



**TOWN OF WEST NEWBURY
CONSERVATION COMMISSION**
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RECEIVED
TOWN CLERK
WEST NEWBURY, MA
2024 FEB 29 PM 4:04

DATE: Monday March 4, 2024, 6:00 pm

PLACE: 2nd Floor Hearing Room (in-person meeting)

SIGNED: _____

DATE: 2/29/2024

Executive Session: 6:00 PM

1. Pursuant to G.L. c. 30A, §21(a)(3): To discuss strategy relating to pending litigation known as ND General Construction Inc. and Nathaniel Dennis v. Town of West Newbury Conservation Commission, Essex County Superior Court, Docket No. 2377CV01085, if the Chair declares that discussing the matter in an open meeting may have a detrimental effect on the litigating position of the Board. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.
2. Pursuant to G.L. c. 30A, §21(a)(6): To consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body (review of draft Conservation Restriction for property at 114 Ash Street, "Evergreen Farm", so-called). A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.

Open Session 7:00 PM

1. **Presentation and Discussion:** Ash Street parcels deeded to the Conservation Commission, Parcel R6-4A and Parcel R6-3
2. **Public Meeting: Request for Determination of Applicability (continued):** 16 Donovan Drive, Applicant: Daniel Chiango, Re: Construct a 24'x32' barn
3. **Public Hearing: Notice of Intent (continued):** 125 River Road, Applicant: Michael Fusco, Re: Construction of a roadway, driveways, and associate grading, DEP# 78-0770 *This matter has been continued to 3/18/2024 by request of the applicant.*
4. **Public Hearing: Notice of Intent (continued):** 24-26 Bridge Street, Applicant: Myfanwy Collins, Re: After-the-fact permitting for an under driveway culvert replacement, DEP# 78-7XX
5. **Public Meeting: Request for Determination of Applicability:** 37 Coffin Street, Applicant: Joseph Neipp, Re: Construction of a garage and driveway
6. **Public Meeting: Request for Determination of Applicability:** 137 River Road, Applicant: Joe Rosenfield, Re: Tree removal
7. **Request for Certificate of Compliance:** 210 Main Street, DEP# 78-460
8. **Request for Extension to Final Order of Conditions:** 519 Main Street, "Deer Run", Applicant: Michael Crow, Deer Run Land Development, DEP# 78-723
9. **Insignificant Change Request:** 0 Middle Street, Parcel R27-31, "Lower Artichoke Spillway", Re: Time of year restriction waiver, DEP# 78-749
10. **Enforcement Order Update:** 22-24 Main Street - PRSD, Re: Continuing sedimentation into intermittent stream, DEP# 078-0701
11. **Enforcement Order Update:** 154 Middle Street, FKA 14 Kimball Road Lot 2, DEP# 78-721, Re: Continuing discharge of material into wetlands

The matters listed above are those reasonably anticipated by the Chair that may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by the law.

12. **Enforcement Order Update:** 2 Kimball Road, FKA 156 Middle Street, FKA 14 Kimball Road, Lot 3 Re: Continuing runoff issues contributing to discharge of material into wetlands
13. **Discussion:** Wetlands Protection Bylaw
14. **Approval of Minutes:** December 6, 2023
15. **Approval of Minutes:** December 11, 2023
16. **Approval of Minutes:** January 8, 2024
17. **Approval of Minutes:** February 5, 2024
18. **Approval of Minutes:** February 12, 2024
19. **Approval of Minutes:** February 20, 2024
20. **Land Agent:**
21. **Conservation Agent:**
22. **Commission Representative to Open Space:**
23. **Commission Representative to Community Preservation Committee:**
24. **Other Business:**
25. **Informal Discussion:**
26. **Upcoming Meetings:** March 11, 2024 – Administrative business, work on wetlands bylaw & regulations
March 18, 2024 - Regular business public hearings & meetings

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