

Newbury Conservation Commission - Public Meeting Minutes  
September 5, 2023

Members Present:

- ☐ Bob Connors (Chair)
- ☐ Mary Rimmer (Vice Chair)
- ☐ Woody Knight (Planning Board Liaison)
- ☐ Brad Duffin
- ☐ Dianne O'Brien
- ☐ Mick Brown
- ☐ TJ Conte
- ☐ Samantha Holt (Agent)

6:02 p.m. Meeting Called to Order

- Opening remarks from Conservation Agent Samantha Holt
- Minutes Review: Commission members reviewed minutes from the 8/1/2023 and 8/15/2023 meetings. Several corrections were suggested and accepted.
  - **Motion by Brad Duffin to accept the 8/1/2023 minutes as drafted; seconded by Dianne O'Brien; vote 7:0:0.**
  - **Motion by Brad Duffin to accept the 8/15/2023 minutes as drafted; seconded by TJ Conte; vote 7:0:0.**

**CERTIFICATES OF COMPLIANCE**

15 Coleman Rd Lot 4 AKA 8 Fieldstone Ln (DEP File #050-1347) Zendko LLC (Applicant)

- Exhibits: Order of Conditions and Request for a Certificate of Compliance for 15 Coleman Rd Lot 4 with attachments

Samantha Holt presents a request for a CoC for work to construct a single-family home with associated appurtenances and site work. A site inspection was conducted and all work appears to have been completed.

**Motion by Brad Duffin to issue a complete Certificate of Compliance; seconded by TJ Conte; vote 7:0:0.**

15 Coleman Rd Lot 3 AKA 5 Fieldstone Ln (DEP File #050-1348) Zendko LLC (Applicant)

- Exhibits: Order of Conditions and Request for a Certificate of Compliance for 15 Coleman Rd Lot 3 with attachments

Samantha Holt presents a request for a CoC for work to construct a single-family home with associated appurtenances and site work. A site inspection was conducted and all work appears to have been completed.

**Motion by Brad Duffin to issue a complete Certificate of Compliance; seconded by Dianne O'Brien; vote 7:0:0.**

6 51<sup>st</sup> Street (DEP File #050-1170) Joseph Mastrocola (Applicant)

- Exhibits: Order of Conditions and Request for a Certificate of Compliance for 6 51<sup>st</sup> St with attachments

Samantha Holt presents a request for a CoC for work to construct an addition and remodel/expand an existing deck. Ms. Holt noted that the only work not completed was the demolition of the shed. A site inspection was conducted and all other work appears to have been completed.

**Motion by Brad Duffin to issue a complete Certificate of Compliance; seconded by TJ Conte; vote 7:0:0.**

**REQUEST FOR DETERMINATION OF APPLICABILITY**

297 High Road (File #NCC-430) James Hilton (Applicant)

- Exhibits: Request for Determination of Applicability for 297 High Road with attachments

Mary Rimmer and Mick Brown provided a recap on the site walk. It was noted that there are some trees proposed to be removed which appear to be within the estimated wetland boundary, and there is an unpermitted new shed just

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outside of that boundary. Commission members had an opportunity to discuss the project. Questions were raised regarding the trees in the right-of-way, methods of removal, stump removal, and disposal of diseased trees. Keith Stromski (representative) provided details on removal methods. Conditions were discussed regarding equipment staging, requirements for use of best management practices for diseased tree disposal, and allowance for flush cut stumps but no stump grinding. ***Motion by Mick Brown to issue a negative Determination of Applicability for tree removal and after-the-fact shed construction with conditions as discussed; seconded by TJ Conte; vote 7:0:0***

105 Scotland Road (File #NCC-431)

Hedi Kershaw (Applicant)

- Exhibits: Request for Determination of Applicability for 105 Scotland Road with attachments

Samantha Holt presents an RDA for work to remove several trees that are either dead or causing damage to the roof of the house. Commission members had an opportunity to discuss the project. Questions were raised regarding species and total number of trees to be removed. A request was made for a site walk which was scheduled for 9/14/2023 at 8:00 AM. ***Motion by Brad Duffin to continue the discussion to 6:00 PM on 9/19/2023; seconded by Dianne O'Brien; vote 7:0:0***

### **PUBLIC HEARINGS**

7 Marsh Avenue (DEP File #050-1413)

Peter Lariviere (Applicant)

- Exhibits: Notice of Intent for 7 Marsh Ave with attachments

The Applicant has requested a continuance. ***Motion by Brad Duffin to continue the hearing to 6:00 PM on 9/19/2023; seconded by Dianne O'Brien; vote 7:0:0.***

Samantha Holt provided an update on an OOC appeal received from DEP on 110 Hay Street. The Applicant is in the process of discussing the appeal with DEP and Ms. Holt will provide updates as they come up.

Brad Duffin provided comments regarding the CSO release discussions. Commission members discussed the topic and a request was made to continue keeping this as a permanent agenda item. Members agreed.

Meeting adjourned at 7:14 p.m.

Respectfully submitted,

Samantha Holt, Conservation Agent