

Newburyport Conservation Commission

March 15, 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 6:50 p.m.

2. Roll Call

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

3. Minutes

Paul Healy moved to approve the minutes of the March 1, 2016 meeting as submitted. Steve Moore seconded the motion. The motion was approved with David Vine abstaining.

4. Old and New Business

Whittier Bridge Salt Marsh Monitoring

The contract to monitor the salt marsh under the Whittier Bridge has expired. Mary Rimmer provided a proposal for the continuation of the monitoring through the 2016 growing season. She will be asked to revise her proposal to include monitoring for an additional year.

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

Maryellen Maurer

24 Harbor Street

Request for Determination of Applicability

The property line has been recently re-delineated. The applicant wishes to move the six mature juniper trees located along the former property line to the new boundary. The landscaper would replace any of these trees he judges would not be able to survive the move. The trees that are transplanted would be monitored for three years. The beach grass in front of the new property line would be transplanted to the area from which the trees are to be removed. Any beach grass on the site would be replaced if damaged during the work. The applicant intended to install mulch at the base of the trees, which would not be permitted under the ordinance.

A chain link fence would be removed from the former property line and a new chain link fence would be added along the new property line. The applicant also wishes to replicate an existing picket fence in another location on the site. The fence was recently installed and is not in compliance with the local ordinance. A permit for the proposed work will not be issued until the applicant has provided a plan for the modification of the non-compliant fence. The item was continued to the April 5 meeting.

Henry Becker
231 Northern Boulevard
Request for Certificate of Compliance
DEP File #051-0923

Julia Godtfredsen visited the site and reported the work was completed according to the plans. The site had been largely covered with gravel and no vegetation was impacted by the project. The plastic sheeting under the gravel was removed.

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

6. Public Hearings

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

Evergreen Development LLC
18 Boyd Drive
Abbreviated Notice of Resource Area Delineation

The applicant requested a continuance. Steve Moore moved to continue the public hearing to the April 5 meeting. Doug Muir seconded the motion. The motion was unanimously approved.

Erica and Randall Palm
5 Harbor Street
Notice of Intent

The applicant is proposing to remove two decks and replace them with a larger deck. The new deck would extend across the vacant area between the two existing decks. The ground in this area is currently covered with paving material and no vegetation would be disturbed. The applicant also wishes to remove the knotweed growing on the property and replace it with beach grass.

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

Daly Realty Trust
166 Northern Boulevard
Amended Notice of Intent

Tom Hughes represented the applicant, who is proposing to re-orient the driveway so that it extends from 57th Street rather than Northern Boulevard. The total amount of impact to existing vegetation would be decreased, but three trees would be removed. It was noted on the plan that three trees would be installed but a planting plan was not provided. Mr. Hughes must submit a plan showing the location of these new trees. Special condition #38 in the Order of Conditions, which pertains to the removal of one tree, must be revised.

Steve Moore moved to approve the Amended Notice of Intent. Paul Healy 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. Enforcement/Violations

216 Northern Boulevard

Julia Godtfredsen will send a letter to the property owner indicating the non-compliant fence will be on the agenda for the April 5 meeting, at which time the Commission might vote to impose a daily fine.

8. Orders of Conditions

Erica and Randall Palm

5 Harbor Street

Steve Moore moved to issue an Order of Conditions with the special conditions that 1) the area beneath the deck shall be left completely open and no lattice or other enclosing structure shall be installed, 2) all existing brick, concrete, pavers or other debris from the area of the proposed deck shall be removed prior to construction, 3) beach grass shall be planted in the bare areas adjacent to the deck and footpath, 4) native vegetation shall be planted in the areas from which the invasive species have been removed, 5) any beach grass damaged during construction shall be replaced, and 6) only materials compliant with the regulations shall be installed for the walkway when the concrete has been removed. David Vine seconded the motion. The motion was unanimously approved.

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:10 p.m. Paul Healy seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, April 5, 2016.