

Newbury Conservation Commission - Public Meeting Minutes
July 19, 2022

Members Present:

- ✗ Peter Paicos (Planning Board Liaison)
- ✗ Bob Connors
- ✗ Dan Streeter
- ✗ Dianne O'Brien
- ✗ Mary Rimmer
- ✗ TJ Conte
- ✗ Samantha Holt (Agent)

7:03 p.m. Meeting Called to Order

- Opening remarks from Conservation Agent Samantha Holt
- Minutes review: Dianne O'Brien and Bob Connors recused themselves from the vote. Mary Rimmer requested an edit to the 7/5/2022 minutes. Motion by Dan Streeter to approve the 6/7, 6/28, and 7/5 minutes with revisions as discussed; seconded by Mary Rimmer; vote 3:0:2

COMMISSION DISCUSSION

1 Plum Bush Downs (DEP File #050-1332) Christine Coulstring, B2W LLC (Applicant)

- Exhibits: Order of Conditions for 1 Plum Bush Downs, Request for Certificate of Compliance with all attachments for 1 Plum Bush Downs

Tom Hughes (representative) presents a request for a partial Certificate of Compliance for work to demolish an existing single-family home and construct a new one on pilings. Mr. Hughes provided a brief history on the work, shared several photos of the current conditions, and noted that all work has been completed. The only outstanding item for full compliance is monitoring of the new plantings for two growing seasons. Samantha Holt confirmed that, upon inspection of the site, all work was completed satisfactorily. Motion by Bob Connors to issue a partial Certificate of Compliance; seconded by Mary Rimmer with the amendment to include monitoring plantings for two full growing seasons as the outstanding item; vote 5:0:0.

PLEASE NOTE: TJ Conte joined the meeting as the preceding discussion item was being closed.

48 Green Street Michael Hatheway (Owner)

Tom Hughes (representative) presents photos showing the new existing conditions following mitigation work that was completed at the request of the Commission as part of an enforcement action for unpermitted work in the Buffer Zone. Several small soil stockpiles were removed from the wetland edge and reseeded, and a permanent erosion control barrier was installed around a compost/manure pile. Motion by Bob Connors to close the discussion and have the Agent issue a letter confirming all requested mitigation work was satisfactorily completed; seconded by Mary Rimmer; vote 6:0:0.

PUBLIC HEARINGS

3 33rd Street (DEP File #unassigned) Beth Quinn (Applicant)

The Applicant has requested a continuance. Motion by Mary Rimmer to continue the hearing to 7:00PM on 8/2/2022; seconded by Bob Connors; vote 6:0:0

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18 20th Street (File #NCC-404)

Stephanie O'Rourke (Applicant)

- Exhibits: Request for Determination of Applicability for 18 20th Street with all attachments

Tom Hughes (representative) presents a Request for Determination of Applicability for work to complete several renovations, plantings, and landscaping site work. Some work will include disturbance of beach grass which will be mitigated with plantings. Commission members had an opportunity to discuss the project. One suggestion was made to include more plantings. Motion by Bob Connors to issue a negative Determination of Applicability with the condition to include an additional 50 square feet of plantings; seconded by TJ Conte; vote 6:0:0

140R Main Street (DEP File #unassigned)

Borrego Solar Systems, Inc (Applicant)

- Exhibits: Notice of Intent for 140R Main Street with all attachments

Rob Roseen (representative) presents a Notice of Intent for a limited project to construct an access road along an existing farm road with wetland crossings for electric utility maintenance to access the interconnection. Mr. Roseen outlined several questions and comments that were raised during the scheduled site walk on 7/7/2022, including reflagging wetlands, wetland impacts, and alternatives. Mr. Roseen discussed temporary versus permanent impact and disturbance areas, and a revegetation plan. Commission members had an opportunity to discuss the project. Questions were raised regarding wetland impact measurements, the proposed seed mixes to be used in revegetation, possible need for planting of trees and shrubs, the need for dewatering, possible requirement for a wildlife habitat evaluation, the need for hydrologic study for the removal of the culverts where the bridge will be installed, road elevation changes, hazardous spill risk management during bridge construction, and alternative options. Motion by TJ Conte to continue the hearing to 7:00 PM on 8/16/2022; seconded by Dianne O'Brien; vote 6:0:0

21 Cottage Road (DEP File #unassigned)

Nathan Gray (Applicant)

- Exhibits: Notice of Intent for 21 Cottage Road with all attachments

Samantha Holt provided a brief update on the DEP file number status. Mr. Gray presents a Notice of Intent for work to replace the existing septic system. The system failed a Title V inspection due to high water tables and will be replaced at a higher elevation. Commission members had an opportunity to discuss the project. Motion by Dan Streeter to continue the hearing to 7:00PM on 8/2/2022; seconded by Dianne O'Brien; vote 6:0:0

60 Plum Island Turnpike (DEP File #050-1382)

Support the Pink House, Inc (Applicant)

- Exhibits: Notice of Intent for 60 Plum Island Turnpike with all attachments

George Hall (representative) presents a Notice of Intent for work to conduct maintenance renovations on the existing single-family structure with associated site work. Mr. Hall provided a brief history on the project and outlined the proposed work to replace rear additions to the house, add a new paver patio, and reconfigure the existing driveway. Commission members had an opportunity to discuss the project. Questions were raised regarding exemption to requirements to raise the new addition on pilings, adding a permanent buffer demarcation to prevent future vegetation disturbance around the patio area, and management of Perennial Pepperweed located in the surrounding marsh area. Motion by Mary Rimmer to issue an Order of Conditions with additional special conditions for permanent demarcation at the erosion control line and no additional vegetation removal; seconded by Dan Streeter; vote 6:0:0

42 Middle Road (DEP File #050-1384)

Martin Pitasi (Applicant)

- Exhibits: Notice of Intent for 42 Middle Road with all attachments

Devon Morse (representative) presents a Notice of Intent for work to construct a single-family home with a septic system and wetland crossing for driveway installation. Ms. Morse provided a brief outline of the project including several revisions that have been made to the wetland delineations and replication area. Commission members had an opportunity to discuss the project. Questions were raised regarding the wetland crossing plans, wetland

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replication plans, erosion control measures, and the need for a second site walk. A site walk was scheduled for 8:00AM on 7/26/2022. Motion by Dan Streeter to continue the hearing to 7:00PM on 8/2/2022; seconded by Dianne O'Brien; vote 6:0:0

7 Bittersweet Lane (DEP File #050-1385)

Gage Foley (Applicant)

- Exhibits: Notice of Intent for 7 Bittersweet Lane with all attachments

Tom Hughes (representative) presents a Notice of Intent for work to construct a new single-family home with a septic system and associated site work. Mr. Hughes provided an outline of the proposed work including revisions that were made on the location of the septic system and field observations provided as proof that the mapped stream on the property is intermittent. Stephen Sawyer (engineer) is also present to discuss the septic system plan. Commission members had an opportunity to discuss the project. Questions were raised regarding several stormwater drains along Bittersweet Lane. Motion by Mary Rimmer to issue an Order of Conditions with the findings that the mapped stream is intermittent and the additional special conditions that the culvert shall be replaced in dry conditions; seconded by Dan Streeter; vote 6:0:0

10 10th Street (DEP File #050-1378)

Ben Legare (Applicant)

- Exhibits: Notice of Intent for 10 10th Street with all attachments

Tom Hughes (representative) presents a Notice of Intent for work to replace two single-family homes on the existing lot, one of which was destroyed by fire, with two new single-family homes on pilings. Mr. Hughes provided a brief outline on the project, including changes made following the ZBA process. Commission members had an opportunity to discuss the project. Questions were raised regarding the foundation pile layout and the previously existing Order of Conditions that needs to be closed. Motion by TJ Conte to continue the hearing to 7:00PM on 8/2/2022; seconded by Bob Connors; vote 6:0:0

Meeting adjourned at 9:58 p.m.
Respectfully submitted,
Samantha Holt, Conservation Agent