

Newburyport Conservation Commission

April 21, 2015

City Council Chambers

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, Doug Muir, Dan Warchol, Jim O'Brien, Steve Moore, David Vine and Paul Healy.

3. Minutes

Doug Muir moved to approve the minutes of the April 7, 2015 meeting as submitted. Dan Warchol seconded the motion. The motion was unanimously approved.

4. Old and New Business

Newburyport Yacht Club

Diesel Spill

Tom Hughes provided information to the Commission members about a diesel spill that took place on April 15 at the Newburyport Yacht Club. The spill spread to within three to four feet of the wetland. The Coast Guard, Fire Department, Conservation Agent and an LSP were notified. A boom was placed in the river and a gravel berm was installed for erosion control around the area in which contaminated soil was removed. A soil sample was taken at the closest point excavation took place to the wetland. If the soil sample indicates the area is clean, it will be restored to its original condition. If the sample indicates not all of the contamination was removed and additional excavation would be necessary near the wetland, the Conservation Agent would be notified.

Underground Culvert

Informal Discussion

City Engineer Jon-Eric White described the plans for the installation of an underground culvert between Merrimac Street at the intersection of Green Street and the river. He asked if it would be possible to file a Request for Determination of Applicability for the work rather than a Notice of Intent. The Commission members informed Mr. White that a Notice of Intent would be required because the project is a major one. They expressed concerns about impacts to endangered species, abutter notification, siltation into the river and the possible presence of contaminated soils.

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

Jim House

11 Julia Street

Amendment to Determination of Applicability

The applicant received a Negative Determination in 2013 for the renovation of a single-family home. He now wishes to perform additional work by replacing the roof on the main portion of the structure, which was damaged by the winter weather. Doug Muir moved to amend the Determination of Applicability. Steve Moore seconded the motion. The motion was unanimously approved.

Mary Rimmer

10 Jefferson Court

Request for Minor Modification to Order of Conditions

DEP File #051-0922

An Order of Conditions was issued on October 30, 2014 for the addition of a two-car garage to an existing single-family home. The applicant wishes to move the garage six feet to be flush with the front of the house. The depth of the garage would be increased two feet. The change would create additional work within the riverfront area but none of this would take place closer to the river than the existing house. Paul Healy moved to accept the change as a minor modification. Steve Moore seconded the motion. The motion was unanimously approved.

6. Public Hearings

None

7. Orders of Conditions

None

8. Other Business

Colby Farm Update

The City Council approved the purchase of Lot 8 at a cost of \$275,000. The Councilors also approved the use of \$100,000 from the open space reserves for the acquisition of Lot 1. If the parcel is not purchased within two years the money will revert back to the fund. The City is interested in acquiring Lot 7 as well.

9. Adjournment

Steve Moore moved to adjourn the meeting at 7:30 p.m. David Vine seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will be held on May 5, 2015.