

**Newburyport Conservation Commission**  
December 4, 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, Dan Warchol, Paul Healy and Doug Muir. David Vine and Dan Bourdeau were absent. Conservation Administrator Julia Godtfredsen was also in attendance.

**3. Minutes**

Steve Moore moved to approve the minutes of the November 20, 2018, meeting as submitted. Joe Teixeira seconded the motion. The motion was unanimously approved.

**4. Old and New Business**

**Plum Island Homeowners Guide**

The Commission members recommended some small changes be made to the draft Plum Island Homeowners Guide, including the addition of the city seal.

**Plum Island Fencing Guidelines**

The Commission members requested some minor adjustments be made to the draft guidelines for fencing on Plum Island that Julia Godtfredsen distributed.

**263 Water Street**

**Informal Discussion**

Tom Hughes said the proposal to construct an addition at the rear of the property would exceed 50% of the value of the historic structure, which was built around 1718. It would not be feasible to place the home on pilings. The applicant is proposing to support a second-story addition with open piers and install breakaway walls in the mudroom that would be located beneath it on the first floor. A variance from the Board of Building Regulations and Standards (BBRS) would be required. The work is within the 25-foot no-disturb zone. The amount of vegetation on the site would be increased and the amount of impervious surface decreased. The Commission members would want assurances that the sea wall would not be damaged during the construction.

**Land Subject to Coastal Storm Flowage – Regulatory Discussion**

The Commission members reviewed the draft regulations for land subject to coastal storm flowage that Julia Godtfredsen distributed. She said she used language from other communities as a guide, and these communities have done a good job preparing their regulations. The comments the Commission members made will be incorporated into the document and it will be redistributed for further review. A public hearing will be held after the Commission members have approved its content.

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The members discussed changing the ordinance with regards to variances. It has become evident that the provision of an overriding public interest is a standard that cannot be met in most cases. The Commission might wish to institute a different standard, such as the provision of enhanced mitigation - a level of mitigation beyond that which would otherwise be required. Any change to the variance language in the ordinance would require City Council approval.

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

None

**6. Public Hearings**

None

**7. Orders of Conditions**

None

**8. Enforcement**

**9 Doe Run Drive**

Joe Teixeira recused himself from the discussion. The property owners have removed the items in violation of the ordinance but have not contacted Julia Godtfredsen. It is possible they simply removed the pool for the winter and intend to reinstall it in the spring. Their presence at an upcoming Commission meeting will be requested.

**9. Adjournment**

Paul Healy moved to adjourn the meeting at 8:37 p.m. Doug Muir seconded the motion. The motion was unanimously approved.