



# TOWN OF WEST NEWBURY

## CONSERVATION COMMISSION

381 Main Street, West Newbury, Mass. 01985

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### West Newbury Conservation Commission

#### Meeting Minutes

**Monday, April 13, 2017**

Meeting begins at 7:30pm.

**Members Present:** Judith Mizner (acting chair), Richard Spieler, and Wendy Reed.  
Conservation Agent Jay Smith also present.

**Cont. Public Hearing ---Notice of Intent --- James and Cheryl Ward for 18 Norino Dr. (DEP#78-667) ---** For the installation of a dock, staircase and path within the Merrimack River resource and other resource areas.

James and Cheryl Ward and Greg Hochmuth (Wetland Scientist) were in attendance and described additional material submitted. A letter was received noting endangered species on the property. An invasive species plan was submitted. The applicant would also like to cut some trees damaged by high winds. The Commission requested more information about the footings and that the applicant come in with a proposal to remove the trees. The Commission will take no action on the request until they have received more information concerning the endangered species and with the approval of the applicant the Hearing was continued.

**Public Hearing ---Request for Determination of Applicability --- 192 Main Realty Trust, 192 Main St. ---** For the installation of a replacement septic system. The work proposed will be done in the buffer zone to a bordering vegetated wetland.

James Scanlon (Engineer) was present and described the work requested. J. Mizner made a motion to approve the project with a Neg. 3 Determination with no Conditions. The Commission voted to issue a separate Enforcement Order to address the wetlands on the opposite side of the house. The motion was seconded by R. Spieler with a unanimous vote of approval. (3-0)

**Cont. Public Hearing ---Notice of Intent --- Daniel Follansbee for 409 Middle St. (Map R-21, Lot 2). (DEP#78-666) ---** For a driveway, septic and grading associated with a single-family home. The work proposed will be done in the buffer zone to a bordering vegetated wetland.

Greg Hochmuth (Wetland Scientist) was in attendance and described additional information presented. J. Smith had viewed the site and stated that the wetland line was correct with minor revisions. An isolated wetland was identified. Input was noted from a neighbor. G. Hochmuth stated that an Army Corp. application was submitted concerning the isolated wetland. J. Mizner made a motion to issue an Order of Conditions with the Standard and Special conditions and to add a request for an updated plan showing the location of natural vegetation area markers. The motion was seconded by W. Reed with a unanimous vote of approval. (3-0)

**Cont. Public Hearing ---Notice of Intent --- Daniel Follansbee for 50 Garden St. (Map R-27, Lot 24). (DEP#78-665) ---** For a single family home and associated work. The work proposed will be done in the buffer zone to a bordering vegetated wetland.

Greg Hochmuth (Wetland Scientist) was in attendance and described additional information presented. J. Smith had viewed the site and stated that the wetland line was correct with minor revisions. J. Mizner made a motion to issue an Order of Conditions with the Standard and Special conditions and to add a request for an updated plan showing the location of natural vegetation area markers. The motion was seconded by W. Reed with a unanimous vote of approval. (3-0)

**Cont. Public Hearing ---Notice of Intent --- Ann O'Sullivan for 58 Ash St. (DEP#78-663) ---** For a single family home and associated work. The work proposed will be done in the buffer zone to a bordering vegetated wetland.

Greg Hochmuth (Wetland Scientist) was in attendance and described additional information presented. J. Smith had viewed the site and stated that the wetland line was correct with minor revisions. J. Mizner made a motion to approve issuing an Order of conditions with the Standard and Special Conditions. The Special Conditions would be the same as those included in the Order of Conditions for DEP No. 78-465 with updates addressing the new delineation. The motion was seconded by R. Spieler with a unanimous vote of approval. (3-0)

**Public Hearing ---Notice of Intent --- Matthew Carretero, 10 Cortland Lane ---** The applicant would like to install an in-ground pool, patio and retaining wall. The work proposed will be done in the buffer zone to a bordering vegetated wetland at 10 Cortland Rd.

Greg Hochmuth (Wetland Scientist) described the project. The Commission asked for additional information including data for construction details and information about pool water discharge. A site visit was agreed to for April 23<sup>rd</sup> at 8:00am. The hearing was continued to the next scheduled meeting at the request of the applicant.

**Discussion:** Matthew Carretero, 10 Cortland Lane --- COC request for DEP# 78-378.

Request deferred until after the scheduled site walk.

**Discussion:** Donald Laing, 356 Main St. --- COC request DEP# 78-630

Donald Laing was present. J. Smith had viewed the site and stated that the Conditions on the Order were met and a proper request was submitted including an as-built plan. J. Mizner made a motion to approve issuing a Certificate of Compliance. The motion was seconded by R. Spieler with a unanimous vote of approval. (3-0) The Commission asked that the new owners be notified about the natural vegetation markers and that there shall be no disturbance of any kind past them.

**Discussion:** Deborah Hamilton --- Sign and bench placement.

Deborah Hamilton was present and described two locations along the trails in Riverbend where she wanted to place benches and plaques in memory of her husband Alex who had worked extensively on the trail system. She also described how the benches would be brought in. The request was approved.

**Other Business:**

**Discussion:** Anthony Leo, 23 Hilltop Circle --- Plan change request.

J. Mizner made a motion to approve a plan change adding a retaining wall to his current septic plan with the addition of new erosion control. R. Spieler seconded the motion with a unanimous vote of approval. (3-0)

**Minutes:**

R. Spieler made a motion that the minutes for March 27 be approved as written. The motion was seconded by W. Read with a unanimous vote of approval. (3-0)

The next scheduled Con Com meeting **Monday, May 1, 2017**