

Newburyport Conservation Commission

July 1, 2014

City Council Chambers

Minutes

1. Call to Order

Chair Joe Teixeira called a meeting of the Newburyport Conservation Commission to order at 6:50 p.m.

2. Roll Call

In attendance were members Joe Teixeira, Steve Moore, Dan Warchol and Doug Muir. Julia Godtfredsen was also in attendance.

3. Minutes

Steve Moore moved to approve of the minutes of the June 17, 2014 meeting as amended. Dan Warchol seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island Updates

- The Army Corp has completed the work on the south jetty and has the funds to begin work on the north jetty.
- In 2016 Salisbury, Newburyport and Newbury are expected to receive approximately 340,000 cubic yards of sand from the dredging of the Piscataqua River. Funding is needed to cover the cost of transporting the sand from the Isle of Shoals to Plum Island. The three towns will be responsible for the permitting of the placement of the sand. The sand would be deposited off shore, as it would not be suitable for the beach.

Master Plan Update

A survey will be sent to city residents with questions relating to all of the categories to be covered in the updated master plan. The subcommittees will continue to meet over the summer and public meetings on the draft document will be held in the fall.

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

Bill Decie

2 Stanley Tucker Drive

Request for Certificate of Compliance

DEP File #051-0510

Mr. Decie said the site is well vegetated and the work is compliant with the Order of Conditions. The address has been confirmed as 2 Stanley Tucker Drive and the paperwork is now in order. Steve Moore moved to issue a Certificate of Compliance with the perpetual condition that the water quality/drainage swale shall be cleaned and maintained on a regular basis. Dan Warchol seconded the motion. The motion was unanimously approved.

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John Murphy

11 Marsh Street

Request for Determination of Applicability

The applicant wishes to add a second door to a small structure. The existing deck would be extended to the location of the new door. No existing vegetation would be impacted by the extension of the deck. The applicant wishes to install the deck on sonotubes. DEP does not approve of the use of sonotubes but the reason behind this is not clear. Julia Godtfredsen will contact DEP for clarification on the issue. The Commission members did not deem it necessary to delay permitting for an addition to a deck while waiting for this clarification. Dan Warchol moved to issue a Negative 2 Determination with the condition that no dune grass adjacent to the new deck and stairs shall be removed either during or after construction. Steve Moore seconded the motion. The motion was unanimously approved.

6. Public Hearings

Doug Muir moved to open the public hearings. Dan Warchol seconded the motion. The motion was unanimously approved.

Ross Solomon

39 Reservation Terrace

Notice of Intent

DEP File #051-0912

Tom Hughes appeared for the applicant. At the June 17 meeting the Commission members delayed issuing an Order of Conditions so that they might be able to review the draft special conditions but had no areas of concern. Steve Moore moved to close the public hearing. Dan Warchol seconded the motion. The motion was unanimously approved.

Leonidas Theodorou

190 State Street

Notice of Intent

DEP File #051-0911

Joe Teixeira visited the site with peer reviewer Marc Jacobs. The applicant requested an extension, as Mr. Jacobs requires more time to complete his report due to the complexities of the site. Steve Moore moved to continue the public hearing to July 15. Dan Warchol 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. Enforcement

None

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8. Orders of Conditions

Ross Solomon

39 Reservation Terrace

DEP File #051-0912

Dan Warchol moved to issue an Order of Conditions with the special conditions that any excavated material shall remain on site and any fill shall consist only of beach grade sand; only beach grade sand shall be used if additional soils are needed for the planting areas; only crushed stone or clamshells shall be used for the paved areas unless other pervious material is approved by the Conservation Agent; any dune grass damaged during construction shall be replaced; and no construction materials shall be stored on vegetated areas. Doug Muir seconded the motion. The motion was unanimously approved.

9. Continuation of Old and New Business

9 Malcolm Hoyt

Joe Teixeira observed cutting within the no-disturb zone. The item will be placed on the agenda for the next meeting.

Whittier Bridge

A site visit will take place on July 29 at 7:30 a.m.

10. Adjournment

Steve Moore to adjourn the meeting at 8:50 p.m. Dan Warchol seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will be held on July 15, 2014.