

Town of Newbury  
Conservation Commission Monthly Meeting  
Town Hall – 12 Kent Way  
Monday, October 3, 2016 at 9 am

Present: John O'Connell, Dan Streeter, Doug Packer, John Hartnett,  
Excused: Ed Deardon, Susan Noyes, Ben Gahagan, Les Jones, Jim Cunningham

Meeting opened at 9:09 am

**Minutes:**

None

**Public Hearings:**

**Triton Regional School District (63 Hanover Street)** – An NOI to construct a walkway through bordering vegetated wetland. Mr. O'Connell recused himself and presented the project. The proposed walkway will be in the resource area. It is to be five feet wide, about two feet off the ground, and 75 to 100 feet in length. The measured distance for the resource area is 75 feet. They may also place five feet of stone dust and do some grading within the buffer zone on the existing path to make it more handicap accessible. Chairman Packer asked for a clarification on the height of the walkway. Mr. O'Connell replied that the walkway would be about 2 feet high with a 7.5 inch carrier every six feet with measurements to be adjusted depending on ground conditions and elevations. Mr. Streeter requested a clarification on the 75 feet figure. Mr. O'Connell responded that the measurement was from edge of wetland to edge of wetland, which is the approximate distance the walkway would be traversing. The figure was based on the contractor's estimate. The intent of the walkway is to improve accessibility, and if it needs to be extended a few feet on either end to ease the transition between walkway and ground, they will. Mr. Streeter asked whether the area floods. Chairman Packer replied that it does but not often. Mr. O'Connell replied that use of the walkway is optional. Chairman Packer advised Mr. O'Connell that if the walkway exceeds 30 inches in height, railings would need to be installed. Chairman Packer opened the floor for any questions. An abutter, Susan Noyes, of 3 Noyes Lane asked whether excavation would be by hand or machine. Mr. O'Connell replied that an auger would be used to start post holes and that they will want to drive the posts. Chairman Packer replied that it was likely hand tools would be used with a motor. Mr. O'Connell further stated that there might be some walkway grading later, for which a small machine would be used. Ms. Noyes asked whether the walkway grade would be even. Ms. Noyes noted that a portion of the planned walkway abuts a stone wall border her property and that she wants to be sure the wall is not damaged. She will add no trespassing signs if needed. Mr. O'Connell replied he was unaware the walkway approached her property. Chairman Packer stated that the walkway gets very close to Ms. Noyes' property. Ms. Noyes commented that she and her family has concerns about opening access to their property with the addition of the walkway. Mr. O'Connell requested clarification as to where the Noyes property is in relation to the school. Chairman Packer pointed out the approximate location on the provided plans. Chairman Packer asked the

audience if there were any more questions; there were none. Mr. Streeter made the first motion to close the public hearing and issue an Order of Conditions and Mr. Hartnett made the second. All in favor.

**Certificates of Compliance:**

Lon Sherman – 10 41<sup>st</sup> Street (DEP File Nos. 050-110; 050-180; 050-229; 050-293; 050-296). Chairman Packer explained that these are all old Orders of Conditions that are invalid because the permitted work never commenced. Chairman Packer recommended the board issue Certificates of Compliance for each Order stating as such. Mr. Streeter made the first motion and Mr. Harnett made the second. All in favor.

**Extension Permit:**

**Emergency Certificates:** None

**Re-Issuance:**

**Other Business:**

**Stephen Peabody (14 51<sup>st</sup> Street) – DEP No. 050-1158** – Request to replace a portion of an existing cement foundation with four open pilings due to structural issues. Mr. Peabody explained that he had received an Order of Conditions in 2014 to construct a two story addition and extend a deck. During construction, it was discovered that the foundation footings for the deck were inadequate. Therefore, Mr. Peabody would like to change his foundation to four open pilings and place the footings with sonotubes and steel beams, which he considers to be a minor change from the original Order. Chairman Packer stated that the changes are compliant and recommended the new plans be stamped and entered into the file as the accepted plans. Mr. Streeter made the first motion and Mr. Hartnett made the second. All in favor.

Meeting adjourned at 9:41 am

Respectfully submitted, Jennifer Goodwin