

Newburyport Conservation Commission

May 20, 2014

City Hall Auditorium

Minutes

1. Call to Order

A meeting of the Newburyport Conservation Commission was called to order by Chair Joe Teixeira at 6:45 p.m.

2. Roll Call

In attendance were members Joe Teixeira, Steve Moore, Paul Healy, Jim O'Brien, Dan Warchol and Doug Muir.

3. Minutes

Paul Healy moved to approve of the minutes of the May 6, 2014 meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

4. General Business

Geordie Vining

Clipper City Rail Trail – Phase 2

Pre-application Meeting

Geordie Vining, along with Ron Headrick of Stantec, presented the preliminary plans for the 1,100 linear feet of the proposed Rail Trail that would follow the river. The design and permitting phases should be completed over the course of the next year and the project would be put out to bid in the fall of 2015. The path would be ten-feet wide and made of asphalt. Two feet of a wear-resistant turf would be added along both sides of the path, which would be graded towards the river. Because the trail would be in the 100-year floodplain and two National Grid cables would run under it, it would be elevated 8 to 12 inches above the existing grade. The trail would run along an old rail line, making it preferable to disturb the soil as little as possible. Mr. Vining explained MassDOT does not support the use of porous pavement. The chain link fence would be removed and would most likely be replaced with a solid fence. Most of the vines that grow along the fence are invasive and would be removed, but efforts would be made to retain the grapevine, along with most of the existing trees.

A low granite wall runs along the waterside of the proposed trail location. Pockets of scour exist along this wall. Coconut fiber logs with beach grass plugs would be added in these locations. The installation of an infiltration trench was discussed. DEP comments have not yet been received.

The Notice of Intent would also include the plans for the trail as it runs along March's Hill, over an embayment on New England Development property and passed the National Grid substation. A bowl near March's Hill is an isolated land subject to flooding, but the storage capacity of the bowl would not be impacted.

Mr. Vining asked for comments from the Commission members in order that their concerns might be addressed in the Notice of Intent. Ponding on the landward side of the trail as it runs along the river is one issue needing to be addressed.

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

None

6. Public Hearings

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

Norino Mirra, Low Street Redevelopment, LLC

251 Low Street

ANRAD

DEP # 051-0907

The applicant submitted revised site plans, which the peer reviewer, Marc Jacobs, has reviewed and signed off on. Steve Moore moved to issue an Order of Resource Area Delineation. Paul Healy seconded the motion. The motion was approved. Doug Muir abstained from voting because he had not had the ability to review the materials.

Leonidas Theodorou

190 State Street

Notice of Intent

An Order of Conditions was issued for the property in 2008. The current plans are significantly different than the previous ones, requiring a new Notice of Intent be filed. The proposed project, which is for a two-story building with a 670 square-foot footprint, involves only one of the two lots that had been included on the previous NOI. The resource areas on the site include BVW, the 25-foot no-disturb zone and the 100-foot buffer zone. All work would take place within the buffer zone but would be at least 50 feet from the BVW. The area of impact within the buffer zone would total 9,000 square feet. Five to eight feet of fill and rubble has been placed over the site. DEP and Christiansen and Sergi are in agreement that infiltration through fill is undesirable. A delineation from 2008 shows three isolated wetlands on the site, two of which were larger than 1,000 square feet. These areas do not appear on a 2013 delineation and the applicant's wetland scientist does not believe they still exist. Because of this discrepancy it would be advisable for a peer review to take place. Paul Healy moved to authorize Julia Godtfredsen to obtain quotes for a peer reviewer. Steve Moore seconded the motion. The motion was unanimously approved. Paul Healy moved to continue the public hearing to June 17. Steve Moore seconded the motion. The motion was unanimously approved.

Steve Moore moved to close the public hearings. Doug Muir seconded the motion. The motion was unanimously approved.

7. Orders of Conditions

None

8. Enforcement

None

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9. General Business Continued

The Commission members discussed the incorporation of green roofs into the zoning bylaws or the site plan review process.

10. Adjournment

Steve Moore moved to adjourn the meeting at 8:30 p.m. Joe Teixeira seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will be held on June 3, 2014.