

Newburyport Conservation Commission

January 5, 2016

Senior/Community Center Board 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, Dan Bourdeau, Dan Warchol, David Vine and Steve Moore. Doug Muir was absent. Julia Godtfredsen was also in attendance.

3. Minutes

Paul Healy moved to approve the minutes of the December 15, 2015 meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

4. Old and New Business

Little River Nature Trail Proposal

Informal Discussion

Jerry Mullins intends to submit an application for a DCR grant for work related to the Little River watershed by February 1. The grant would be used to unify the trails through the area and re-route them away from the wetlands and vernal pools. Signage and kiosks would provide educational information on the importance of the Little River watershed, its recreational opportunities and the wildlife that inhabits the area. Boardwalks or steppingstones would be added to areas prone to flooding.

While the WPA provides an exemption for certain publically accessible trails in the buffer zone or riverfront area, only private trails are exempt under the local ordinance. A Notice of Intent with information on the impacts to the wetlands would be required. Julia Godtfredsen will prepare a draft letter of support for the grant for approval at the January 19 meeting.

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

Timberline Enterprise, Inc.

23 Low Street

Request for Certificate of Compliance

DEP File #051-0881

Tom Mannetta represented the applicant and reviewed the areas of deviation from the approved plan. Crushed stone was added to an area that was to have been paved parking and was not needed. Crushed stone was also added near the detention basin to replace a grass strip that was being impacted by truck traffic. Julia Godtfredsen visited the site in the spring. She found debris in the buffer zone and that the area to the west of the building had not yet been planted. The area has now been cleared and the planting completed.

Paul Healy moved to issue a Certificate of Compliance. Steve Moore seconded the motion. The motion was unanimously approved.

6. Public Hearings

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

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Craig Pessina, Chart House Development, LLC

23, 23R, and a portion of 25 Hale Street

Notice of Intent

Tom Hughes represented the applicant and reviewed the revisions made to the plans in response to comments from the Commission members at the previous meeting. The Versablock wall was made taller and its location adjusted slightly to place it outside of the no-disturb zone. A cross section was added to show this relationship. The Commission members requested the boundary of the no-disturb zone be marked in the field before the erosion control is installed. They also requested a plan be added that shows the project within its broader context and not just in relationship to the wetland edge. They would like the construction sequence and snow storage area to be added to the plan.

The project is at the beginning of the site plan review process and the materials have been sent to Christiansen and Sergi for peer review. The item will be on the agenda for the January 20 Planning Board meeting. Paul Healy moved to continue the public hearing to the January 19, 2016 meeting. Steve Moore seconded the motion. The motion was unanimously approved.

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

7. Enforcement/Violations

216 Northern Boulevard

Julia Godtfredsen distributed a draft Enforcement Order that requires a revised fence design be submitted by February 6. The existing fence, which is newly installed, is in violation of both the WPA and the local ordinance.

Steve Moore moved to issue an Enforcement Order. Dan Warchol seconded the motion. The motion was unanimously approved.

8. Other Business

Evergreen Golf Course

Informal Discussion

Tom Hughes said a housing development is to be built on the site of the Evergreen Golf Course. The area was once a gravel pit. Storm water was channeled to create a series of water hazards on the course. Mr. Hughes said while these ponds have wetland soils and vegetation, they would have dried if water had not been pumped into them. Nevertheless, he is considering them to be jurisdictional and he intends to file an ANRAD. Joe Teixeira said he would want a peer review.

Swale Maintenance

Julia Godtfredsen distributed draft regulations that have been amended to include the addition of information about the maintenance of swales from the local ordinance. The Commission members will discuss and accept the changes at a future meeting.

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:12 p.m. Dan Warchol seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, January 19, 2016.