

NEWBURY CONSERVATION COMMISSION  
MEETING AGENDA FOR 9/19/2023



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 September 19, 2023 TIME (AM/PM): 6:00 PM

Meeting Location: Virtual, via Zoom

Join Zoom Meeting

<https://us02web.zoom.us/j/84470941941>

Meeting ID: 844 7094 1941

Passcode: 644434

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

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

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 9/19/2023

**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.*

### **6:00 PM**

1. Call meeting to order; roll call attendance & meeting preamble

### **6:00 PM – 6:10 PM – Executive Session**

1. Pursuant to Massachusetts General Law Chapter 30A Section 21(a)(3), and subject to the Chair's declaration, to go into Executive Session to discuss strategy with respect to the matter of the Department of Environmental Protection and Cricket Lane LLC, Superseding Order of Conditions, DEP File #050-1355, for 55R Pearson Lane litigation.

### **6:10 PM – Regular Meeting**

1. Upcoming Meeting Dates: October 3, 2023; October 17, 2023
2. Certificates of Compliance:
  - a. DEP File #050-1289 – 313 Newburyport Turnpike (The Governor's Academy) – for work to construct a pier and floating dock
3. Enforcement Order:
  - a. Update on status of 42B Cottage Road

### **6:15 PM – Requests for Determination of Applicability**

1. File #NCC-431 – 105 Scotland Road (Kershaw) – for work to remove trees
2. File #NCC-432 – 4 Basin Front Drive (Young) for work to replace and expand a deck

### **6:25 PM – Public Hearings**

1. DEP File #050-1413 – 7 Marsh Avenue (Lariviere) – for work to demolish an existing structure and conduct site cleanup
2. DEP File #050-1409 – 18 Fordham Way (Blue Inn, LLC) – for after-the-fact approval of work to replace two sets of beach access stairs
3. DEP File #050-1415 – 3 Main Street (Brennan) – for work to construct a single-family dwelling, garage, driveway, and septic system with associated site work
4. DEP File #unassigned – 76 Cottage Road (Dowling) – for work to upgrade the septic system

### **7:00 PM – Administration**

1. Staff Reports and Updates
2. CSO release discussion