

Town of Newbury, MA

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Conservation Commission Meeting Minutes 1-15-2013

Conservation Commission Meeting

Town Hall - 25 High Road

Tuesday, January 15, 2013 at 7:00 pm

Next Meeting Date: February 19, 2013

Present: Chairman Packer, Les Jones, Ed Deardon, Dan Streeter, Jim Cunningham, John O'Connell.

Excused: John Hartnett

Meeting Opened: 7:01pm

Public Hearings:

Town of Newbury (6 Kent Way) – A continued NOI to construct 2 little league ball fields, 3 basketball courts, 1 skateboard area and a 55-space parking lot. Representative not present, Chairman Packer recommended a continuance until the February meeting date; all in favor.

Arthur Friedman (8 Harvard Way) – An RDA to raise existing roof over two areas and remove door and a portion of a concrete walk. Plan to remove front door and replace with window, as well as removing the concrete walkway. Removing the concrete walkway creates a more desirable area as far as conservation is concerned. There were neither questions from Commission nor any abutters. Chairman Packer made a motion to close the public hearing; John O'Connell made the first motion and seconded by Jim Cunningham; all in favor.

Robert & Alison Tirone (99 Main Street) – An RDA to replace a failed sanitary disposal system. BOH approved with waiver from 5 feet to 4 feet because it perked lower than hoped. Rep Bob Grasso from ELS provided an overview of the plan First yellow 50 foot buffer and second yellow 100 foot buffer zone. Silt fence will be installed and access will be outside of any buffer zone. There were no abutters and no board questions. Chairman Packer made a motion to close the public hearing. First motion made by Jim Cunningham and second motion by John Hartnett; all in favor.

William & Kathleen Barrett (1 Jackson Way) – An NOI to raze and existing single-family home and construct a new single-family dwelling. Representative Robert Watt/Construction Advisors stated that there is both an existing primary dwelling and secondary dwelling; only work to be done on primary dwelling. In elevation 13, FEMA Zone X with a finished floor elevation of 19. Utility room at least 2 feet and likely at elevation 14. Propane tank will be attached to house. Square footage of primary dwelling is 1,104 plus 672 for second dwelling.....total 1970 and proposing 1952 for lot coverage. Slight modification to driveway by pulling it off property line. Chairman Packer noted some inconsistencies in the application with the plan and narrative:

NGVD in narrative and NAVD referenced on plan – Watt stated typographical error.

Driveway Foundation compatible with adjacent material – change to beach sand

Need to memorialize these corrections in the narrative

Re-vegetation area – plant beach grass

Change from 3 colms to 2 colms per hole

Chairman Packer stated that this is a Secondary dune

Storage areas will be less than "liveable" space

Piling plan needs to be submitted

No abutters present – no questions from the board. Chairman Packer made a motion o closed the public hearing; Les Jones made the first motion and John O'Connell seconded; all in favor.

Daniel & Kristene Schlehr (7 46th Street) – An NOI to modify existing first floor decks and add second floor and roof decks. Representative Robert Watt/Construction Advisors.

Chairman Packer opened by saying that the structure is currently 1,070 sf and 1,040 is allowed. There is not enough lot coverage for additional 3 sf that is being proposed. Chairman Packer suggested that this could be viewed as more than one activity; applicant feels one, how does the board feel? Agreed one activity- Also noted that the Riverfront area is 200 feet – and Chairman Packer clarified that they are in the riverfront area. However, there is no additional impact, over existing footprint. Deck #1 – single story deck with stairway entry proposing second story deck extended directly over that. They will reinforce the footings.

Deck #2 – changing the egress positioning with full reconstruction in same location. Deck #3 – changing the egress positioning with two sets of stairs off of it and a second level deck over it.

Removed shed 6x8 shed to get the 3 sf for the house; but this is not articulated in the narrative. There were no abutters, nor additional questions. Chairman Packer noted that the narrative and supporting plans needed to be updated and submitted and then made a motion to closed the public hearing; Dan Streeter made motion to accept and was seconded by John O'Connell.

Certificates of Compliance:

- **Gary Litchfield/Drinkwater (27 Annapolis Way)** – DEP File No. 050-1039 to raze and construct single-family home; partial COC. Trying to refinance and mortgage company identified the Order asking for partial for structure only as they need to re-vegetate. Chairman Packer's site visit on January 14 confirmed this and recommended the issuance of a partial COC. Les Jones made the first motion to accept and John O'Connell seconded.
- **Nancy Silva (5 50th Street)** – DEP File No. 050-484. Site visit done on January 14th, and seems to be in substantial compliance, though the permit was not available for review prior to this meeting. Contingent upon the file showing that the work done is consistent with the NOI with the Commission approves the Certificate of Compliance. Jim Cunningham made the first motion to accept and seconded by Dan Streeter.

Emergency Certificates:

- **Town of Newbury/Plum Island**

41 Annapolis Way/Bandoian 12-28-12

39 Annapolis Way/Connors 12-24-12

37 Annapolis Way/Nee 12-28-12

35 Annapolis Way/Batchelder 12-28-12

31 Annapolis Way/Azzarito 12-28-12

29 Annapolis Way/Tzitzenikos 12-28-12

Per Building Inspectors instructions for Emergency due to the storm affecting these houses on PI on 12/27/12

1 Southern Blvd. & 25-39 Annapolis Way (odd #'s) 12-28-12

Netco Coir Bag Installation for protection; NOI's will follow from home owners. Vine preparing this as well as an NOI down to the reservation.

All of the above listed Emergency Certificates were ratified by the Commission via signature.

Chairman Packer provided an update on the status of the homeowners above to date.

Potential proposal to the Executive Office of Environmental Affairs for a Sustainable Coastline Plan for Plum Island; with all possible alternatives including rocks on the beach, sheet pilings, etc.

Other Business:

Dave Albrecht/Borrego – Solar project Plummers Lane/Low St – Postponed

Mark Richie/Doug Cook (10 Fordham Way) - for shadowbox fencing to be installed on property line. Though the representative Mr. Cook was not present, the information was presented to the Commission. IT was felt that since this is the first time that this type of fencing was being proposed on Plum Island, that an RDA be filed. This message will be given to the Representative.

Matt Steinel for McCrady on 181 Orchard St – Potential sale of property caused flag to have surveyed. Much to everyone's surprise there was a property line change. Had to move portion of the system as a result. Moved system closer to house and further away from property line. Recommend we accept, stamp and place on file; so moved all in favor.

Move to adjourn 9:21 pm - Dan Streeter, second Jim Cunningham

Respectively submitted, Susan Noyes