

Newburyport Conservation Commission
January 21, 2020
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 6:46 p.m.

2. Roll Call

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

3. Minutes

Paul Healy moved to approve the minutes of the January 7, 2020, meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island Updates

The City has been meeting with MEMA about stockpiling sand to be used in emergency situations on Reservation Terrace.

The office of Representative Seth Moulton is preparing a letter to the Army Corp. in support of funding the dredging of the Piscataqua River and the Merrimac River. The dredging of the Piscataqua River has been approved but is considered a new project and only two of these are funded each year. The material from the dredge would be placed off shore. Sand from the Merrimac River would be suitable for placing on the beach but this work would not be done before 2022.

Joe Teixeira spoke about the establishment of a trails committee, such as is in place in West Newbury. This could be a part of the mandate of the Open Space Committee, which currently does not have a clear mission and has few members. The Commission could help fund the maintenance of the trails.

The Commission members should forward to Julia Godtfredsen their comments on the draft home owners association document for the Reserve at Bashaw Farm on Low Street and Colby Farm Lane.

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

David Chaisson

197 Low Street

Request for Certificate of Compliance

DEP File #051-0996

The applicant requested a Certificate of Compliance in December. At that time, debris was stockpiled inside the silt fence. The material has since been removed. Paul Healy moved to issue

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a Certificate of Compliance for 197 Low Street. Steve Moore seconded the motion. The motion was unanimously approved.

Jeffrey and Donna Sprague

15 63rd Street

Request for Certificate of Compliance

DEP File #051-0945

The item should not have been on the agenda. At the January 7 meeting, the public hearing was continued to May 19.

Jill Presti-Klem

6 77th Street

Request for Certificate of Compliance

DEP File #051-0908

The Commission voted to issue a Certificate of Compliance for a multi-level deck in 2016. The appropriate box was not checked on the form and the applicant was not able to record the Certificate at the Registry of Deeds. Paul Healy moved to issue a Certificate of Compliance 6 77th Street. David Vine 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.

Paul Hogg, Harbormaster

Northern Boulevard, Plum Island Point

Notice of Intent

A DEP file number has not yet been issued and the revised plans have not yet been received.

David Vine moved to continue the public hearing to the February 18 meeting. Steve Moore seconded the motion. The motion was unanimously approved.

Nicole Young Nadeau

6 Bayne Lane

Notice of Intent

DEP File #051-1011

Ann McMenemy represented the applicant, who is proposing to add two floats to an existing dock. Natural Heritage is requiring that conservation moorings be used because of the presence of two endangered sturgeon species. Ledge in the area prevents the use of helical anchors. Instead, eye bolts are to be drilled into the bedrock to which an elastic mooring system would be attached. This type of mooring system would have no contact with the bottom of the river. It is not known how the impact of sediment on top of the bedrock might impact the work. The contractor must submit a narrative and more detail on the construction process and must indicate on the plans the area in which the floats would be stored. Paul Healy moved to continue the public hearing to the February 18 meeting. Steve Moore seconded the motion. The motion was unanimously approved.

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Three Boston Way, LLC

3 Boston Way

Notice of Intent

Ann Martin and Scott Cameron represented the applicant, who is proposing to construct a five-story, 85-unit apartment building. An ORAD was issued for the property in June 2019. An ambulance service and a landscaping company currently occupy the site, which is almost completely disturbed. The applicants said that the proposal would improve the conditions on the site. The amount of impact to the site would be slightly greater than the existing conditions because the footprint of the building would increase. The parking would be under the building, which would help to minimize the amount of impervious surface on the site. The 25-foot no-disturb zone, which is now made up of lawn, a gravel parking lot and a stockpile area, would be partially planted with a wildlife meadow mix that would be mowed once a year in the dormant season. The applicants reviewed the stormwater management system. Instead of a large collection system, an inlet treatment system is being proposed. A special permit from the Planning Board is needed and the stormwater peer review is currently underway. The peer review comments and the applicant's responses will be forwarded to the Commission. Steve Moore moved to continue the public hearing to the February 18 meeting. Paul Healy seconded the motion. The motion was unanimously approved.

Frederick Habeeb

5 75th Street

Notice of Intent

Paul Healy recused himself from the discussion. The applicant did not attend the meeting and did not request a continuance. No additional information has been received. At its January 14 meeting, the ZBA denied a variance for the application. Steve Moore moved to continue the public hearing to February 18 and to advise the applicant that the Commission will vote the application at that meeting if no additional material has been received. David Vine seconded the motion. The motion was unanimously approved.

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

7. Order of Conditions

None

8. Enforcement

None

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:49 p.m. Joe Teixeira seconded the motion. The motion was unanimously approved.