

**West Newbury  
Conservation Commission Meeting Minutes  
Monday, December 20, 2010**

Conservation Commission members present: Dawne Fusco (chair), Rick Spieler, Wendy Reed. Conservation Agent Jay Smith also present.

**7:30 p.m. Discussion: Minutes**

Spieler moved to approve the minutes of the 12/6/10 meeting. Fusco seconded the motion. Motion passed (3,0).

**7:35 p.m. Public Hearing --- Notice of Intent --- Patsy Sforza for 124 Crane Neck St. (Lot 1) --- For the construction of a single-family home and associated work within a buffer zone to a bordering vegetated wetland.**

The proposed house and septic system, as well as proposed reworking of an existing corn field, would be located within the 100 ft buffer zone. The Board of Health has approved the septic system plan and approval from the NIH has been requested. The DEP has raised a question about the separation of stormwater infiltration units from groundwater. The wetland line was previously reviewed by Smith and Mizner. Revisions to the plan reflecting a 25 ft no disturb zone and specified markers were requested by the Commission. The hearing is continued until the next meeting pending this request, response to the DEP question and NIH approval.

**7:55 p.m. Public Hearing --- Notice of Intent --- Patsy Sforza for 124 Crane Neck St. (Lot 2) --- For the construction of a single-family home and associated work within a buffer zone to a bordering vegetated wetland.**

This hearing was continued until the next meeting and resolution of the issues noted for Lot 1.

**8:05 p.m. Public Hearing --- Notice of Intent --- Patsy Sforza for 124 Crane Neck St. (Lot 5) --- For the construction of a single-family home and associated work within a buffer zone to a bordering vegetated wetland.**

This hearing was continued until the next meeting and resolution of the issues noted for Lot 1.

**8:15 p.m. Public Hearing --- Request for Determination of Applicability --- Douglas King, 37 Cherry Hill St. --- for work associated with a septic system within the buffer zone to a bordering vegetated wetland.**

The septic system has failed and plans for replacement have been approved by the Board of Health. Smith has visited the site and approved the wetland line. Fusco moved for a negative determination with the standard conditions for septic systems and approval of the erosion control by Smith prior to work commencing. Spieler seconded the motion. Motion passed (3,0).

**8:20 p.m. Public Hearing --- Request for Determination of Applicability --- Sandra D'Amato for 66 Maple St. ---** For work associated with a septic system within the buffer zone to a bordering vegetative wetland.

The septic system failed the 8/28/10 Title V inspection. The proposed plan for replacement has been approved by the Board of Health and the wetland line approved by Smith. Fusco moved for a negative determination with the standard conditions for septic systems and approval of the erosion control by Smith prior to work commencing. Spieler seconded the motion. Motion passed (3,0).

**8:30 p.m. Public Hearing --- Request for Determination of Applicability --- Peter and Barbara Haak, 102 Main St. ---** For work associated with a septic system within the buffer zone to a bordering vegetative wetland.

The proposed septic system replacement is within the buffer zone of two wetlands. A trickling filter/sand filter system is proposed which will result in a temporary disturbance of the buffer zone for grading and construction of a retaining wall. Smith visited the site and made a modification in the wetland line so that the work is 90 feet from the wetland not 100 feet as shown on the plan. Reed moved for a negative determination with the standard special conditions for septic system replacements. Fusco seconded the motion. Motion passed (3,0).

**8:35 p.m. Public Hearing --- Notice of Intent --- Sidney Rice and Vincent Harrild, 774 Main St. ---** For work associated with a septic system within the buffer zone to a bordering vegetative wetland.

Replacement of a failed system and upgrade to a three bedroom house is proposed within 50 feet of the wetland line. No DEP comments were issued and the Board of Health has approved the biofilter unit plan. Fusco moved to grant an Order of Conditions with the standard special conditions for erosion control and a waiver of the October through April no work restriction. Reed seconded the motion. Motion passed (3,0).

**8:45 p.m. Discussion:** Middle Rd. violation

Smith has received information that cutting of trees and four wheeling is occurring on trails in wetland areas along Middle Road. The Commission requested that he write a letter to the property owners informing them that they are responsible for trail use on their property.

**8:50 p.m. Meeting Adjourned**

Reed moved to adjourn the meeting. Spieler seconded the motion. Motion passed (3,0).

The next scheduled Con Com meeting will be **Monday, January 3, 2011**