

**Newburyport Conservation Commission  
October 18, 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, Steve Moore, Bill Mullen, Carole Wagan and David Vine. Dan Warchol and Charlie Aloviseti were absent. Conservation Administrator Julia Godtfredsen was also in attendance.

**3. Minutes**

Steve Moore moved to approve the minutes of the October 4, 2022, meeting. Bill Mullen seconded the motion. The motion was approved by a 3-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, abstain; Carole Wagan, abstain.)

**4. Old and New Business**

**Plum Island Updates**

The pipe for the dredging of the river has been assembled and the pumping of sand onto the beach has begun. The pipe extends from the river near the *Captain's Lady* along the top of the slope to 75<sup>th</sup> Street. The beach will be closed to public access until March.

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

**Chris Skiba, Newburyport Development  
35-43 Water Street**

**Request for Determination of Applicability**

The applicant requested a continuance while the ownership of the lot is being confirmed. Carole Wagan moved to continue the request to the November 1 meeting. David Vine seconded the motion. The motion was approved by a 5-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes.)

**Gary Litchfield  
3 H Street**

**Request for Certificate of Compliance  
DEP File #051-0967**

The applicant was not able to attend the meeting and requested a continuance. A site visit was tentatively scheduled for 1:00 on October 31 to determine the location of additional vegetation. The approved plans depicted the garage doors as extending to the ground.

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Steve Moore moved to continue the request for 3 H Street to the November 1 meeting. Carole Wagan seconded the motion. The motion was approved by a 5-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes.)

**Gary Litchfield**

**1 G Street**

**Request for Certificate of Compliance**

**DEP File #051-0966**

Carole Wagan moved to continue the request for 1 G Street to the November 1 meeting. David Vine seconded the motion. The motion was approved by a 5-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes.)

**6. Public Hearings**

Steve Moore moved to open the public hearings. David Vine seconded the motion. The motion was approved by a 5-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes.)

**Craig Pessina, Hale Business Park Realty Trust**

**21 Malcolm Hoyt Road**

**Notice of Intent**

**DEP File #051-1067**

Tom Hughes represented the applicant and requested a continuance. The ZBA approved the proposal but the Planning Board process has not yet been completed. The Fire Department requested complete access around the building, which resulted in the relocation of two doors. The Commission has not yet received an updated set of plans.

Steve Moore moved to continue the public hearing to the November 15 meeting. David Vine seconded the motion. The motion was approved by a 5-0 vote (Bill Mullen, yes; Joe Teixeira, yes; Steve Moore, yes; David Vine, yes; Carole Wagan, yes.)

**Kerriann and Corey Kreuz**

**7 Doe Run Drive**

**Notice of Intent**

Joe Teixeira recused himself from the matter. Tom Hughes represented the applicant, who is proposing to add a garage to a single-family home. The garage, which would have living space above it, would be located in the buffer zone. A perennial stream runs under Doe Run Drive. Mr. Hughes said the garage would not be in the riverfront area.

A swimming pool had been installed without Commission approval, but this was not the fault of the applicant. The filing process in City Hall was being updated at the time and the Commission was not flagged as a part of the review process. A portion of the fence around the pool intruded into the wetlands. In addition, old wood and brush had at one time been disposed of in the 25-foot no-disturb zone. Fill would be removed to return the elevation to that of the wetland. Twenty square feet of vegetation would be planted. The area around the pool would be loamed and seeded. The wetlands around of the perimeter of the site would be cleaned. Mr.

Hughes agreed to add ten shrubs to the wetland outside the fence. He will provide a revised plan and list of plant materials.

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

Bill Mullen moved to close the public hearings. David Vine seconded the motion. The motion was approved by a 4-0 vote (Dan Warchol, yes; Joe Teixeira, absent; Steve Moore, yes; Charlie Aloviseti, yes; Bill Mullen, yes).

### **7. Enforcement/Violations**

None

### **8. Order of Conditions**

#### **Kerriann and Corey Kreuz**

#### **7 Doe Run Drive**

Carole Wagan moved to issue an Order of Conditions with the special conditions that: 1) simultaneous with the initiation of the construction of the house, the applicant shall replicate at least 20 square feet of bordering vegetated wetland, as shown on the approved plan; 2) the replication area and additional buffer zone planting area shall be monitored for at least two growing seasons for the survival of at least 75% of the plantings and 3) prior to the issuance of the Order of Conditions, the applicant shall submit a planting plan showing a details of the replication area and the additional planting area in the buffer zone that is to be planted with native species. Bill Mullen seconded the motion. The motion was approved by a 4-0 vote (Dan Warchol, yes; Steve Moore, yes; Charlie Aloviseti, yes; Bill Mullen, yes).

### **9. Adjournment**

Carole Wagan moved to adjourn the meeting at 7:40 p.m. David Vine seconded the motion. The motion was approved by a 4-0 vote (Bill Mullen, yes; Joe Teixeira, absent; Steve Moore, yes; David Vine, yes; Carole Wagan, yes.)