

**Newburyport Conservation Commission**  
June 21, 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 6:45 p.m.

**2. Roll Call**

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

**3. Minutes**

Paul Healy moved to approve the minutes of the May 17, 2016 meeting as submitted. David Vine seconded the motion. The motion was unanimously approved.

Doug Muir moved to approve the minutes of the June 7, 2016 meeting as submitted. Steve Moore seconded the motion. The motion was unanimously approved.

**4. Old and New Business**

**Plum Island Updates**

FAQs could be added to the Commission's web page as a way of providing information to Plum Island property owners about the local ordinance and regulations.

**Dredging at Plum Island Point**

The dredge is in the river but the work has not yet been started.

**Rail Trail Invasive Species Removal**

The City wishes to expand the work to remove invasive species along the proposed Rail Trail to include a section of Joppa Flats. The work shall be approved as a minor amendment. A new plan of record shall be submitted with a note indicating the same methods would be used as have been approved for other areas along the trail.

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

**Newburyport Department of Public Services**

Coltin Drive Pedestrian Pathway

Request for Determination of Applicability

The proposed work involves the improvement of a dirt pathway that extends on City land between Pheasant Run Drive and Coltin Drive. Gravel would be added to the path and it would be widened and leveled to make it safer for pedestrians. It would not be elevated or filled. The work would take place in the buffer zone of a wetland but would not adversely impact it. Steve

Newburyport Conservation Commission

June 21, 2016

Moore moved to issue a Negative 3 Determination with the conditions the applicant has submitted. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**Lisa Moulis**

6 77th Street

Request for Certificate of Compliance

DEP File #051-0908

Julia Godtfredsen said the site is very well vegetated. The applicant installed more native plants than the Order of Conditions required and has completed the planting in the mitigation area. Some beach grass has become established under the new deck. Paul Healy moved to issue a Certificate of Compliance. Steve Moore seconded the motion. The motion was unanimously approved.

**Virginia Barnes**

12 L Street

Request for Extension

DEP File #051-0837

The Commission issued a partial Certificate of Compliance in 2015 that did not include the landscaping. This work is now being done and the plantings must be monitored for one year.

Paul Healy moved to extend the Order of Conditions to July 22, 2019 to allow for the monitoring of the vegetation. Dan Bourdeau seconded the motion. The motion was unanimously approved.

In 2014 the Commission approved a minor modification to allow the applicant to remove poison ivy. Her efforts have not been successful. She is selling the property and does not wish the new owner to be obligated to complete this work. She requested a return to the original planting plan that was a part of the Order of Conditions issued in 2010.

Paul Healy moved to modify the Order of Conditions to remove the requirement the invasive species be removed and replaced with native vegetation. Dan Bourdeau seconded the motion. The motion was unanimously approved.

**6. Public Hearings**

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

**Doug Molin, Gem Realty**

79 Parker Street

Abbreviated Notice of Resource Area Delineation

Patrick Seekamp said USGS map indicates the stream is perennial and the applicant does not intend to challenge this. The applicant will add the riverfront area to the plan. The Bordering Land Subject to Flooding adjacent to the site would not be included in the ORAD.

Mr. Seekamp provided additional information that would not impact the project. He said the perennial portion of the stream is depicted as stopping downstream of the headwall in the plunge pool area. This places the headwall in the riverfront area and not the river, which would be advantageous when the failing headwall must be repaired.

Newburyport Conservation Commission  
June 21, 2016

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

Steve Moore to accept the ANRAD. Dan Bourdeau seconded the motion. The motion was unanimously approved.

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

**7. Orders of Conditions**

None

**8. Enforcement/Violations**

**216 Northern Blvd.**

Julia Godtfredsen forwarded an email in which the property owner asked if a chain link fence would be acceptable. The Commission members would approve of chain link being used below the bottom stringer.

**8 Riverview Drive/1 Shandel Drive**

The property owners reached an agreement on the replacement of the trees and shrubs. The pines that had their tops removed have been replaced and spruce and arborvitae have been planted. The buffer zone will be allowed to regenerate naturally. The Notice of Violation will remain in effect for two years and will be lifted at the end of that period if 80% of the plant materials have survived. Letters will be sent to both property owners stating the naturally vegetated areas shown in exhibits 3, 4 and 5 shall not be mowed.

**9. General Business**

The July 5 meeting will be cancelled.

**10. Adjournment**

Steve Moore moved to adjourn the meeting at 8:00 p.m. Doug Muir seconded the motion. The motion was unanimously approved. The next meeting will be scheduled for Tuesday, July 19, 2016.