

Newbury Conservation Commission - Public Meeting Minutes  
August 2, 2022

Members Present:

- ✕ Bob Connors (Chair)
- ✕ Mary Rimmer (Vice Chair)
- ✕ Peter Paicos (Planning Board Liaison)
- ✕ Brad Duffin
- ✕ Dan Streeter
- ✕ Dianne O'Brien
- ✕ TJ Conte
- ✕ Samantha Holt (Agent)

7:03 p.m. Meeting Called to Order

- Opening remarks from Conservation Agent Samantha Holt
- Minutes review: Motion by Peter Paicos to approve the 7/19/2022 minutes; seconded by Mary Rimmer; vote 6:0:1
- Introduction of Brad Duffin, returning as the seventh member of the Commission
- Board reorganization: Bob Connors nominated to serve as Chair by Brad Duffin, seconded by Dianne O'Brien; Mary Rimmer nominated to serve as Chair by Peter Paicos, no second on the motion; vote to instate Bob Connors as Chair 7:0:0; Mary Rimmer nominated to serve as Vice Chair by Dan Streeter, seconded by Peter Paicos, vote to instate Mary Rimmer as Vice Chair 6:0:1.

COMMISSION DISCUSSION

Larkin Road Dam Removal Update

Benjamin Gahagan (Presenter)

- Exhibits: PowerPoint Presentation

Chris Hirsch (MassDER), Eric Hutchins (NOAA), and Gary Lemay (Gomez & Sullivan Engineering) are also present to discuss the project. Mr. Gahagan presents a history of the Larkin Dam removal project, as well as outlining some of the studies and data collection that have been conducted and funding/grant opportunities for the project. A question was raised from a Commission member regarding altered river flow post-removal, a question was raised from the public regarding beavers, and Mr. Hutchins provided comments regarding benefits to fish/beaver population dynamics with dam removal.

Old Town Hill, Trustees of Reservations

Russell Hopping (Presenter)

Mr. Hopping presents information regarding a proposed project to install a small observation deck at Old Town Hill. Mr. Hopping shared maps showing the prospective location of the deck and access trail, as well as photos of the area and design ideas. He also covered some of the possible vegetation removal needs. Commission members asked questions, and provided guidance on how to proceed with bringing this project in as a Request for Determination of Applicability.

10 10<sup>th</sup> Street (DEP File #050-1309)

Carole Tamanga (Applicant)

Tom Hughes (representative) presents a request for a Certificate of Compliance for work to demolish a house that was destroyed by fire. Samantha Holt noted that all work was completed in compliance. Motion by Mary Rimmer to issue a complete Certificate of Compliance, seconded by Dan Streeter, vote 7:0:0.

64 Southern Boulevard (DEP File #050-1288)

Joe Wadland (Applicant)

Samantha Holt presents a request for a Certificate of Compliance for work to construct a shed on pilings with associated site work. Ms. Holt noted that the shed was constructed in compliance, the pea stone driveway expansion area was decreased slightly, and the dune grass plantings were completed successfully. Motion by Brad Duffin to issue a complete Certificate of Compliance, seconded by Dianne O'Brien, vote 7:0:0.

Newbury Conservation Commission - Public Meeting Minutes  
August 2, 2022

16 6<sup>th</sup> Street (DEP File #050-1381)

Jack Glazebrook (Applicant)

Samantha Holt presents a request for a minor modification to an Order of Conditions issued for second-floor expansion on the existing structure. The modification is to include the removal of two dead hazard trees, as well as for the possible removal of a tree next to the house in order to gain access to the roof for the approved project. Motion by Mary Rimmer to issue a minor modification for the removal of all three trees, seconded by Brad Duffin, vote 7:0:0.

PUBLIC HEARINGS

21 Cottage Road (DEP File #050-1387)

Nathan Gray (Applicant)

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

Samantha Holt provided a brief update, noting that the project was presented previously with no issues and a DEP file number has been assigned. Motion by Mary Rimmer to issue an Order of Conditions with standard special conditions for septic system installation; seconded by Peter Paicos; vote 6:0:1.

101 Central Street (File #NCC-405)

Ashley & Anthony Costello (Applicants)

- Exhibits: Request for Determination of Applicability for 101 Central Street with all attachments

Greg Hochmuth (representative) presents a Request for Determination of Applicability for work to construct an addition on the existing structure within the Buffer Zone to BVW. Motion by Brad Duffin to issue a negative Determination of Applicability with the condition to include erosion controls as offered by Mr. Hochmuth; seconded by TJ Conte; vote 7:0:0.

36 Northern Boulevard (File #NCC-406)

Michael Etzel & Caitlin Monahan (Applicants)

- Exhibits: Request for Determination of Applicability for 36 Northern Boulevard with all attachments

Tom Hughes (representative) presents a Request for Determination of Applicability for work to replace a failing retaining wall in-kind. Mr. Hughes noted that the area behind the wall is vegetated with Japanese Knotweed which the Applicant plans to remove and replant with American Beech Grass. There was some discussion regarding use of different construction materials. Motion by Mary Rimmer to issue a negative Determination of Applicability with the condition that the wall be minimized as much as possible; seconded by TJ Conte; vote 7:0:0.

11 Exeter Way (DEP File #050-1388)

Tom & Gina Mercuro (Applicants)

- Exhibits: Notice of Intent for 11 Exeter Way with all attachments

Samantha Holt presented updates on new plans received. Motion by Dianne O'Brien to issue an Order of Conditions with standard special conditions for construction; seconded by Peter Paicos; vote 7:0:0.

49 Southern Boulevard (File #NCC-402)

Ana Machado (Applicant)

- Exhibits: Request for Determination of Applicability for 49 Southern Boulevard with all attachments

Samantha Holt presents updated plans for the proposed work, including an updated site plan. Ms. Machado outlines the plans and the project as proposed, including relocation of the propane tanks and driveway reconfiguration. Commission members voiced concerns for the use of pavers and increase in the driveway area, the alteration of the dune form by way of excavation next to Fordham Way, and the content of the submitted plan. Motion by Peter Paicos to continue the hearing to 7:00PM on 9/20/2022; seconded by TJ Conte; vote 7:0:0.

Newbury Conservation Commission - Public Meeting Minutes  
August 2, 2022

26 Northern Boulevard (DEP File #unassigned)

David Mullen (Applicant)

- Exhibits: Notice of Intent for 26 Northern Boulevard with all attachments

Samantha Holt provided a brief overview of the status of state review from DEP and NHESP. Mr. Mullen presents the Notice of Intent for work to replace existing decking and boardwalk in-kind with some minor expansion. The existing deck is deteriorating and separating from the house, and Mr. Mullen is looking to increase the width of the boardwalk to be ADA-compliant. Commission members voiced a need for additional information on plans. Motion by Brad Duffin to continue the hearing to 7:00 PM on 9/20/2022; seconded by Dan Streeter; vote 7:0:0.

10 10<sup>th</sup> Street (DEP File #050-1378)

Ben Legare (Applicant)

- Exhibits: Notice of Intent for 10 10<sup>th</sup> Street with all attachments

Tom Hughes (representative) and Samantha Holt provided updates on the ZBA process and a brief overview of the project. Motion by Mary Rimmer to issue an Order of Conditions with the standard special conditions for construction as drafted; seconded by TJ Conte; vote 6:0:1.

42 Middle Road (DEP File #050-1384)

Martin Pitasi (Applicant)

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

Samantha Holt provided a recap on the site walk held 7/26/2022 noting that comments had been made regarding relocation of wetland replication and the design specs for the wetland crossing. Kristan Farr (representative) noted that a new plan was provided shortly before the meeting began, and that work was being done to complete a habitat evaluation triggered by the stream crossing. She also noted the new location for wetland replication. Motion by Peter Paicos to continue the hearing to 7:00PM on 8/16/2022; seconded by TJ Conte; vote 6:0:1.

3 33<sup>rd</sup> Street (DEP File #050-1386)

Beth Quinn (Applicant)

- Exhibits: Notice of Intent for 3 33<sup>rd</sup> Street with all attachments

Tom Hughes (representative) presents a Notice of Intent for work to construct a driveway. Samantha Holt noted that no response has been received from NHESP yet, but that an oppositional comment letter and video were received from Atty Jamy Madeja representing the abutters at 108 Northern Boulevard. Mr. Hughes outlined the project and noted the need for the construction of new parking space on the property. Atty Madeja outlined the comments provided in the letter that was submitted to the Commission and some discussion was held in response to those comments between the Commission, Mr. Hughes, and Atty Madeja. A site visit was scheduled for 8:00AM on 8/9/2022. Motion by Peter Paicos to continue the hearing to 7:00PM on 8/16/2022; seconded by Dan Streeter; vote 7:0:0.

1 Elm Street (DEP File #050-1289)

The Governor's Academy (Applicant)

- Exhibits: Order of Conditions for 1 Elm Street with all attachments, amendment request with all attachments

Tom Woodruff and Curtis Cheney (representatives) present a request for an amendment to the Order of Conditions issued for work to install a dock and pier system on the Parker River. Mr. Woodruff outlines the changes made to the dock and pier system construction design and Mr. Cheney outlined the structural engineering needs for the alterations. Commission members made comments regarding processes in the event the new proposed footings are unfeasible, as well as the need for management plan for removal and off-season storage of the temporary structures of the dock/pier system which will need to be submitted no later than at the time of the pre-construction meeting with the Agent. Motion by Mary Rimmer to approve the request and issue an Amended Order of Conditions referencing the updated plans; seconded by Dan Streeter; vote 7:0:0.

Meeting adjourned at 10:44 p.m.

Respectfully submitted,

Samantha Holt, Conservation Agent