

Newburyport Conservation Commission
April 5, 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 6:47 p.m.

2. Roll Call

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

3. Minutes

Paul Healy moved to approve the minutes of the March 15, 2016 meeting as submitted. Dan Warchol seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island

David Vine reported on the most recent meeting of the Merrimack River Beach Alliance. DCR suggested the City write a letter requesting the north point be investigated. The Army Corp is considering a second model study in order to present useable results. Additional dredging might be done in the channel of the river. A 103 study would be needed if the City wishes to use any of the dredged material in another location. The Army Corp has funding for studies on the raising and dredging of the marshes. Julia Godtfredsen plans to attend a meeting on the modeling and research studies that have been done on Plum Island and the Great Marsh in Essex over the past few years.

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

Matt Schweisberg, Wetland Strategies and Solutions, LLC
7 Moulton Street

Request for Certificate of Compliance

DEP File #051-0940

Matt Schweisberg submitted a report indicating the work to extend a chain link fence and install granite property markers was done according to Order of Conditions. Paul Healy moved to issue a Certificate of Compliance. Dan Bourdeau seconded the motion. The motion was unanimously approved.

Keolis Commuter Services
Boston Way (Railroad Right-of-Way)
Request for Determination of Applicability

The Vegetation Management Plan for the right of way expired in December 2015. An RDA must be filed every five years at the time the plan is renewed. No changes have been made to the plan that was previously approved. Paul Healy moved to issue a Negative 2 Determination. David Vine seconded the motion. The motion was unanimously approved.

6. Public Hearings

Dan Warchol moved to open the public hearings. Paul Healy seconded the motion. The motion was unanimously approved.

Brian Raiche and Loren Lee
223 Low Street
Amend Order of Conditions
DEP File #051-0839

After the applicants purchased the property the width of the driveway was reduced three feet in order for the lower rain garden to be installed according to the plans. As a result the driveway is icy and unsafe in the winter. The applicants wish to reduce the size of the rain garden and expand the driveway to its original width. The smaller size would not prevent the rain garden from handling the runoff from the driveway. No change is proposed for the rain garden at the top of the driveway, which functions properly.

Paul Healy moved to accept the plans as an amendment to the Order of Conditions. Dan Warchol seconded the motion. The motion was unanimously approved.

Evergreen Development LLC
18 Boyd Drive
Abbreviated Notice of Resource Area Delineation

Tom Hughes and Lisa Mead represented the applicants. AECOM and ESS submitted proposals for the peer review. The proposal from AECOM was double that from ESS but included twice the number of hours. The scope of services specified a hydrogeologist must be available if needed. It was clarified that ESS does have a qualified hydrogeologist on staff. A second peer review would be undertaken during the Planning Board process.

Dan Warchol moved to select ESS for the peer review. Dan Bourdeau seconded the motion. The motion was unanimously approved.

Dan Bourdeau moved to continue to the public hearing to the April 19 meeting. Paul Healy seconded the motion. The motion was unanimously approved.

A site visit was scheduled for Monday, April 11 at 5:00 p.m.

Charles Palmisano
10 Jefferson Court
Amend Order of Conditions
DEP File #051-0805

The applicant had originally proposed to install a garage and gravel driveway to the west side of the structure. Under a second Order of Conditions, the applicant subsequently installed the

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garage on the east side of the property. He now wishes to construct a small addition on the west side of the structure in place of the garage that had been originally permitted. The gravel drive approved for that side of the structure would no longer be needed. The changes would result in a 280 square foot reduction of disturbance to the buffer zone. A boulder slope on the back edge of the property would replace the previously approved retaining wall.

Paul Healy moved to accept the plans as an amendment to the Order of Conditions. Dan Bourdeau seconded the motion. The motion was unanimously approved.

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

7. Enforcement/Violations

216 Northern Boulevard

The property owner submitted a plan for changes to the fence. The proposal does not meet the regulations and an alternative must be submitted.

Dan Warchol moved to reject the proposal for the modification of the fence because it is not in compliance with the local ordinance. Dan Bourdeau seconded the motion. The motion was unanimously approved.

8. Orders of Conditions

None

9. Adjournment

Dan Bourdeau moved to adjourn the meeting at 8:10 p.m. Dan Warchol seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, April 19, 2016.