

**Newburyport Conservation Commission**  
December 5, 2017  
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 6:45 p.m.

**2. Roll Call**

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

**3. Minutes**

The approval of the minutes of the November 21, 2017 meeting was tabled.

**4. Old and New Business**

**Plum Island Updates**

The dredging of the Piscataqua River is expected to take place in the fall of 2018. Any permits needed for using the dredged material must be in place by April 2018.

**High Street Subdivision Conservation Restriction**

As a part of the special permit process for a subdivision, the Planning Board required the applicant place a conservation restriction on the rear portion of the property. The Commission members have not had time to review the document. They will forward their comments to Julia Godtfredsen. They discussed the need for a policy on conservation restrictions.

**79-81 Parker Street**

Rob Germinara said he is concerned mowing has taken place in the BVW and the wetland flags have been removed. Julia Godtfredsen said while 79 Parker Street had been developed to some degree, 81 Parker Street was naturally vegetated and has now been mowed. She will send the owner a notice of violation.

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

**Parker 2 Realty Trust**

2 Parker Street

Request for Certificate of Compliance

DEP File #051-0946

Mark West represented the applicant and provided information on the wetland replication work that took place at the front of the property. He said the swale was widened and the phragmites was removed according to the plans. Doug Muir moved to issue a certificate of compliance. David Vine seconded the motion. The motion was unanimously approved.

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Doug Muir moved to open the public hearings. Paul Healy seconded the motion. The motion was unanimously approved.

**6. Public Hearings**

**Evergreen Commons, LLC**

18 Boyd Drive and 5 Brown Avenue

Notice of Intent

DEP File #051-0973

The applicant requested an extension. David Vine moved to continue the public hearing to the December 19 meeting. Paul Healy seconded the motion. The motion was unanimously approved.

**Ron Barrett, American Yacht Club**

115-119R Water Street

Notice of Intent

DEP File #051-0981

The applicant requested an extension. Doug Muir moved to continue the public hearing to the December 19 meeting. Paul Healy seconded the motion. The motion was unanimously approved.

**Bernie Christopher, Low Street Redevelopment, LLC**

255R Low Street

Notice of Intent

DEP File #051-0984

Steve Sawyer and Michael Seekamp represented the applicant. The layout of the proposed parking lot was revised in response to comments made at a site visit. The size of the lot has been reduced by seven spaces in order to minimize the impact to the buffer zone. The revised layout results in an intrusion into the no-disturb zone, which would be permitted without a variance because the site is entirely within the buffer zone. The amount of buffer zone disturbance would be 20% at the rear of the property and 15% at the front. The Commission members asked that the six-inch and larger trees that are to be removed be indicated on the plans. They requested a retaining wall be added adjacent to the parking space closest to the wetland. The applicant must submit stormwater, grading and planting plans. Comments from CSI have not yet been received. David Vine moved to continue the public hearing to the December 19 meeting. Joe Teixeira seconded the motion. The motion was unanimously approved.

**Joseph G. Hill, Parker 2 Realty Trust**

Parker Street (Hines Way) □

Notice of Intent

DEP File #051-0980

Lisa Mead and Nate Chamberlain represented the applicant. The plans have been revised in response to comments the Commission members made at the previous meeting: the snow storage

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areas were added to the plans and fencing and plantings were added along the property line adjacent to Shepard's Auto Body.

The applicant increased the size of rain garden off of Derek's Path in order to mitigate for increased runoff, as was requested in a meeting with CSI. This change resulted in an increase in the amount of buffer zone impact from 22% to 23.5%. CSI has submitted a letter stating the plans are in compliance with its review.

As a part of the Planning Board permitting process, a condition has been made that the applicant will construct the Rail Trail as far as the western gate of Oak Hill Cemetery. This section of the trail is not a part of this project and the City will be responsible for all permitting.

The Commission members requested that the split rain fence be extended behind unit 6 to prevent an intrusion into the rain garden. This will be made a part of the order of conditions. Doug Muir moved to close the public hearing. Paul Healy seconded the motion. The motion was unanimously approved.

David Vine moved to close the public hearing portion of the meeting. Paul Healy seconded the motion. The motion was unanimously approved.

## **7. Enforcement**

25 Basin Street

Tom Hughes submitted a progress report by email. He will be asked about the amount of work that must be completed.

## **8. Order of Conditions**

**Joseph G. Hill, Parker 2 Realty Trust**

Parker Street (Hines Way)□

DEP File #051-0980

Doug Muir moved to issue an order of conditions with the special condition a revised plan showing the extension of the split rail behind unit 6 shall be submitted prior to the start of construction. Paul Healy seconded the motion. The motion was unanimously approved.

## **9. Adjournment**

Paul Healy moved to adjourn the meeting at 8:19 p.m. David Vine seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will take place on Thursday, December 21.