

Newburyport Conservation Commission

August 16, 2016

Senior/Community Center Board Room

Minutes

1. Call to Order

Chair Joe Teixeira called a meeting of the Newburyport Conservation Commission to order at 6:45 p.m.

2. Roll Call

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

3. Minutes

Paul Healy moved to approve the minutes of the August 2, 2016 meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island Updates

David Vine said the Merrimack River Valley Beach Alliance formed a subcommittee to evaluate the scenarios GZA provided for temporary solutions to dune erosion. The favored action would involve strengthening the dune by building up its back edge to create a ridge. The subcommittee is scheduled to meet on August 17 and again the following week.

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

None

6. Public Hearings

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

Ronald Guertin, Carr Island, LLC

386 Merrimac Street

Notice of Intent

Dan Bourdeau recused himself from the discussion. Bill Decie represented the applicant, who is proposing to install two 25-foot floats parallel to the existing ones and add a 32' gangway. The gangway does not appear to be accurately depicted on the plan provided and there are inconsistencies between the plan and the elevation. The Commission members wish to know if the floats would bottom out, in which case the addition of feet to the floats would be required. They also asked that dimensions to be added to the plan and for clarification from the Harbormaster on the licensing process.

Steve Moore moved to continue the public hearing to the September 6 meeting. David Vine seconded the motion. The motion was unanimously approved.

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C&L Homes, LLC

3 H Street

Notice of Intent

Tom Hughes represented the applicant and described the changes made to the plans after the site visit. The dimensions of the trees were corrected on the plan. The reindeer moss was included in the calculation of vegetation. The pine saplings, of which there are approximately 12, will be transplanted elsewhere on the site. Six beach plums and six bayberries will be added and some of the juniper will be preserved. The width of one of the driveways has been made narrower. The regulations with regards to siding appear to be inconsistent with what has been permitted for other properties in the past. The applicant will be allowed to install solid siding, but the bottom of the siding must be at least three feet above grade.

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

Paul Healy moved to close the public hearings. Doug Muir seconded the motion. The motion was unanimously approved.

7. Orders of Conditions

Steve Moore moved to issue an Order of Conditions with the special conditions that 1) the Order of Conditions shall not be issued until the applicant has submitted a revised plan showing the bottom elevation of the siding surrounding the parking area would be no less than three feet above grade, 2) the area beneath the proposed deck shall remain open and no lattice or other material shall surround the deck pilings, 3) the request for a Certificate of Compliance shall demonstrate that 5,915 square feet of vegetation has survived on site after two growing seasons, including at least four newly planted pine trees, three transplanted saplings, twelve shrubs and the existing undisturbed pine trees and American beach grass, 4) if none of the transplanted saplings survive at least three additional saplings shall be planted and 5) the new trees shall be at least six to eight feet high or of a one inch caliper. Dan Bourdeau seconded the motion. The motion was unanimously approved.

8. Enforcement/Violations

17 82nd Street

An Enforcement Order was issued for the construction of a deck without a permit. The property owner must demonstrate a permit was issued or remove the deck. The property from which beach grass was removed is jointly owned. An Enforcement Order was issued to both parties.

216 Northern Boulevard

The Commission members voted at the August 2 meeting to issue an Enforcement Order and fine the property owner \$100 per day if the fence is not in compliance by September 6. Paul Healy moved to change the date from September 6 to September 13. Doug Muir seconded the motion. The motion was unanimously approved. Paul Healy moved to ratify the vote the property owner shall be fined \$100 per day if the fence is not replaced, removed or modified to

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be in compliance with the local ordinance by the specified date. Doug Muir seconded the motion. The motion was unanimously approved.

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:35 p.m. Doug Muir seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, September 6, 2016.