

**West Newbury
Conservation Commission Meeting Minutes
Monday, July 26, 2010**

Members present: Dawne Fusco (Chair), Barry Fogel, John Dimitry and Richard Spieler.
Consultant Judy Mizner and Agent Jay Smith were also present.

7:45 p.m. Discussion: --- Minutes

The minutes from the July 12, 2010 meeting were reviewed. Fogel moved to accept with minor revisions. Fusco second. Motion passed (4,0).

7:50 p.m. Cont. Public Hearing --- Request for Determination of Applicability ---

Erin Antonopoulos, 28 Garden St. --- For grading associated with a proposed barn within the buffer zone to a bordering vegetated wetland.

After a discussion of the materials presented and site visit Fogel made a motion to issue a Negative 3 Determination with the condition that five feet from the top of the slope next to the wetlands remain in its present condition and untouched.

Spieler second. Motion passed (4,0).

8:05 p.m. Cont. Public Hearing --- Request for Determination of Applicability ---

David Sawyer, 3 Crescent Drive --- For work associated with a replacement septic system within the buffer zone to a bordering vegetated wetland.

Applicant's consultant, Steve Sawyer, presented revised plans addressing the Health Dept's requests. Smith stated that the wetland line was reviewed and there were no issues. Fusco made a motion to give a Negative 3 Determination pending final BOH approval and erosion control condition. Spieler second. Motion passed (4,0).

8:15 p.m. Public Hearing --- Request for Determination of Applicability --- ---

David Marcinkevich, 56 Church St. --- For the cutting of three trees, placement of a shed and relocation of a propane tank within the riverfront, wetland and buffer zone to a bordering vegetated wetland. Mr. and Ms. Marcinkevich were in attendance and explained in more detail the work that was requested. After a discussion Fogel made a motion to allow the cutting of three trees, moving a propane tank and the building of a shed. He included a condition requiring that any spoils be removed offsite. Spieler second. Motion passed (4-0).

8:25 p.m. Public Hearing --- Notice of Intent --- David Greenberg, 10 Kelly Brook

Lane --- For the construction of a barn within the buffer zone to a bordering vegetated wetland. Mr. Greenberg was in attendance and explained his barn project. Greenberg had chosen the location for the barn on sloping ground to allow access to the cellar. After a discussion Spieler made a motion to issue an Order with the following condition: permanent markers shall be placed ten feet off the wetland from wetland flags A2-A7 designating the vegetation area. Fogel second. Motion passed (4-0).

8:50 p.m. Discussion: Lisa Cloutier, 162 Ash St. --- Would like to discuss solutions to the problem of animals killed crossing Ash Street. Lisa Cloutier and her three daughters were in attendance. Ms Cloutier and her two daughters each spoke on the need to do something to keep wildlife from getting killed in the road. Fogel stated that he would contact the mass Dept. of Fish and Wildlife asking for

information of any assistance they can provide in getting signs or other methods to keep animals off the road.

9:00 p.m. Discussion: Active Adult Living, LLC, 823 Main St. (78-499) --- OC extension request. After a report from Smith stating no problems on the site Spieler made a motion to extend the Order for one year. Fogel second with a request to check the conditions for any issues concerning the trail system and that they comply. Motion passed (4,0).

9:07 p.m. Discussion: Ann Attenasio, 17 Stewart St. (78-403) --- COC request. Considering that the application and plan met the approval of the Commission Fusco made a motion to approve the request pending a site visit by Smith and payment of fees. Dimitry second. Motion passed (4,0).

9:35 p.m. Meeting Adjourned

Spieler moved to adjourn the meeting. Fogel second. Motion passed (4,0).

The next scheduled Con Com meeting will be **Monday, August 9, 2010**