

Newburyport Conservation Commission

June 5, 2012

City Hall Conference Room

Minutes

1. Call to Order

A meeting of the Newburyport Conservation Commission was called to order by Chairman Joe Teixeira at 6:30 p.m.

2. Roll Call

In attendance were members Joe Teixeira, Paul Healy, Steve Moore, Jim O'Brien, Mary Casey and Dan Warchol. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Paul Healy moved to approve the minutes of the May 15, 2012 meeting as submitted. Mary Casey seconded the motion. The motion was unanimously approved.

4. General Business

CPC Member Election

Mary Casey moved to nominate Paul Healy as the Conservation Commission representative to the Community Preservation Committee. Jim O'Brien seconded the motion. The motion was unanimously approved.

Whittier Bridge Salt Marsh Monitoring

Julia Godtfredsen said she forwarded the revised scope of work for the monitoring of the salt marsh to Mary Rimmer.

South Jetty Repair

Julia Godtfredsen said the route from the parking lot to the jetty has been revised. DCR has approved of the change and CZM consistency approval is being sought. The revised plan has not yet been submitted to the Commission. A meeting on the project has been scheduled for June 19. Jon-Eric White said a load-bearing test has been done on the roads but the results have not yet been received. There will be no wetlands permitting for the project as the Army Corp. has indicated it is exempt from the process.

Meeting Schedule

The meeting of the Conservation Commission scheduled for July 3 will be changed to July 10 due to the holiday.

Citywide Wetland Ordinance

The Citywide Wetland Ordinance passed the first reading of the City Council with no opposition.

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

Robert and Carla Moore

16 Basin Street

Request for Certificate of Compliance

A site visit took place on May 17 and it was determined the project was constructed in accordance with the Order of Conditions. Steve Moore moved to issue a Certificate of Compliance. Mary Casey seconded the motion. The motion was unanimously approved.

Newburyport Department of Public Services

Plum Island Turnpike – Culvert Repair

Request for Certificate of Compliance

Julia Godtfredsen said she visited the site on May 10 with Jon-Eric White and found the work to be in compliance with the Order of Conditions with the exception of the salt marsh replanting. She said the replanting is not necessary because the site is covered with existing salt marsh vegetation and the impact of the project was less than expected. During the discussion it was noted by Jon-Eric White that the armored sewer pipe, which was originally to run perpendicularly through the culvert opening, was subsequently relocated under the culvert. Paul Healy moved to issue a Certificate of Compliance. Steve Moore seconded the motion. The motion was unanimously approved.

Circle Finishing

19 Graf Road

Informal Discussion

No representative from Circle Finishing was in attendance at the meeting for a discussion.

U.S. Fish and Wildlife Service

Water Street and Merrimac Street

Request to Amend Determination of Applicability

Julia Godtfredsen said the applicant did not plan to attend the meeting to discuss the minor amendment to the Determination of Applicability. The applicant would like to add sites to those previously approved for the removal of pepperweed on Plum Island and Woodbridge Island. There is to be no deviation from the approved method of removal. Not all of the property owners have been contacted, as the working is being done incrementally. Paul Healy moved to amend the Determination of Applicability with the condition that the applicant supplies the Conservation Agent with evidence that the property owner has been notified before work on each site has begun. Steve Moore seconded the motion. The motion was unanimously approved.

William Edwards

8 Nancy Street

Request for Determination of Applicability

The applicant began to convert an existing screened porch to a four-season porch after decay was found along the slider that connects the kitchen to the screened porch. Windows are being installed in the place of the screens. There is to be no change to the footprint of the porch. A section of lattice that had been located along the deck has been removed. The applicant was

Newburyport Conservation Commission
June 5, 2012

informed that if the lattice is replaced, it must be located at least two feet above grade. The portion of the lattice that has not been removed may be retained. Mary Casey moved to issue a Negative 3 Determination with the condition that if the lattice under the deck is replaced it must be at least two feet above grade.

Dan Warchol moved to recess the meeting and open the public hearings. Steve Moore seconded the motion. The motion was unanimously approved.

6. Public Hearings

Eivind and Mary Lange

230 Northern Boulevard

Notice of Intent

Tom Hughes appeared for the applicant, who is proposing to alter an existing structure. A 500 square foot section of the building would be removed and replaced with a smaller two-story section on steel piles. A deck would be added, along with a stair tower that would be supported by wooden pilings on one side and the building on the other. The impact would be increased by approximately 100 square feet and would be located over the existing footprint or lawn. It is being proposed that 300 square feet of mitigation take place in the corner of the lot near Reservation Terrace, where a stand of native trees and shrubs would be created. There is an existing 6' x 10' shed that would be removed and might be replaced by a slightly larger shed at a future date. Steve Moore moved to close the public hearing. Mary Casey seconded the motion. The motion was unanimously approved.

Janice Reagan

6 76th Street

Notice of Intent

Mary Rimmer appeared for the applicant, who wishes to replace an existing structure with a two-story one of a similar size on pilings with parking underneath. The existing lawn would be replaced by an additional 245 square feet of beach grass. An existing fence would be moved to align with the rear property line. The new sections of fence would be similar to the existing and would be 50 percent open and two feet above grade. The utility shaft might be moved to a different location than is shown on the plan but would be of the same size. Steve Moore moved to close the public hearing. Mary Casey seconded the motion. The motion was unanimously approved.

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

7. Orders of Conditions

Eivind and Mary Lange

230 Northern Boulevard

Dan Warchol moved to issue an Order of Conditions with the special conditions that 1) the Conservation Agent has the authority to approve of the plantings provided they are native to Plum Island, 2) the replacement shed not be larger than 10 feet x 12 feet, 3) the shed must be at least one foot above grade and held in place with an anchor system, 4) the driveway materials

Newburyport Conservation Commission
June 5, 2012

must be noted on the plan and 5) the applicant may chose to replace the bituminous paving with crushed stone or other permeable material approved by the Conservation Agent. Steve Moore seconded the motion. The motion was unanimously approved.

Janice Reagan

6 76th Street

Paul Healy moved to issue an Order of Conditions with the special conditions that 1) any impacted dune grass is to be replaced, 2) the construction equipment is only to be located on the gravel or other non-vegetated areas, 3) the fence must meet the Plum Island guidelines, 4) the pilings are to remain open, 5) the location of the utility shaft may be changed but it may not be larger 3.5 feet x 3.5 feet, 6) permeable materials are to be used for the parking area and 7) the location of the fence is indicated on the plans before work may begin. Steve Moore seconded the motion. The motion was unanimously approved.

8. Enforcement

Crow Lane Landfill

Mary Rimmer said the Crow Lane replication area has been completed. The cutting of phragmites will be done later in the month. Work to restore the vernal pool has not yet begun.

9. Adjournment

Steve Moore moved adjourn the meeting at 8:00 p.m. Mary Casey seconded the motion. The motion was unanimously approved.