

Newburyport Conservation Commission

May 3, 2016

Senior/Community Center Board Room

Minutes

1. Call to Order

Vice Chair Steve Moore called a meeting of the Newburyport Conservation Commission to order at 6:45 p.m.

2. Roll Call

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

3. Minutes

Paul Healy moved to approve the minutes of the April 19, 2016 meeting as amended. Dan Bourdeau seconded the motion. The motion was unanimously approved.

4. Old and New Business

Plum Island Updates

The remaining funds from a CPA grant will be used to consolidate the various messages at the public access points on one sign in each location. The signs would be located at 53rd, 55th and 57th Streets, the parking lot entrance and the point. The City intends to apply for a CZM coastal resiliency grant. Funds would be sought to restore dune function and develop and implement a plan for beach access improvements that would stabilize the pathways to prevent erosion while providing recreational opportunities.

Plum Island Point Dredging

Tom Hughes provided an update on the emergency certification that is being sought for a proposed dredging project at Plum Island Point. The work is to be completed by the end of May. The Commission members will review the materials and forward their comments to Julia Godtfredsen and she will issue the emergency certification if appropriate based on approval by other agencies.

Whittier Bridge Salt Marsh Monitoring

Paul Healy moved to approve a proposal by Mary Rimmer for the extension of the salt marsh monitoring contract at the Whittier Bridge through the 2017 growing season. Dan Warchol seconded the motion. The motion was unanimously approved.

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

Brian and Maria Barrett

234 Northern Boulevard

Request for Determination of Applicability

The applicant intends to relocate and expand a 240 square foot stone patio. The existing joints are between one and three inches in width. The proposed joints would be increased to a width

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varying between five and seven inches. The area between the joints would be filled with crushed shells. The reconfigured patio would cover 450 square feet. Beach grass would be transplanted from the new patio location to the area from which the stones are being removed and to a portion of the site that is currently unvegetated. The work would not increase the amount of impervious surface and the square footage of beach grass would remain the same.

Dan Warchol moved to issue a Negative 2 Determination. Dan Bourdeau seconded the motion. The motion was unanimously approved.

Crane Neck Investments, LLC
10 68th Street

Request for Determination of Applicability

Mary Rimmer represented the applicant, who is proposing to add a 16' x 16' deck to an existing single-family home. The deck would be constructed on concrete piers and would be five to six feet above grade. The lowest horizontal structural member would be at elevation 19. Portions of the site that are poorly vegetated would be restored as mitigation. The area of the deck is smaller than the mitigation area, resulting in a net gain of 90 square feet of vegetation. Some vegetation might survive under the deck, but this has not been included in the calculations.

Dan Bourdeau moved to issue a Negative 2 Determination. Paul Healy seconded the motion. The motion was unanimously approved.

6. Public Hearings

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

Evergreen Development LLC
18 Boyd Drive

Abbreviated Notice of Resource Area Delineation

The applicant requested an extension. Dan Warchol moved to continue the public hearing to the May 17 meeting. Dan Bourdeau seconded the motion. The motion was unanimously approved.

One Boston Way, LLC
1 Boston Way

Notice of Intent

The applicant is proposing to construct a five-story apartment building in an MBTA parking lot. The site is almost entirely paved. Most of the work would be outside of the jurisdiction of the Commission. A BVW is on the opposite side of Boston Way and a portion of the site is within the buffer zone to this BVW. The 25-foot no-disturb is outside of the limits of the property.

Scott Cameron described the stormwater management plan. The amount of impervious surface would be reduced 9% or 5,000 square feet. Portions of the site would be intensively landscaped. Measures, such as changing the grading of the site, would be taken to slow the rate of runoff and promote infiltration. A roof collection system would channel runoff into bioretention beds and then into the existing drainage system. Christiansen and Sergi conducted a review for the Planning Board and issued a letter stating the applicant has addressed all concerns.

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

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UFP Technologies
100 Hale Street
Notice of Intent

Scott Cameron represented the applicant and described the proposed two building additions and the expansion of the parking lot. Wetland resources bound the property on three sides. Work would take place within the 100-foot buffer zone to the BVW and the 200-foot Riverfront Area. The driveway at the rear of the property would intrude into the 25-foot no-disturb zone and the applicant is requesting a variance from the local ordinance. The applicant is proposing to install a small green roof pilot project as a part of the public benefit and to provide mitigation beyond that which would be required to help alleviate downstream flooding.

The Commission members said they would prefer the area adjacent to the parking lot to be restored as buffer zone rather than wetland. Steve Moore said he had looked favorably on the project when it had been previously presented because a 10,000 square foot green roof was proposed. The current proposal is for a 600 square foot green roof. Dan Warchol said he would want the green roof to be at least 1,700 square feet, the amount of intrusion into the 25-foot no-disturb zone. Lisa Mead pointed out that 300 square feet of the 1,700 square feet is currently paved and only 550 square feet is woodland.

A site visit will take place on Monday, May 9 at 5:30 p.m. Dan Warchol moved to continue to the public hearing to the May 17 meeting. Dan Bourdeau seconded the motion. The motion was unanimously approved.

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

7. Enforcement/Violations
216 Northern Boulevard

Julia Godtfredsen sent an email to the property owner and her attorney about the plan to remedy the non-compliant fence but has not received a response. She will send a letter stating the owner must attend the next meeting or be subject to a fine of \$25 per day.

8 Riverview Drive, 1 Shandel Drive

Julia Godtfredsen recounted the history of the mitigation at 1 Shandel Drive. The owner of 8 Riverview Drive recently removed seven trees, some of which were located at 1 Shandel Drive. The trees are in the buffer zone and the Commission would not have allowed their removal. In addition, the tops of some of the trees that had been planted in mitigation were removed. An Enforcement Order will be issued.

8. Orders of Conditions
One Boston Way, LLC
1 Boston Way
Notice of Intent

Paul Healy moved to issue an Order of Conditions with the conditions that information on the snow storage area and the stormwater pollution prevention plan is provided prior to the start of construction and sheet #6/8 is revised. Dan Bourdeau seconded the motion. The motion was unanimously approved.

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9. Adjournment

Paul Healy moved to adjourn the meeting at 9:30 p.m. Dan Warchol seconded the motion. The motion was unanimously approved.