

## **Newburyport Conservation Commission**

April 18, 2017

Senior/Community Center Board Room

Minutes

### **1. Call to Order**

Chair Joe Teixeira called a meeting of the Newburyport Conservation Commission to order at 6:45 p.m.

### **2. Roll Call**

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

### **3. Minutes**

Paul Healy moved to approve the minutes of the April 4, 2017 meeting as amended. Steve Moore seconded the motion. The motion was approved.

### **4. Plum Island Updates**

- The next meeting of the Merrimack River Beach Alliance is scheduled for Friday, April 21.
- A meeting to discuss which beach accessways should remain open has been scheduled for May 5.

### **5. Old and New Business**

The filing deadline for applications currently is Tuesdays at 4:00 p.m., which makes it difficult for the Planning Office staff to place an advertisement in the *Daily News*. Paul Healy moved to change the filing deadline to Mondays at 4:00 p.m., fifteen days before the meeting at which the application will be presented. Dan Warchol seconded the motion. The motion was unanimously approved.

### **6. Certificates of Compliance, Requests for Determinations, Requests for Minor Modifications**

None

### **7. Public Hearings**

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

### **Howard and Dorothy Fairweather**

3-5 Collins Farm Road

Notice of Intent

DEP File #051-0968

The applicants are proposing to construct a 1,900 square foot, single-family home with a teahouse and garage. Curt Young has corresponded with DEP regarding an alternatives analysis. The Commission members do not wish to take action on the application until DEP has responded. The Order of Conditions might include language indicating an occupancy permit would not be issued until a mutually agreeable conservation restriction has been filed. The

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applicant will submit a draft conservation restriction for discussion at the next meeting. Dan Bourdeau moved to continue the public hearing to the May 2 meeting. Steve Moore seconded the motion. The motion was unanimously approved.

**Newburyport Manager, LLC**

72, 86-90 Merrimac Street, 58 McKay's Wharf, and Brown's Wharf

Notice of Intent

DEP File #051-0969

The applicant requested an extension. Dan Bourdeau moved to continue the public hearing to the May 2 meeting. Doug Muir seconded the motion. The motion was unanimously approved.

**Thomas Lawrence**

17 82nd Street

Notice of Intent

DEP File #051-0971

David Vine recused himself from the discussion. Tom Hughes represented the applicant and is preparing two alternatives to present to the Commission for raising the deck to the level of two feet above grade. He is also preparing a request for a waiver from the flood level requirements. He intends to submit a separate filing for a dune nourishment plan for the shared property. Steve Moore moved to continue the public hearing to the May 2 meeting. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Lorraine and Michael Riley**

2 Spofford Street

Notice of Intent

Tom Hughes represented the applicants, who are proposing to demolish two structures and replace them with a single-family house, resulting in 4,700 square feet of alteration. A DEP file number has not yet been received and Natural Heritage has not responded. Steve Moore moved to continue the public hearing to the May 2 meeting. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**George Charos**

Merrimack River in front of 82nd Street

Notice of Intent

DEP File #051-0970

Tom Hughes represented the applicant. The permitting process with other agencies is ongoing. Dan Bourdeau moved to continue the public hearing to the May 2 meeting. David Vine seconded the motion. The motion was unanimously approved.

**8. Adjournment**

Steve Moore moved to adjourn the meeting at 10:50 p.m. Dan Bourdeau seconded the motion. The motion was unanimously approved.