

Newbury Conservation Commission - Public Meeting Minutes
February 1, 2022

Members Present:

- Brian Colleran (Chair)
- Benjamin Gahagan (Co-Chair)
- Peter Paicos (Planning Board Liaison)
- Mary Rimmer
- Brad Duffin
- Dan Streeter
- Frank Wetenkamp
- Samantha Holt (Agent)

7:01 p.m. Meeting Called to Order

- Opening remarks from Commission Chair Brian Colleran
- Minutes review: tabled to 3/1/2022

PUBLIC HEARING

141 Northern Boulevard (DEP File #050-1376) Rene Dumont (Applicant)

- Exhibits: Notice of Intent application for 141 Northern Blvd with all attachments
Tom Hughes (representative) presents a continued Notice of Intent for the renovation of the existing home, including the addition of a second floor, reduction of footprint, and associated site work. Mr. Hughes noted that there were no questions or comments from the Commission at the previous meeting, now that a DEP number has been assigned he is looking to get a decision from the Commission. Motion by Mary Rimmer to issue an Order of Conditions approving the project with standard special conditions for Plum Island; seconded by Dan Streeter; vote 5:0:0

81 Central Street, Central Street Fields (File #NCC-389) Town of Newbury (Applicant)

- Exhibits: Request for Determination of Applicability for 81 Central St with all attachments
Jack Rybicki and Mark Sandt (representatives) present a continued Request for Determination of Applicability for work to remove the existing 5' x 10' steel plate used for brook crossing and replace it with an ADA compliant footbridge in the same location. Mr. Rybicki outlined the project and expanded on discussion from the previous meeting. He noted the proposed materials and plan for installation of the footbridge, as well as potential issues with getting an engineered plan for the project. Commission members had an opportunity to discuss the project and brought up the need for complete plans and the potential for Samantha Holt or Mary Rimmer to assist in creating existing conditions plans. Brad Duffin also noted that there is a need for construction design plans and locations relative to wetland resources, however, they don't necessarily need to be stamped engineered plans. Motion by Peter Paicos to continue the hearing to 7:00 pm on 3/1/2022; seconded by Brad Duffin; vote 5:0:0.

21 Marsh Avenue (DEP File #050-1375) Christina Hoffman (Applicant)

- Exhibits: Notice of Intent application for 21 Marsh Ave with all attachments, Revised plans dated 2/9/2022
Ms. Hoffman presents a continued Notice of Intent for the installation of a patio, driveway resurfacing, and landscaping improvements. Ms. Hoffman outlined the changes made as shown on the revised plans that included overlaying the proposed work on the existing conditions site plan, adding Coastal Bank and the associated Buffer Zone to the existing conditions, and adding erosion and sediment control plans. It is also noted on the plans that the proposed work was not drawn on by Hancock Associates (note will be enhanced with signature assuming responsibility for drawing over plans). Commission members had an opportunity to discuss the project. A condition was added to waive the requirement for a stamped engineered as-built plan. The Applicant will be allowed to submit photo evidence of compliance with the approved work with the request for a Certificate of Compliance and Ms. Holt will confirm the work was done appropriately in an inspection. Motion by Brad Duffin to issue an Order of Conditions

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with the standard special conditions, as well as the additional condition regarding waiving the need for as-built plans as discussed; seconded by Dan Streeter; vote 5:0:0.

7 & 17 Marsh Avenue (DEP File #050-1374) Peter J Lariviere (Applicant)

The Applicant has requested a continuance. Motion by Brad Duffin to continue the hearing to 7:00 PM on 3/1/2022; seconded by Dan Streeter; vote 5:0:0

0 Pine Island Road/Lot 5 (DEP File #050-1330) David Manty (Applicant)

The Applicant has requested a continuance. Motion by Mary Rimmer to continue the hearing to 7:00 PM on 3/1/2022; seconded by Brad Duffin; vote 5:0:0

COMMISSION DISCUSSION ITEMS

Extension Permits

170 Orchard Street (DEP File #050-1254) MPM Companies, LLC (Applicant)

- Exhibits: Order of Resource Area Delineation for 168 (now 170) Orchard St with all attachments

This is a request to extend the Order of Resource Area Delineation that was issued on 8/17/2017. Bill Manuell (representative) outlines the request, and noted the findings from the site walk that was scheduled on January 25, 2022. The ground was frozen at the time of the site walk, so confirming the hydrology used to complete the original delineation wasn't possible. Brian Colleran noted concerns regarding an area at the back of the property with unknown possible wetland indication vegetation extending past flags (in the C-series), as well as an area in the center (between wetland flags B26 and B30) that is in question due to historic preservation of standing trees in the center of the property not within the wetland flagging. Mr. Colleran also noted, however, that these concerns cannot be confirmed due to the time of the year not being conducive to delineation. Mr. Manuell displayed the approved ORAD plans and noted that the vegetation extending past the flagging line between flags B26 and B30 is all upland vegetation. He also noted that delineation in the C-series wetland was based mainly on hydrology and that he is unable to identify the grasses in question by Mr. Colleran outside of the growing season. Mary Rimmer noted that she would like to have the opportunity to review the site hydrology under better conditions. Peter Paicos also noted that the address and Applicant names need to be updated on the plan. Discussion tabled until 7:00 pm on 3/1/2022 pending a second site walk, all members in favor.

Other Business

- Exhibits: none

Samantha Holt brought up discussion regarding training updates, including the MACC Annual Environmental Conference. She also noted that members interested in signing up for any trainings, MACC or otherwise, should do so through her by letting her know what classes they wish to take. This is both to allow the town to pay for classes directly and to allow Ms. Holt to ensure there is enough money in the budget to do so. Ms. Holt also noted the schedule for the upcoming meetings.

Meeting adjourned at 8:27 p.m.

Respectfully submitted,

Samantha Holt, Conservation Agent