

Newburyport Conservation Commission

November 4, 2015

Mayor's Conference Room

Minutes

1. Call to Order

Chair Joe Teixeira called a meeting of the Newburyport Conservation Commission to order at 6:45 p.m.

2. Roll Call

In attendance were members Joe Teixeira, Paul Healy, Doug Muir, Dan Bourdeau and Steve Moore.

3. Minutes

Paul Healy moved to approve the minutes of the October 29, 2015 meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

4. Old and New Business

Drone Photography for Plum Island

Ethan Cohen submitted a revised proposal with several options. Jon-Eric White would like to have drone photographs of the king tides to get an idea of the true high tide. He thought of joining with the Commission for the work but the cost would be higher than he anticipated. He will contact the Newbury Conservation Commission because he is interested in photographs of both sides of the turnpike.

Doug Muir moved to accept the proposal for ten photo spots on four scheduled and two additional dates and no videography. Steve Moore seconded the motion. The motion was unanimously approved.

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

Dwight C. Brown and Donamarie Casey

216 Northern Boulevard

Request for Determination of Applicability

Julia Godtfredsen will send a Notice of Violation for the non-compliant fence. She explained to the applicant's landscape architect that the fence must be addressed regardless of what action might be taken on the proposed landscape plan.

6. Public Hearings

Paul Healy moved to open the public hearings. Steve Moore seconded the motion. The motion was unanimously approved.

Jeffrey and Donna Sprague

15-17 63rd Street

Notice of Intent

DEP File #051-0945

Tom Hughes represented the applicant and distributed amended plans for the construction of a new home. DEP issued a comment stating the retaining walls must be removed. The applicant is proposing to remove the wall near the home and add beach grade sand and American beach grass in this area. The wall near the road would also be removed, but one third of it would be rebuilt because it prevents the dune from slumping into the road. The applicant has not yet decided on the material to be used for the wall.

Doug Muir moved to close the public hearing. Steve Moore seconded the motion. The motion was unanimously approved.

Joseph G. Hill, 2 Parker Street Realty Trust

2 Parker Street

Notice of Intent

It would not be necessary for the proposed project to comply with DEP's stormwater policy because it involves the construction of only two houses. The project would require a local stormwater management permit because more than 10,000 square feet of land would be disturbed. The applicant has reserved a portion of the site for a stormwater management system in anticipation of a future expansion of the development.

The applicant distributed amended plans that contain additional information. Details on the construction sequence for the replication area were provided, as was information on erosion control. A change was made to larger and embedded pipes. The applicant was asked to save as many trees as possible. The trees that are to be retained should be notated on the plan.

Paul Healy moved to close the public hearing. Doug Muir seconded the motion. The motion was unanimously approved.

Doug Muir moved to close the public hearings. Steve Moore seconded the motion. The motion was unanimously approved.

7. Orders of Conditions

Jeffrey and Donna Sprague

15-17 63rd Street

Paul Healy moved to issue an Order of Conditions with the special conditions that details on the materials to be used for the replacement retaining wall shall be provided prior to the start of work and the Commission would accept a different distance between grade and the lowest horizontal structural member than is shown on the plan provided it is not less than two feet. Steve Moore seconded the motion. The motion was unanimously approved.

Joseph G. Hill, 2 Parker Street Realty Trust

2 Parker Street

Doug Muir moved to issue an Order of Conditions with the special conditions that 1) a pre-construction meeting shall be held and a wetland scientist shall be assigned responsibility for all work related to the constructed wetland, 2) siltsox check dams shall be installed in the ditch

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channel in four locations downstream of the wetland crossing, 3) the replication area and adjacent ditch where phragmites are present shall be excavated to depth of six inches below the final grade, 4) the topsoil shall be removed from the areas where phragmites are present, 5) six inches of weed-free topsoil shall be placed in the replication area and ditch, 6) the replication area and ditch shall be seeded with wetland mix, 7) erosion control blankets shall be placed along the ditch channel and slopes, 8) a wetland construction completion report shall be submitted and 9) plant materials shall be monitored for two growing seasons. Steve Moore seconded the motion. The motion was unanimously approved.

8. Other Business

The Commission members discussed the maintenance of the swales in the industrial park. Julia Godtfredsen said the maintenance would be largely handled by the DPS because most of the swales are located within City rights-of-way. She circulated copies of the special conditions that are issued in Framingham and Newton for stormwater management and other types of public works projects situated in or near wetlands. The Newburyport DPS could submit a Notice of Intent and a long-term set of permit conditions could be issued for work citywide. A similar set of standards could be applied to swales on private land. The guidelines could be added to the website. Under the WPA man-made drainage features permitted prior to 1987 are exempt from filing. If the guidelines were incorporated into the regulations, the work could be undertaken without DEP review.

Julia Godtfredsen will ascertain if the granite posts were installed at 143A State Street, as was required by the Order of Conditions. The property is now for sale.

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:35 p.m. Doug Muir seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, November 17 and will be held at the Senior Center.