

## **Newburyport Conservation Commission**

May 6, 2014

City Council Chambers

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**

Steve Moore moved to approve of the minutes of the April 15, 2014 meeting as submitted. Doug Muir seconded the motion. The motion was unanimously approved.

### **4. General Business**

#### **Massachusetts Department of Conservation and Recreation**

Maudslay State Park

Informal Presentation

Alexandria Echandi said a stone bridge at Maudslay State Park has been closed due to erosion. Visitors to the park who fail to use the appropriate trail to access the bridge have caused the erosion. DCR wishes to install a series of terraces made of stone and lumber and plant the area with native vegetation to block the short cut. The work would take place on the bank and in the buffer zone of an intermittent stream. The work would be done by hand and natural materials would be used. Because the project would not result in a long-term impact to resource area, would promote public safety and would prevent further erosion, the applicant will be allowed to file an RDA instead of a Notice of Intent. The submittal of before and after photographs will be a condition of the RDA. A vista management program will also be included in the filing. The item will be on the agenda for the June 3 meeting.

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

#### **Seekamp Environmental Consulting, Inc.**

Russell Terrace Extension

Request for Certificate of Compliance

DEP File #051-0739

Michael Seekamp said a list of items to be completed was made during the site visit. A rutted area near the pump station has subsequently been loamed and seeded and the plastic erosion fencing has been removed. The concrete blocks located in the rain garden at lot 14 have been removed. One item of particular concern was the substitution of infiltration chambers for rain gardens. Christiansen and Sergi submitted a letter confirming the system would have the capacity to infiltrate the roof runoff during a 100-year storm event. Tadpoles were found in two spillways that were retaining water. The water level will be lowered after they have become frogs. Amended plans were submitted that show silt would be removed and additional riprap placed to

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slow the water where erosion has occurred in the swale that runs toward the mitigation area. The homeowner at lot 14 removed a mature pine. The Commission members discussed how information might be provided to homeowners about prohibited activities on properties located adjacent to wetlands. The distribution of a brochure Seekamp Environmental Consulting developed for the Haverhill Conservation Commission to educate homeowners about rain gardens might be possible.

The list of outstanding items includes the removal of the “no trespassing” signs, the reduction of the water level in the spillway and the repair of the area where erosion has occurred. The work will begin around June 1 and the Commission will be notified when it has been completed. Paul Healy moved that a Certificate of Compliance be issued upon the completion of the work. Steve Moore seconded the motion. The motion was unanimously approved.

**Lake Realty Trust**

6 Opportunity Way

Request for Certificate of Compliance

DEP File #051-0885

Applicant was not able to attend the meeting but submitted photographs of the trees that were planted at the Commission’s request. The trees are very small and there is a concern about their survival. The remainder of the work has been completed. A complete Certificate of Compliance would not be issued after the leaves have emerged on the trees in the early summer of 2015.

Steve Moore moved to issue a partial Certificate of Compliance. Paul Healy seconded the motion. The motion was unanimously approved.

**6. Public Hearings**

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

**James Harlow, Valspar, Inc.**

100 Hale Street

Notice of Intent

Jim O’Brien disclosed that he has had relationship with Enpro but he has not been involved with this project. Valspar has relocated out of state and the property is for sale. Four tanks that contained mineral spirit tanks and their associated piping are to be removed. ENPRO is emptying and cleaning the tanks. The area will be backfilled and loam and seed will be added, making it an extension of the lawn. The work area is in buffer zone. Julia Godtfredsen said the applicant is taking the proper steps to protect the buffer zone.

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

**7. Orders of Conditions**

**James Harlow, Valspar, Inc.**

100 Hale Street

Steve Moore moved to issue an Order of Conditions. Doug Muir seconded the motion. The motion was unanimously approved.

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**8. Enforcement**

None

**9. General Business Continued**

Julia Godtfredsen said:

- sand is being added at the beach access points at 53<sup>rd</sup>, 55<sup>th</sup> and 57<sup>th</sup> Streets.
- a site visit to Shandel Drive with Wetlands Preservation, Inc. will take place in June to assess the existing situation and determine what might be done to create a functional wetland. She will inform Commission members of the date of the site visit.
- A charrette on the NRA property will be held on Saturday, May 10.

**10. Adjournment**

Paul Healy moved to adjourn the meeting at 7:40 p.m. Steve Moore seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will be held on May 20, 2014.