

Town of Newbury
Conservation Commission Meeting
Town Hall – 12 Kent Way
Tuesday, January 2, 2020 – 4:00 pm

Present: Doug Packer, Brian Colleran, Dan Streeter, Ben Gahagan, Bill Lord, Peter Paicos
Excused: Kevin Stromski

Meeting opened at 4:02 pm.

Minutes:

September 17, 2019 – Mr. Streeter made the first motion to approve the minutes and Mr. Lord made the second. Five members voted in favor of approve the minutes; Mr. Colleran abstained as he was not present at the meeting.

October 15, 2019 – Mr. Streeter made the first motion to approve the minutes, and Mr. Paicos made the second. Four members voted in favor; Chairman Packer and Mr. Colleran abstained as they were not present at the meeting.

November 19, 2019 – Mr. Gahagan made the first motion to approve the minutes and Mr. Streeter made the second. Five members voted in favor; Mr. Colleran abstained as he was not present at the meeting.

Public Hearings:

Town of Newbury (14th Street) a continued NOI to improve the right of way and construct an emergency access driveway. Chairman Packer explained that the issue would not be heard until the Town re-advertises and re-notifies abutters, but that before that, he would like to set a date for an informational meeting with concerned citizens. After discussion, the meeting was set for 6PM on January 21. James Stewart, of 22 Old Point asked what the timeline would be for the matter to be heard by the Commission, and Chairman Packer replied likely February. Mr. Stewart also asked whether revised plan would be available for the meeting. Chairman Packer replied that it probably wouldn't, and that the meeting was to be strictly a work group.

Helen & Brian Buia (16 Plum Island Blvd) – A continued NOI to demolish and reconstruct a single family home. Brian and Helen Buia were present to update the Commission with their changes. Mr. Buia reviewed the issues from the previous meeting and their updates, which included a cross section showing 2.3 feet of clearance below the structure, and plans showing the locations of the proposed utility chase, water/sewer connections, and propane tank. Mr. Buia also reviewed the results of the most recent ZBA meeting and the issues he needed to address for them, including eliminating the gable roof and making it curved in order to meet the roof height requirements. Chairman Packer advised him that the DEP has stopped projects with sonotubes because of the amount of disturbance associated with them. Mr. Buia and Chairman Packer discussed alternatives to the sonotubes. Mr. Buia added that they would add a species similar to Japanese pine for planting. Mr. Streeter made a motion to approve the project, with the condition that the propane tanks be chained. Mr. Paicos made the second motion. All in favor.

Charles & Diane Pappalardo (6 Riverfront) – a continued NOI to replace the existing single family home. Tom Hughes of Hughes Environmental and Charles Pappalardo were present to discuss updates to the project, which were added vegetation and shortened portions of the structure. Mr. Pappalardo added that they are proposing to move the house back two feet, and will place gutters to move rainwater to the back of the home. Mr. Streeter commented that he had visited the site and found it difficult to walk. He and Mr. Pappalardo discussed the layout of the basement walkout and the surrounding area. Mr. Streeter suggested adding some stairs, and stated he had not environmental concerns about the project. Mr. Hughes discussed the method of erosion control with the Commission. Mr. Gahagan made a motion to

approve the project and Mr. Paicos made the second. The Commission added conditions for the project, which were to provide banking projection, nothing was to be outside the top of the bank, detention basins are to be used as needed, and best management practices utilized. Mr. Pappalardo added that he could provide a landscaping plan for the stairway.

Charlotte Comparone & Bruce Folsom (181 High) – a continued RDA to resurface the existing parking areas with crushed asphalt. No one was present to discuss the project. Chairman Packer recommended continuing the hearing. Mr. Streeter made the first motion to continue the hearing and Mr. Lord made the second. All in favor.

John Colantoni (108 Main St. & Off Main St.) – a continued RDA to create a temporary wetland crossing for soil testing. The applicant and Bill Manuell from Wetlands & Land Management, Inc. was present to discuss the project. He reviewed the site, stating that it had been flagged and that an ANRAD would be filed at a later date. In order to complete soil testing, parts of the wetland will need to be crossed. Mr. Manuell reviewed the crossing sites and stated that January would be a good time to do it. In the past they've placed plywood over the crossing points and they planned to do so this time. Chairman Packer asked that he put the details in a narrative or on the map, including the intended route. Mr. Colleran suggested waiting for colder weather to conduct the testing. Tony Matthews of 111 Main Street asked whether a culvert would be installed in the access road. Mr. Colantoni replied not at this time. Mr. Streeter made the first motion to issue a negative determination subject to the receipt of an updated narrative or map. Mr. Paicos made the second. All in favor.

John DeMartino (31 Southern Blvd.) – A continued RDA to replace ground contact openings with like materials. Bill Barrett was present to discuss the project. Mr. Barrett reviewed the property and explained that the owner had found rotted sills, etc., and provided photos to the Commission. He planned to replace with pressure treated stock and reviewed the proposed repairs and sand movement with the Commission. There being no questions from abutters, Mr. Gahagan made the first motion to issue a negative determination and Mr. Lord made the second. All in favor.

Barry Gale (35 Southern Blvd.) – a continued RDA to make repairs to the existing foundation and to install a generator. Bill Barrett was present to discuss the project. He reviewed the property stating that there is some cracking in the foundation, and a portion of it is sinking. He plans to underpin the foundation with piles and pull it back up on the beach side. He described the lot as having barren soil. He went on to describe the generator portion of the project, explaining that the existing platform is too close and they plan to cantilever off the house to extend it. Mr. Paicos asked how high it would be and Mr. Barrett replied about 8 inches to 2 feet. Chairman Packer advised Mr. Barrett that Conservation requires a height of 2 feet, and the building department will require a height that is above flood elevation. Mr. Barrett stated he would amend the request and narrative and construct a platform. Mr. Streeter made the first motion contingent upon a revised narrative and Mr. Lord made the second. All in favor.

Certificates of Compliance:

David Yesair (138 Main Street) DEP #050-263 – Chairman Packer explained that this was an old file and he didn't know what it was for, but that everything at the site looked good. It was his recommendation to grant the certificate. Mr. Streeter made the first motion to grant the certificate and Mr. Lord made the second. All in favor

Karen Schuck (14 Forest Street) DEP #050-1275 – Chairman Packer conducted a site visit on December 17 and found that the site looked good. It was his recommendation to grant the certificate. Mr. Streeter made the first motion to grant the certificate and Mr. Lord made the second. All in favor.

Arthur Allen (65 Plum Island Tpke) DEP #050-896 – Chairman Packer conducted a site visit on December 17. Previously the lot was only partially revegetated, but it looked good at the site visit. It was

Chairman Packer's recommendation to grant the certificate. Mr. Streeter made the first motion to grant the certificate and Mr. Lord made the second. All in favor.

Christian Huntress (18 Southern Blvd.) DEP #050-1292 – Chairman Packer conducted a site visit on December 17. He reviewed the project with the Commission and stated he found it to be in substantial compliance and it was his recommendation to grant the certificate. Mr. Paicos made the first motion to grant the certificate and Mr. Lord made the second. All in favor.

Francis DeLeo (77 Riverfront East) DEP #050-1267 – Chairman Packer conducted a site visit on December 17. He reviewed the project with the Commission and stated it was his recommendation to grant the Certificate. Mr. Streeter made the first motion to grant the certificate and Mr. Paicos made the second. All in favor.

William Morrison (247 Middle Road) DEP #050-973 – Chairman Packer conducted a site visit on January 2. He reviewed the project and stated it was his recommendation to grant the certificate. Mr. Lord made the first motion to grant the certificate and Mr. Paicos made the second. All in favor.

Extension Permit: None

Emergency Certificates:

Ben Gahagan (13 Plummers Lane) – to provide a new water service consisting of a copper line sheathed with PVC pipe – Mr. Gahagan recused himself. Chairman Packer explained that Ben had lost water at his home and couldn't find the leak, so he dug a trench in order to restore water service and Chairman Packer issued an Emergency Certificate on the Commission's behalf. Mr. Lord made the first motion to approve the Certificate and Mr. Paicos made the second. Five members voted in favor.

Re-Issuance: None

Other Business:

Joseph & Meredith Verdone (19 Dartmouth Way) – discuss the installation of a privacy fence where the bottom 2 feet is 50% open and top 4 feet is privacy fence. Joseph Verdone was present to discuss the fence and explained that it would be 6 feet high, with the first 2 feet 50% open. Chairman Packer advised him that in the event of sand piling up against the fence, he shouldn't touch the sand, and stated that the fence as proposed was compliant.

ACEC & Walkways – Mr. Gahagan updated the Commission with his research into regulations regarding walkways in the ACEC. He spoke with CZM who stated that there are to be no new structures in ACEC, but CZM only finds out about such projects if the Army Corps of Engineers gets involved. He suggested reaching out to DEP to investigate ways to close the loophole, and to find out why they don't comment on such projects.

Mr. Paicos made the first motion to adjourn and Mr. Lord made the second. All in favor.

Adjourned at 5:47 pm

Respectfully Submitted,

Jennifer Goodwin