Minutes:

September 17, 2019 – The Commission decided to postpone approval of the minutes until next month

Public Hearings:

Town of Newbury (14th Street) a continued NOI to improve the right of way and construct an emergency access driveway. This hearing was continued to the December 17, 2019 meeting.

Dennis Palazzo (67 Old Rowley Rd.) – an RDA to expand and enclose the existing deck with screens. The applicant was present to discuss the project. He explained that he wished to enclose the deck because of the recent threat of EEE. Mr. Streeter made the first motion to issue a negative determination and Mr. Stromski made the second. All in favor.

Chrissy Rupp (67 Newburyport Turnpike) An RDA to pave 4700 square feet of existing parking area. Thad Berry and Ms. Rupp were present to discuss the project. Mr. Berry reviewed the early phases of the project, including the installation of stormwater management features. He noted that the existing gravel parking areas will likely become an issue for the catch basins and will create stormwater issues, so they would like to pave over those areas to prevent potential impacts to the system and wetlands. Ms. Rupp added that the inability to effectively treat the gravel areas to prevent ice buildup has created slipping hazards and contributed to fender benders in her parking lot. Mr. Berry added that the new system will accommodate the additional run off from the paved surface. Mr. Streeter asked if he had the calculations to support his claim and Mr. Berry replied that it was included in the submitted report. Mr. Gahagan made the first motion to issue a negative determination and Mr. Lord made the second. All in favor.

John & Ann Cassidy (68 Fordham) – An RDA to install a rooftop solar array. James Manzur of Revision Energy was present to discuss the project. He informed the Commission that they would be adding 15 panels to the lower roof. Mr. Manzur showed photos and diagrams of the proposed project to the Commission, and explained that the roof would be accessed via ladders on the deck, and trash would be taken offsite via a box truck. Mr. Streeter made the first motion to issue a negative determination and Mr. Gahagan made the second. All in favor.

Helen & Brian Buia (16 Plum Island Blvd) – An NOI to demolish and reconstruct a single family home. Mr. Buia was present to discuss the project. He explained that they intend to make the home their permanent residence. He reviewed the existing conditions and described the proposed project, which was to demolish the existing and relocate the new home at the middle of the lot to meet setback requirements. He explained that there will be minimal grading and that he planned to transplant the existing plantings. The perimeter will have black pines and a split rail fence. Chairman Packer requested larger plans for review, and noted that he didn’t see a piling plan in the application and advised Mr. Buia to over-design the number of piles needed. Chairman Packer also advised Mr. Buia that elevations, were needed, any utility shaft needed to be shown, as well as treatments such as lattice. Mr. Buia stated that there will be 2 feet of open space under the home; Chairman Packer advised him to plan on 30” to be safe. He then questioned the applicant as to what was currently under the structure and whether he plans to bring in sand. Mr. Buia replied that the structure is currently on posts with debris underneath. He plans on
cleaning up the debris and nothing will be brought in. Chairman Packer asked whether he would be installing propane tanks. Mr. Buia replied that he had included an extra 60 feet in his calculations to allow for a raised platform for propane tanks and anything else. Chairman Packer advised him that it needs to be included on the plan. Chairman Packer reviewed other items that need to be included on the plans. Heather Sinton of 18 Plum Island Boulevard asked where the screening trees would be placed and Mr. Buia replied around the entire perimeter. Ms. Sinton questioned whether there would be future issues with the roots from the trees and Mr. Buia stated that pine roots really don’t spread. Ms. Sinton then asked whether the new structure would be higher than what is currently there and what the square footage of the home would be. Mr. Buia replied that the new home would be about 30-34 feet high, and about 1500 square feet. Mr. Streeter made the first motion to continue the hearing and Mr. Gahagan made the second. All in favor.

Greg Radner (10, 14th St) – An RDA to install propane tanks and associated piping. Rachel Harris from Vesta Architecture was present to discuss the project, which was to install two propane tanks against an existing fence as their current location against the house is not code compliant. Chairman Packer asked how they will be secured and Ms. Harris replied they would be secured to a 30” diameter concrete pad. Mr. Streeter made the first motion to issue a negative determination and Mr. Paicos made the second. All in favor.

Sarah Cavanaugh (254 Middle) – An NOI to install a platform and seasonal float and ramp. Tom Hughes was present to discuss the project. Mr. Gahagan asked whether there had ever been a dock there. Mr. Hughes replied that from 1971 through the 1980s there was one there and showed the Commission a photo showing the dock. He added that he couldn’t find the existing footprint, but he didn’t look hard. He reviewed the property with the Commission which includes a meadow along the Parker River that is periodically mowed and reviewed the locations for the dock that had been considered. A mowed path would lead to the proposed platform, which would be attached to a float system with a seasonal ramp. The current owners plan to sell a portion of the property to Fish & Wildlife and the mowed path through the Fish & Wildlife portion will be part of the agreement. The elevated platform with have through-flow decking, and as this is a 10A Float System, it will require approval from the Conservation Commission, Harbor Master, and Army Corps of Engineers. Mr. Hughes added that the area received the ACEC designation when the old dock was in place, and that they will request that Fish & Wildlife continue to mow the meadow to prevent the spread of invasive vegetation. He discussed the difference between 10A docks and Chapter 91 with the Commission. Mr. Gahagan questioned Mr. Hughes about off season storage of the ramp and float. Mr. Hughes stated it would be stored offsite or in the upland by the residence, and may be floated down the river to the boat ramp. Mr. Gahagan suggested conditioning the storage and the Commission discussed further conditions preventing the removal through the wetland area and placing conditions into perpetuity. Mr. Lord made the first motion to approve the project and Mr. Paicos made the discussion. Mr. Gahagan amended the motion to add the following conditions in perpetuity: removal of the float and ramp shall not be through the wetland; the float and ramp will be stored offsite or at the residence out of the resource and ACEC areas; the float conforms to the approved plan with an changes needing approval. All in favor.

Charles & Diane Pappalardo (6 Riverfront) – an NOI to replace the existing single family home – Tom Hughes and Charles Pappalardo were present to discuss the project. Mr. Pappalardo reviewed the lot with the Commission. He explained they planned to tear down the existing home and rebuild with an attached garage. A shed and hardscape will be removed. He commented they may need to trim back some square footage and move the structure back. Mr. Pappalardo discussed the foundation line with the Commission and potentially moving it back, as well as removing impervious material and placing gutters with downspouts to back-feed towards the front of the lot. Chairman Packer advised Mr. Pappalardo that fixing the retaining wall might affect the integrity of the banking. Mr. Streeter made the first motion to continue the hearing and Mr. Gahagan made the second. All in favor.

Certificates of Compliance:
Joseph Holtgrefe (7 Northern Blvd) – DEP #050-1177. Chairman Packer reviewed the procedural history and issues, and noted that the applicant had fixed some outstanding issues and the project was now in substantial compliance, and it was his recommendation to grant the certificate. Mr. Stromski made the first motion to grant the Certificate of Compliance and Mr. Streeter made the second. All in favor.

Brian & Beth Dacey (323 High) – DEP #050-1282 – Chairman Packer reviewed the outstanding issues regarding vegetation which had been resolved and it was his recommendation to grant the Certificate. Mr. Streeter made the first motion to issue the Certificate of Compliance and Mr. Lord made the second. All in favor.

Robert Britton (171 Orchard) – DEP #050-1300 – The Commission discussed the project. Mr. Gahagan asked about the status of other permits and Chairman Packer replied that it was his opinion that the work was done in accordance with the Order of Conditions issued by the Conservation Commission. Mr. Gahagan stated that he would not sign off on it until he has that information. The Commission tabled the issue until someone would be present to go over the other permitting. The Commission revisited the issue once Tom Hughes was present to answer questions. He explained that since it was behind mean water it did not trigger Chapter 91, and Army Corps only required a self-verification process. Mr. Gahagan commented that he doesn’t feel the Commission has done their due diligence on these types of filings, and Chairman Packer suggested that they could look into it. Chairman Packer recommended granting the certificate. Mr. Paicos made the first motion to issue the Certificate of Compliance, and Mr. Streeter made the second. All in favor.

Elizabeth Otovic (41 Fruit) – DEP #050-1306 – Chairman Packer stated he conducted a site visit earlier that day and was surprised to report that the area is well vegetated, and it was his recommendation to grant the certificate. Mr. Gahagan made the first motion and Mr. Streeter made the second. All in favor.

Frank Gross / Claire Wagstaff (125 Northern Blvd) – DEP #050-605 – Chairman Packer explained that this was an older file that had been destroyed. Using the best available information, it was his recommendation to grant the certificate. Mr. Gahagan made the first motion and Mr. Streeter made the second. All in favor.

Elizabeth Danilecki (9 Davoli) – DEP #050-207 – Chairman Packer explained that the filing could have been for the old house, or for a sea wall. He visited the site and it was his recommendation that the Commission grant the Certificate. Mr. Gahagan made the first motion and Mr. Streeter made the second. All in favor.

Extension Permit:

William Garrity (18 Riverfront) – DEP #050-1219 – Chairman Packer recommended granting the extension. Mr. Streeter made the first motion to grant the extension and Mr. Paicos made the second. All in favor.

Emergency Certificates: None

Re-Issuance: None

Other Business:

Notice of Intent to Sell Land in 61A – 277 High Rd. - Chairman Packer reviewed the site and stated there was no resource area or connection to a resource area and asked that if the Commission members have any comments that they please forward them.
Bylaw review - Mr. Streeter suggested that the Commission look over the existing Wetlands Bylaw and it relates to Flood Zones and make sure it is current and meets the needs of the Town. He also suggested that it might be a good idea to get input from citizens.

Mr. Paicos made the first motion to adjourn and Mr. Gahagan made the second. All in favor.

Adjourned at 9:29 pm

Respectfully Submitted,

Jennifer Goodwin