

West Newbury Conservation Commission Meeting Minutes

Meeting date & place: 7:00 pm, September 11, 2023, Second Floor Town Offices.

Commissioner's Present: Molly Hawkins, Chair; George Preble, David Parrott, Associate Member Haley McCraven, and Conservation Agent Michelle Greene

1. **Discussion: Wetlands revolving account spending plan; Associate member fundamentals courses**

The Commission discussed paying for Ms. McCraven to take MACC courses as an Associate Member.

Ms. Hawkins moved to authorize spending revolving account funds for the current associate member to take up to all 8 fundamentals courses from MACC. Mr. Preble seconded and the motion passed unanimously.

Ms. Greene reminded the commission that they have funds in the operating budget available to pay for Commissioners to attend the MACC annual fall conference in Devens on October 28th.

2. **Discussion: Wetlands Protection Bylaw**

The Commission clarified the desire that all current exemptions from the state Wetlands Protection Act regulations would apply to the local bylaw and how to word that for maximum clarity.

Ms. Greene made a number of suggestions for improved clarity, including splitting out aquaculture as a distinct activity, keeping the home rule reference at the beginning of the bylaw, and ensuring jurisdiction definitions are precise and intentional. Ms. Hawkins clarified that the Commission is happy with the State's definition of agriculture.

Ms. Greene suggested the Commission remove all unnecessary definitions from the bylaw and move them to the regulations where possible. Mr. Parrott expressed concern that jurisdictional thresholds (e.g., pond size) should be kept in the bylaw to limit potential changes to jurisdiction based solely on regulation updates. Ms. Greene suggested the bylaw include those specific limits in the jurisdiction section of the, rather than mixing them in with a long list of definitions. Ms. Hawkins clarified that the bylaw will need to explicitly define bank, isolated wetlands, ponds, and vernal pools which Ms. Greene confirmed and clarified that other thresholds not planned to be changed would not need to be explicitly called out. However, she believed the Commission might need to keep the rare species definition because at the state level only animals are covered and the Commission had expressed a desire to protect rare plants and their habitat as well.

Ms. Greene also suggested a large amount of what was currently in the Permits and Conditions section of the bylaw draft could be moved to regulations. Mr. Parrott agreed that if it wasn't necessary and didn't provide additional assurances to the town, that the Commission should move things to regulations so that the bylaw could be as clear and concise as possible.

Ms. Greene noted that the Notices and Hearings sections could be substantially condensed or even just merged into the Permits and Conditions section.

Mr. Parrott suggested reordering the sections by moving Burden of Proof before the Application section

so that the bylaw ad processed laid out within it flows linearly with the actual permitting experience.

Ms. Greene suggested the Commission expand the Appeals section to more clearly spell out who can appeal and how the appeals process would work on a practical level.

3. Discussion: Scheduling of an October administrative business meeting

The Commission agreed to meet on Tuesday, October 10th at 7:30pm for an administrative meeting.

4. Other Business / Informal Discussion:

None.

5. Next Meeting: Monday October 2, 2023 at 7:00 PM (regular business, public hearings and meetings)

Adjournment

Ms. Hawkins moved to adjourn. Mr. Parrott seconded the motion and the motion passed unanimously at 8:25pm.

Meeting Documents

Presentations and records associated with each matter identified, as included in the Conservation Agent's files.

Respectfully submitted