

**Newburyport Conservation Commission**  
July 17, 2018  
Senior Community Center, 331 High Street  
Minutes

**1. Call to Order**

Vice Chair Steve Moore called a meeting of the Newburyport Conservation Commission to order at 6:50 p.m.

**2. Roll Call**

In attendance were members Steve Moore, Paul Healy, Doug Muir, David Vine, Dan Bourdeau and Dan Warchol. Joe Teixeira was absent. Conservation Administrator Julia Godtfredsen was also in attendance.

**3. Minutes**

Paul Healy moved to approve the minutes of the June 19, 2018, meeting as submitted. David Vine seconded the motion. The motion was unanimously approved.

**4. Old and New Business**

**Plum Island Updates**

The meeting of the MRBA scheduled for July 13 was cancelled.

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

**Mark A. Kramer**

12 L Street

Request for Certificate of Compliance

DEP File #051-0837

A partial Certificate of Compliance was issued in 2014 for the construction of a single-family home on pilings. The plant materials have been monitored for two years and the site is well vegetated. Paul Healy moved to issue a Certificate of Compliance. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Parker River Clean Water Association**

102 Hale Street

Request for Determination of Applicability

As a part of an Eagle Scout project, improvements would be made to the Gloria Braunhardt trail in order that it would be handicapped accessible along its entire length between Hale Street and Storey Avenue. The entrance to the path would be renovated and a section of the trail would be leveled and stone dust added. A pipe would be added to extend an existing culvert that runs under Hale Street. The culvert currently drains water across the trail and causes erosion.

Doug Muir moved to issue a Negative 3 Determination with the condition that the pipe shall be of the same diameter as the culvert under Hale Street and rip rap shall be added at its end to prevent erosion. Dan Bourdeau seconded the motion. The motion was unanimously approved.

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**Craig Pessina, Chart House Development. LLC**

23 Hale Street

Request for Certificate of Compliance

DEP File #051-0948

The applicant has requested an extension to allow time for outstanding items to be completed. Dan Warchol moved to continue the request to the August 7 meeting. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Danny J. LeBlanc**

5 Moulton Street

Request for Certificate of Compliance

DEP File #051-0929

Julia Godtfredsen visited the site. The driveway was installed closer to the house than was proposed. This was not of concern because it is now located at a greater distance from the wetlands. Paul Healy moved to issue a Certificate of Compliance. David Vine seconded the motion. The motion was unanimously approved.

**William Dupre and Barbara Prietz**

20 63<sup>rd</sup> Street

Request for Certificate of Compliance

DEP File #051-0625

Marc Janos represented the applicant. The work for which an Order of Conditions had been issued did not take place. None of the completed work would have been subject to the Wetlands Protection Act. Dan Warchol moved to invalidate the Order of Conditions. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Jeffrey and Nancy Hawkes**

23 Overlook Street

Request for Extension

DEP File #051-0941

A permit was issued on July 21, 2015 for the construction of a single-family home on piles but the work was never done. New owners would like to now begin the project. The previously owner had erroneously informed them the Order of Conditions had expired. Paul Healy moved to extend the Order of Conditions for three years. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**6. Public Hearings**

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

**Arthur Brewer II**

16 K Street

The applicant requested an extension. Paul Healy moved to continue the public hearing to the August 21 meeting. Doug Muir seconded the motion. The motion was unanimously approved.

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**Lisa Cosimano Gallagher, Port City Realty, LLC**

75 Parker Street

Notice of Intent

DEP File #051-0988

Rick Barthelmes of Cornerstone Construction Services represented the applicant, who is proposing to enlarge an existing building in the industrial park. He said the plans have been changed according to the comments Commission members made at meetings in March and April. Stormwater issues have not yet been entirely resolved. City Engineer Jon-Eric White has made comments on the most recent plans but the CSI response to these comments has not yet been received. The Commission members do not wish to close the public hearing until the Planning Board has made its final determination. Dan Bourdeau moved to continue the public hearing to the August 7 meeting. Paul Healy seconded the motion. The motion was unanimously approved.

**Thomas Burke, New Pasture, LLC**

5 New Pasture Road

Notice of Intent

Tom Hughes represented the applicant, who wishes to expand his operations on a site entirely within the buffer zone. The structure would be expanded in a location that is currently paved and is 25.5 feet from the resource area. The rain garden would be located within the 25-foot no-disturb zone in an area that is currently lawn. Mr. Hughes said the proposal would not adversely impact the resource area and would be an improvement over the existing conditions. The Commission members requested additional flood storage be created and trees be added to the island in the front of the property. Mr. Hughes will obtain more information on the detention basins and propose additional plantings for the site. A DEP file number has not yet been issued. Dan Bourdeau moved to continue the public hearing to the August 7 meeting. Doug Muir seconded the motion. The motion was unanimously approved.

Dan Warchol moved to close the public hearings. David Vine seconded the motion. The motion was unanimously approved.

**7. Orders of Conditions**

None

**8. Adjournment**

Paul Healy moved to adjourn the meeting at 8:12 p.m. Doug Muir seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will take place on Tuesday, August 7, 2018.