

Newbury Conservation Commission - Public Meeting Minutes
February 15, 2022

Members Present:

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

7:04 p.m. Meeting Called to Order

- Opening remarks from Commission Chair Brian Colleran

PUBLIC MEETING

- Exhibits: Proposed amended Town of Newbury Wetlands By-Law Chapter 95, email from Resident Steve Mangion dated October 2021

Each member of the Commission had the opportunity to outline their motivations for amending the by-law to include local jurisdiction and regulations for inland wetlands. Comments included: clarity, reduction of gray area, provide guidance to residents and developers, speed up hearing and review process, provide additional protections that the WPA does not currently offer without restricting development, providing buffer zone protection and regulations, including regulations to specify administrative actions to approve minor projects, addition of setbacks, create fairness and clarity for all projects across town, regulating the mitigation of loss of cover/vegetation/water quality, create rules that take into account both existing construction and new development. Samantha Holt also noted the need for drafting regulations to accompany the new by-law and outlined research on the regulations adopted by other towns.

Members of the public had the opportunity to make comments and ask questions. Comments included: Rochelle Joseph of Southern Boulevard asked questions regarding the effect of the by-law changes on Plum Island, how the changes will affect building/rebuilding on existing footprints, and whether the process to amend the by-law requires funding, Dan Linden of Pearson Drive expressed support of the by-law amendments and the creation of regulations for inland wetlands, noted the growing need for and importance of wetlands to resiliency in the face of climate change, as well as the value of protecting resources to residents, Mario Carnovale of Coleman Road noted that it would be important to define the limitations of work and the permissible activities in the regulations.

Members of the Commission then took an opportunity to respond to questions and comments. This began with responses to comments sent via email to Samantha Holt from Steve Mangion of 14th Street. The email was shared on screen and each comment was responded to. Responses to comments from Rochelle Joseph included that: there would be no changes to regulations on Plum Island (Brian Colleran noted that reasoning for why we are not engaging with the Plum Island by-law was outlined in the meeting with Town Counsel Atty Lisa Mead on January 20, 2022), there will be a demarcation date in the by-law stating that work completed or approved before that date is subject to the old laws and work proposed after would be subject to the new laws, buffer zones will not be shrunk but they will be more protected and work within the zone limited, there is no need for funding to complete the by-law amendment and it is being completed by volunteer Commission members. Response to a question from Mario Carnovale regarding structures or work that was once conforming and would become non-conforming when the by-

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law is adopted: previously conforming work will be grandfathered in and would not be required to move when the new by-law is adopted, and areas where full conformance is not possible may be eligible for variances.

Any members of the public not in attendance at this meeting who wish to make comments or ask questions are encouraged to reach out to Ms. Holt at 978-465-0862 extension 310, or by email at conscom@townofnewbury.org. There are also two additional public workshops scheduled for April 19, 2022 and June 21, 2022. The proposed by-law amendment draft will be updated prior to the workshop on April 19.

Meeting adjourned at 8:24 p.m.

Respectfully submitted,

Samantha Holt, Conservation Agent