

Newburyport Conservation Commission

March 1, 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 6:46 p.m.

2. Roll Call

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

3. Minutes

Doug Muir moved to approve the minutes of the February 16, 2016 meeting as submitted. Dan Bourdeau seconded the motion. The motion was unanimously approved.

4. Old and New Business

223 Low Street

Informal Discussion

The property owners wish to reduce the size of the rain garden. They said it does not function as it should, making the driveway icy and unsafe in the winter. The location of the rain garden also makes it difficult for cars to maneuver around it. The work could be done as an amendment to the Order of Conditions because a Certificate of Compliance has not yet been issued. The Commission members will review the file at the next meeting.

Coltin Drive Foot Path

Informal Discussion

Larry Guinta described plans to revitalize a footpath that runs on City land between Pheasant Run Drive and Coltin Drive. The improved path would allow students to safely reach Low Street without walking along Hale Street. The path would not be paved and would be in the same location as the existing one, but the DPS would be asked to level and widen it. The Commission members would allow an RDA to be filed for the work. The wetland line must be added to the plan to allow them to determine if the path is in the 25-foot no-disturb zone and the way in which the regulations would impact the project. They wish to receive information on the trees that would be impacted and more detail on any grading that would be done.

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

Newburyport Manager, LLC

1 Tournament Wharf

Request for Certificate of Compliance

DEP File #051-0899

The project that involved the replacement of deteriorated piles supporting an existing deck was completed according to the plans. Paul Healy moved to issue a Certificate of Compliance. Steve Moore seconded the motion. The motion was unanimously approved.

March 1, 2016

6. Public Hearings

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

Craig Pessina, Chart House Development, LLC

23, 23R, and a portion of 25 Hale Street

Notice of Intent

DEP File #051-0948

Tom Hughes represented the applicant and submitted the plan for snow storage and the construction sequence the Commission members had previously requested. Steve Sawyer reviewed the changes to the plans that resulted from the peer review for stormwater management. The revisions did not result in any further disturbance to the buffer zone. The applicant agreed to install some form of barrier to protect the trees in the snow storage area. The outfalls for the rain garden and the pocket wetland must be shown on the erosion control plan. Steve Moore moved to close the public hearing. Paul Healy seconded the motion. The motion was unanimously approved.

MassDOT Highway Division

Whittier Bridge

Amend Order of Conditions

DEP File #051-0875

The applicant requested a continuance. Paul Healy moved to continue the public hearing to the March 15 meeting. Steve Moore seconded the motion. The motion was unanimously approved. Asked for a continuance.

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

7. Enforcement/Violations

216 Northern Boulevard

Julia Godtfredsen will contact the property owner and provide an update at the next meeting.

8. Orders of Conditions

Craig Pessina, Chart House Development, LLC

23, 23R, and a portion of 25 Hale Street

Paul Healy moved to issue an Order of Conditions with the perpetual condition there shall be no snow storage in the no-disturb zone and the special conditions that prior to the start of work the 25-foot no-disturb zone between flags A14 and A31 shall be marked in the field and the applicant shall submit for review and approval 1) a plan for permanently marking the area between flag A14 and the western property line to prevent disturbance of the wetland during the maintenance of the stormwater feature, 2) a plan to prevent vehicular traffic from accessing the rain garden and the no-disturb zone and 3) a revised erosion control plan showing the extension of the erosion control around the outfalls of the rain garden and the pocket wetland. Steve Moore seconded the motion. The motion was unanimously approved.

Newburyport Conservation Commission
March 1, 2016

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:05 p.m. Paul Healy seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, March 15, 2016.