

Newburyport Conservation Commission
August 16, 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 Dan Warchol, Steve Moore, Charlie Aloviseti, Carole Wagan and David Vine. Joe Teixeira was absent. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Dan Warchol moved to approve the minutes of the August 2, 2022, meeting. Charlie Aloviseti seconded the motion. The motion was approved by a 3-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, abstain; David Vine, abstain).

4. Old and New Business

Plum Island Updates

None

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

The Daly Group

3-7 Colby Farm Lane and 181-183 Low Street

Request for Certificate of Compliance

DEP File #051-1015

Jonathan Miller, Lisa Mead and Matt Hammer represented the applicant, who donated an open space parcel to the City in conjunction with the development of a subdivision. Matt Hammer said the work was largely done in compliance with the Order of Conditions. Additional grates were placed in some tree wells and curbing was added to direct flow into the stormwater system. He said there is no downgradient erosion and the system is functioning as designed. The drainage structures have been cleaned and are in compliance with the O and M plan. This plan has been provided to the HOA for the ongoing management of the stormwater system. Two trees and some arborvitae in the hedge have not survived and will be replaced in the fall, when the dry weather has passed. Watering bags will be placed at the base of the new trees when they are installed. Julia Godtfredsen said the trees that have survived the first growing season are in good condition. She recommended that the applicant establish an escrow account for the replacement of the plant material that has not survived. The amount placed in the account will be determined after the applicant has submitted an estimate for the cost of the replacement plant material and its installation.

The City has received a plan to re-grade one lot where flooding has occurred in the basement. Lisa Mead said this is not a jurisdictional issue. Julia Godtfredsen said the problem is isolated to one lot. It does not involve the resource area and does not impact the overall function of the stormwater system.

Dan Warchol moved to issue a Certificate of Compliance with the condition that the applicant shall establish an escrow account for the replacement of plant materials that do not survive. David Vine seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

Warren Russo
182 Northern Boulevard

Request for Determination of Applicability

Kevin Keller represented the applicant, who is proposing to construct a 12' x 16'-10" sunroom over an existing 16' x 32' deck in the AE zone. The deck is six feet above grade and was constructed to support the addition. One corner of the room would fall between two supports and one new helical pile would be installed. No excavation would be required. The work would take place in an area that is currently driveway. The sunroom would be installed in the factory and installed by a small crane. The helix screw machine is the size of a lawn track and would be transported on a trailer.

Carole Wagan moved to issue a Negative 2 Determination. David Vine seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

Kim Goulette
5 Helena Street
Minor Modification
DEP File #051-1046

The applicant received approval in 2021 for the construction of an addition over an existing deck. Ms. Goulette is requesting to formalize the area that is used for parking. Crushed bluestone would be added with a cobble edge. The area is currently gravel and sand.

Dan Warchol moved to approve the Request for Minor Modification. David Vine seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

6. Public Hearings

Carole Wagan moved to open the public hearings. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

Craig Pessina, Hale Business Park Realty Trust
21 Malcolm Hoyt Road
Notice of Intent

Lisa Mead, Tom Hughes and Steve Sawyer represented the applicant, who is proposing to construct a light industrial building on a portion of a larger site that was recently developed. The

parcel is 6.677 acres with uplands on the perimeter and a core of wet meadows. A stream runs through the property. The industrial building would have a footprint of 2,880 square feet and be constructed near the road. The development would involve 1.152 acres of the site. The remaining 5.525 acres would be conveyed to the City for open space. The application is proposing to alter more than 20% of the buffer zone, and a Variance would be necessary.

Mr. Hughes said native vegetation would be established along the perimeter of the site. The uplands at the rear of the property are connected to those on the adjacent site. He said they provide habitat and flood storage, and there is a value to protecting them. The submitted plans show that a portion of the 25-foot no-disturb zone would be impacted and will be adjusted. A split-rail fence or similar device should be included in the plans to mark the limit of the no-disturb zone.

A Variance is also needed from the ZBA. A site plan review and peer review will take place. A DEP file number has not yet been received. A site visit was scheduled for September 7 at 4:30 p.m.

David Vine moved to continue the public hearing to the September 20 meeting. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

Carole Wagan moved to close the public hearings. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

7. Enforcement/Violations

None

8. Order of Conditions

None

9. Other Business

David Vine moved to cancel the September 6 meeting due to the election and light agenda. Charlie Aloviseti seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).

10. Adjournment

Carole Wagan moved to adjourn the meeting at 8:19 p.m. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes).