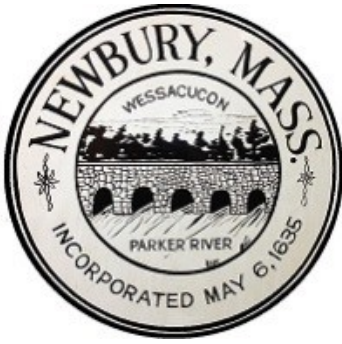


NEWBURY CONSERVATION COMMISSION  
MEETING AGENDA FOR 4/18/2023



Office of the Conservation Commission  
12 Kent Way  
Byfield, MA 01922  
Phone: 978-465-0862, ext 310  
Fax: 978-572-1228  
Email: [conscom@townofnewbury.org](mailto:conscom@townofnewbury.org)

PUBLIC NOTICE POSTING REQUEST  
TO OFFICE OF TOWN CLERK

BOARD/COMMITTEE/ORGANIZATION: Conservation Commission  
 MEETING  PUBLIC HEARING

DAY of WEEK/DATE: Tuesday April 18, 2023 TIME (AM/PM): 7:00 PM

Meeting Location: Virtual, via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/82597388324>

Meeting ID: 825 9738 8324

Passcode: 659688

Dial by your location +1 929 205 6099 US (New York)

Type in Star (\*) 6 to Mute/Unmute, Star (\*) 9 to Raise/Lower hand

REVISED

SUBMITTED BY (Name & Title): Samantha Holt, Conservation Agent

All meeting notices must be filed and time-stamped in the town clerk's office and posted on the municipal bulletin board 48 hours prior to the meeting in accordance with MGL Ch. 30A, § 18-25. This may not include Saturdays, Sundays, or legal holidays. Newbury Municipal Offices are open Mon., Wed., Thurs. 8-4 and Tuesday from 8-7, closed Fridays. Faxed or Emailed postings must reach the Clerk's office during business hours 48 hours prior to the meeting.

MEETING NOTICES WILL ALSO BE POSTED ON THE TOWN WEBSITE

In accordance with Chapter 107 of the Acts of 2022, the "Act relative to extending certain COVID-19 measures adopted during the State of Emergency", which extends the Governor's March 12, 2020 "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A § 20," until March 31, 2025, this public meeting is being conducted remotely. It will be recorded, and the recording will be available on the Newbury Access YouTube Channel, accessible through the Conservation Commission webpage on the Town of Newbury website.

PLEASE NOTE: ALL RELEVANT DOCUMENTS RELATED TO APPLICATIONS BEFORE THE CONSERVATION COMMISSION ARE AVAILABLE FOR VIEWING AT THE TOWN'S MUNICIPAL OFFICES AT 12 KENT WAY, BYFIELD, MA, DURING REGULAR BUSINESS HOURS, AND ON THE CONSERVATION COMMISSION'S WEB PAGE ON THE TOWN'S WEBSITE.

# NEWBURY CONSERVATION COMMISSION

## MEETING AGENDA FOR 4/18/2023

**Please Note:** *This listing of matters is that which is reasonably anticipated by the Chair, and may be discussed at the meeting. Not all items listed may be discussed. Other items not listed may also be brought up for discussion to the extent permitted by law. Items are scheduled at an approximate time and may be discussed later than listed, but generally will not begin earlier than listed (excluding "Administration" items which may be discussed earlier if needed). Proponents will be given 10 minutes to present, and during public comment portions of hearings members of the public will be given 3 minutes to make comments and ask questions. More time may be afforded at the discretion of the Chair.*

### **7:00 PM**

1. Call meeting to order; roll call attendance & meeting preamble
2. Upcoming Meeting Dates: May 2, 2023; May 16, 2023
3. Approval of Minutes: April 4, 2023
4. Enforcement Order:
  - a. File #NCC-411 – 22 Annapolis Way (Stott) – administrative enforcement order issued for violation of Negative Determination of Applicability for upward expansion over a portion of the existing structure
  - b. 18 Fordham Way, Blue Inn – Notice of Violation issued for unpermitted replacement of existing staircase providing beach access to guests
5. Discussion to vote on OOC Special Conditions for DEP File #050-1401 – Middle Road, The Governor's Academy – for work to construct a walking path to provide access to the new Alford Science Building.
  - a. PLEASE NOTE: the public hearing for this matter is closed

### **7:05 PM – Requests for Determination of Applicability**

1. File #NCC-421 – Salt Marsh, various locations (USFWS/Mass Audubon) – for work to manage invasive species

### **7:10 PM – Public Hearings**

1. DEP File #050-1402 – 6 Olga Way (Daly) – for work to demolish the existing structure and construct a new one on pilings
2. DEP File #050-1336 – 3 Newburyport Turnpike (Bavaro Family Realty Two, LLC) – a request to amend the OOC issued 3/3/2021 to include revisions to the approved bio-retention area and installation of a new water main across Route 1
3. DEP File #1403 – 170 Orchard Street (Yurkavich) – for work to construct a 4-lot single-family residential subdivision with 500-foot roadway, utilities, stormwater management features, and common driveway

### **7:30 PM – Administration**

1. Discussion regarding MassAudubon installation of signage/fencing on the beach
2. Staff Reports and Updates
3. Other Business
  - a. Meeting schedule/frequency discussion
  - b. CSO release discussion