

NEWBURY CONSERVATION COMMISSION  
MEETING AGENDA FOR 4/4/2023



Office of the Conservation Commission  
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PUBLIC NOTICE POSTING REQUEST  
TO OFFICE OF TOWN CLERK

BOARD/COMMITTEE/ORGANIZATION: Conservation Commission  
 MEETING  PUBLIC HEARING

DAY of WEEK/DATE: Tuesday April 4, 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

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**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: April 18, 2023; May 2, 2023; May 16, 2023
  - a. Virtual meeting update; Commission vote on whether to remain in virtual meetings
3. Approval of Minutes: March 21, 2023
4. **Update on status of New Public Hearings:**
  - a. File #NCC-421 – Salt Marsh, various locations (USFWS/Mass Audubon) – for work to manage invasive species
  - b. DEP File #unassigned – 6 Olga Way (Daly) – for work to demolish the existing structure and construct a new one on pilings
  - c. 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
5. Certificate of Compliance:
  - a. DEP File #050-0336 – 16 Old Farm Way (Remley) – for work to construct a new house and pond
6. Modification:
  - a. DEP File #050-1391 – 68 Green Street, Lot 2 (Dos Santos) – modification to alter grading and install retaining wall
7. 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
8. Enforcement Order:
  - a. File #NCC-418 – 20 Northern Boulevard (Latimer) – administrative enforcement order issued for violation of Negative Determination of Applicability for second-floor deck expansion and reconfiguration of roofline

### **7:30 PM – Administration**

1. Staff Reports and Updates
2. Other Business
  - a. Meeting schedule/frequency discussion
  - b. CSO release discussion