

Newburyport Conservation Commission
June 6, 2023
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 David Vine, Carole Wagan, Bill Mullen, Charlie Aloviseti, Dan Warchol and Steve Moore. Joe Teixeira was absent. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Carole Wagan moved to approve the minutes of the May 16, 2023, meeting. David Vine seconded the motion. The motion was approved by a 4-0 vote (Steve Moore, yes; David Vine, yes; Carole Wagan, yes; Bill Mullen, yes; Dan Warchol, absent; Charlie Aloviseti, absent).

David Vine moved to approve the minutes of the April 18, 2023, meeting. Dan Warchol seconded the motion. The motion was approved by a 4-0 vote (Steve Moore, yes; David Vine, yes; Carole Wagan, abstain; Bill Mullen, abstain; Dan Warchol, yes; Charlie Aloviseti, yes).

4. Old and New Business

Plum Island Updates

- The next MRBA meeting is scheduled for June 9.
- The work that was authorized under the Emergency Certification at the May 16 meeting has been completed.
- Julia Godtfredsen will circulate the draft beach management plan.

5 63rd Street

Informal Discussion

Tom Hughes represented the applicant, who had been issued a permit for the construction of a five-unit structure on pilings. The Order of Conditions was modified to allow for the installation of a split rail fence along the street to control parking. All of the undeveloped areas on the site, which totaled over 1,400 square feet, were to be planted with beach grass.

Mr. Hughes said the mitigation area is smaller than was proposed in the Notice of Intent. The building was constructed on a slightly larger footprint and a walkway was added between the stairs and the driveway. The area being used for parking was larger than was indicated on the approved plans. Cobbles were added to contain the parking area, but the parking area is still larger than that which had been approved. The net gain in vegetation would now be approximately 1,100 square feet. Mr. Hughes asked if the cobbles and split-rail fence would compensate adequately for the 300 square-foot reduction in the amount of beach grass that was

to have been planted. The Commission members had no apparent objections to the modifications to the plans. Steve Moore suggested that granite posts might be added to reinforce the cobbles as the edge of the parking area.

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

None

6. Public Hearings

Carole Wagan moved to open the public hearings. Bill Mullen seconded the motion. The motion was approved by a 6-0 vote (David Vine, yes; Steve Moore, yes; Carole Wagan, yes; Bill Mullen, yes; Charlie Aloviseti, yes; Dan Warchol, yes).

Kim Turner, City of Newburyport

149 High Street

Notice of Intent

Kim Turner said the Commission members were sent copies of the response letter to DEP, the planting plan and information on the hibernacula.

The existing sediment in the pond would be re-graded. The finished water depth would be 48 inches, an inch shallower than its existing level. The bottom of the pond would be lined and covered with a three inch layer of armor stone and benthic soil. Above this, another three inches of benthic soil would be added. The soil layer would vary between three and five inches in the vegetated zone at the edges of the pond. Areas of the pond would be excavated and refilled to allow for burrowing by turtles. A granite block wall would run along the edge of the pond with three openings to allow access to the pond for skating. A dock would be installed in one of these openings. Vegetation would not be planted under the dock or in the openings where access to the pond is provided.

The applicant provided a schematic design of the dock. The dock would be removed in the fall and stored at the DPS facility. The Commission members requested additional information on the details of the dock. They would like assurances that the cross bracing would not damage the intake pipe when the dock is installed and removed. Julia Godtfredsen said the Commission requires for construction documents to be more than 20% complete for structures in the resource area.

The grading plan is still partially conceptual and must be finalized. The dock detail must be revised to show its elevation at the bank. Details must be provided on the grading of the pathway where it meets the toe of the slope and any associated stormwater management features.

Carole Wagan moved to continue the public hearing to the June 20 meeting. David Vine seconded the motion. The motion was approved by a 6-0 vote. The motion was approved by a 6-0 vote (David Vine, yes; Steve Moore, yes; Carole Wagan, yes; Bill Mullen, yes; Charlie Aloviseti, yes; Dan Warchol, yes).

Carole Wagan moved to close the public hearings. Bill Mullen seconded the motion. The motion was approved by a 6-0 vote (David Vine, yes; Steve Moore, yes; Carole Wagan, yes; Bill Mullen, yes; Charlie Aloviseti, yes; Dan Warchol, yes).

7. Enforcement/Violations

None

8. Order of Conditions

None

9. Adjournment

Carole Wagan moved to adjourn the meeting at 8:03 p.m. Bill Mullen seconded the motion. The motion was approved by a 6-0 vote (David Vine, yes; Steve Moore, yes; Carole Wagan, yes; Bill Mullen, yes; Charlie Aloviseetti, yes; Dan Warchol, yes).