

Newburyport Conservation Commission

May 15, 2012

City Council Chambers

Minutes

1. Call to Order

A meeting of the Newburyport Conservation Commission was called to order by Chairman Joe Teixeira at 6:30 p.m.

2. Roll Call

In attendance were members Joe Teixeira, Paul Healy, Steve Moore, Jim O'Brien, Mary Casey, Doug Muir and Dan Warchol. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Doug Muir moved to approve the minutes of the May 1, 2012 meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

4. General Business

Update on DEP Appeal 7 Mulliken Way

Julia Godtfredsen said the applicant intends to file a new Notice of Intent with a reduced scope of work that involves only the cleaning of the culvert. She will contact DEP about what is acceptable with regards to the maintenance of swales, as a group is preparing a Notice of Intent for work in the industrial park.

Citywide Wetlands Ordinance

Julia Godtfredsen said Andy Port incorporated the members' changes into the draft ordinance. Any further comments should be forwarded to him before May 23. The City Council Planning and Development subcommittee is expected to discuss the draft ordinance at its meeting on that date. The document would potentially be reviewed at the City Council meeting on May 29.

Informal Discussion on 230 Northern Boulevard

Tom Hughes said the applicant is proposing to remove a part of the structure and add a second story and deck. Commission members will visit the site on May 17.

Informal Discussion on 182 Northern Boulevard

Tom Hughes said a valid Order of Conditions exists for the site. He said under the previous plans beach grass was to be planted in the mitigation area, which he believes is not appropriate for that part of the island. He is planning to create a habitat on the site and would propose that the mitigation area be completed before the building permit is pulled. He said the applicant wishes to have a sheltered parking area. A site visit will take place on May 17.

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Robert and Carla Moore

16 Basin Street

Certificate of Compliance Discussion

The Commission issued an Order of Conditions in 2011 and a site visit took place in December 2011 after the completion of the work but the applicant did not submit a Request for Certificate of Compliance. Commission members will visit the site on May 17 and will issue a Certificate of Compliance at the June 5 meeting if all is in order.

Anthony Harvatin

15 76th Street

Request for Determination of Applicability

The applicant is proposing to add a cantilevered overhang on the first floor of an existing structure. The work, which would add 40 square feet to the structure, would bring the first floor in line with the second. The deck would be altered to accommodate the work. Steve Moore moved to issue a Negative 2 Determination. Mary Casey seconded the motion. The motion was unanimously approved.

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

None

6. Public Hearings

None

7. Enforcement

1 Shandel Drive

Mike DeRosa discussed the mitigation plan that was developed after an Enforcement Order was issued for the removal of trees. Invasive species are growing on the site, including knotweed, phragmites, honeysuckle and multiflora rose. The site would be scraped and new soil would be brought in. The existing grades would be maintained. Native species would be planted and the site, which would be monitored for two or three years, would be treated as a wet meadow. The knotweed would be cut, burned in place and the roots would be removed. A permit has been received for the removal of the foundation of site #2. The restoration plan is for site #1. The work would be done under the Enforcement Order and would begin in two to three weeks to allow the plant materials a full growing season. Paul Healy moved to accept the mitigation plan as a valid response to the Enforcement Order. Dan Warchol seconded the motion. The motion was unanimously approved.

8. Orders of Conditions

None

9. Adjournment

Paul Healy moved adjourn the meeting at 7:30 p.m. Steve Moore seconded the motion. The motion was unanimously approved.