

West Newbury Conservation Commission Meeting Minutes

Meeting date & place: 7:30 pm, August 15, 2022, Second Floor Town Offices

Members Present: Molly Hawkins acting as Chair, George Preble, and Alternate Commissioner Jack Haley acting as a Commissioner to make quorum. Also present Conservation Agent Michelle Greene

- 1. Conservation Restriction Execution: Coffin Street - Conservation Restriction from Save Our wetlands, LLC to Essex County Greenbelt Association, Inc. and the Town of West Newbury**
Vanessa Johnson-Hall of Essex County Greenbelt appeared before the commission and provided background on the Coffin Street conservation parcels. The conservation restrictions have been approved by the state and the West Newbury Select Board, Save Our Wetlands, LLC, and Essex County Greenbelt have signed this conservation restriction. The land will remain private but the conservation restriction contains easements to keep the trails open to the public.

Ms. Hawkins moved to execute the conservation restriction, Mr. Preble seconded, and the motion passed unanimously.

- 2. Conservation Restriction Stewardship Agreement Execution: Coffin Street - CR Stewardship Agreement between Essex County Greenbelt Association, Inc. and the Town of West Newbury**
Vanessa Johnson-Hall of Essex County Greenbelt appeared before the commission and explained the stewardship agreement between Essex County Greenbelt and the Town of West Newbury which was previously reviewed with town counsel, KP Law. Essex County Greenbelt has signed this stewardship agreement.

Ms. Hawkins moved to execute the stewardship agreement, Mr. Preble seconded, and the motion passed unanimously.

- 3. Conservation Restriction Execution: Coffin Street - Conservation Restriction from Essex County Greenbelt Association, Inc. to the Town of West Newbury**
Vanessa Johnson-Hall of Essex County Greenbelt appeared before the commission and provided background on the Coffin Street conservation parcels. The conservation restrictions have been approved by the state and the West Newbury Select Board and Essex County Greenbelt have signed this conservation restriction.

Ms. Hawkins moved to execute the conservation restriction, Mr. Preble seconded, and the motion passed unanimously.

- 4. Public Hearing: Notice of Intent (continued): Town Wide, Applicant: West Newbury DPW, Re: Hazard tree management, DEP# 078-0717**

The applicant requested a continuance to the commission's next meeting on September 6, 2022.

- 5. Public Hearing: Notice of Intent (continued): 137 Indian Hill Street, Applicant: Joshua Wegrzyn, Re: Construction of a garage and after-the-fact permitting of an outdoor patio, DEP# 078-0747**

The applicant requested a continuance to the commission's next meeting on September 6, 2022.

6. Public Hearing: Notice of Intent (continued): Along Church Street and Prospect Street, Applicant: Town of West Newbury – Water Department, Re: Replace approximately 7,500 linear feet of existing 6” water main with 8” water main, DEP# 078-0751

The applicant requested a continuance to the commission’s next meeting on September 6, 2022.

7. Certificate of Compliance Request: 83 River Road, DEP# 078-0664

Ms. Greene explained that this had previously been in front of the commission for a certificate of compliance which was not issued as the dock had been constructed incorrectly with chains for moorings rather than the flexible elastic mooring rods required in the order of conditions and the letter from NHESP. The as-built plan has been updated to reflect what is built, Ms. Greene conducted a site visit this morning at low tide and was able to observe that the dock does not rest on the river bed and that chains have been swapped out for the required flexible elastic rods. Based on this, Ms. Greene recommended that the commission issue a certificate of compliance.

Ms. Hawkins moved to issue a certificate of compliance, Mr. Preble seconded the motion and the motion passed unanimously.

Certificate of Compliance Request: 4 Gunners Hill Road, DEP# 078-0243

Ed Dixon of Hancock & Associates appeared before the commission on behalf of the applicant, Brian Dodge, the former owner of the property. Mr. Dixon discussed the minor deviations from the approved plan at the site and Ms. Greene explained that the deviations shifted the home further away from the wetlands. Based on this and her site visit which showed the site in stable condition with no additional clearing or structures, she recommended the commission issue the certificate of compliance.

Ms. Hawkins moved to issue a certificate of compliance, Mr. Preble seconded the motion and the motion passed unanimously.

8. Certificate of Compliance Request: 17 Donovan Drive, DEP# 078-0602

Ed Dixon of Hancock & Associates appeared before the commission as the applicant for the certificate of compliance request and as the engineer who had prepared the as-built plan for the request. He was joined by his wife, Denise Dixon. Mr. Dixon explained that the order of conditions was to replace the rear deck of the home and add a permeable stone patio. Ms. Greene noted that the property slopes very steeply in the back and due to the steep slope and poor soil conditions, it has been difficult to get the area stabilized through vegetation. However, sparse vegetation can be observed and there are no visible signs of erosion or sedimentation into the wetland. Because of this she recommended the commission issue the certificate of compliance.

Ms. Hawkins moved to issue a certificate of compliance, Mr. Preble seconded the motion and the motion passed unanimously.

9. Violation Update: 4 Norino Drive, Re: Clearing within the 25’ no disturb buffer and clearing past the limit of work, DEP# 078-0740

No update.

10. Violation Update: 21 Montclair Road, Re: Clearing trees within 100’ buffer zone without a permit

No update.

11. **Enforcement Order Update: 15 Norino Drive, Colin Hodgson, Reinhild Hodgson, and Shirene Hodgson Re: Placement of a houseboat and dock along the Merrimac River without a permit with impacts to the 200' riverfront resource area, bordering vegetated wetland, inland bank, and rare species habitat**
No update.
12. **Other Business:**
None
13. **Wetlands Bylaw Update:**
None
14. **Old Business:**
None
15. **Informal Discussion:**
None
16. **Community Input:**
None
17. **Approval of Minutes: April 4, 2022:**
Deferred
18. **Approval of Minutes: June 6, 2022:**
Deferred
19. **Approval of Minutes: June 22, 2022:**
Deferred
20. **Approval of Minutes: August 1, 2022:**
Deferred
21. **Correspondence:**
None
22. **DEP Comments: Press release from MA Dept. of Agricultural Resources on invasive spotted lantern fly in MA**
Ms. Greene shared the press release with the commission and the commission discussed some of the common host trees of the spotted lantern fly.
23. **Land Agent Update: Invasive plant internship presentation to Select Board on 8/22/2022**
Ms. Greene invited the commission to the invasive plant interns' presentation to the Select Board in which they will highlight some of the data they collected this past summer on invasive plants and present some management recommendations to the Board.

24. Land Agent Update: Invasive plant removal day on 8/18/2022, 2 time slots

Ms. Greene invited the commission to an invasive plant removal day with the invasive plant interns, members of the invasive plant working group, and other community members at the Cherry Hill conservation land near the Indian Hill Reservoir. Ms. Hawkins and Mr. Haley expressed their intent to attend.

25. Next Meeting: September 6, 2022. Please note meeting is on a Tuesday due to Monday holiday

Adjournment

Mr. Haley moved to adjourn. Ms. Hawkins seconded the motion and the motion passed unanimously. The meeting was adjourned at 8:22 PM.

Meeting Documents

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

Respectfully submitted