

**Newburyport Conservation Commission**  
**March 15, 2022**  
**Online Meeting**  
**Minutes**

**1. Call to Order**

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

**2. Roll Call**

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

**3. Minutes**

Carole Wagan moved to approve the minutes of the March 1, 2022, meeting. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

**4. Old and New Business**

**Plum Island Updates**

Julia Godtfredsen said a site visit to observe the functionality of the coir bag and rock system was attended by Mayor Reardon, City Councilors Mark Wright and Sharif Zeid, representatives of the DPS and Anders Bjarngard, who will make a determination if additional rocks or bags are needed.

**59 Low Street**

Kim Turner said the City has purchased the property and is now considering the way in which it will be used. A delineation was done three years ago but was not formally submitted or reviewed by the Commission. The RDA process will be used to determine the wetland boundaries.

**Certificate of Authorization for Electronic Signatures**

The Registry of Deeds requires that a Certificate of Vote must be submitted in order for electronic votes to be accepted. The members must sign the document in the Planning Office.

Carole Wagan moved to authorize the Conservation Administrator or Conservation Commission Chair to sign documents on behalf of the Commission. David Vine seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

Carole Wagan moved that the Commission members will recognize and use the provisions of MGL Chapter 110G and will execute documents with either electronic signatures or wet ink signatures and both will carry the same legal weight. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

**Colby Farm Lane Pollinator Meadow**

Nicholas Forestell and Ellie Volckhausen of the Alliance of Climate and Environmental Stewards described the plan to convert the hay field on City-owned land off of Colby Farm Lane to a pollinator meadow. In the spring, the large plants on a 1,000 square foot plot of land would be cut back. Black plastic would be installed to smother the vegetation. The tarps would be removed in the fall. Native seedlings would be planted and wildflower seeds would be sown. It is estimated that \$2,000 would be needed for seedlings, seed, tarps and wooden boards.

Paul Healy moved to approve the contribution of up to \$2,000 towards the Colby Farm Lane Pollinator Meadow. David Vine seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

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

**David Cowie**

**79 Parker Street**

**Request for Extension**

**DEP File #051-1004**

The Order of Conditions was issued in April of 2019. The applicant has requested a three-year extension. Paul Healy moved to approve a three-year extension for 79 Parker Street, DEP File #051-1004. Carole Wagan seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

**Geordie Vining, Newburyport Office of Planning & Development**

**Rail Trail**

**Request for Certificate of Compliance**

**DEP File #051-0920**

The request has been withdrawn. A special condition requires that the plant materials shall be monitored for two years. One year has passed since their installation.

**Harold and Kathryn Hansen**

**1 Bayne Lane**

**Request for Minor Modification**

**DEP File #051-1027**

Maura Robinson represented the applicant, who is proposing to reduce the size of the island in the driveway. She said the turning radius is very tight and delivery vehicles have gotten struck. The existing trees in the island would be retained and additional plant materials would be installed. The plantings at the entrance to the driveway would be enhanced. A portion of the driveway that is currently cobbled would be converted to asphalt. The cobbles would be reused to form an apron and a 10-inch border along the driveway. The retaining wall that is failing would be repaired.

David Vine moved to approve the Minor Modification. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

## **6. Public Hearings**

Carole Wagan moved to open the public hearings. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

### **Raymond R. Kingman, Jr. 10 75<sup>th</sup> Street**

A DEP file number has not yet been received. The applicant requested a continuance. David Vine moved to continue the public hearing to the April 5 meeting. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

## **Newburyport Wetlands Protection Regulations**

Julia Godtfredsen reviewed the changes to the Regulations that were discussed at special public meetings on January 24 and February 15. No changes have been proposed for the Ordinance. No one from the public commented on the proposed changes.

Carole Wagan moved to accept the proposed changes to the Newburyport Wetlands Protection Regulations. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

David Vine moved to close the public hearings. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).

## **7. Order of Conditions**

None

## **8. Enforcement**

### **3 Q Street**

The Enforcement Order that was approved at the March 1 meeting was sent to Mark Drago and John Powers. The matter is complicated by the fact that the wall is partially on City property and is not the property of Mr. Powers. Julia Godtfredsen explained that it might be difficult to achieve the desired results through a Notice of Intent. The applicants would not be bound under a NOI to complete the work. The work would likely be completed more quickly if plans were submitted under the Enforcement Order. The Commission would want to receive cross sections and a narrative that describes the materials and methods used. They would also want to receive assurances from a coastal engineer that the changes did not adversely impact the wall or the adjacent beach.

Bill Barrett said it might be difficult to obtain a certification from a coastal engineer. Julia Godtfredsen explained the Commission would want to know that the work did not adversely impact the integrity of the sea wall. Without this, it might be necessary for the changes to the wall to be removed.

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**9. Adjournment**

Carole Wagan moved to adjourn the meeting at 8:16 p.m. Paul Healy seconded the motion. The motion was approved by a 4-0 vote (David Vine, yes; Carole Wagan, yes; Paul Healy, yes; Steve Moore, yes).