

**Newburyport Conservation Commission**  
November 19, 2019  
Senior Community Center, 331 High Street  
Minutes

**1. Call to Order**

Chair Joe Teixeira called a meeting of the Newburyport Conservation Commission to order at 6:47 p.m.

**2. Roll Call**

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

**3. Minutes**

Paul Healy moved to approve the minutes of the November 5, 2019, meeting as amended. Steve Moore seconded the motion. The motion was unanimously approved.

**4. Old and New Business**

**Plum Island Updates**

The berm that was constructed along Reservation Terrace this fall has been almost entirely washed away. Mayor Holaday met with residents of Reservation Terrace, who are requesting immediate action due to the rate of erosion. She also called a special meeting of state officials and representatives from DEP, CZA, MEMA and DCR to discuss the approval and funding of other types of emergency measures. No course of action was agreed upon at the meeting and a follow-up meeting will be scheduled. DEP indicated that no rocks or gabion baskets would be approved.

**Fuller Field – Informal Discussion**

Tom Hughes described the plan to widen the driveway at the recreational field to increase the amount of parking and a turn-around area. As mitigation for work within the 25-foot no-disturb zone, the applicant is proposing to implement a meadow management plan that would help to control the phragmites in the swale. Mr. Hughes said the improvement to pedestrian safety would fulfill the public benefit requirement. The Commission members will forward their comments on the proposal to Julia Godtfredsen. They said they are interested in educational signage on stormwater management being installed near the rain garden and the public benefit requirement being fulfilled by the restoration of the vernal pool on Crow Lane.

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

**United States Postal Service (USPS)**

12 Malcolm Hoyt Road

Request for Determination of Applicability

Mike Clark of the BSC Group said the asphalt in the driveway and parking spaces is in poor condition. The plans for repaving the area include the raising of four parking spaces to make them level with the sidewalk and meet ADA requirements. The work would result in the reduction of 1,300 square feet of pavement. Loam and seed would be added in the area from

Newburyport Conservation Commission  
November 19, 2019

which pavement is to be removed. Curbing would be removed to improve drainage. A silt fence would be installed along the perimeter of the work area. The Commission members asked that the erosion control be either a fiber role or compost sock and that two layers be installed adjacent to the wetland. They also asked if the applicant would be willing to plant trees to help reduce flooding. This could not be made a condition because the project would not create any additional impacts to the resource area that would require mitigation but it could be added to the RDA. Paul Healy moved to continue the RDA to December 3. Steve Moore seconded the motion. The motion was unanimously approved.

**Kevin J. Lagasse, Trustee, Basin Realty Trust**

14 Gloria Street

Request for Certificate of Compliance

DEP File #051-0591

Tom Hughes represented the applicant. Some changes were made to the plans after the Commission members visited the site. The plans will be further revised for the December 3 meeting based on any additional comments received. Prior to that meeting, the applicant will remove every other lattice panel under the house to make it 50% open, as was allowable at the time the plans were originally approved. The applicant will also remove all of the at-grade wood decking from the sides and rear of the house and request a partial Certificate of Compliance for that portion of the work. The remainder of the work will be completed in the spring and will include the installation clamshells in the areas from which the wood decking was removed and the planting of 1,724 square feet of beach grass and other native vegetation. The clamshells that were placed under the front of the structure would be retained. As mitigation for this, the planting area is to be extended in the direction of the street and is to be larger than otherwise would have been required. Steve Moore moved to continue the request to December 3. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**6. Public Hearings**

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

**Nicole Young Nadeau**

6 Bayne Lane

Notice of Intent

DEP File #051-1011

The applicant requested an extension to the next meeting. Dan Bourdeau moved to continue the public hearing to December 3. Dan Warchol seconded the motion. The motion was unanimously approved.

**Kevin J. Lagasse, Trustee, Basin Realty Trust**

14 Gloria Street

Notice of Intent

Tom Hughes represented the applicant, who is proposing to construct a shed on pilings within the area of an existing driveway. A set of piles is included in the application. The piles would support spiral stairs for a roof deck that is to be constructed sometime in the future. The plantings

Newburyport Conservation Commission  
November 19, 2019

that are a part of an open Order of Conditions will be included in the Notice. Steve Moore moved to continue the public hearing to December 3. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Ron Briere, Berkshire Manufactured Products, Inc.**

116 & 116R Parker Street  
Abbreviated Notice of Resource Area Delineation  
DEP File #051-1022

Patrick Seekamp represented the applicant, who is considering acquiring a vacant lot adjacent to a manufacturing site for additional parking. The wetlands were flagged several years ago and re-delineated this fall. The buffer zone to the BVW has been shown on the plan. Mr. Seekamp said he did not consider the swale to be a wetland resource area and it was not delineated. The upland portion of the site is being mowed. Steve Moore moved to issue an ORAD for 116 and 116R Parker Street. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Paul Hogg, Harbormaster**

Northern Boulevard, Plum Island Point  
Notice of Intent

A shed was installed without a permit in an area of existing pavement in the AE zone. The shed sits on cinderblocks and is not the required one foot above grade. Larger sheds such as this, which is 14' x 24', are usually placed on helical piles. City Engineer Jon-Eric White will be asked if it would be possible to raise the height of the shed with cinderblocks and footings. Steve Moore moved to continue the public hearing to December 3. Dan Bourdeau seconded the motion. The motion was unanimously approved.

Doug Muir moved to close the public hearings. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**7. Enforcement**

**9 Doe Run Drive**

Joe Teixeira recused himself from the discussion. A DPS drone was used to photograph the site. Sand was installed in the wetland replication area to provide the base for a pool. The issuance of an Enforcement Order was approved at the July 16 meeting. Julia Godtfredsen will send a follow-up Enforcement Order requiring the property owner to respond by December 17 and submit a plan and timeline for rectifying the situation.

**8. Adjournment**

Steve Moore moved to adjourn the meeting at 8:58 p.m. Paul Healy seconded the motion. The motion was unanimously approved.