

City of Gloucester
September 2, 2026
5:30 P.M.

Hybrid Meeting
Rose Baker Center for Aging Well - Downstairs
Conference Room
Chair: Peter Vetere



September 2, 2026 MINUTES

Members Present: Chair Peter Vetere, Bill Cook, Nick Iliades, and Dave Sargent.

Members Absent:

Staff: Chuck Schade, Conservation Agent

Meeting was called to order at 5:30; the call of Commissioners commenced.

I. ADMINISTRATIVE BRIEFING

II. PUBLIC COMMENT

Chair Vetere opened the public comment period.

Chair Vetere closed the public comment period.

III. MINUTES REVIEW AND APPROVAL

August 19, 2026

Member Cook moved to approve the August 19, 2026 meeting minutes as amended; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

IV. EXECUTIVE SESSION

Member Cook moved to enter an Executive Session to discuss litigation strategy where the Commission shall make a determination where the Open Meeting will have a detrimental effect on their position. Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

V. CONTINUED BUSINESS

NOI 028-3125 490R Washington Street (Gregory Dumas). *Elevating existing home and associated supporting posts in Riverfront Area, Land Subject to Coastal Storm Flowage, and Buffer Zone to Coastal Resource Areas.* [Devere Edwards-Grant, Kneeland Construction](#) *(Previously continued to 10/21/2026)*

NOI 028-2976 171 & 281R Magnolia Avenue (How-Mag LLC). *Construction of a 26-unit residential subdivision in Riverfront Area and Buffer Zone to Bordering Vegetated Wetland.* [Evin Guvendiren, DeRosa Environmental Consulting, Inc.](#) *(Previously continued to 9/16/2026), (Request to continue to 11/18/2026)*

Member Cook moved to continue **NOI 028-3135 37 Rocky Neck Avenue Unit B-1** to the meeting of November 18, 2026; Member Sargent seconded and was approved by Members Cook, Sargent, and Iliades and Vetere.

NOI 028-3006 105 Wingersheek Road (125 Wingersheek LLC). *Replace existing SFH and detached garage with pile-supported single family home and garage, installation of gravel driveway, installation of septic system and water service in Coastal Dune, Barrier Beach, LSCSF, ACEC, Buffer Zone to ACEC and BVW.* [Joel Favazza, Seaside Legal Solutions, P.C.](#) *(Previously continued to 9/16/2026)*

NOI 028-3007 107 Wingersheek Road (125 Wingersheek LLC). *Replace existing SFH and garage with pile-supported single family home and garage, expansion of gravel driveway, installation of septic system and water service in Coastal Dune, Barrier Beach, LSCSF, ACEC, Buffer Zone to ACEC and BVW.* [Joel Favazza, Seaside Legal Solutions, P.C.](#) *(Previously continued to 9/16/2026)*

NOI 028-3153 740R Washington Street (Paul Hadley). *Raise seawall in Riverfront Area, Land Subject to Coastal Storm Flowage and Buffer Zone to Coastal Resource Areas.* [Andrew Thibault, Goddard Consulting, LLC](#) *(Previously continued to 9/16/2026)*

Member Sargent recused.

NOI 028-3036 3, 6, & 7 Welch Lane and R Woodman Street (RDL Welch Lane, LLC). *Road and stormwater system construction, utility installation in Buffer Zone to Bordering Vegetated Wetlands.* [Joel Favazza, Seaside Legal Solutions, P.C.](#)

Mr. Schade said the applicant has requested to withdraw without prejudice and will be refile. Because they are refile due to quorum issues, Mr. Favazza asked that the Commission waive

the local fee when they reapply and ask that they continue to use the existing third party review. The Commission can no longer reach a quorum on this issue, and refiling would allow new Commissioners to join the discussion and reach a quorum.

Member Cook moved to withdraw **NOI 028-3036 3, 6, & 7 Welch Lane and R Woodman Street** without prejudice, waive the local fee for the refiling, and use the open third party review. Member Iliades seconded and was approved by Members Cook, Iliades, and Vetere.

Member Sargent returned.

NOI 028-3132 13 Concord Street (James Nicholas and Judy Rose). *After the fact approval for vegetation and tree removal and relocation of rock wall in Riverfront Area, LSCSF, and Buffer Zone to Salt Marsh.* [James Nicholas and Judy Rose](#)

Member Cook moved to continue **NOI 028-3135 37 Rocky Neck Avenue Unit B-1** to the meeting of October 7, 2026; Member Sargent seconded and was approved by Members Cook, Sargent, and Iliades and Vetere.

NOI 028-3135 37 Rocky Neck Avenue Unit B-1 (Frederick Miles). *Reconstruction of existing dwelling in the same footprint and new pier supports in Coastal Resource Areas, LSCSF, and Buffer Zone to Coastal Resource Areas.* [John Judd, Gateway Consultants, Inc.](#) *(Request to continue to 9/16/2026)*

Member Cook moved to continue **NOI 028-3135 37 Rocky Neck Avenue Unit B-1** to the meeting of September 16, 2026; Member Sargent seconded and was approved by Members Cook, Sargent, and Iliades. Member Vetere recused.

NOI 028-3129 24 Kondelin Road (Eastern Waste Services LLC). *Stormwater Management upgrade, parking lot repaving, and fence replacement in Buffer Zone to Bordering Vegetated Wetland.* [Joel Favazza, Seaside Legal Solutions, P.C.](#) *(Request to continue to 10/7/2026)*

Member Cook moved to continue **NOI 028-3129 24 Kondelin Road** to the meeting of October 7, 2026; Member Sargent seconded and was approved by Members Cook, Sargent, and Iliades. Chair Vetere recused.

NOI 028-3142 Tommy's Island (Tommy Island, LLC). *Construction of a shed in the Upland Edge to the ACEC, Riverfront Area, LSCSF, and Buffer Zone to Coastal Resource Areas.* [John Judd, Gateway Consultants, Inc.](#)

John Judd, Gateway Consultants, represented and said they have modified the site plan since the last meeting. The plan now shows the proposed location of the seasonal access for a skiff at high

tide on the island. They identified the ledge outcropping on the plan, as they will be docking there. They are proposing to add a 28 foot salt marsh mat to allow for access over the salt marsh and into the wooded area. The shed is 16x20 and located in the same spot. He pulled up an aerial image to show the proposed location of the shed and access area. The only tree that would have to be removed is about an inch and a half diameter.

Chair Vetere opened and closed the public comment period.

COMMISSIONER ROLL CALL COMMENTS:

Member Cook said he is unsure about development in the ACEC. He doesn't feel there is a need for this, and it will encourage trespassing in this area.

Member Sargent said they are adding a shed in the Upland Edge of the ACEC. Adding impervious surfaces in the Upland Edge is strictly prohibited under the Gloucester Wetlands Ordinance. Within the ACEC itself, the applicant is proposing a path through lower salt marsh vegetation. Salt marsh vegetation is different from other wetland plants. Due to tidal fluctuations, these areas are mostly covered with water twice a day, and then left to dry. As a result, Smooth Cordgrass has hollow stems in order to provide air to roots during high tide cycles. If this vegetation is broken or trampled on repeatedly, it will die. Foot traffic compresses the underlying peat, making it more difficult for the vegetation to effectively extend above the water. Once the root systems are compromised, voids are created in the underlying peat. This causes foot traffic and other pathways through Salt Marshes to become hazardous. Damage to the peat will cause negative impacts on benthic microorganisms, ribbed mussels, and other organisms who call a Salt Marsh home. The symbiotic relationships that currently exist will be altered by the addition of a walking path to access a shed. The performance standards say there shall be no negative impact in the ACEC.

Member Iliades the access issues would have seasonal prohibitions that correspond with late season waterfowl hunting. He said access to the island will likely continue on the island regardless of the shack being there or not. People probably currently waterfowl hunt out there and will continue to. That leaves the issue of not being able to add impervious surfaces in the ACEC. There is a waiver request stating that the lot was existing to 1961 saying there was a previous structure out there. There is evidence that a structure was there, but there isn't anything more concrete showing the structure, when it was there, or what it was. He looked around for old images, but it would be nice to be provided with an image. It seems like they are adding an impervious structure.

Chair Vetere asked how the boat would be tied up on the ledge. He noted the mat was proposed to be used in the off-season and will be used seasonally. He asked if that means the island will be restricted to off-season use. If this is approved, he would like a continuing condition prohibiting any installation of utilities that would alter a resource area. Shellfish had a question about how human waste would be handled. This will be used during hunting season, but people will presumably be out there all day.

Mr. Schade agreed that there are a lot of considerations with this project. Increasing infrastructure on the island will increase the usage, foot traffic and it raises a lot of questions as

far as the waste management, boat access, foot traffic, and their associated impacts on the ACEC and resource areas. There would be an increase in stressors and impacts in an area that is designated to be preserved due to its delicate and sensitive nature.

Mr. Judd said the off-season is the winter months when salt marsh grass is dormant. The applicant is willing to accept seasonal restrictions. There is no intent to have utilities out there, they are only looking for storage. They are willing to accept a utility restriction as well, as the applicant expressed an interest in not adding utilities or anything of that nature. The applicant owns the property and they would not encourage trespassing. The mat would be rolled up when they are done accessing the area. For the prohibition on impervious surfaces in the ACEC, they have requested variances in the past for similar situations. They can try and get evidence from the 1930s that there was an existing structure on the property at one time. However, you can see the supports and it is a smaller footprint than what was once out there.

Chair Vetere asked if they would like a continuing condition restricting the use of the salt marsh mat to specific months or to the general hunting season.

Member Iliades said waterfowl hunting season opened on September 1st and will be open for the remainder of the month. At this time, the grass is not dormant. There is a brief two week season in October and it reopens again in December through the end of February. They likely wouldn't want anyone out there until October 1st until roughly March 1st.

Member Sargent said that would generally follow when salt marsh grass is dormant. He is still concerned about adding impervious surfaces in the Upland Edge and he noted no mitigation or restoration is proposed. They would have to find the areas prior to the Commission voting. The burden is on the applicant to find that area.

Mr. Judd said they are open to adding salt marsh grasses or other species to degraded areas. They will be removing the concrete block that's already there and offsetting that area.

Chair Vetere asked if the mat would be down for all of hunting season or just the visits.

Mr. Judd said there is no reason it should be out, so it will be rolled up when not in use.

Chair Vetere asked for a continuing condition to roll up the salt marsh map when it's not in use.

Mr. Schade said in order to roll up the mat before and after each use, they will have to walk through the salt marsh which will cause negative impacts.

Mr. Judd said they have selected the shortest area of Salt Marsh and they will only be walking during the dormant season.

Member Sargent said they may have an exemption from Zoning to add impervious surfaces, but they still have to meet practicable standards to not add impervious surfaces to the Upland Edge.

Mr. Judd said they will work out the best area to propose mitigation plantings. Mr. Schade could be present at the site visit to help determine an area of mitigation. He suggested that could be a condition of approval. There is plenty of litter on the island that can also be picked up.

Member Cook moved to continue **NOI 028-3142 Tommy's Island** to the September 16, 2026 meeting; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

NOI 028-XXXX 7 Sumac Lane (James Montagnino, Jr.). *Seasonal docks and gangway in Coastal Resource Areas.* [James Montagnino, Jr.](#)

Member Cook moved to continue **NOI 028-XXXX 7 Sumac Lane** to the September 16, 2026 meeting; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

NOI 028-3147 12 Woodward Avenue (William Pierce). *Pile supported pier, seasonal ramp and float in Riverfront Area and Coastal Resource Areas.* [John Judd, Gateway Consultants, Inc.](#)

John Judd, Gateway Consultants, represented and said he spoke with the Harbormaster since the last meeting and he has no issues with the proposed project. He hasn't heard from the Shellfish Constable.

Chair Vetere opened and closed the public comment period.

COMMISSIONER ROLL CALL COMMENTS:

Member Sargent would like something in writing regarding the proposal from the Harbormaster and the Shellfish Constable.

Chair Vetere asked the applicant to set up a meeting with Shellfish, Mr. Schade and the Harbormaster to discuss the project.

Mr. Schade said he was out of the office and unable to meet. Shellfish has been out to the site and submitted comments that are in the project folder. She has expressed concerns with the substrate being so fine and how easily it can be disturbed with boats. It is the end of the tidal section of the river and it is an important passage for eels and herrings. She is concerned about their ability to navigate the area. He hasn't received anything in writing since his conversation with the Harbormaster.

Mr. Judd said they have a letter from the DMF that they are meeting the standards they like to see. They will try and close the loop with the Shellfish Department.

Member Cook moved to continue **NOI 028-3147 12 Woodward Avenue** to the September 16, 2026 meeting; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

NOI 028-3154 18 Juniper Road (Maria & Arthur Churchill). *Redevelopment and Reinforcement of an existing retaining wall in Riverfront Area and Coastal Resource Areas.* [John Judd, Gateway Consultants, Inc.](#)

John Judd, Gateway Consultants, represented and said they were waiting for the file number at the last meeting.

Chair Vetere opened and closed the public comment period.

COMMISSIONER ROLL CALL COMMENTS:

Member Sargent requested that all work be done from the landward side of the property. There should be a two year monitoring period for the mortality of all mitigation plantings. He would also like a perpetual condition noted on the COC prohibiting further alteration within the mitigation area except as may be required to maintain the area in its mitigated condition. He would also like a continuing condition to properly dispose of yard waste.

Chair Vetere said there is proposed invasive removal and he asked if there is any procedure they typically follow. He asked that it could be submitted to the agent and that could be a condition of approval.

Member Cook moved to close the public hearing **NOI 028-3154 18 Juniper Road**; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

Member Cook moved to approve **NOI 028-3154 18 Juniper Road** with the aforementioned conditions; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

VI. NEW BUSINESS

NOI 028-3148 103 Essex Avenue (Pietro & Kayla Cannavo). *Addition to existing dwelling on piers in Land Subject to Coastal Storm Flowage.* [John Judd, Gateway Consultants, Inc.](#)
(Previously continued to 9/16/2026)

RDA 1852 8 Thatcher Road (Lou Milano). *Replacement of existing stairs and deck in Riverfront Area and Land Subject to Coastal Storm Flowage.* [Lou Milano](#)

Lou Milano represented and said they would like to replace an existing deck system. They are replacing it in kind without any expansion. The upper deck is 10 feet off the home and everything else is five feet off the home.

Mr. Schade asked if they are going to put new footings in. He asked if the excavation on site was to determine the status of the current footings.

Mr. Milano said they are trying to minimize new footings, but they will probably add about three. They are going to bring the new footings closer to the home. He confirmed they dug holes to determine the status of the existing footings. They are not adding new footings, but they will be replacing some of the existing ones. If they replace a footing, he would like to dig in the same hole. If they put a beam up and cantilever for a footing, it is a more solid structure. It would also bring the footings closer to the home. The footings are currently below grade so if they leave them, they would be covered.

Chair Vetere opened and closed the public comment period.

COMMISSIONER ROLL CALL COMMENTS:

Chair Vetere would like to see any excavation areas be loomed and reseeded.

Mr. Milano said they will reseed whatever is disturbed.

Mr. Schade said he has seen high tides going up to the foundation on a regular basis. He asked that they work around the tides and make sure that any excavated soil has erosion control around it or is removed from the site so it doesn't end up back in the resource area.

Mr. Milano said they will do that.

Member Cook moved to close the public hearing **RDA 1852 8 Thatcher Road**; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

Member Cook moved for a negative determination for **RDA 1852 8 Thatcher Road** with the aforementioned conditions; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

NOI 028-3155 49 Crafts Road (Kevin O'Maley). *New single family home construction in Riverfront Area.* [Kevin McHugh, Lynnbrook Consulting, LLC](#)

Kevin McHugh, Lynnbrook Consulting LLC, represented and said they are looking to build a single family home on a vacant lot. The lot has historically been used for boat storage and is currently exposed soil. They are within Riverfront Area, and the AE Flood Zone. The DEP issued comments regarding the 200 foot riverfront area and the flood zone. They submitted comments earlier today and confirmed the resource areas are shown on the plan. The home will be serviced by a septic system, but it is just outside the RFA. The home is also outside the flood zone, so they are not proposing to add any fill. They will have an elevated deck in the flood zone. They provided an alternatives analysis, but with such a small site, there weren't many alternatives. At the top of the lot, the groundwater was not adequate for a leeching field, so they had to put it at the bottom of the lot. That also dictated the location of the home.

Chair Vetere asked if topsoil had been removed on site and if there was any evidence of prior development.

Mr. McHugh said he went through google earth to look at previous images to see if there was development on the lot. He could not find any evidence of prior development. There is no evidence of fill or grading.

Mr. Schade said the only part of the property that looks developed is the northern part where there is a swale to manage runoff. He asked if they intend to increase the swale once development has occurred.

Mr. McHugh said they are looking to hold the water in the shallow swale and add infiltration. They are also looking to clean up the swale in that area and add more vegetation. The roof drainage will be conveyed to the swale.

Member Sargent said the swale discharges to a shellfish bed, so he would like some protection for the discharge as well.

They were going to add a waddle check dam or similar feature to protect the discharge from the outfall.

Member Cook moved to approve the alternatives analysis for **NOI 028-3155 49 Crafts Road**; Member Cook seconded and was approved by Members Sargent, Iliades, and Vetere.

Chair Vetere opened and closed the public comment period.

COMMISSIONER ROLL CALL COMMENTS:

Member Sargent would like protection so sedimentation and other pollutants don't get discharged to shellfish beds. He asked if they could add mitigation plantings for the increase in impervious surfaces within the Riverfront Area.

Chair Vetere said the NOI form didn't identify the square footage for the Riverfront Area or LSCSF, so it would be nice to see a revised version so they can include it in the Order of Conditions. He asked if the City Engineer has reviewed the stormwater.

Mr. McHugh said they submitted the drainage calculations to the City Engineering Department and they have not heard anything back yet. His understanding is that they were waiting to hear back from conservation before commenting.

Mr. Schade commented that the home itself is out of the flood zone, but the deck extends into the flood zone. He suggested checking with FEMA, because as the deck is attached, they could consider the entire structure as within the flood zone and therefore they would need to pay flood insurance. He commented that there were non-native species in the swale, and he asked what they were envisioning for that area with native species and non-native removal.

Mr. McHugh said all the vegetation there now would be removed and native species would be replanted in their place.

Member Cook moved to continue **NOI 028-3155 49 Crafts Road** to the September 16, 2026 meeting; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

VII. CERTIFICATES OF COMPLIANCE

RCOC 028-1933 3 Welch Lane - Ratification of unissued 2016 COC

RCOC 028-2734 6 Stanwood Point

RCOC 028-2754 4 Stanwood Point

Mr. Schade said these were submitted a little late, so they didn't have a chance to get out to the site.

RCOC 028-2639 59 Leonard Street

Mr. Schade said they received an RCOC for an OOC where the work was never completed. At the last meeting, they approved a new OOC for the same work. The Commission would be voting to close out the previous invalid Order of Conditions that wasn't acted on.

Member Cook moved to approve **RCOC 028-2639 59 Leonard Street**; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

VIII. VIOLATIONS

EO-24-01 137 Wingaersheek Road - *Discussion of Restoration Plan, resource delineation, establishment of demarcated 3-foot wide pathway, and cessation of the use of motorized vehicles on the pathway.* [Richard A. Nylén, Jr., Esq., Lynch, DeCoursey & Nylén, LLP](#); [Michael DeRosa, DeRosa Environmental Consulting, Inc.](#)

Mr. Schade said there have been no new submittals.

EO-24-08 Whistlestop Way [Anthony Simboli](#); [Michael Schmidt, Goddard Consulting](#)

Mr. Schade said there have been no new submittals, but he believes they are still working on Phragmites removal.

EO-24-02 227 Atlantic Road (aka 6 Back Shore Place) [Anthony Gagliardi](#)

Mr. Schade said they plan to do work this fall.

EO-25-04 145 Atlantic Road [Michael DeRosa, DeRosa Environmental Consulting, Inc.](#)

Mr. Schade said there is nothing new.

EO-26-01 35 Massasoit Road Joel Favazza, Seaside Legal Solutions, P.C.

Mr. Schade said there is nothing new.

Violation 7 Sumac Lane – *Unauthorized ground disturbance and construction within Buffer Zone to Coastal Resource Areas.* James Montagnino, Jr.

Mr. Schade said they discussed this at the last meeting, and acknowledged there is a cease and desist on all additional work until they receive the proper permits. Since that, work has continued almost daily. They have regraded the gravel, brought in more and added six to eight inches of additional wall height that they have been back filling with loam. He asked if the Commission would like to issue an Enforcement Order or issue another cease and desist. It appears that they are raising the height of the seawall. There is a question of whether or not the existing Chapter 91 license is still valid so it might not cover the seawall raising.

Member Sargent noted there was no erosion control around the ongoing work.

Chair Vetere said an Enforcement Order was likely the next step. They asked that work stops at the last meeting, and work has continued, so it's likely time to escalate. The request to amend the NOI to include all work would remain. He doesn't think they need to make him restore the area yet, but they need to see something that shows what they intend to do.

Mr. Schade said the Commission needs to determine if these actions would eventually be permissible. He said there's also a question of if they would be permissible through Chapter 91 as well.

Member Sargent would like the applicant to remove the sod and restore the wall height and they can deal with an NOI.

Member Cook agreed with Member Sargent about restoring the area. The applicant was told to stop work and ignored the Commission.

Member Iliades would like to hear from the applicant before restoration.

Mr. Schade said they can issue an EO with another cease and desist and require the applicant to show up. They can discuss removal and restoration at future meetings when the applicant shows up. He will draft an Enforcement Order and issue another cease and desist order the following morning. At the next meeting they can ratify the EO.

Member Sargent would like to see a restoration plan.

Chair Vetere would like to see a plan of what he proposes to do and what he has already done. He wants any correspondence with the applicant to reiterate that no further action should occur onsite. By the next meeting, he would like a description of the work that has already been done.

He would like to know the cubic yards of material that has been brought on site, the height of the wall that's been raised, and all other work that has been done without a permit.

Member Sargent asked if they are going to require a flood path analysis. He would like a restoration plan before they continue with an NOI.

Member Cook said they haven't received an engineered plan for the floats and it doesn't seem like he is moving in that direction. It seems like he is doing the work as he goes without a permit.

IX. OTHER

Mr. Schade mentioned the **Emergency Certificate** for **30 Emerson Avenue**. He was waiting to hear back from the people doing the work to ensure the EC captured everything. They are going to be using a rubber treaded mower to remove the non-native species. The crew is aware of non-native vs native species. They will not be touching any trees or root removal. He included a condition that all material needs to be removed off site to an appropriate facility and that no trees would be impacted. He doesn't think they intend to go all the way to the edge of the river, but he can add a condition of installing erosion control as necessary. They are not stockpiling within 100 feet of the river, and any restocking or refueling would happen on the paved portion of the property.

Chair Vetere moved to adjourn; Member Sargent seconded and was approved by Members Cook, Sargent, Iliades, and Vetere.

Respectfully submitted,

Assistant Conservation Agent Katie Kneeland