

Newburyport Conservation Commission
November 20, 2018
Senior Community Center, 331 High Street
Minutes

1. Call to Order

Chair Joe Teixeira called a meeting of the Newburyport Conservation Commission to order at 6:49 p.m.

2. Roll Call

In attendance were members Joe Teixeira, Steve Moore, David Vine and Dan Bourdeau. Dan Warchol, Paul Healy and Doug Muir were absent. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Steve Moore moved to approve the minutes of the October 16, 2018, meeting as submitted. David Vine seconded the motion. The motion was unanimously approved.

4. Old and New Business

Reservation Terrace Retaining Wall Repair

Matthew Coogan described a project the City wishes to undertake to replace a rotting timber wall with concrete bin blocks for the area between 73rd Street and 61st Street. He said the timing of the work is sensitive and the solution would not be a permanent one. The Commission members informed the applicant that they might consider accepting an RDA for the work if a soft approach were being proposed, but the use of concrete would require a Notice of Intent. Design drawings should be submitted. The applicant was advised to explore other alternatives. The Commission would likely not be in favor of the use of concrete blocks.

263 Water Street

Informal Discussion

Tom Hughes said the proposed work for a historic home would exceed 50% of the value of the structure. He asked that the Commission members visit the site before the plans are submitted.

5 Basin Street

Informal Discussion

Aaron Bennett and Justin White described their intended improvements for a property with a large amount of existing impermeable paving. They plan to continue the use of stone on the site but in a different configuration from that which currently exists. The Commission members informed them that it would not be possible to replace the stone once it has been removed. The use of pavers, lawn and mulch is not allowed on Plum Island. The use of crushed stone or shells with a permeable base would be permitted. It was explained that detailed plans must be submitted.

5. Certificates of Compliance, Requests for Determinations, Requests for Minor Modifications

None

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Steve Moore moved to open the public hearings. Dan Bourdeau seconded the motion. The motion was unanimously approved.

6. Public Hearings

Christopher Edwards

3 Melvin Court

Notice of Intent

DEP File #051-1001

Kim Turner represented the applicant, who is proposing to install an in-ground swimming pool in an area that is currently lawn. The site is entirely within the buffer zone of a BVW. The pool would be allowed under the regulations as an accessory structure to a single-family home. No work would take place within the 25-foot no-disturb zone. No trees would be removed and the plant materials that would be installed would be mostly native species. A saltwater system is being proposed that would eliminate the necessity of draining the pool water except in the case of major repairs. The hearing was opened to comments from the public. Bob Breau, 10 Henderson Circle, asked if the loss of lawn area would create additional runoff into the wetlands. He was told the site is flat and the proposed plantings would better absorb runoff than the lawn. Steve Moore moved to close the public hearing. David Vine seconded the motion. The motion was unanimously approved.

Lisë Reid, Parks Department

201 Water Street (Joppa Park)

Notice of Intent

DEP File #051-1002

Ellie Baker represented the applicant, who is proposing to reconstruct the boat ramp at Joppa Park and reconfigure the associated parking area. The footprint of the ramp would not change. The stones located around the ramp would be removed, stored and replaced in the same location. All of the work would be done from the landside and would be done in the dry in four hour segments. A small amount of pavement would be replaced with plantings. The project also includes stormwater improvements. Water currently drains to a catch basin in the street and discharges into the river with no treatment. The parking lot would be re-graded to drain to one corner, where a forebay system would overflow into a bioretention system. A preconstruction meeting shall take place 72 hours prior to the start of work at which erosion control, a designated washout area and a plan for the public use of the sidewalk shall be discussed.

The hearing was opened to comments from the public. Susan Shortsleeve, 1 Neptune Street, asked about the timing of the project. The work would begin in the spring and should be completed in four months. Jeff Kelley, 208 Water Street, asked if the project would be reviewed in terms of safety. The Planning Office could be asked to handle this. John Morris, 205 and 209 Water Street, said he is concerned about water flowing onto his property after the site has been re-graded and parking in one of the spaces could hinder the use of his driveway.

Steve Moore moved to close the public hearing. David Vine seconded the motion. The motion was unanimously approved.

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Steve Moore moved to close the public hearings. Dan Bourdeau seconded the motion. The motion was unanimously approved.

7. Orders of Conditions

Christopher Edwards

3 Melvin Court

DEP File #051-1001

Steve Moore moved to issue an Order of Conditions with the special conditions that the contractor shall be responsible for cleaning the street of any debris that is tracked off the site and the pool water shall be dechlorinated prior to being discharged. Dan Bourdeau seconded the motion. The motion was unanimously approved.

Lisë Reid, Parks Department

201 Water Street (Joppa Park)

DEP File #051-1002

Steve Moore moved to issue an Order of Conditions with the special conditions that 1) at least 30 days prior to the start of construction Fish and Game shall submit a temporary sediment and erosion control plan including concrete washout details, 2) the applicant shall submit pre- and post-construction photographs of the wetland condition immediately adjacent to the work zone and 3) any construction related impacts shall be immediately repaired after construction. Dan Bourdeau seconded the motion. The motion was unanimously approved.

8. Enforcement

9 Doe Run Drive

The property owner has not responded to the Notice of Violation the City Marshall delivered. An Enforcement Order will be issued and ratified at the next meeting. The property owner will be asked to attend the next meeting and fines of \$100 day could be issued for a lack of compliance.

9. General Business

Regulatory Discussion

Julia Godtfredsen will draft new regulations for land subject to coastal storm flowage for discussion at the December 4 meeting. The regulations would not apply to Plum Island. A consultant could be hired to help mediate the public discussion.

10. Adjournment

Steve Moore moved to adjourn the meeting at 9:18 p.m. David Vine seconded the motion. The motion was unanimously approved.