

Newburyport Conservation Commission
April 17, 2018
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 6:48 p.m.

2. Roll Call

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

3. Minutes

Steve Moore moved to approve the minutes of the March 20, 2018, meeting as submitted. Paul Healy seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island Updates

The plan to remove sand from the Captain's Fishing Parties beach and parking area has been revised to provide for a gentler slope. The sand the residents purchased was used to begin the process of creating a berm along Reservation Terrace. There was difficulty in obtaining shorebird monitors. DEP extended the Emergency Certification to May 15.

Water Street Pump Station Emergency Certification

An Emergency Certification was issued to the Department of Public Services to replace the rock, gravel and soil that was washed away during the recent storms, threatening the foundation of the pump station and equipment. Paul Healy moved to ratify the Emergency Certification. Steve Moore seconded the motion. The motion was unanimously approved.

Constructed Wetlands

The Commission members would like Julia Godtfredsen to compile a list of filings with constructed wetlands in order that they might evaluate the success of the approved projects.

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

Daly Realty Trust

166 Northern Boulevard

Request for Certificate of Compliance

DEP File #051-0919

The applicant did not attend the meeting. Steve Moore moved to continue the request to the May 1 meeting. Dan Bourdeau seconded the motion. The motion was unanimously approved.

Newburyport Conservation Commission
April 17, 2018

Tracy Neff

168 Northern Boulevard

Request for Determination of Applicability

Jon Steeves of Byfield Builders represented the applicant, who is proposing to remove a 12' x 12' deck and replace it with one of the same size on the existing footings. The deck would be five feet above grade. The existing deck is enclosed with lattice. Paul Healy moved to issue a Negative 3 Determination with the condition that any lattice installed around the deck shall extend no lower than two feet above grade. Steve Moore seconded the motion. The motion was unanimously approved.

Susan Harvey

16 54th Street

Request for Determination of Applicability

The applicant is proposing to install two types of fence on her property. While the proposed split rail fence would be acceptable, it does not appear from the drawings the amount of space between the pickets on the second fence would be adequate to meet the requirements of the local ordinance. Paul Healy moved to issue a Negative 3 Determination with the condition the applicant shall submit a plan showing the way in which the picket fence would be modified to meet the requirement it be at least 50% open. Steve Moore seconded the motion. The motion was unanimously approved. The applicant was advised to consult with a professional about the replacement of the sand berm at the back of the property that was lost during the winter storms.

Steve Moore moved to open the public hearings. David Vine seconded the motion. The motion was unanimously approved.

6. Public Hearings

John D. Galligan, Bradford & Bigelow Realty, LLC

3 Perkins Way

Notice of Intent

Tom Hughes and Steve Sawyer represented the applicant. The Commission members visited the site on April 12 and reviewed the proposed locations of 12 willow and red maple saplings. DEP required the elevation of the ground water to be determined through test pits, which resulted in a change to the design: a constructed pocket wetland will take the place of the bioretention area that had been previously proposed. The filing will include an optional phragmites management plan. A prior permit exists for the site that must be closed. The two hemlocks that have died will be replaced with two red cedars and several red osier dogwoods.

The Commission members asked that bollards be added to protect the filter strip. They requested that the snow storage area and a detail on the outlet of the pocket wetland be added to the plans. They asked for information on the way in which the green roof would be advertised. They wish to receive both printed material and a video on the monitoring of temperatures and plant materials.

The peer review has not yet been resolved. The applicant must provide updated site and stormwater plans and the findings for a variance and must request a Certificate of Compliance for the prior permit and address the peer review comments. David Vine moved to continue the

Newburyport Conservation Commission
April 17, 2018

public hearing to the May 1 meeting. Dan Bourdeau 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. Enforcement

None

8. Order of Conditions

None

9. Adjournment

Steve Moore moved to adjourn the meeting at 8:03 p.m. Paul Healy seconded the motion. The motion was unanimously approved. The next meeting of the Conservation Commission will take place on Tuesday, May 1, 2018.