

**Newburyport Conservation Commission**  
**September 21, 2021**  
**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 Dan Warchol, Joe Teixeira, Carole Wagan, David Vine and Paul Healy. Steve Moore was absent. Conservation Administrator Julia Godtfredsen was also in attendance.

**3. Minutes**

Carole Wagan moved to approve the minutes of the August 17, 2021, meeting. David Vine seconded the motion. The motion was approved by a 4-0 vote (Joe Teixeira, yes; Dan Warchol, absent; Paul Healy, yes; Carole Wagan, yes; David Vine, yes).

Paul Healy moved to approve the minutes of the September 7, 2021, meeting. Carole Wagan seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Paul Healy, yes; Carole Wagan, yes; David Vine, yes).

**4. Old and New Business**

**Plum Island Updates**

The next meeting of the MRBA is scheduled for October 1. One bid was received for the dredging project and it was for twice the amount that was budgeted. Julia Godtfredsen said the project was advertised late in the season, when potential bidders were already booked. The dredging will be put on hold until next year. The coir bag project will now proceed.

**Hale Street Informal Discussion**

Lisa Mead and Tom Hughes described a plan for a small development along Hale Street in an upland area. A variance would be needed. The Commission members said they have not received enough information to understand and comment on the proposed project at this time.

**Maudslay Flowering Pond**

Derek Schipper and Tracy Tarr described the plan to protect amphibians when the water in the Flowering Pond is lowered to allow work on the dam. Dewatering would take place over approximately one week and the water elevation would be lowered about two feet per day. During dewatering, a biologist would be on site each day to relocate animals that are in the water and mud to a holding area. A secondary holding area has been identified as a back-up measure. In the event that the water in both holding area freezes, the amphibians would be moved to a heated stock tank.

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Paul Healy moved to approve the amphibian protection plan. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Paul Healy, yes; Carole Wagan, yes; David Vine, yes).

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

**John Marcheterre**

10 Harbor Street

Request for Determination of Applicability

The applicant did not attend the meeting. An RDA was submitted for the reconstruction of a shed, which would be elevated two feet above grade on sonotubes. It has been explained to the applicant that these footings are not permitted on Plum Island.

Dan Warchol moved to continue the matter to the October 5 meeting. Paul Healy seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Paul Healy, yes; Carole Wagan, yes; David Vine, yes).

**6. Public Hearings**

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

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

**7. Order of Conditions**

None

**8. Old and New Business**

**3 Q Street**

The property owner has acknowledged the receipt of a request for plans but has not yet submitted any documents. The issue of concern to the Commission members is the work on the house that exceeded that which was approved and the unpermitted landscaping work. A Notice of Violation will be issued if plans are not submitted by October 5.

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**Open Space Management**

Mayor Holaday has approved the contract with Woodsman Inc.

**Ordinance and Regulation**

The Commission members briefly discussed their concerns about project segmentation and appraisals. Potential amendments to the Ordinance or Regulations to address these concerns will be discussed further at a future meeting.

**9. Adjournment**

Paul Healy to adjourn the meeting at 7:43 p.m. Dan Warchol seconded the motion. The motion was approved by a 5-0 vote (Joe Teixeira, yes; Dan Warchol, yes; Paul Healy, yes; Carole Wagan, yes; David Vine, yes).