

Newburyport Conservation Commission
January 17, 2023
Online Meeting
Minutes

1. Call to Order

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

2. Roll Call

In attendance were members Joe Teixeira, Steve Moore, Bill Mullen, Carole Wagan, David Vine and Dan Warchol. Charlie Aloviseti was absent. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Carole Wagan moved to approve the minutes of the December 20, 2022, meeting. Steve Moore seconded the motion. The motion was approved by a 6-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes; Dan Warchol, yes).

4. Old and New Business

Plum Island Updates

The next MRBA meeting is scheduled for February 3. The dredging project will be the main topic of discussion at that meeting. The dredge is set to resume on January 18. The next phase of the work will involve the outer channel and is expected to yield 90% of the sand that will be placed on the beach. The sand that was placed on the beach during the first phase of the project has been washed away. The placement of the new sand is to begin at the jetty and will move westward. David Vine asked if a higher elevation could be achieved along Reservation Terrace, even if it were only temporary to provide protection for the winter.

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

Michael Parent

166 Northern Boulevard

Request for Certificate of Compliance

DEP File #051-0919

Tom Hughes represented the applicant. He said the vegetation is well established. The homeowner has agreed to replant an area of approximately 150 square feet where the beach grass is lacking due to use. The grass has been ordered and is to be installed in the next week. It was noted that the lattice that extends to the ground on two of the stairways was in place at the time the Certificate of Compliance was issued. The applicant installed a fence that is not compliant with the Plum Island Guidelines. He will replace the fence and provide details on the new fence before it is installed.

Steve Moore moved to issue a Certificate of Compliance for 166 Northern Boulevard. Dan Warchol seconded the motion. The motion was approved by a 6-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes; Dan Warchol, yes).

Michael Parent

166 Northern Boulevard

Request for Determination of Applicability

Tom Hughes represented the applicant, who is proposing to enclose an existing outdoor shower, install skirting along the perimeter of the structure and install a platform for an outdoor refrigerator. The refrigerator platform would be three feet above grade and would be supported by a post on a diamond pier. The plans indicate the shower enclosure would be one foot above grade and the skirting would be two feet above grade. The plans must be amended to indicate the shower enclosure would be two feet above grade and skirting would be three feet above grade. The non-compliant fence would be replaced with one that is at least 50% open.

Steve Moore moved to issue a Negative 3 Determination for 166 Northern Boulevard with the conditions that 1) the plans shall be amended to show the skirting shall be three feet above grade and the shower enclosure shall be two feet above grade; 2) a schedule and specifications for the replacement of the non-compliant fence shall be provided as soon as possible and the fence shall be installed by the spring of 2023 and 3) the planting materials associated with the Order of Conditions for DEP File #051-0919 shall be established in the spring 2023 growing season. David Vine seconded the motion. The motion was approved by a 6-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes; Dan Warchol, yes).

6. Public Hearings

Craig Pessina, Hale Business Park Realty Trust

21 Malcolm Hoyt Road

Notice of Intent

DEP File #051-1067

The applicant requested a continuance. Dan Warchol moved to continue the public hearing to the February 7 meeting. David Vine seconded the motion. The motion was approved by a 6-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes; Dan Warchol, yes).

7. Enforcement/Violations

None

8. Order of Conditions

None

9. Adjournment

Carole Wagan moved to adjourn the meeting at 7:21 p.m. Steve Moore seconded the motion. The motion was approved by a 6-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes; Dan Warchol, yes).