GOSNOLD CONSERVATION COMMISSION

May 29, 2021

10:30 am via Zoom

Present:

Conservation Commission: David Warr, Chairman; Leo Roy, Jay Merriam, Michael Parker, Lisa Wright

Also in Attendance: Gail Blout, Rosemary Goessthe

The meeting was called to order by Chairman David Warr at 11:10 am

Order of Business

* Minutes of 4/9/21 Meeting
* Tower Hill – Broadway Drainage Project
* Piling Replacement Policy for Individuals
* Pump Out Station Request – Seymour DiMare
* GCC Filing Fees

1. **4/9/21 GCC Meeting Minutes**

The 4/9/21 GCC minutes will be held off until the next scheduled meeting, June 11, 2021.

1. **Tower Hill – Broadway Drainage Project**

Gail Blout stated the Town of Gosnold is fine with the draft Order of Conditions as written. Leo Roy requested adding to Paragraph 28 that the contractor submit a Storm Water Pollution Prevention Plan (SWPPP). Secondly, in Paragraph 35 add a request for the cell phone numbers of both the contractor and onsite supervisor. Finally, delete Paragraph 39 because the Division of Marine & Fisheries(DMF) did not mention any time of year restrictions for the project.

In response to Leo Roy, Commission Members stated that those dates are the ones that the DMF has indicated are time of year restrictions for Cuttyhunk Pond every other time we have had a project involving the Pond. Furthermore, as a practical matter they will not impair this project at all. It is an extra layer of protection for the Pond which has been adhered to previously for all projects near the Pond. Leo Roy stated that if the sense of the Commission is to leave the paragraph in the document, then he wished his objection, allowing Paragraph 39 to remain in the Order of Conditions, be noted.

*Michael Parker made a motion to accept the draft with the edits proposed to Paragraph 28 and 35 as the final Order of Conditions. Jay Merriam seconded the motion. Four Commission Members voted in favor of the motion. The motion was carried.*

1. **Piling Replacement Policy**

David Warr presented that there have been 3 requests submitted by individuals for a piling replacement. The GCC has addressed with the Town the procedure for piling replacement but there should be a policy for Piling Replacement for Individuals. He suggested a letter should be sent to the GCC describing the piling in need of replacement and the process involved to do so for the approval of the GCC. Michael Parker added that the request in writing should be limited to the repair of licensed wooden or steel structures within the Cuttyhunk Pond before the authority to do the work should apply. The applicant should have a pre-existing license to have the structure there. In other words, this policy does not apply to any new or unlicensed structures. The DMF’s time of year restrictions should also apply if the intent is to pull a piling or disturb the bottom of the piling. This policy should not apply to stone abutments, piers or anything that involves moving earthen material. David Warr agreed that this policy would reflect what was required of the Town as all of those structures were licensed.

Leo Roy questioned the need for the DMF’s time of year restriction as a piling replacement is not a terribly disruptive action as the piling is pulled and the new piling is put in the same location. The reason he would recommend the removal of the additional layer of protection for the Pond is a practical matter, that there are only limited times in the year when there is a contractor available to do the work. If their work would need to extend into the restricted time it may mean that weak or damaged pilings would not be repaired because of the restriction. Chairman Warr stated that it would be better to have the restriction in place understanding that the GCC could always on an emergency basis approve the project’s completion. Parker stated that the Commission’s intent is to inform people of the procedures necessary to follow for the protection of the environment but case by case situations can always be taken under consideration for approval.

Leo Roy agreed to find out what the technical specifications are for environmentally appropriate materials to use for marine pilings. Michael Parker agreed to write a draft policy for review at the June 11th GCC meeting. He asked that Commission members send any ideas for inclusion in the policy to him. David Warr will contact the individuals requesting the replacement of pilings about the forthcoming Piling Replacement Policy.

1. **Pump Out Station Request**

Seymour DiMare requested an answer about who is liable for problems associated with the Pump Out Station. Chairman Warr believed the liability is the Buzzards Bay Coalition’s. He has forwarded the question to Marc Rasmussen, Buzzards Bay Coalition, and hopefully will have a response to present at the June 11th GCC meeting.

1. **NOI for Septic Construction Plan**

David Warr reviewed that there will be an NOI for septic construction presented to the GCC for the Lowell’s. They submitted a plan to the Board of Health, and it was approved. One end of the septic is within 86’ of the coastal bank and so is within the GCC’s jurisdiction. Their engineer will file an NOI which may be ready for the GCC to act upon at our July meeting.

1. **Harbor Generator**

Leo Roy, Harbor Committee Chairman, presented a request to rent a generator for peak times during the summer (Friday and Saturday evenings) to supply electricity to the boats. During the summer, the houses on the island are fully occupied and there is a marina full of boats. In recent years the boats have been getting bigger with more electrical equipment. They have been hooking up to the 50-amp service not the 30-amp service and putting a tremendous load on the island’s electrical system. It has had an adverse effect on the power factor for the island as a whole. To address this problem, Wayne Perrier has recommended to rent a temporary generator which would hook into the Town’s system to provide supplemental power at the critical times: Friday and Saturday 4 pm – 10 pm. The proposal is to bring a trailer mounted generator to the island mid-June. The generator is a 275-kilowatt unit with 400-gal diesel tank integral to the unit. Wayne Perrier recommends operating the generator independent of the existing system rather than in series using a connection that exists in the ferry dock area. Thus, Mr. Perrier would switch the marina power off the island power system, during the designated peak times, so that the island could operate on island power and the temporary generator would support the marina.

The proposal is that the temporary generator would come on the island mid-June operate on weekend evenings and go off the island in September. The location Wayne Perrier suggests is between the solid waste area and the ferry dock as that is where the electrical hook up is. The Harbor Committee has asked that this proposal be brought to the GCC given the concerns the Commission has had with regard to fuel storage in that area.

David Warr stated that as this proposal is for the generator with fuel to be placed in the area where the solid waste is then, to be consistent with previous decisions, it would require an NOI to be filed. Jay Merriam voiced a concern about the decibel and sound level produced by the generator. Leo Roy noted that when operating at load the noise level is 74 DBA at 23’, compared to operating a vacuum cleaner in your living room which is about 80 DBA. However Mr. Roy noted, sound does travel over water and seems to amplify itself which is the reason that behind the Coast Guard Boat House and away from all the residences there is some sound insulation but there will be a hum of the generator while it is running. This is why it is proposed to be operating only from 4 pm – 10 pm during the cocktail and dinner hours but not all night, only when additional power is needed on the island.

David Warr asked why is the generator not planned to be at the power plant? Leo Roy said that Wayne Perrier has an electrical connection at the proposed location, and he can easily connect the generator to the marina. Leo Roy added that the GCC jurisdiction has two parts; first, is the issue in a protected resource area (PRA), in this case it clearly is; second, is the activity subject to jurisdiction and the Harbor Committee believes it is not subject to GCC jurisdiction because it is a self-contained unit on a trailer which causes no disturbance or alteration to the PRA. David Warr did not agree but feels that it does alter the PRA.

Michael Parker added to David Warr’s comment that he agreed it is an alteration to the PRA by its installation as well as the noise it generates is an alteration to the PRA. He offered that the Harbor Committee may wish to seek a Determination of Applicability so that the issue of jurisdiction can be resolved. That may be a quicker solution than filing an NOI.

David Warr concluded that if a Determination of Applicability is filed this project can be discussed at the June 11th meeting.

1. **GCC Filing Fees**

Leo Roy stated that it is appropriate to establish filing fees to enable the Commission to have some resources to engage a consultant or part-time conservation agent if needed. David Warr was unsure what other communities charge for filing fees, but he would contact the MACC to see what information they can provide.

The next meeting will be June 11, 2021.

The meeting was adjourned at 12:08 pm

Respectfully Submitted,

Kate Parker