

Newburyport Conservation Commission

June 18, 2013

City Council Chambers

Minutes

1. Call to Order

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

2. Roll Call

In attendance were members Paul Healy, Steve Moore, Mary Casey and Doug Muir. Also in attendance was Julia Godtfredsen.

3. Minutes

Steve Moore moved to approve the minutes of the June 4, 2013 meeting as amended.

Doug Muir seconded the motion. The motion was unanimously approved.

4. General Business

166 Northern Boulevard

No one was present to discuss the property.

57th Street Discussion

Eddie Ziolkowski, 8 Grant Street, said the sand ramp that was created at 57th Street to provide beach access has caused the dune in front of his property to erode. He thinks the length of the ramp results in eddies being created along its side and these eddies cause scouring. He also brought in a sample of sifted material that was used form the sand ramp. The sample contained many rocks and pebbles. The waves might not be able to move the larger material, which might account for the scouring. Julia Godtfredsen said access points are best angled. She will look at the material that has been deposited and will look at the sand ramp with the Beach Management Committee.

5. Public Hearings

Paul Healy moved to open the public hearings. Mary Casey seconded the motion. The motion was unanimously approved.

Charles Palmisano

10 Jefferson Court

Notice of Intent

Ben Osgood appeared for the applicant, who is proposing to install a new septic system in the riverfront area. The proposed tank would be located on the western portion of the site, 65 feet from the wetlands and 100 feet from the well. The existing system, which has failed, is on the eastern side of the property. An Order of Conditions for an addition was issued in 2009 but the work has not been done. The BVW was delineated at that time.

The system is compliant with Title 5 in terms of size and distance from the wetlands but must be approved by the Board of Health due to its location with respect to the property boundary. In

addition the distance between the bottom of the system and the seasonal high ground water is less than allowed. A tie in to the municipal system is not possible because the closest connection would be at the top of Jefferson Street and there is bedrock in between. The municipal system must run by the property on order for a tie in to be required. The applicant requested an extension to July 16 to allow time for the Board of Health to review the plan. The Commission requested the wetland boundary be confirmed because the delineation is five years old. There were no comments from the public. Mary Casey moved to continue the public hearing to July 16. Doug Muir seconded the motion. The motion was unanimously approved.

Mary Casey moved to close the public hearings. Doug Muir seconded the motion. The motion was unanimously approved.

6. Enforcement

10 82nd Street

Julia Godtfredsen said she had received a call from a resident at Plum Island Point about beach scraping but no evidence of the activity was apparent. The *Daily News* subsequently reported that sand had been removed from 10 82nd Street and transported to Newbury to replenish sand that had been lost during storms. A Notice of Violation was issued under the WPA and the local ordinance. George Charos said his gravel parking area gets covered with sand during the winter and he needs to clear it in the spring. He said he usually pushes the sand off the lot but this year the build up was too great and he scraped the sand from the lot instead. He said he first asked if the Newburyport DPS could use the sand and then he took a couple of truckloads of sand to Newbury. He apologized for his action and said he was trying to be a good neighbor. Julia Godtfredsen said it is acceptable to move the sand from the lot to the adjacent beach or dune. If the amount is excessive and machinery must be used to move the sand, he must contact the Conservation Agent to determine the best location for it. He said there is still an area on his property from which sand must be removed. Julia Godtfredsen will make an appointment to meet Mr. Charos at the site.

372 Merrimac Street

Julia Godtfredsen said she received a call from Robert Germinara, who stated the erosion control at 372 Merrimac Street was breached and material was placed outside of the work area in the wetlands. The parking lot has recently been repaved and after the work untreated water was observed flowing into wetland. She contacted Asphalt Services, Inc., the firm repaving the parking lot, and the erosion control was promptly repaired. Some of the vegetation in the wetland was crushed but she believes it will come back and no remediation will be necessary. The drainage in the parking lot is not functioning as intended and the swales have filled in with vegetation. A perpetual condition requires the swales and culverts to be cleaned and returned to their original design by June 30 each year. An Enforcement Order was issued to a previous owner in 1998 because the required cleaning was not being done. The representatives of Ganton, LLC said the underground lines have become filled with sediment, which prevents the swales from draining. The lines are to be cleaned on June 25 and the swales cleared after that. The work is to be completed by the end of the month.

Newburyport Conservation Commission
June 18, 2013

Robert Germinara, 2 Ashland Street, said the parking lot is sanded in the winter and the sand ends up being pushed into the culverts. He said the parking lot is smaller than it was originally and he thinks the edges should be loamed and seeded.

23 Phillips Drive

Julia Godtfredsen said she visited the site and while the area is heavily vegetated, it appears to be in compliance. Steve Moore said the fence appears to be larger than approved.

7. Adjournment

Mary Casey moved to adjourn the meeting at 8:02 p.m. Doug Muir seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission is scheduled for July 2.