

Newburyport Conservation Commission
September 20, 2022
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, Dan Warchol, Steve Moore, Charlie Aloviseti, Carole Wagan, David Vine and Bill Mullen. Conservation Administrator Julia Godtfredsen was also in attendance.

3. Minutes

Carole Wagan moved to approve the minutes of the August 16, 2022, meeting. David Vine seconded the motion. The motion was approved by a 4-0 vote (Dan Warchol, absent; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, absent; Carole Wagan, yes; David Vine, yes; Bill Mullen, abstain).

4. Old and New Business

Plum Island Updates

The dredging of the mouth of the river is scheduled to begin mid-October. Two hydraulic dredges would be used, one for the inner harbor and one for the outer harbor and jetty. A pipe from each dredge will deposit sand on the beach. The beach from the jetty to the point will be closed to public access during the work. It is expected that up 300,000 cubic yards of sand would be create nearly 400 additional linear feet of dune near Reservation Terrace.

An MRBA meeting is scheduled for September 23 at PITA Hall.

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

City of Newburyport

40 Low Street (Fuller Field)

Request for Certificate of Compliance

DEP File #051-1025

Chris Huntress represented the applicant, who is seeking a Certificate of Compliance for the second phase of work at Fuller Field. Included in the project was the reconstruction of the parking lot and the widening of its entrance. Mr. Huntress said an as-built plan has been provided. He described a deviation from the approved plan. A drain line near the bleachers was rerouted to protect the trees that were planted as a part of the first phase of the project. This work was outside of the 100-foot buffer zone. The Order of Conditions did not require a two-year monitoring of the plant materials. This will be made a standard condition for all applications.

Julia Godtfredsen said she is not concerned about the survival of the plant materials. The vegetation is well established and soils and hydrology in the area are good.

Steve Moore moved to issue a Certificate of Compliance. Dan Warchol seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).

ITW Shinemark

5 Malcolm Hoyt Road

Request for Determination of Applicability

Sam Colombo represented the applicant, who is seeking to upgrade the electrical service to a building in the industrial park. A new utility pole would be installed with an underground connection to the transformer. The work would temporarily impact 200 square feet of the 100-foot buffer zone. The trench would be located in an area that is paved. The pole would be in a grassy area. The area around the pole would be loamed and seeded. Temporary impact.

Carole Wagan moved to issue a Negative 2 Determination. David Vine seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).

Chris Skiba, Newburyport Development

35-43 Water Street

Request for Determination of Applicability

The applicant requested a continuance. Dan Warchol moved to continue the request to the October 4 meeting. Steve Moore seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).

6. Public Hearings

Steve Moore moved to open the public hearings. Dan Warchol seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).

Jeffrey Bailly

6 Jefferson Court

Notice of Intent

DEP File #051-1068

Bill Manuell represented the applicant, who is proposing to rebuild an at-grade wood deck at a property along the Merrimack River. The existing deck is located in the lawn of a vacant property. The deck would be rebuilt in the same footprint over the existing concrete foundation. It is not expected that there would be any disturbance to the ground. The applicant is also proposing to replace the existing float system with a new pier, ramp and float. A concrete pad would be poured at the top of the embankment. Stairs would be added that would lead to a 16-foot-long platform that would be supported by a concrete pad and two concrete footings with steel columns that would be affixed to the bedrock. A 4' x 36.5' ramp would lead from the platform to a 6' x 10' float. Three 8' x 16' floats would be placed in the river.

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A site visit was scheduled for September 26 at 5:00 p.m. The applicant is waiting for Natural Heritage comments. Marine Fisheries has provided comments. A Chapter 91 license is needed, as is a permit from the Army Corp. A watersheet permit would likely be needed from the Harbor Commission.

Carole Wagan moved to continue the public hearing to the October 4 meeting. Steve Moore seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).

Carole Wagan moved to close the public hearings. Steve Moore seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).

7. Enforcement/Violations

None

8. Order of Conditions

None

9. Adjournment

Steve Moore moved to adjourn the meeting at 7:45 p.m. Bill Mullen seconded the motion. The motion was approved by a 7-0 vote (Dan Warchol, yes; Joe Teixeira, yes; Steve Moore, yes; Charlie Aloviseti, yes; Carole Wagan, yes; David Vine, yes; Bill Mullen, yes).