

Newburyport Conservation Commission

September 16, 2014

City Council Chambers

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 Joe Teixeira, Paul Healy, Doug Muir, Dan Warchol and Steve Moore. Julia Godtfredsen was also in attendance.

3. Minutes

Paul Healy moved to approve the minutes of the September 2, 2014 meeting as amended. Doug Muir seconded the motion. The motion was unanimously approved.

4. General Business

17 J Street

Informal Discussion

Tom Hughes appeared for the applicant, who wishes to renovate an existing house. He said that the project involves a combination of items that the Commission has previously approved under an RDA. The applicant intends to install a deck and second floor, enlarge a peastone patio and reconfigure an existing gravel driveway. The Commission members informed Mr. Hughes that a Notice of Intent would be required due to the amount of work proposed and the equipment that would be required on site to construct the second floor.

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

Anne Magauran

16 69th Street

Request for Determination of Applicability

The applicant wishes to construct a 14' x 16' addition on an existing 12' x 12' deck. The deck is approximately nine feet above grade, with sand, pavers, a small amount of lawn and two shrubs beneath it. The species of the shrubs are not known and the applicant plans to replace them with eight shrubs elsewhere on the site. Dan Warchol moved to issue a Negative 3 Determination with the conditions that only plant materials native to Plum Island be installed and the applicant submit a plan indicating the location and species of the replacement shrubs to the Conservation Agent for approval before work may begin. Steve Moore seconded the motion. The motion was unanimously approved.

Dawn McCandless

Water Street

Request for Determination of Applicability

Tom Hughes appeared for the applicant, who wishes to extend the invasive species control program approved for her property to a newly acquired parcel on the opposite side of Water

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Street. The program would involve the manual removal and stem injection of the bittersweet, phragmites and knotweed growing on the site. Paul Healy moved to issue a Negative 3 Determination with the conditions that more information on the disposal of the phragmites is provided, the Conservation Agent is notified 48 hours before start of work, no cut debris shall remain on the site and a plan identifying the monitoring plots be submitted with the first monitoring report. Steve Moore seconded the motion. The motion was unanimously approved.

John DiFilippo

300 Merrimac Street

Request for Determination of Applicability

Tom Hughes appeared for the applicant, who wishes to replenish the gravel in the boat storage area at the Newburyport Yacht Club. Paul Healy moved to issue a Negative 3 Determination with the conditions that permanent granite blocks shall be placed at the limit of the boat storage area to prevent further encroachment into the buffer zone, no trees shall be removed from the site, no work shall take place until the limit of work has been demarcated and no gravel or other construction debris shall enter the adjacent buffer zone or wetland area. Steve Moore seconded the motion. The motion was unanimously approved.

Newburyport Yacht Club

300 Merrimac Street

Request for Minor Modification

DEP File #051-0902

Tom Hughes appeared for the applicant, who wishes to revise a previously approved meadow management and phragmites control program. The Order of Conditions stated that only phragmites might be removed from the control area. Mr. Hughes requested that the removal of additional species in the control area be permitted. Japanese knotweed and Oriental bittersweet have invaded the bank and upland buffer zone. Herbicides would be used to treat the material. The applicant also wishes to add stem injection as a treatment method for the phragmites. Dan Warchol moved to approve the Minor Modification. Steve Moore seconded the motion. The motion was unanimously approved.

Erin and Paul La Rosa

8 Wildwood Drive

Request for Minor Correction

DEP File #051-0918

Tom Hughes appeared for the applicant, who wishes to construct a wider pool deck than was originally proposed. The impact to the buffer zone would be increased by less than 1%. Paul Healy moved to approve the Minor Correction. Steve Moore seconded the motion. The motion was unanimously approved.

6. Public Hearings

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

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Gregg and Lynne Holmes

166 Northern Boulevard

Notice of Intent

Tom Hughes appeared for the applicant, who is proposing to construct a single-family home on a vacant lot. The Commission members wish to visit the site while waiting to receive comments from DEP. Ralph Esposito, 3 55th Street, spoke in favor of allowing the applicant to build on the lot. Dan Warchol moved to continue the public hearing to October 7. Steve Moore seconded the motion. The motion was unanimously approved.

Steve Moore moved to close the public hearings. Paul Healy seconded the motion. The motion was unanimously approved.

7. Orders of Conditions

None

8. Enforcement

Rochester Electronics

9 Malcolm Hoyt Drive

The entire property, including the areas covered by an ORAD, has been mowed. A Notice of Violation was issued. A representative of the company will submit a plan indicating the steps to be taken to ensure the mowing would not continue.

Wet Meadows

Geordie Vining informed Julia Godtfredsen that Matt Kozazcki is permitted under the agricultural license to reseed the field. Jerry Myette wishes to hay the back field one time each year, which depending on the timing might be acceptable.

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:15 p.m. Dan Warchol seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will be held on October 7, 2014.