

Newbury Conservation Commission - Public Meeting Minutes
March 15, 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)

7:02 p.m. Meeting Called to Order

- Opening remarks from Commission Chair Brian Colleran
- Minutes review was tabled until 4/5/2022

COMMISSION DISCUSSION ITEMS

Other Business

Larkin Road, Parker River Dam Town of Newbury (Applicant)

Ben Gahagan recused himself from this discussion item. Eric Hutchins, with the National Oceanic and Atmospheric Administration (NOAA), and Chris Hirsch, with the Massachusetts Division of Ecological Restoration (DER), are present to give a preliminary presentation on a project to remove the dam in the Parker River located off of Larkin Road. Mr. Hutchins outlined a brief history of the project and why it is happening, as well as some of the benefits of dam removal. Mr. Hirsch outlined some of the more current events for this project, including its designation as a DER Priority Project and some of the ongoing and imminent work being done on the project. Commission members had an opportunity to discuss the project, and noted questions regarding sediment management plans. Mr. Hutchins also made comments regarding the extensive permitting process that removal of the dam will require.

PUBLIC HEARINGS

5 Cinder Avenue (DEP File #050-1379) James & George Simas (Applicant)

- Exhibits: Notice of Intent application for 5 Cinder Ave with all attachments
- Matt Steinel (representative) presents a Notice of Intent for the demolition of the existing single-family residential structure and construction of a new single-family residential structure on a pile foundation. Mr. Steinel shared several photos of the site and gave an overview of the existing site conditions, then went on to outline the proposed work plans. He outlined the reconfiguration of the house footprint and driveway, as well as removal of existing structures and new plantings. Commission members had the opportunity to discuss the project, and noted several questions regarding the propane tank, proposed plant species, site grading and parking areas, and invasive species management. Motion by Dan Streeter to continue the hearing to 7:00 PM on 4/5/2022; seconded by Peter Paicos; vote 4:0:0

COMMISSION DISCUSSION ITEMS

Modifications

Parker River Research Station (File #NCC-386) Inke Forbrich (Applicant)

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- Exhibits: Negative Determination of Applicability for the Parker River Research Station with "Attachment A" Special Conditions, Letter of Request for Modification from Inke Forbrich
Samantha Holt presented the letter of request for modification to the conditions of the negative Determination of Applicability for the Parker River Research Station. The Applicant is seeking to be allowed to begin initial installation of the boardwalk to access the research station site beginning on April 11, 2022, rather than the originally approved date of April 15, 2022. This date modification would only apply to initial installation of the boardwalk for the 2022 season, all subsequent seasons will adhere to the originally approved conditions. The Commission had the opportunity to discuss the modification request with no issues or questions noted. Motion by Ben Gahagan to approve the minor modification request and allow the Applicant to begin initial installation on April 11, 2022; seconded by Peter Paicos; vote 4:0:0

Other Business

Please note: Mary Rimmer joined the meeting as the following agenda item was being opened.

23 Shandel Drive Extension (DEP File #050-1294)

Scott Kitner (Applicant)

- Exhibits: Order of Conditions issued for 23 Shandel Drive Extension
Samantha Holt presents findings from the inspection following concerns raised regarding the proximity of the construction to a small pond at the rear of the property. Ms. Holt noted that she reviewed the approved plans which showed construction approved at a minimum of 51 feet from the edge of the pond, and upon physical on-site inspection of the property she believed that the project was currently in compliance with the approved plans. She also noted that the erosion control measures and Limit of Work are being appropriately maintained. With no additional concerns from the Commission or the public, the discussion was closed.

136 Main Street (DEP File #050-1163)

Steve Long (Applicant)

- Exhibits: Superseding Order of Conditions for 136 Main Street, Letter of Request for Modification from the Applicant's representative
Samantha provided an update on the project, which is currently under the jurisdiction of MA DEP. A request for amendment was submitted to DEP, and a copy of the request was provided to the Conservation Commission as required by the WPA regulations. Ms. Holt outlined the reasoning for the amendment request and what the proposed changes would be. Members of the Commission briefly discussed the proposed changes and closed the discussion.

Bylaw Amendment

Samantha Holt provided updates on the progress of the bylaw amendments, noting that updates to the document based on comments from Town Counsel, the Commission, and the public are being factored in. Ms. Holt hopes to have a revised draft of the bylaw amendment and a first draft of proposed regulations available to the public by the end of the month. She also noted that there will be a second public workshop on April 19, 2022 at 7:00 PM.

Meeting adjourned at 8:11 p.m.

Respectfully submitted,

Samantha Holt, Conservation Agent