

Newburyport Conservation Commission
September 7, 2021
Online Meeting
Minutes

1. Call to Order

Chair Joe Teixeira called an online meeting of the Newburyport Conservation Commission to order at 6:47 p.m.

2. Roll Call

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

3. Minutes

The approval of the minutes of the August 17 meeting was tabled due to the lack of a quorum.

4. Old and New Business

Plum Island Updates

It appears that the dredging of the mouth of the river is on target to begin at the end of October.

3 Q Street

Warren Eaton represented the owner, Mark Drago. The Building Commission issued a stop work order because the demolition and reconstruction of a garage had not been approved. Mr. Eaton said the wood in the garage was rotten and the structure was unsafe. He planned to reconstruct the garage in its existing location without increasing its square footage. The existing subfloor is still in place.

Julia Godtfredsen said the garage was in the VE zone, where new development is prohibited and any redevelopment must be placed on pilings at least two feet above base flood elevation. It was also discovered that a significant amount of work was done beyond that which had been approved. The applicant had submitted an appraisal indicating that the proposed work would increase the value of the property exactly 50% and was allowed to retain the solid foundation. A special condition was added to the Order of Conditions stating that if any changes were made the approved plans, the applicant would be required to submit an updated plan and a revised appraisal to ensure that the project would continue to meet the 50% rule for significant improvements on Plum Island. A deck and pergola were constructed that were not approved, and the roofline was made higher than had been proposed. In addition, it appears that the gravel driveway and parking area were expanded, a deck, walkway and non-compliant fence were installed and plant materials were added.

It seems it would be difficult to rebuild the garage in its previous location. A variance would be necessary, which would require an overriding public interest. It might be possible to

construct a garage in the elevated portion of the site. The applicant must submit a new appraisal and revised plans. The installation of the landscape materials and fence must be documented.

Plum Island Shed

The Commission members reviewed a draft letter to Harbormaster Paul Hogg regarding the shed at the Plum Island parking lot that is not consistently one foot above grade. The letter will be revised based on comments made during the meeting and recirculated for approval at the next meeting. It does not appear that the budget of the Harbormaster's Department or the DPS would allow for the raising of the shed and the action could jeopardize the structure. The Commission wants to be on record that no application was submitted for the work and it was not approved. The Commission may allow the shed to remain at its existing elevation but it must be brought into compliance if it becomes necessary to repair or replace it.

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

David Sorenson

7 M Street

Request for Determination of Applicability

Will LeRoyer represented the applicant, who is proposing to remove a concrete driveway and replace it with one of crushed stone on the same footprint. Two sets of granite steps with landings would be installed. Two large lilac shrubs would be removed and the area would be re-graded to drain away from the house. Julia Godtfredsen confirmed that six eastern red cedars were planted last fall, which would more than compensate for the removal of the lilacs.

Paul Healy moved to issue Negative 2 Determination. Ron DiCola seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Ron DiCola, yes; Paul Healy, yes; Carole Wagan, yes).

6. Public Hearings

Dan Warchol moved to open the public hearings. Paul Healy seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Ron DiCola, yes; Paul Healy, yes; Carole Wagan, yes).

Lorraine and Michael Riley

2 Spofford Street

Amend Order of Conditions

DEP File #051-0972

The applicant requested a continuance. Dan Warchol moved to continue the public hearing to the September 21 meeting. Paul Healy seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Ron DiCola, yes; Paul Healy, yes; Carole Wagan, yes).

Newburyport Conservation Commission
September 7, 2021

Carole Wagan moved to close the public hearings. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Ron DiCola, yes; Paul Healy, yes; Carole Wagan, yes).

7. Order of Conditions

None

8. Old and New Business

Woodsman Inc. has been selected to monitor and manage the City's open space parcels that the Commission oversees. Mayor Holaday and the City Auditor agreed to add a \$6,000 line item to the budget annually to cover the fee for the service. Commission funds would be used for any additional expenses.

9. Adjournment

Ron DiCola moved to adjourn the meeting at 7:38 p.m. Joe Teixeira seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Ron DiCola, yes; Paul Healy, yes; Carole Wagan, yes).