

West Newbury

Conservation Commission Meeting Minutes

Meeting date & place: 7:30 pm, June 17, 2019 Conservation Commission Office, 1910 Building

Members Present: Chairman Dawne Fusco; Judy Mizner; Wendy Reed, Margaret Hawkins, Tom Atwood (arrived mid-meeting), Conservation Agent Jay Smith

Cont. Discussion: Coffin St, Essex County Trail Association (ECTA) Trail Plan

Ms. Mizner reported that she had spoken with ECTA's Carol Lloyd and learned that ECTA proposed to 1) use 1/2" spacing between deck boards, and 2) would keep building materials at the road during construction, which will take only 1 day. Ms. Mizner recommended 3/4" spacing for deck boards, consistent with the Commission's policy.

Ms. Reed expressed concern that at certain of the Riverbend area trails, the horses bypass the bridges, doing harm to the wetlands. Something should be done to keep that from happening here. The Commission discussed placing posts with railings to funnel traffic onto the bridge.

Ms. Mizner noted that this proposal does fall within the Trail Management Plan—wetlands associated with a trail in use are being damaged and this project will provide wetlands protection. Thus the project proponents are not seeking a Request for Determination of Applicability but rather written Commission approval.

The Commission voted 4-0-0 to send a letter (with a draft to be prepared and circulated by Ms. Mizner) to ECTA. This will set forth the requirements for the bridge project, which shall include 1) compliance with the submitted plan and the Trail Management Plan, 2) 3/4" spacing between the decking boards, 3) installation of posts with railings extending 4' from either side of each end of the bridge to deter horses from bypassing bridge.

Discussion: Sullivans Court Trail

Ms. Reed provided a plan of the Sullivans Court area where a trail should be placed and the Commission marked on the plan where the trail and bridges should be located. She will share the marked-up plan with the Open Space Committee, which will submit a Notice of Intent with respect to the trail to the Commission.

The Commission determined that the bridges should be 4' wide and should have the same kind of post-and-railing funneling system as required for the Coffin Street trail. Standard conditions should apply to the project.

The Commission also stressed that the developer should not cut vegetation within 50' of the river.

Discussion: George Fillipone, 11 Woodcrest Dr. (DEP# 78-570) --- Certificate of Compliance (COC) Request.

Mr. Smith shared the submitted as-built plan for a driveway. A very small area of wetlands was involved, the property is well vegetated.

Based on the paperwork provided and Mr. Smith's favorable report of a site visit, the Commission voted 4-0-0 to prepare a Certificate of Compliance, to be issued on removal of the silt sock erosion control from the property.

Discussion: Mark Corso, 50 Garden St. (DEP# 78-665) --- COC Request.

Mr. Smith shared the submitted as-built plan and reported that the required conservation posts have been installed and the property is revegetated.

Based on the paperwork provided and Mr. Smith's favorable report of a site visit, the Commission voted 4-0-0 to prepare a Certificate of Compliance, to be issued on removal of the silt sock erosion control from the property.

Discussion: Alexandra Guralnick, 210 Middle St. (DEP#78-691) --- COC Request.

Mr. Atwood joined the meeting during the discussion of this matter.

Mr. Smith shared the submitted as-built plan concerning septic system work and reported that the property is revegetated and looks good. The homeowners removed the erosion controls. It was unclear, however, if one of the wetlands markers is missing, and Mr. Smith will check on this.

Based on the paperwork provided and Mr. Smith's favorable report of a site visit, the Commission voted 5-0-0 to prepare a Certificate of Compliance, to be issued on confirmation that all required wetlands marker posts have been installed.

Discussion: Updates on Conservation position.

The Commission made a 5-0-0 roll call vote to go into Executive Session at 8:25 p.m., citing M.G.L. Ch 30A sec. 21(a)2 – To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel.

The Commission reconvened its regular meeting at 8:38 p.m.

Discussion: Minutes

The Commission voted 5-0-0 to approve the minutes of May 6, and June 3, 2019, as amended.

Committee Officers

The Commission voted 5-0-0 to elect Ms. Fusco Chairman and Ms. Reed Clerk for coming year. It was noted that the Selectmen reappointed Ms. Mizner and Ms. Reed to the Commission for 3-year terms, which will be reflected on the Commission website.

Next Meeting

The next scheduled Con Com meeting is Monday, July 1, 2019

Adjournment

The Commission adjourned at 9:04 p.m.

Meeting Documents

Presentations and records associated with each matter identified, as included in Mr. Smith's files.

Respectfully submitted

Formerly confidential:
Commission voted to release
August 5, 2019

West Newbury
--EXECUTIVE SESSION--
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Discussion: Updates on Conservation position.

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Ms. Reed noted that she provided the Commission members a packet with minutes from last Executive Session meeting that took place on June 14, 2019, as well as a draft email and offer letter to Albert (Bert) Comins, the chosen candidate to be the new West Newbury Conservation Agent. She noted that the offer letter does describe a 90-day initial period and items such as hours to be worked and the schedule. Ms. Reed reported that she had just received an email from Town Manager Angus Jennings with some suggested adjustments to the description of hours and schedule.

Mr. Atwood observed that Massachusetts law may require overtime for hours worked on Sunday and *the Commission agreed to investigate this.*

Ms. Reed reported that she has spoken with Jennifer Hughes of the Merrimac Valley Planning Commission (MVPC) regarding a 90-day period in which Ms. Hughes would mentor Mr. Comins, who is new to the Conservation Agent position. Ms. Hughes says this is commonly done with new Agents—the important thing is that the person brings expertise in wetlands delineation to the job, usually the matter of learning the specific rules comes with experience. Ms. Hughes has served as such a mentor to new conservation agents before and indicated that MVPC could provide mentoring for 90 days at up to 5 hrs/week. Also identified Commission member(s) should be quickly available to Mr. Comins for any necessary advice or consultation.

Mr. Comins should shadow retiring Conservation Agent Smith to learn about the office, the files, the procedures, and to accompany Mr. Smith on a site walk. Since the Selectmen will not act on Mr. Comins' appointment until after this shadowing period with Mr. Smith, Mr. Comins will be paid as a consultant from available Commission funds during this interim. The Commission has prepared a checklist of areas of competence expected to be mastered at the end of the 90-day period.

The Commission took a 5-0-0 roll call vote to finalize and send the job offer documents, revised as discussed in this meeting, all assuming that Mr. Jennings has no further revisions. If Mr. Jennings does have additional changes, the Commission will meet to finalize this matter this Friday, June 21.

The Commission took a 5-0-0 vote to approve the minutes of the June 14, 2019 Executive Session meeting, as revised.

The Commission made a 5-0-0 roll call vote to go out of Executive Session at 8:38 p.m.

Meeting Documents

Presentations and records associated with each matter identified, as included in Mr. Smith's files.

Respectfully submitted