanc (DPW) at Loop Pond; DPW is willing to pay Beaver Solutions for flow device at Loop Pond. RCC asks if Beaver Solutions will waive \$200 fee if DPW hires them to build device; if RCC pays assessment fee, it will have to go to BOS and will take time.

Minutes.

04/01/15: Mr. MacMillan moves to approve minutes as written; Mrs. Lash seconds. Vote 5:0.

Continued Hearings

NOI 62-0707, Stephanie Connaughton, 3 & 5 Old Garden Road (Map 22/Lots 151 & 152). Construct addition to house and improve grounds within 100' of coastal bank, coastal beach & rocky intertidal shore. Scott Cameron (The Morin-Cameron Group, Inc.) is present for applicant and discusses issues from last meeting and site visit. Bill Manuell (Wetland & Land Management, Inc.) discusses mitigation and native plantings around sites. Gregory Tuzzolo (Stephen Simon Associates) says that bittersweet will be removed and keep privet along public walkway. *Susan Morris 10 Babcock Road* -is concerned about concrete near ocean; reports that septic truck flushed window wells and discharged water over wall/onto beach; asks what happens if plans change. RCC comments are: why wooden deck is not feasible here (Mr. Cameron says deck to be cement for stability and lower maintenance purposes); plants survival along coast is trial and error; wall at coastal bank is discussed (swale behind & drains through); drains proposed through seawall only on #5 where water collects behind it; different mowing regime for lawn vs gardens; suggests monument (plaque) with statement that there are bio-swale and rain gardens to be maintained. *Rollyn Hoffman, 8 Babcock Road* – is concerned about safety of fieldstone wall at #3. Mr. MacMillan moves to close hearing; Mr. Allen seconds. Vote 5:0. **Hearing is closed.**

Applicant agrees to allow RCC to issue OC after its next meeting (more than 21 days from closed hearing). The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.

NOI 62-0708, Charles Tarbell, 24 Old County Road (Map 21/Lot 60D). *Renovate existing pier foundation and add 2nd story addition to cottage on a barrier beach and within Land Subject to Coastal Storm Flowage.* Nobody is present for applicant and DEP number has been issued. 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 Orders of Condition

NOI 62-0706, Five Gully Point Nominee Trust (Samuel Smart, Trustee), 5 Gully Point Road (Map 26/Lot 71). Mr. MacMillan moves to issue OC as amended; Chairman Neal seconds. Vote 5:0.

NOI 62-0708, Charles Tarbell, 24 Old County Road (Map 21/Lot 60D). Mr. Claypool moves to issue OC as amended; Mr. MacMillan seconds. Vote: 5:0.

Other Business

- Bryant properties off Lanes Farm Way – Mrs. Lash recuses herself from discussion due to conflict of interest. Paul Bryant to put Conservation Restriction on 20+ acres of farm land; had appraisal done; Essex County Greenbelt is working with him but is not available tonight; will come to next meeting to discuss this issue.
- Reminder: Earth Day is Saturday April 25, 2015 (8 am–11 am)
- Other Business/Announcements: Chairman Neal moves to add following discussion items to agenda, Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Chairman Neal
 - **Certificate of Compliance (DEP 62-0670), DPW, Rockport Harbor (wooden piles).** Mr. Claypool moves to issue CoC; Mr. MacMillan seconds. Vote 5:0.
 - Kiosk at Waring Field & Thomas Road – Chairman Neal reviewed deed to Waring Field and found town has rights to it; kiosk should not go on road right-or-way but on Waring Field; suggests kiosk be smaller.

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

9:01 PM

RCC ► Meeting adjourns 9:01 PM ◄ RCC

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, Member Bailey Coates/Student Member, Andrea Nichols/ Secretary, GERALYN Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Five voting members are present.

Citizen Inquiries:

Bill Manuell (Wetlands & Land Management, Inc.) for 11 Old Garden Road – requests minor amendment to OC (DEP 62-0698); owner wants new infiltration bed and revised water service. Mr. Claypool moves to grant minor amendments as presented; Mr. MacMillan seconds. Vote 5:0. *Matt Araneo (Araneo Landscapes) for 52 Marmion Way (RDA 15-03)* – explains that water line needs replacing; old line is leaking and found to be near wetland on property; Don Greel (DPW) discussed with Agent Falco need for fast action; Agent Falco has approved water pipe replacement. RCC is okay with work; will vote after receipt of paperwork from Mr. Araneo.

Stewardship

Beavers at Loop Pond – David McKinnon reports that Beaver Solutions, Inc. will be in town on May 14, 2015 to install flow device; DPW will pay for it.

Kiosk (update) - Chairman Neal tells of conversation with Nick Holland; kiosk can be made ¾ size of suggested one and will cost approximately \$300.

Minutes.

04/15/15:Mr. MacMillan moves to approve minutes as amended; Mr. Claypool seconds. Vote 5:0.

New Hearings

RDA 15-04, MBTA, 17 Railroad Avenue (Map 11/Lots 21, 21B, 21E). *Install connection to new electric substation within 100’ of Bordering Vegetated Wetland.* Dan Beaulieu, Sr. Project Manager for MassDot and Jerry Blumenthal (Nitsch Engineering) are present; Mr. Blumenthal makes presentation; work is upgrade to electric substations >100’ to wetland; need conduit from new to old substation within 100’ of BVW (80-100’). RCC concerns are for manhole in Poole’s Lane (output leads to Millbrook); Mr. Blumenthal says that his work will take place away from this manhole; plans not P.E. stamped; what are drip pans/oil separators. Mr. MacMillan moves to close hearing; Mrs. Lash seconds. Vote 5:0. **Hearing is closed.** Mr. Claypool moves to issue negative determination category #3 with conditions; Mr. MacMillan seconds. Vote 5:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Review Orders of Condition

NOI 62-0707, Stephanie Connaughton, 3 & 5 Old Garden Road (Map 22/Lots 151 & 152). Chairman Neal moves to issue OC as amended; Mrs. Lash seconds. Vote 5:0.

Other Business

- Essex County Greenbelt Association (Greenbelt) – present for Greenbelt are Ed Becker (Executive Director) and Chris LaPointe (new Director of Land Conservation); Mr. LaPointe introduces himself and starts discussion on: Saunders lots (3.2 acres); S. Johnson property (expect to have CR within 6 months); Paul Bryant properties off Lanes Farm Way (18.53 acres for farming), Mr. Bryant working with Greenbelt to buy building rights and place Conservation Restriction on land, RCC asks that Greenbelt discuss this property with Lane family; and Woodland Acres, Greenbelt still interested in land and will re-engage with land owner. RCC suggests introducing Mr. LaPointe to town with Greenbelt presentation on Values of Open Space; Agent Falco to reserve Library (Brenner Room) for early June.
- **Emergency Certificate (REC 15-01)**, Richard Cooper (Cooper Associates), 17, 18, 19 & 20 Long Beach (Map 21/Lots 30, 23, 31 & 22). *Repair and replace water pipes to cottages on a barrier beach.* Chairman Neal moves to ratify Emergency Certificate as written; Mr. Claypool seconds. Vote 5:0.
- **Emergency Certificate (REC 15-02)**, Richard Cooper (Cooper Associates), 12 Long Beach (Map 21/Lot 55). *Repair and replace water pipe to cottage on a barrier beach.* Chairman Neal moves to ratify Emergency Certificate as written; Mr. Claypool seconds. Vote 5:0.
- Graffiti in Rockport - Mary Devaney sent email requesting funding for graffiti removal of; RCC has little money and jurisdiction prohibits it from use other than wetlands protection; Agent Falco will send email back to Ms. Devaney.

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

9:18 PM

RCC ► Meeting adjourns 9:18 PM ◀ RCC

Location: Rockport Town Hall, Meeting Room A

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

Absent: Robert Claypool, Bailey Coates/Student Member

Citizen Inquiries:

Marcia Siegel, Rights-of- Way Committee – wants to recreate the labyrinth at RCC’s South Street property (Map 28/Lot 20A). RCC tells Ms. Siegel to submit detailed plan to replace labyrinth.

Marcia Siegel/(Agent Falco for) ROW Committee - requests permission to reposition/add boulders along Atlantic Path to make it safe for walking; photos of area are shown. RCC tells Ms. Siegel to send written request outlining work to be done.

Agent Falco for 28 Long Beach – owner wants to know if replacing cement walkway from cottage to seawall is allowed without a permit. RCC says applicant will need to file RDA.

Stewardship

Beavers at Loop Pond – David McKinnon reports that flow device is installed, was breached by beavers, was repaired and now works; slide show shows installation.

Minutes.

05/06/15: Mr. Allen moves to approve minutes as written; Mrs. Lash seconds. Vote 5:0.

New Hearings

RDA 15-05, George Bajoras, 48 Bearskin Neck (Map 36/Lot 86). *Re-grade yard adjacent to coastal bank and within flood zone.* Steven & Lisa Atwood are present and make presentation with aid of Agent Falco; work includes moving gravel and pea stone back into place after winter storms yearly; some materials may need to be added. RCC is concerned that it be notified each year before work is done and material is not removed from site, so will include these requirements in decision. Mr. MacMillan moves to close hearing; Mr. Allen seconds. Vote 4:0. **Hearing is closed.** Chairman Neal moves to issue negative determination category three with conditions; Mr. MacMillan seconds. Vote 4:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Other Business

- Prepare for Open Space Values meeting – Chairman Neal talks on how Open Space Committee chose properties to be parcels of interest for protection; plans show public & non-public parcels as well as orphan parcels; Greenbelt is working with Woodland Acres owner, so presentation to public on open space values should be postponed; RCC to help with presentation and should include explanation of financing open space. Agent Falco shows photos of Rockport open space; will send to RCC (maybe put on webpage).

- Values of Open Space – June 22nd @ Peggy Brenner Room 7:30 -9:00 – this date is postponed.
- Newspaper articles: Fishing for Energy - RCC discusses; Chairman Neal moves to approve newspaper article as amended; Mr. MacMillan seconds. Vote 4:0.
- 52 Marmion Way – Agent Falco tells of written request and RCC discuss letter to owner; Chairman Neal moves to approve letter as amended; Mr. MacMillan seconds. Vote 4:0.
- New Business/Announcements - Chairman Neal moves to add discussion of Certificate of Compliance to agenda, Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Allen, Mr. Claypool, Mrs. Lash, Chairman Neal.
 - **Request of Certificate of Compliance**, DEP 62-0656, William & Ellen Kozak, 159R Granite Street (Map 16/Lot 41). Mr. MacMillan moves to issue CoC; Mrs. Lash seconds. Vote 4:0.

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

8:55 PM

RCC ► Meeting adjourns 8:55PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

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

Citizen Inquiries:

William Merry, 13 Laurel Acres - wants to use machine to dig out stream; OC (62-0675) requires hand digging only; will use Bobcat 430; explains that removal of *Phragmites* has gone well. Chairman Neal moves to approve minor amendment to OC as presented; Mrs. Lash seconds. Vote 4:0.

Ryan Gilbert, 71 Pigeon Hill Street – requests permission to place boulders and small stones along roadway within 100’ of quarry; boulders are to stop people from parking too close to quarry and on lawn; additionally stone based driveway is requested; Agent Falco has been to site and finds that work has been started. RCC wants to see RDA filing and recommends discussing it with DPW (stones on town roadway).

Laura Hallowell, for Millbrook Meadow Committee – tells RCC that NOI has been submitted for invasive plant species removal on Millbrook Meadow and asks that it make site visit this weekend to expedite process. RCC feels it does not need to see site.

Corina Belle-isle, 54 Bearskin Neck - requests permission to fill hole near seawall which was scoured by winter coastal storm activity; shows photos. RCC requests site visit on Saturday, June 6, 2015 and suggests filing RDA.

Enforcement Order

REO 15-01, Patrick Fortin, 37 Long Beach (Map 21/Lot 13). Mr. Fortin is present and submits letter to RCC explaining work at his cottage; tells of conversations with Conservation Agent and apologizes for actions on site; says his contractor did not follow conditions and used fire break to bring materials to lot; explains that he has removed all stone dust from site and will fill area only with sand; says that fire break has been smoothed down and he plans to plant beach grass on disturbed areas; requests use of pavers on sand in place of wood decking. RCC discusses specifics and Chairman Neal moves to allow pavers on sand as proposed; Mr. Allen seconds. Vote 4:0. Mr. Claypool moves to ratify Enforcement Order; Chairman Neal seconds. Vote 4:0.

Minutes.

05/20/2015: Mrs. Lash moves to approve minutes as amended; Mr. Claypool seconds. Vote 4:0.

New Hearings

NOI 62-0709, Paul Desrosiers, 27 Atlantic Avenue (Map 36/Lot 6). *Renovate house and stabilize eroding coastal bank.* Bill Manuell (Wetlands & Land Management, Inc.) is present for applicant and makes presentation; explains that lot is small and work is complete house

renovation; small addition to basement at corner of foundation; new exterior stairway to be re-aligned; floor drain and roof drain causes eroding coastal bank (CB); CB to be stabilized; small mitigation area (~50 square feet) near exterior stairs to go with 25' No-Disturb and 50' No-Build Zones waiver request. RCC asks about new deck, parking area, and closeness to property line; is concerned about adding rip-rap to CB. Site visit is scheduled for June 6, 2015. With verbal permission from Mr. Manuell, hearing is continued until June 17, 2015 pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

RDA 05-05, Krista Mattuchio, 28 Long Beach (Map 21/Lot 18). *Repair and replace front step and walkway to a cottage on a barrier beach.* Greg Hochmuth (Williams & Sparages) is present for applicant and makes presentation; work includes replacing damaged concrete steps, removing cement walkway, and replacing walkway with pavers; work will be done by hand. Mr. Claypool moves to close hearing; Mr. Allen seconds. Vote 4:0. **Hearing is closed.** Mr. Claypool moves to issue negative determination of applicability #2 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.**

Other Business

- RCC membership – Charlie Allen has declined re-appointment to RCC; David McKinnon agrees to take Charlie's place; RCC thanks Mr. Allen for his outstanding service. Chairman Neal moves to recommend to BOS Dave McKinnon as full member; Mr. Allen seconds. Vote 4:0. Bailey Coates, Student Member, is commended for her attendance at meeting; this is Ms. Coates' last meeting.
- New Business/Announcements - Chairman Neal moves to add discussion of Emergency Certificate to agenda, Mr. Allen seconds. Unanimous affirmative roll call: Mr. Allen, Mr. Claypool, Mrs. Lash, Chairman Neal.
 - **Emergency Certificate (REC 15-03)**, DPW, Beach Street @ Millbrook (Maps 18 & 35). *To remove beaver dam from within pipe under the street.* Chairman Neal moves to ratify Emergency Certificate; Mr. Allen seconds. Vote 4:0.

Mr. Claypool moves to adjourn meeting; Mrs. Lash seconds. Vote 4:0.

8:47 PM

RCC ► Meeting adjourns 8:47pm ◀ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Alan MacMillan, Charles Allen, Rob Claypool, MaryAnn Lash, David McKinnon/Associate Member, Marianne Peters/ 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, Andrea Nichols/ Secretary

Citizen Inquiries:

Tim Olson (DPW) – submits letter informing RCC that Long Beach Improvement Association will be taking on responsibilities of OC for Long Beach Tennis Court repairs; names Heather Carbone as contact person for project; has given Mrs. Carbone OC and plan. RCC has no concerns on issue.

Joe Parisi (DPW) – requests permission to repair popple dune at south end of Back Beach with machinery; says damage was from piling winter snow there. RCC’s concern is proximity to intertidal zone. Mr. Parisi assures RCC that work will not take place in intertidal zone. Chairman Neal moves to allow re-profiling dune as proposed; Mrs. Lash seconds. Vote 5:0.

Myles Cox, The Lobster Pool, 329 Granite Street – wants to move garbage dumpster from west side to east side of lot; shows plan; location is closer to coastal bank and within Land Subject to Coastal Storm Flowage; will install fence around it and bushes as a buffer; has received neighbor complaints . RCC’s concern is not dumpster but installation of fence and bushes within flood zone and coastal bank. Mr. Cox indicates that dumpster to be removed in winter each year. RCC needs plan and advises filing RDA. Mr. Cox shows paperwork for RDA already started and asks if dumpster could be moved before next meeting. Chairman Neal moves to allow moving dumpster immediately with RDA to be filed; Mr. MacMillan seconds. Vote 5:0.

Frans & Mita van Berkhout, 3 Seaview Street –request minor amendment to OC (#62-0677) to replace damaged area at driveway with boulder/rain garden; makes request in writing and displays photos. Chairman Neal moves to allow minor amendment as proposed; Mr. MacMillan seconds. Vote 5:0.

Minutes.

06/03/15; Chairman Neal moves to approve minutes as written; Mrs. Lash seconds. Vote: 5:0.

New Hearings

NOI 62-0710, Rockport DPW, Penzance Road (Maps 28 & 32). *Install bituminous pavement on road on a barrier beach.* Tim Olson, Joe Parisi, and Jim Gardner (DPW Commissioner) are present. Mr. Olson makes presentation; submits letters of support from DEP and Rockport departments (fire, police, ambulance); has FEMA funding from 2013 storm damage to repair and repave 400’ of roadway; remaining 600’ to be repave using Chapter 90 funding; asks for continuing OC to maintain roadway; proposes to re-grade pond side of dune, re-grade popple dune on ocean side, and repave roadway. RCC concerns include: possible impacts to protected bird habitat; how long repaving will take; transects need to be on plan; whether popple dune is to be created along entire length of beach; access to beach over popples; likelihood of asphalt

washing into resource areas; possibility of road made without asphalt; RCC reads barrier beach definition; culvert/drain from pond across roadway to beach. Mr. Parisi adds comments: DPW Commissioners did not unanimously approve paving road; DPW plans to maintain roadway; thinks paving is best for area. *Jim Gardner, DPW Commissioner* – feels town should not continue paving roadway; feels paved road is armoring beach and causing loss of beach; loss of beach material prohibits it doing its job protecting road and pond; finds beaches are town assets, this beach is least armored in town and should stay that way. *Ted Tarr, 154 Main Street* - says doing thing over and over with expectation of different results is insane; CZM made town stop putting boulders on beach; talks about vegetation disturbance; thinks road should not be paved. *Frans vanBerkhout, 3 Seaview Street* - states he is personally against repaving; suggests larger boulders be placed along beach. Mr. MacMillan moves to close hearing; Chairman Neal 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.** Chairman Neal announces that DPW was recently awarded “Men of the Year” by BOS for their snow removal this winter. All applaud.

NOI 62-0711, Millbrook Meadow Committee, Millbrook Meadow (Map 18/Lot 325). *Remove invasive plant species within Riverfront Area and 100’ of inland banks and Bordering Vegetated Wetland.* Sam Coulbourn and Laura Hallowell are present and Ms. Hallowell makes presentation; manual removal of invasive plant species is very expensive; MMC has chosen to use herbicides to manage invasive plant species in meadow and around pond; invasives removal is necessary before MMC can start work on restoring meadow and pond; discusses habitat management plan: 1) POND area is lesser priority now but has bittersweet, multiflora rose, loosestrife, yellow iris; 2) MEADOW is highest priority with most invasives along the brook; will focus on areas where knotweed has been removed/worked on; plan to treat herbaceous invasives with glyphosate and will bag plant parts; woody invasives will be treated (injected and/or cut and painted) with glyphosate; woody plant parts be chipped or burned or bagged for disposal depending on species and age; work to commence in August 2015. RCC concerns are: additional species list includes natives and they should not be treated with chemicals; noticed invasive species in meadow not included on list; no restoration proposed; signs should be displayed to let folks know of herbicide application; concerned with where chemical will be mixed; plan should show where specific species are to be treated/when; how yellow iris in pond will be treated; loosestrife is reacting to beetles so suggests not using herbicide on it; list is too large. *Barbara Spark, 22 High Street* – talks about timing; invasives need to be removed before soils in meadow are disturbed. *Stephanie Moore, 106 Granite Street* - says invasives have overgrown; how do herbicides to be used leach into water and impact birds/wildlife. (Ms. Hallowell says herbicides used target plant parts not soils; MA Audubon recommends methods to be used; berried from invasives are “junk food” for wildlife. *Craig Moore, 10 Union Lane* - asks about Boy Scout pathway; asks who has authority to dismantle path. *Corine Curreri-Moore, 10 Union Lane* - reports graffiti on cemetery wall, kids partying, tombstones pushed down, vandalism in area. Further discussion of Boy Scout path is had; no final decision is made on how to resolve issue. Chairman Neal 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.**

RDA 15-07, Mary Sherman, 54 Bearskin Neck, Map 36/Lot 83). *Fill with rock an area adjacent to seawall.* Corina Belle-Isle (tenant of 54 Bearskin Neck) is present for applicant and makes presentation; work includes replacing rock material behind seawall with similar material to level out yard. RCC has been to site. Chairman Neal moves to close hearing; Mr. Allen seconds. Vote 5:0. Mr. Claypool moves to issue Negative DA 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.**

RRDA 15-02, Ryan Gilbert, 71 Pigeon Hill Street (Map 3/Lot 34). *Construct gravel parking area & roadway protection within 100' of quarry pond.* Ryan Gilbert is present and makes presentation; work includes granite bench near quarry; planting blueberries between parking area and quarry; requests mitigation and waiver to 25' No-Disturb Zone; also requests granite memorial bench on rock next to quarry. RCC concerns: keeping gravel in driveway and away from quarry, boulders on town land near street. Chairman Neal moves to close hearing; Mr. Allen seconds. Vote 5:0. Mr. Claypool moves to issue Negative DA with conditions; 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.**

Continued Hearings

NOI 62-0709, Paul Desrosiers, 27 Atlantic Avenue (Map 36/Lot 6). *Renovate house and stabilize eroding coastal bank.* Bill Manuell (Wetlands & Land Management, Inc.) and Ryan MacArthur (Treehouse Design) are present for applicant and discuss site visit; submits revised plan. Chairman Neal 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.**

Other Business

- Chairman Neal, Mrs. Lash, Mr. Claypool, and Mr. MacMillan thank Mr. Allen for his service, time, and commitment to RCC.

**Mr. Allen moves to adjourn meeting; Mr. MacMillan seconds. Vote 5:0.
9:40 PM**

RCC ► Meeting adjourns 9:40 PM ◀ RCC

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**

voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.

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

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, MaryAnn Lash, David McKinnon, Andrea Nichols/ Secretary, Geralyn Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Four voting members are present.

Absent: Alan MacMillan, Mel Michaels/Associate Member

Citizen Inquiries:

Ted Tarr, 154 Main Street – tells RCC of Kieran Preserve’s poor condition; asks RCC to maintain Kieran Preserve and Delamater Sanctuary.

David Valchuis, 36.5 Eden Road – comes to show plans of his 36.5 Eden Road property; says he talked at last meeting and was told 1) stop construction on deck, 2) close propane trench, 3) return with NOI; hopes to not need NOI; needs to dig only 3 sonotubes to extend deck; has removed basketball court, installed straw wattles & planted seed. RCC suggests filing RDA.

Jim Doyle, for Babson Museum (291 Main Street) – asks to replace electrical service from pole at street to museum building within 100’ of stream and BVW; will place straw wattle between work and stream; work will take one day. Chairman Neal moves to replace underground electrical service as proposed; Mrs. Lash seconds. Vote 4:0.

Minutes.

07/01/15: Chairman Neal moves to approve minutes as amended; Mr. McKinnon seconds. Vote 4:0.

New Hearings

RDA 15-09, Estate of Nancy K. Mello, 3 Old Penzance Road (Map 32/Lot 5A). Upgrade a failed septic system within 100’ of BVW. Isaac Rowe (Mill River Consulting) is present for applicant and makes presentation; work includes putting in raised septic system >50’ to wetlands (across Penzance Road); shows plan with property and resource area; property has lots of shallow bedrock; new design will pretreat before discharging to leaching field (with stone wall around it); BOH has not yet approved, but Health Agent has reviewed design. RCC concerns are: maintenance of system; house is on town land. Mr. McKinnon moves to close hearing; Chairman Neal seconds. Vote 4:0. **Hearing is closed.** Mr. Claypool moves to issue negative determination category 3 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 62-0712, Joseph Mueller, 52 Marmion Way (Map 30/Lot 37). Mr. McKinnon moves to issue OC as written; Mr. Claypool seconds. Vote 4:0.

NOI 62-0713, Cape Ann Trail Stewards, Briar Swamp (Map 6/Lot 1). Mr. McKinnon moves to issue OC as amended; Chairman Neal seconds. Vote 4:0.

NOI 62-0710, DPW, Penzance Road (Maps 28 & 32). Concern is voiced about voting with RCC missing one member. Chairman Neal reads July 8, 2015 letter from DPW extending 21-day decision requirement and asking for re-vote on permit by July 16, 2015. Agent Falco had

contacted Town Counsel (TC) regarding tie vote; TC suggested DPW extend 21-day requirement and request that RCC re-vote on permit; TC said a tied vote is denial (since approval needs majority vote); TC recommended RCC not make no-decision. RCC must have Wetland Protection Act (WPA) related reasons for denial. Mr. Olson (DPW) says that nothing in project is against WPA; if permit denied, DPW will appeal to DEP. Mrs. Lash reads prepared statement. Chairman Neal moves to accept DPW's July 8, 2015 letter; Mr. McKinnon seconds. Vote 2:2. (Letter is not accepted). Mr. Olson asks what grounds RCC has for denial. RCC says there are no grounds under WPA or Bylaw for denial.

Other Business

- Update Wetlands Bylaw – RCC continues discussion. Chairman Neal moves to send changes to Town Administrator for by-law amendment at Fall Town Meeting; Mr. McKinnon seconds. Vote 4:0.
- Millbrook Meadow site visit with Coastal Zone Management (CZM), Millbrook Meadow Committee (MMC), DPW, RCC, Community Preservation Committee, and MMC consultant - Chairman Neal summarizes site visit: CZM explains MEPA process and makes comments on all parts of restoration plan; does not like wall along brook, likes opening and meandering brook, sees thicket (BVW) difficult to move/change, says Frog Pond should keep wetland vegetation (but look up historical data), sees boardwalk at Mill Pond restoration favorably. MMC needs to establish how much of pond to dredge (consultant wants only to deepen it); many hard decisions need to be made; and lots of numbers need to be crunched before submitting application to MEPA.
- Performance Review of Agent Falco-RCC reviews Agent Falco's performance; makes recommendations for 2016 goals; Chairman Neal will write up review.

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

9:27 PM

RCC ► Meeting adjourns 9:27 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, 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. Three voting members are present.

Absent: Rob Claypool, Alan MacMillan

Citizen Inquiries:

Robert Morris, Pigeon Cove Fisherman's Co-op - requests permission to connect electric and data lines from fuel tank to building at Pigeon Cove Wharf; plans to dig trench in wharf; project should take three days; submits written request and show plan. RCC concern is length of trench. Chairman Neal moves to allow digging trench at wharf as proposed, provided Mr. Morris documents length of trench on plan; Mrs. Lash seconds. Vote 3:0.

Laura Krause (DeRosa Environmental Consulting) for 54 Marmion Way - requests two (2) minor amendments to OC (DEP 62-0688); 1) to renovate and use shed instead of removing it, and 2) to install 2' high stone retaining wall along roadway to maintain yard elevation. Shed is >50' to coastal bank. Stone wall has been constructed, is within 50' No-Build Zone, and is within Land Subject to Coastal Storm Flowage (LSCSF) at FEMA velocity zone elevation 22; at time of approval, FEMA V-zone was elevation 15 and wall would be below; no performance standards for LSCSF. RCC concerns are: wall within LSCSF, this project may be more than "minor amendment", asks if DEP requires using current FEMA elevations for amendments, suggest that Agent Falco contact DEP, need more information to make decision.

Sally May and Francis Levesque, 60 Granite Street -requests minor amendment to OC (DEP 62-0665); changes include increasing size of patio and creating parking spot instead of semi-circular driveway; both areas to use permeable pavers; show revised plan ; John Byrne (contractor) also present and presents specifications of pavers. Chairman Neal moves to accept minor amendment to OC (DEP 62-0665) as proposed; Mr. McKinnon seconds. Vote 3:0.

Robert Visnick (for, Joann Papa, 4 Gull Cove Lane) - wants to install a ramp similar to their neighbors. They have a float. This would be a temporary system to install ramp to float. In case of storms, someone would remove the ramp. Harbormasters have reviewed this project. Chairman Neal moves to grant approval for 4 Gull Cove Lane for temporary ramp; Mr. McKinnon seconds. Vote: 3:0.

Ted Tarr, 5154 Main Street - reports Kieran Preserve grown in; Mr. McKinnon will traverse area with Mr. Tarr.

Proposed Long Beach Fieldwork (by Bureau of Ocean Energy Management). Nicholas Venti (MA Geological Survey & UMass Amherst), Melanie Koerth (UMass graduate), and Julie Knisel (CZM) are present. Mr. Venti describes project sponsored; study is to aid in beach nourishment; survey studies gran size; and discusses off-shore nourishment. RCC asks if MA allows offshore nourishment. Ms. Knisel explains conflict with fishing industry and environmental community regarding offshore nourishment; says most nourishment is from dredging activities or sand from land sources. RCC suggests contacting other groups who would be interested including Long

Beach Improvement Association and DPW. *Ted Tarr, 154 Main Street* – asks how this project interacts with sediment transport project, and why summer and winter surveys are required. *Lars Anderas (UMass-Boston student)* – explains his project approved last winter by RCC; says due to weather, he did not do pond surveys; has come to see if this project interacts with his. Mr. Venti says his coring team (did not come to this meeting) wants to obtain information from two (2) ponds near Long Beach; and all data collected will be shared with town.

Minutes

7/15/15: Chairman Neal moves to approve minutes as amended; Mrs. Lash seconds. Vote 3:0.

New Hearings

RDA 15-10, David Valchuis, 36.5 Eden Road (Map 31/Lot 33). *Extend deck & bury propane tank within 100' of coastal bank.* Mr. Valchuis is present and explains work to date: tank and pipe are buried, three (3) of four (4) sonotubes are installed, (one additional sonotube needed to support deck), silt barrier installed and grass planted, and basketball court removed. Chairman Neal moves to close hearing; Mr. McKinnon seconds. Vote 3:0. **Hearing is closed.** Chairman Neal moves to issue Negative Determination of Applicability with conditions; Mrs. Lash seconds. Vote 3:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Other Business

- Mill Pond/Millbrook Meadow Plan update (as required in OC)-Garden Club – Nan Blue (Rockport Garden Club) is present and explains plan; Polatin Environmental to remove invasives; it will take approximately 8 hours to remove woody invasives; debris to be left in place and DPW will pick it up; may allow debris to dry out in place. RCC asks to have large “tree of heaven” removed from area near pond. Chairman Neal moves to accept Mill Pond/Millbrook Meadow as proposed; McKinnon seconds. Vote 3:0.
- New Business/Announcements –Greenbelt is surveying Bryant property. A conservation restriction may be required.
- Complaint: lawn cuttings/trimmings are being dumped on Old Garden Path.

Chairman Neal moves to adjourn meeting; Mr. McKinnon seconds. Vote 3:0.

8:55PM

RCC ► Meeting adjourns 8:55 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, 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. Five voting members are present.

Citizen Inquiries:

Aileen Morrissey, Millbrook Meadow Committee - requests permission to install kiosk at Millbrook Meadow's Beach Street entrance; makes request in writing and shows kiosk location and design (similar to Rockport Art Association's kiosk); has received permission from BOS; DPW will install; kiosk will show updates on restoration project. Chairman Neal moves to allow installing kiosk at Millbrook Meadow as proposed; Mr. McKinnon seconds. Vote 5:0.

Phil Carter, 6B Squam Hill Court - asks for minor amendment to RDA (14-04) to make small addition >50' to stream; work to be foundation of two (2) sonotubes. Chairman Neal moves to allow adding two (2) sonotubes as proposed; Mrs. Lash seconds. Vote 5:0.

Tom Mikus, 73 Marmion Way – asks for update on Penzance Road paving project; Agent Falco summarizes DEP site visit (on 8/19/15); DEP will act on appeal from DPW.

Stewardship

Trail map kiosk @Waring Field – Nick Holland has asked RCC if it wants kiosk at Waring Field; cost is \$300 per kiosk; Agent Falco displays area on screen; discussion ensues to include 2nd kiosk at Pine Pit trail. *Ted Tarr, 154 Main Street* - feels Delamater Preserve map should go on Waring field kiosk. Chairman Neal moves to purchase two trail map kiosks; Mr. MacMillan seconds. Vote 5:0. Chairman Neal moves to use up to \$600 of Town Fees money to pay for trail map kiosks; Mr. MacMillan seconds. Vote 5:0.

Minutes.

08/05/15: Chairman Neal moves to approve minutes as amended; Mrs. Lash seconds. Vote 5:0.

New Hearings

NOI 62-0714, Charles Schaub, 4 Cathedral Avenue (Map 15/Lot 32). *Construct additions & landscape yard within 100' of coastal bank.* Mr. Schaub and Tim Ford (representative) are present; Mr. Ford makes presentation; project is to make additions to cottage, to add 600 sf (~170 within 50' No Build Zone), to extend deck, to plant between Atlantic Path and cliff, and to plant privacy bushes along roadway; work is above flood zone; planting along Atlantic Path are to be *Rosa rugosa* and is for safety purposes. RCC concerns are: who delineated coastal bank; will work area be marked for site visit; feels delineation may be at applicant's loss. Site visit is scheduled for Saturday, August 22, 2015. With permission from the Applicant, hearing is continued until September 2, 2015. 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

- Sampling on Saratoga Creek Salt Marsh-Lars Anderas (UMass Boston student) – Mr. Anderas’ professor (Brad Hubeny-Salem State) makes presentation; Mr. Anderas is looking to expand his study of local ponds to salt marsh behind Long Beach (Saratoga Creek Salt Marsh); will take approximately 10 samples; shows locations on plan; describes sampling equipment; hopes to core samples on Friday, August 28, 2015; discussion ensues. RCC requests report of findings; requests notification to DPW prior to core sampling. *Ted Tarr, 154 Main Street*, - reports finding remnants of cedar forest at low tide on Cape Hedge Beach. Chairman Neal moves to allow sampling on Saratoga Creek Salt Marsh as proposed; Mr. MacMillan seconds. Vote 5:0.
- Woodland Acres – Agent Falco has talked with Greenbelt; Greenbelt is working with owner to preserve land as open space and wants to know BOS status on subject; discussion ensues regarding presentation on Open Space; RCC requests that Agent Falco contact Mr. LaPointe and set up presentation for this fall.
- DEP Response to FEMA question – RCC asked DEP if amendment to an Order of Conditions (OC) should consider existing flood zone elevations when the OC was issued under different elevations. DEP says that amendments to OCs should use current information (including new FEMA data).
- Bylaw Updates – RCC postpones until Spring Town Meeting due to logistics.
- **Request for Certificate of Compliance**, DEP62-0404, EKD Realty Trust, 11 Beach Street (Map 18/Lot 256). Mr. MacMillan moves to issue CoC; Chairman Neal seconds. Vote 5:0.

**Chairman Neal moves to adjourn meeting; Mr. MacMillan seconds. Vote 5:0.
8:34 PM**

RCC ► Meeting adjourns 8:34 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

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

Citizen Inquiries:

Steve Hart, 41 Prospect Street – asks if RCC is concerned about him putting gravel extension to driveway from detached garage (>100' to BVW) on his property. RCC asks for sketch and request in writing; asks how far from BVW driveway will be (>50'). Mr. Harts submits letter. Chairman Neal moves to allow driveway as proposed; Mr. MacMillan seconds. Vote 4:0.

Enforcement Letter, Peter Morley, 9 Marshall Street (Map 18/Lot 13). *Clearing trees from property within 100' of intermittent stream.* Agent Falco tells what she saw at site; most of trees removed and pile of cut wood. Mr. Morley is present and explains his actions; he removed trees to access house to do repairs; stream as close as 40' to property line and he did not know of need to contact RCC regarding stream; has submitted Request for Determination of Applicability (RDA) for landscaping yard. RCC asks if anyone was notified before tree removal; wants to see plan; asks how many trees were removed (how big); asks about work on house. RCC to discuss at next meeting during public hearing for RDA.

Minutes.

08/19/15: Mr. MacMillan moves to approve minutes as amended; Mrs. Lash seconds. Vote 4:0.

New Hearings

NOI 62-0715, Pigeon Cove Fisherman's Co-op, Pigeon Cove Wharf (Map 16/Lot 26).

Construct additions & landscape yard within 100' of coastal bank. Greg Cefalo is present for Fisherman's Co-op and makes presentation; two (2) buildings involved; Building #1 is larger; Building #2 currently holds lobster tank; project is to renovate Building #1 (making structurally sound, modifying floor and constructing concrete lobster holding tank within); once done, Building #2 to be demolished and removed from wharf. Agent Falco explains that existing floor receives stormwater from the harbor and this is resource area. RCC asks: are there to be drains? (Yes, drains exist in Building #1 and will be used; applicant has gone to great lengths to improve building drainage); does operation circulate harbor water? (*Mr. Tutein, Fisherman's Co-op* - explains how cold winter harbor water is circulated through tank, but summer's warmer harbor water needs to be cooled with refrigeration; no chemicals are used in water); what will area where Building #2 be used for? (Area to be used for loading/unloading equipment); will there be a crane installed there? (No standing crane proposed); how will you demolish/remove Building #2? (Demo with standard construction procedures). *Larry Stepenuck, Fisherman's Co-op member* - relates positive impacts of project; Building #2 is more susceptible to storm damage and in poor condition; Building #1 gets less storm damage; this project lessens damage to area. Mr. MacMillan moves to close hearing; Mr. Claypool seconds. Vote: 4:0. **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 62-0714, Charles Schaub, 4 Cathedral Avenue (Map 15/Lot 32). *Construct additions & landscape yard within 100' of coastal bank.* Mr. Schaub and Tim Ford are present; Mr. Ford presents new plan to remove invasives near house; also discusses Construction Sequence. Planting Plan is draft (no specific plants yet); applicant wants to start planting in fall (Rosa rugose and plants along Cathedral Avenue); applicant has hired landscaper who maintains Atlantic Path for ROW Committee. RCC thanks applicant for details; asks about adding topsoil so as not to change grade in area. Mr. MacMillan moves to close hearing; Mrs. Lash seconds. Vote 4:0.

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

- **Granite Pier Breakwater extension** - RCC discusses proposed expansion; RCC is concerned about impacts to eel grass bed in cove; this issue is not covered in current study and could affect number of new moorings allowed in cove.
- **Woodland Acres – update.** Essex County Greenbelt agrees to make presentation on Open Space at a date to be determined; still negotiating with owner. RCC discusses its part in presentation; suggests notifying media and including MA Audubon to present.
- **New Business/Announcements** - Chairman Neal moves to add discussion of land along Carlson's Quarry and new filing system to agenda; Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Chairman Neal.
 - **Land along Flat Ledge Quarry** – Properties are at Map 10/Lots 30 & 30D (owned by Paul Bryant family); DPW wants control of land for drinking water protection. 3 Mr. Michaels discusses money aspect of purchase; says two parcels are assessed at \$47,500; RCC holds funds for Watershed Protection which started at \$30K in 2010 and is down to \$25.2K now; suggests that CPC contribute \$25K (needs Town Meeting approval). RCC concerned about neighbors wanting to purchase property; Linda Saunders to negotiate with owner. Mr. Michaels asks RCC to give \$25.2K for purchase of this property. Mr. MacMillan moves to designate \$25,200 from Watershed Protection Fund for purchase of Map 10/Lots 30 & 30D; Chairman Neal seconds. Vote: 4:0.
 - **New filing system** - Mr. Claypool suggests RCC require double fees for “after-the-fact” filing. Agent Falco says By-law already requires this; admits that she has not been instituting it; will start doing so.

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

9:00 PM

RCC ► Meeting adjourns 9:00 PM ◄ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, MaryAnn Lash, David McKinnon, Andrea Nichols/ Secretary, Geralyn Falco/Conservation Agent. The Rockport Conservation Commission (RCC) is a five member volunteer board. Four voting members are present.

Absent: Alan MacMillan, Mel Michaels/Associate Member

Citizen Inquiries:

Wendy Lawton, 8-10 Doyles Cove Road - asks RCC to extend Determination of Applicability (RDA 13-07) which expires May 3, 2016; DA allows for moving gravel after storms each year. Chairman Neal moves to allow extension for one year; Mrs. Lash seconds. Vote 4:0.

Ted Tarr 154 Main Street – is concerned about Visitor’s Center at Halibut State Park; building has mold/water damage and DCR plans to remove it; DCR cancelled year-round staff, may be considering closing park. Chairman Neal tells how he went to park and spoke with Assistant Superintendent; DCR is deciding whether to spend money on repairs to Visitor’s Center; Assistant Superintendent suggests RCC send letter to state legislative representatives (Tarr & Ferrante); Chairman Neal feels it is important to town to keep park open and says RCC should draft letter to be discussed at next meeting (October 7, 2015). Ms. Lash suggests copying “Friends of Halibut Pt. State Park” on letter.

Minutes

09/02/15: Mr. McKinnon moves to approve minutes as amended; Mrs. Lash seconds. Vote 4:0.

New Hearings

RDA 15-11, Peter Morley, 9 Marshall Street (Map 18/Lot 13). *Landscape yard within 100’ of intermittent stream.* Applicant is present and makes presentation; wants to open up yard to sun with plants that do not overwhelm house; refers to his handmade plan. RCC concerns include: unclear plan (intermittent stream not shown); narrative needs more specifics; no maintenance plan; few details on tree species removed and to be planted; fence must allow wildlife access. With permission from the Applicant, hearing is continued until October 7, 2015. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

NOI 62-0716, DPW, Back Beach (Map 17/Lot54). *Repair revetment & sidewalk on coastal bank and within 100’ of coastal beach.* Tim Olson (DPW) is present and makes presentation; beach needs repairs; shows plan to strengthen revetment with 2-layered system; concrete wall behind rip-rap will minimize damage to street and sidewalk while also reducing amount of run-up and wash over; wall to raise height of revetment by 2 feet; surface to be rougher with slight increase in slope; DPW plans to have work done in early winter (2015-2016); stones on existing revetment to be reused; FEMA is funding this project; Agent Falco reads letter from Division of Marine Fisheries (received September 16, 2015); DMF concerns are if work will be outside footprint and within areas of mean high water. Mr. Olson has had no time to talk with DMF to inform them that work will be within footprint. RCC asks Mr. Olson to write on narrative that work will be within footprint. *Stephanie Rauseo, 58 Beach Street* - has concerns about water going onto her property; asks several questions: will water funnel onto her yard? (Mr. Olson

explains how ends will blend into new wall height); wants surface to be rougher; will DPW remove boulders and replace them? Asks about street drainage. Because DPW needs to contact DMF for more information, with permission from the Applicant, hearing is continued until October 7, 2015. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

RDA 15-12, Walter P. Papalegis, 47 Squam Hill Road (Map 11/Lot 93A). *Install aboveground pool within 100' of intermittent stream.* (Applicant withdrew RDA on September 16, 2015.) Nobody is present for public hearing. **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 62-0714, Charles Schaub, 4 Cathedral Avenue (Map 15/Lot 32). Chairman Neal moves to issue OC as amended; Mr. Claypool seconds. Vote 4:0.

NOI 62-0715, Pigeon Cove Fisherman's Coop, Pigeon Cove Wharf (Map 16/Lot 26). Chairman Neal moves to issue OC as amended; Mr. McKinnon seconds. Vote 4:0.

Other Business

- **Request for Certificate of Compliance,** (DEP 62-0687), Richard & Caroline Fitzpatrick, 3 Lighthouse Lane (Map 26/Lot 77). Chairman Neal moves to issue CoC; Mr. McKinnon seconds. Vote 4:0.
- **Request for Extension,** (DEP 62-0560) Rockport DPW, Town Wide Maintenance. Chairman Neal moves to extend OC for one (1) year; Mr. McKinnon seconds. Vote 4:0.
- **Monofilament Recycling Program** – A short video is shown; Agent Falco explains program and asks for RCC to endorse; program involves putting up fishing line recycling containers with associated signage and having containers emptied periodically during fishing season; Agent Falco asks where recycling containers could go. RCC suggests following sites: Granite Pier (2 or 3 places), Pebble Beach (on telephone poles), Flat Rock (at end of Old Penzance Road), Longbranch Avenue (either end along Atlantic Path), Halibut Pt. State Park; Rockport Transfer Station. RCC suggests this is good Eagle Scout project; should keep folder of such projects; no further pursuit at this time.
- **Workshop September 30, 2015.** Should have a short list of open space parcels available. Greenbelt should be invited. Chairman Neal suggests we draft a letter to be reviewed at the next meeting. Commission will need to get some publicity to make this knowledge public.
- **Other Business/Announcements:** -
 - Stone retaining wall @ Gull Cove – applicant has not submitted OC Amendment for retaining wall and shed; Agent to contact applicant's consultant and encourage Amendment be submitted by next meeting or enforcement to take place.

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

9:32 PM

RCC ► Meeting adjourns 9:32 PM ◀ RCC

Location: Rockport Town Hall Annex

WORKSHOP MEETING

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

Issues for Discussion

Discussion is between the members of Conservation Commission only.

- **Semi-Annual Review of FY2016 Goals** – RCC reviews goals; make improvements including: specifics to RCC/DPW collaborative projects (adds details to making South Street publicly accessible, suggests foot wash @Front Beach, purchase & install kiosks and query on equipment available for trail clearing); develop trail maintenance plan with other town committees; adds CoastSweep to list of activities; adds list of projects for scouts & students.
- **Commission’s Charter (and purpose of RCC review & discussion)** – Charter is not reviewed at this meeting; postponed for later workshop.
- **Rockport’s Open Space Parcels** – RCC reviews Open Space Parcels; Chairman Neal explains maps and tables.
- **Develop Agenda for Rockport Open Space Presentation** –Essex County Greenbelt Association has worked out agreement with owner of Woodland Acres & is putting it on paper; will make its presentation mainly on Woodland Acres. DRAFT Agenda is presented & changes are made; RCC suggests creating catchy title for presentation, making a statement of purpose, and creating executive summary; suggests asking respected speaker from Institute for Savings and/or realtor to take part; to look into MACC speakers on subject; to contact MA Audubon & Trustees of Reservation to ask of interest/personnel availability.
- **Other Business/Announcements:**
 - **Town website** – RCC discusses website; visits website for Salem, MA (created by same company creating Rockport’s new website) and sees values in arrangement/layout of site; says it wants all that is on current website to go onto new website.

RCC ► Meeting adjourns at 10:10 PM ◀ RCC

Location: Rockport Town Hall, Meeting Room A

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

Tim Olson & Don Greel (DPW) - report on Front Beach beautification project (for Rockport Beautification Committee & approved by Joe Parisi) underway without RCC permission; work includes removing asphalt between sidewalk and seawall, adding lawn, and supporting stone/concrete wall; plans are circulated; discussion: retaining wall is needed to stabilize upland, Mr. Greel shows where grass to be planted & where concrete will replace asphalt, leveling area slope. RCC concerns are contour changes and putting grass adjacent to seawall may not stay during storm activity; feels this is suitable project for letter approval by RCC. Mr. MacMillan moves to allow DPW to hardscape area as proposed; Mr. McKinnon seconds. Vote 5:0.

Gillis Malcolmson, Anthony Bronsnan (7th grade students) - ask permission to clear debris from Millbrook as part of 7th grade science project (teacher is Mr. Allia); hand out project details; project area is at Millbrook Park, between Poole's Lane and Railroad Avenue; they have contacted DPW and Housing Authority for permission, will not remove natural material (just trash), will sort items removed material & take photos; invite everyone to join them on October 13, 2015. RCC praise these young students and wholeheartedly approve the project.

Minutes.

09/16/15: Chairman Neal moves to approve minutes as amended; Mr. MacMillan seconds. Vote 5:0.

09/30/15: Chairman Neal moves to approve minutes as amended; Mr. McKinnon seconds. Vote 5:0.

New Hearing

NOI 62-0717, Estate of Seymour Lefkowitz, 69 Thatcher Road (Map 24/Lot 8). *Re-build decks and additions to house within 100' of Bordering Vegetated Wetland to salt marsh.* William Manuell is present for Applicant and makes presentation; work is to renovate house, construct additions, and rebuild decks; asks for waiver from 25' No Disturb and 50' No Build Zones; deck to west of house is within these zones and will be reconstructed within footprint of existing deck; sediment sock to be installed and small excavator utilized during construction. RCC concerns are: stabilizing ground over winter; wants condition requiring notification to Conservation Agent if new sonotubes are dug for western deck; discusses extent of FEMA flood zone on property. 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.**

Continued Hearings

NOI 62-0716, DPW, Back Beach (Map 17/Lot54). *Repair revetment & sidewalk on coastal bank and within 100' of coastal beach.* Tim Olson is present for DPW; has spoken to DMF and explained

that all work is within footprint of existing revetment. 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.**

RDA 15-11, Peter Morley, 9 Marshall Street (Map 18/Lot 13). *Landscape yard within 100' of intermittent stream.* Applicant is present with added information on plan. Mr. MacMillan moves to close hearing; Mr. McKinnon seconds. Vote 5:0. **Hearing is closed.** Mr. Claypool moves to grant negative determination, category number 3 with conditions; Mr. MacMillan seconds. Vote 5:0. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved**

Review Order of Conditions

NOI 62-0716, DPW, Back Beach (Map 17/Lot 54) Mr. Claypool moves to issue OC as amended; Mr. MacMillan seconds. Vote 5:0.

NOI 62-0717, Estate of Seymour Lefkowitz, 69 Thatcher Road (Map 24/Lot 8). Mr. Claypool moves to issue OC as amended; Mr. McKinnon seconds. Vote 5:0.

Other Business

➤ Paperwork for Amendment to OC, (DEP 62-0688), Andrew MacDowell, 54 Marmion Way (Map 26/Lot 90A). Letter drafted saying project approved but not with the wall. Mr. Claypool moves to send this letter; Mr. MacMillan seconds. Vote 5:0.

➤ Halibut Pt. SP Draft Letter- RCC reviews draft letter. Mr. Claypool moves to send letter as amended; Mr. MacMillan seconds. Vote 5:0.

➤ **Request for Emergency Certificate (REC 15-04), Hula Moon Café, 27 Mt. Pleasant Street (Map 36/Lot 25A).** *To construct foundation for building supports in Rockport Harbor.* Agent Falco explains how contractor contacted her and submitted a plan to construct concrete foundation within Rockport Harbor to support structure, for which she issued an Emergency Certificate. Owner has since requested extension to Certificate and change in plan (new plan is submitted at this meeting). Discussion ensues. Chairman Neal moves to ratify Emergency Certificate; Mr. MacMillan seconds. Vote 5:0. Letter to be sent to owner explaining extension of Emergency Certificate until November 15, 2015.

➤ Agent Falco on vacation October 9-25, 2015.

➤ Other Business/Announcements: - Chairman Neal moves to add discussion of Request for Extension of OC at 10 Gap Head Road to agenda; Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Mr. McKinnon, Chairman Neal.

○ **Request for Extension, NOI 62-0650, Manuel R. Costa, 10 Gap Head Road (Map 30/Lot 5).** Chairman Neal moves to extend OC for one (1) year; Mrs. Lash seconds. Vote 5:0.

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

9:35 PM

RCC ► Meeting adjourns 9:35 PM ◀ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, 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. Five voting members are present.

Stewardship

- Agent Falco reports aluminum posts have been installed at Waring Field; has called farmer with no answer; will investigate further.
- Kiosks for Waring Field and Pine Pit to be ordered.

Minutes.

10/07/15: Mr. MacMillan moves to approve minutes as written; Mrs. Lash seconds. Vote 5:0.

New Hearings

Amendment to OC (DEP 62-0688), Andrew MacDowell, 54 Marmion Way (Map 26/Lot 90A). *Keep shed & construct stone retaining wall within 100' of coastal bank & within land subject to coastal storm flowage.* Michael DeRosa (DeRosa Environmental Consulting, Inc.) is present for applicant and makes presentation; applicant requests two (2) amendments: 1) retain shed & 2) construct retaining wall. SHED: OC allows for removal; shed is on ledge so no increased runoff if it remains; no impacts to nearby wetlands. RETAINING WALL: already constructed; FEMA Flood elevation at time OC issued was 13 (2012), that has changed to elevation 22 (2014). MITIGATION: detailed planting plan with native plants (included in Amendment request). RCC concerns: was shed removal part of mitigation? (No, it is on ledge); retaining walls in flood zones not generally approved; DPW generally has concerns of scouring roadway at toe of walls; wave waters to be deflected off wall. RCC suggests that applicant speak with DPW (regarding lot line and scour issues); suggests tapering wall and/or putting boulders/plants in front of it. Chairman Neal moves to extend the hearing to November 18, 2015. Mr. MacMillan seconds. Vote 5:0. The 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

- Commission's Charter (for Website) – website is up and running; RCC suggests inserting dates for WPA and Regulations.
- Other Business/Announcements: - Chairman Neal moves to add discussion of 2016 meeting dates to agenda; Mr. McKinnon seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Mr. McKinnon, Chairman Neal.
 - **2016 Meeting Dates** - Chairman Neal moves to approve meeting dates for 2016; Mr. McKinnon seconds. Vote 5:0.

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

8:23 PM

RCC ► Meeting adjourns 8:23 PM ◀ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, 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. Five voting members are present.

Citizen Inquiries:

Eric Hutchins, 45 Poole's Lane – tells of railway work at train station; knows there was RDA for electrical work; has searched at town hall for plans, but none available until he complained to MBTA; nobody in town hall knows extent of work; has noted new fill from track removal work was placed in Riverfront Area and near wetlands; says stormwater management is needed on this site; RCC should do something about pile of railroad ties & old gravel, as well as stormwater management; feels that NOI is needed for clean-up of area. Chairman Neal tells of meeting with MBTA year ago to discuss activity at station. Mr. Hutchins has spoken with Holly Palmgren (MBTA Environmental Engineer) who knows nothing of current activities. *Don Greel, DPW-* says he was called to site because old tracks were stacked on water main; heard from workers that they were told from higher-ups to “just do this”. Tracks next to Evans Field are removed. RCC will look into the cleanup.

David Pratt, 132 Granite Street - has built a shed >50' to intermittent stream; was unaware he is within 100' of stream (RCC jurisdiction); submits a plan, photos and written explanation. Discussion. Chairman Neal moves to write letter allowing shed as proposed; Mr. MacMillan seconds. Vote 5:0.

Tim Miller for Denise Marika, 75 South Street - explains temporary deck installed on property near coastal bank; also explains and shows raised boardwalk through wetland to deck; owner wants deck more permanent. Agent Falco has told owner to delineate and file for permits on property. RCC asks for NOI permit be filed; will follow-up with letter to owner.

*Don Greel, DPW-*wants to connect two (2) fire hydrants on Straitsmouth Way, submits plan, and asks if permit required for this work; explains that Agent Falco accompanied him to site and found that hydrant across from #25 to be 88' to wetland. Chairman Neal moves to send letter approving connecting fire hydrants on Straitsmouth Way as proposed; Mr. Claypool seconds. Vote: 5:0.

New Hearings

NOI 62-071??, Marion DeLuca, 122 Long Beach (Map 25/Lot 32). *Demolish & rebuild cottage on a barrier beach.* Jaime Walker (DeRosa Environmental) and Remko Breuker (Breuker Design, LLC) are present for applicant. Mr. Breuker presents design of new cottage; includes cottage raised on pilings, front deck to increase for wheelchair ramp, mechanical room below with elevator, expanded driveway for handicap vehicle access, and removable walkway to north side of cottage from driveway to seawall. Ms. Walker presents wetlands issues; explains dune restoration at driveway, mitigation to include removing invasive plants along driveway, removing cherry tree for access to walkway, and infiltration trenches under cottage. RCC concerns are: no written waiver for work in 25' No-Disturb & 50' No-Build Zones (Agent Falco has written request); remarks that mechanical removal of invasives may spread seeds; suggests maintenance plan for plants; asks why walkway on north side and not south side of cottage where there is more room; storage of removable walkway under cottage could become storm debris; planting mitigation for front yard (near seawall); is concerned with depth of elevator shaft. *David*

Heffernan, 124 Long Beach – submits plan & letter; talks about walkway to north side of 122 being adjacent to his cottage; there is only 71 inches between cottages on that side, but 16 feet between cottage to south of 122; suggests that walkway should go on south side of cottage; is also concerned with expansion of driveway area and removal of cherry trees at driveway; suggests RCC go to site. Site visit is scheduled for Saturday, December 5, 2015. With permission from the Applicant, hearing is continued until December 16, 2015 pending site visit. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Continued Hearings

Amendment to OC (DEP 62-0688), Andrew MacDowell, 54 Marmion Way (Map 26/Lot 90A). *Keep shed & construct stone retaining wall within 100' of coastal bank & within land subject to coastal storm flowage.* Jaime Walker (DeRosa Environmental Consulting, Inc.) is present for applicant and presents new plan for retaining wall fronting; reads email from Tim Olson (DPW) who agrees with plans over boulder fronting wall. RCC is concerned with changes to 25' No-Disturb line plan; opening in wall at steps could cause wave action; request some of wall be removed at southern end. Hearing is continued until December 16, 2015. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Other Business

- CR @ S. Johnson property – Hannah Wilbur (Essex County Greenbelt Association) explains Conservation Restriction (CR) to RCC; since property was bought with CPA funds, CR is must be held by another entity (RCC chose ECGA); prior to purchase, RCC required owner to get CR which RCC now owns; this CR includes private properties as well as its own; ECGA will hold CR for town, will monitor CR in perpetuity, and asks for payment be in form of stewardship endowment (\$15,000). Ms. Wilbur will write up requirements of CR and monitor it. There are two routes this could go: 1) RCC assigns CR to ECGA and it amends CR (this will include private properties); or 2) ECGA creates a new CR and old CR stays with private properties which RCC will continue to maintain. RCC questions if CPC appropriated \$15,000 for the CR or if it must use its Conservation Trust Fund. Mr. Michaels will investigate that issue.
- 144 Long Beach – RCC discusses temporary deck; Agent Falco has received correspondence with owner that she will file NOI. RCC requires 60 days for NOI to be filed.
- Other Business/Announcements: - Chairman Neal moves to add discussion of National Grid YOP to agenda; Mr. MacMillan seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Mr. McKinnon, Chairman Neal.
 - **National Grid YOP – no action necessary.**
 - Millbrook Meadow MEPA Report – Agent Falco drafts comments on Environmental Notification Form.

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

10:00 PM

RCC ► Meeting adjourns 10:00 PM ◀ RCC

Location: Rockport Town Hall, Meeting Room A

Present: Larry Neal/Chairman, Rob Claypool, 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. Five voting members are present.

Citizen Inquiries:

Eric Hutchins, 45 Pooles Lane - follows up on violations by MBTA; submits photos showing pay loader near wetlands; says RCC should protect area as it is in watershed, impacts drinking water wells and requires stormwater protection. Agent Falco spoke to Holly Palmgren (MBTA) and apologizes for miswritten email stating that RCC would do nothing; Agent says MBTA is exempt from town wetland bylaws and WPA for maintenance/repairs of railroad. RCC is concerned about this and lack of communication with MBTA; RCC wants to know what rules railroad is exempt from; RCC suggests writing letter to MBTA regarding work done. Mr. Hutchins also reports old batteries have been thrown out and corrosives are leaking near pump station.

Jeffery & Erin Shelton, 25 Frank Street - explain that they took down trees, built treehouse and placed fill within 200' Riverfront Area to Sawmill Brook @ their 25 Frank Street property; did not know that stream was a river; had put down silt fence around fill at request of Agent Falco; display photos. Agent Falco says DEP received complaint and called RCC office. RCC requires filing after-the-fact NOI and will follow-up with letter.

Tom Mikus, 75 Marmion Way -tells that ROW Committee has received grant from MA Division of Marine Fisheries to improve Atlantic Path, specifically to improve access around Halibut Pt. State Park; will do other Atlantic Path work like strengthening loose rock and eroding stairways; work to be done by July 1, 2016. RCC requires NOI for work not done by hand (use of machinery and/or cement); suggests seeing Agent Falco at office with details of repairs.

Tim Thurman, Treehouse Design – asks RCC if proposed work at Seaview Inn (44 Marmion Way) needs application; photos and plan are shown; only patio to be constructed 93 feet from coastal bank. RCC agrees that no filing is necessary but requests plan and written explanation be submitted first.

Stewardship

Sandpiper property restoration – RCC should submit NOI for work on property; work to include removing foundation, filling area, creating walkable path, putting in benches/picnic table, removing septic system, basic ground work; suggest saving red cedars on site for wind break and bird habitat. Agent Falco to work on NOI to discuss at next meeting.

Minutes.

11/18/15:Mr. McKinnon moves to approve minutes as written; Mr. MacMillan seconds. Vote 5:0.

Continued Hearings

NOI 62-0718, Marion DeLuca, 122 Long Beach (Map 25/Lot 32). *Demolish & rebuild cottage on a barrier beach.* Jaime Walker (DeRosa Environmental Consulting, Inc.) and Remko Breuker (Breuker Design, LLC) are present for applicant. Mr. Breuker says more time needed and asks to

withdraw without prejudice; then asks to continue hearing. Hearing is continued. **The digital voice recording of this hearing will be retained until all appeal periods have passed and all appeals resolved.**

Amendment to OC (DEP 62-0688), Andrew MacDowell, 54 Marmion Way (Map 26/Lot 90A). *Keep shed & construct stone retaining wall within 100' of coastal bank & within land subject to coastal storm flowage.* Jaime Walker (DeRosa Environmental Consulting, Inc.) is present for applicant. With no further issues, Chairman Neal moves to close hearing; 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.**

Other Business

- **Minor Amendment -Millbrook Meadow & Mill Pond Invasive Plant (OC 062-0711)** - Laura Hallowell is present and makes presentation; OC allows removal of Norway Maple saplings; other trees need to be removed from meadow; hands out explanation of five (5) categories for tree removal and explains each: Category: 1) Trees that harm/crowd wanted trees wanted (walnuts & cherry); 2) Trees in way of removing other invasives; 3) Trees compromising stone wall and pond edges (red maple growing, Alberta spruce & walnut); 4) Trees interfering with use of park/safety (birch & Albert spruce); and 5) Large Norway maple. Ms. Hallowell to be in attendance when trees are removed. RCC rejects blanket approval, wants trees marked, wants to see restoration plan, asks Agent Falco to do site visit before trees removed. Chairman Neal moves to accept minor amendment with trees marked prior to removal & Agent Falco confirmation; Mr. MacMillan seconds. Further discussion: Ms. Laura suggests meeting Mr. McKinnon & Agent Falco at park prior to tree removal; hopes to have Vegetation Restoration Plan February, 2016. Vote 5:0.
- **Request for Certificate of Compliance, DEP 62-0702, Elizabeth Lenart, 1 Lucia Lane (Map 31/Lot 91).** Mr. Claypool moves to issue CoC; Mrs. Lash seconds. Vote 5:0.
- **Other Business/Announcements:** - Chairman Neal moves to add discussion of 2015 Annual Report and Emergency Certificate to agenda; Mr. McKinnon seconds. Unanimous affirmative roll call: Mr. MacMillan, Mr. Claypool, Mrs. Lash, Mr. McKinnon, Chairman Neal.
 - 2015 Annual Report –. Claypool moves to approve annual report as amended; Mrs. Lash seconds. Vote 5:0.
 - **Request for Emergency Certificate, Crystal Leveille (64 Bearskin Neck, Inc.), 64 Bearskin Neck (Map 36/Lot 75B).** *Rock has eroded out of and caused a cavity.* Chairman Neal moves to ratify Emergency Certificate as written; Mr. Claypool seconds. Vote 5:0.
 - Mr. Michaels suggests that CPC money for conservation purposes be put on our agenda

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

9:52 PM

RCC ► Meeting adjourns 9:52 PM ◄ RCC