

## **Newburyport Conservation Commission**

July 16, 2013

City Council Chambers

Minutes

### **1. Informal Discussion**

#### **Storm Water Treatment Presentation**

Todd Wacome presented a technique he has developed for treating storm water. He said his special interest is catch basins, which often fail because they are easily clogged by mud and clay. In his system, called the Silt Prison, the water filters up rather than down. His cone filter is made of three types of fabric to respond to varying intensities of storms. The cone allows dirt to fall straight to the bottom, where a clamshell could easily remove it. He said his system is easily retrofitted and is less expensive than a storm septic system.

### **2. Call to Order**

A meeting of the Newburyport Conservation Commission was called to order by Chair Joe Teixeira at 7:15 p.m.

### **3. Roll Call**

In attendance were members Joe Teixeira, Dan Warchol, Jim O'Brien and Doug Muir. Also in attendance was Julia Godtfredsen.

### **4. Minutes**

Dan Warchol moved to approve the minutes of the July 2, 2013 meeting as submitted. Doug Muir seconded the motion. The motion was unanimously approved.

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

**Timothy Meehan, Arc Surveying & Engineering Assoc., Inc.**

2 Harbor Street

Request for Certificate of Compliance

DEP File #051-0876

Julia Godtfredsen said she visited the site and while it appears the work that has been done is in compliance with the Order of Conditions, some elements of the project have not yet been completed. She said it would be inappropriate to issue a Certificate of Compliance at this time. Doug Muir moved to continue the Request for Certificate of Compliance. Jim O'Brien seconded the motion. The motion was unanimously approved.

### **City of Newburyport, Department of Public Services Sewer Division**

2 New Pasture Road

Request for Determination of Applicability

The City wishes to relocate a gravel driveway at the Graf Road Pump Station in order that the vacuum truck might more easily access the existing wet well. Plantings would be installed to create a buffer to the wetland. The work would be within the 50-foot buffer zone but the amount of impervious surface would not be increased. Doug Muir moved to issue a Negative 3

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Determination with the condition that the applicant provides a list of the proposed plant materials. Dan Warchol seconded the motion. The motion was unanimously approved.

**James Gabriel**

1 Lt. Leary Drive

Request for Determination of Applicability

Tom Hughes appeared for the applicant, who wishes to move a pool, driveway and garage to the opposite side of the property from the wetland in order to alleviate flooding. The driveway would be larger than the existing one, but the amount of pavement within the buffer zone would be decreased. The existing pavement would be removed and the area seeded. Gutters on the garage would direct water into a rain garden that would be located outside of the buffer zone. Mr. Hughes said that while the proposal is a large one to be handled under an RDA, the limit of work is outside of the 50-foot buffer zone and the work area is on the opposite side of the property from the wetland. He said the erosion control would eliminate the risk of any impact to the wetland.

Dan Warchol moved to issue a Negative 3 Determination with the condition that the erosion control is maintained in good working order until the project is complete and the lawn has become established. Doug Muir seconded the motion. The motion was unanimously approved.

**6. Public Hearings**

Dan Warchol moved to recess the meeting for the public hearings. Jim O'Brien seconded the motion. The motion was unanimously approved.

**Department of Public Services**

570 Merrimac Street

Notice of Intent

DEP File #051-0898

Julia Godtfredsen said the applicant has not yet received a letter from Natural Heritage letter. As the test pits cannot be dug until the letter has been received, the applicant has requested a continuance. Dan Warchol moved to continue the public hearing to the August 6 meeting. Jim O'Brien seconded the motion. The motion was unanimously approved.

**Charles Palmisano**

10 Jefferson Court

Notice of Intent

Continued from June 18, 2013

Julia Godtfredsen said the applicant has requested a continuance. Doug Muir moved to continue the public hearing to the August 20 meeting. Dan Warchol seconded the motion. The motion was unanimously approved.

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**City of Newburyport, Bartlet Mall Commission**

149 High Street

Notice of Intent

Walt Thompson said the Bartlet Mall Commission has received a grant to install four underwater aerators in an effort to encourage frogs to return to the pond. Permission has been received to locate a small compressor near the courthouse's air conditioning unit. The Bartlet Mall Commission is requesting to be allowed to dig a trench in which PVC pipe would be installed that would run between the compressor and the aerators. The gravel and sod that would be disrupted would be replaced. The aerators will be removed during the winter. A DEP file number has not yet been issued. Dan Warchol moved to continue the public hearing to August 6. Doug Muir seconded the motion. The motion was unanimously approved.

**7. Enforcement**

**1 Shandel Drive**

Julia Godtfredsen said the plant materials have not grown as expected. It was necessary to replant the seed mix after it failed to become established due to the water ban. Later tidewaters that flowed into the restoration area through a culvert during storms washed out the replanted seed mix. The property owner and DPS are discussing the possibility of a flapper valve being installed on the culvert while the seed mix becomes established. Tom Hughes pointed out the plant materials would be subject to different growing conditions after the removal of the valve.

**372 Merrimac Street**

Rob Germinara, 2 Ashland Street, said he is disappointed the swales have not yet been cleaned. Julia Godtfredsen said she approved a plan that outlined a course of action. She added the property owner has been very responsive and has completed the more significant part of the project. She will inform the property owner that the swales must be cleaned by August 6, the date of the next meeting.

**8. General Business**

**Plum Island Update**

Julia Godtfredsen said the public access way at 61<sup>st</sup> Street has been delineated and signage has been installed. Two pilot biomimicry projects have been installed on either side of the ramp at 57<sup>th</sup> Street.

**9. Adjournment**

Dan Warchol moved to adjourn the meeting at 8:45 p.m. Jim O'Brien seconded the motion. The motion was unanimously approved.