

Newburyport Conservation Commission
May 1, 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, David Vine, Doug Muir and Dan Warchol. Dan Bourdeau and Paul Healy were absent.

3. Minutes

Steve Moore moved to approve the minutes of the April 17, 2018, meeting as submitted. David Vine seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island Updates

- The construction of the berm on Reservation Terrace is about 75% complete. Part of the planting should be done over the upcoming weekend.
- Funding has been received for a dredge equipment feasibility study. The equipment would be shared with other communities, such as is being done successfully on Cape Cod.
- The State is considering adding a \$3 fee to the rates at the Plum Island Point parking lot. The additional revenue would be given to the City for dune restoration projects.

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

John Gorman, Gorman Homes, LLC

32 Union Street

Request for Determination of Applicability

Tom Hughes represented the applicant, who is proposing to construct a single-family home on a site that is partially located in the floodplain and riverfront area. Fill would be added to raise the first floor of the structure above the FEMA base flood elevation. Steve Moore moved to issue a Negative 3 Determination with the condition the existing mature pine trees shall be protected with hurricane fencing during construction. Dan Warchol seconded the motion. The motion was unanimously approved.

Daly Realty Trust

166 Northern Boulevard

Request for Certificate of Compliance

DEP File #051-0919

Matt Hammer represented the applicant, who submitted a request for a Partial Certificate of Compliance. The structure was constructed according to the plans. The beach grass and shrubs have recently been installed. A complete Certificate of Compliance would not be issued until the

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plant material has survived for two growing seasons. Steve Moore moved to issue a Partial Certificate of Compliance for 166 Northern Boulevard. Doug Muir seconded the motion. The motion was unanimously approved.

Gregory Jones

City of Newburyport – Clipper City Rail Trail
Request for Minor Modification
DEP File #051-0920

The Order of Conditions was amended in 2017 to allow for the removal of contaminated soil along the Rail Trail near the sewer treatment plant. It has been found the extent of the contamination is greater than was expected and an additional 305 square feet of soil must be removed. The area would be revegetated according to the previously approved plans. Because the previous amendment reduced the amount of impact by 2,000 square feet, the new level of impact would still be below that which was originally permitted. Steve Moore moved to approve the Minor Modification with the conditions the plant material to be installed shall be depicted on the plan and Commission approval shall be obtained if an additional amount of soil is to be removed. Doug Muir seconded the motion. The motion was unanimously approved.

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

6. Public Hearings

John D. Galligan, Bradford & Bigelow Realty, LLC

3 Perkins Way
Notice of Intent

The applicant requested an extension. Dan Warchol moved to continue the public hearing to the May 15 meeting. David Vine seconded the motion. The motion was unanimously approved.

Joseph Padelarro

28 Basin Street
Notice of Intent

The applicant is proposing to remove a shed and replace it with a larger one. The application was not complete and must be resubmitted to DEP. The Commission members will visit the site individually. Steve Moore moved to continue the public hearing to the May 15 meeting. David Vine 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. Adjournment

Steve Moore moved to adjourn the meeting at 7:45 p.m. Dan Warchol seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will take place on Tuesday, May 15, 2018.