

**West Newbury
Conservation Commission Meeting Minutes
Monday, May 9, 2011**

Conservation Commission members present: Dawne Fusco (chair), Barry Fogel, Rick Spieler, Wendy Reed and John Dimitry. Conservation Agent Jay Smith and consultant Judy Mizner were also present.

7:30 p.m. Discussion: Minutes

Spieler moved to accept the minutes from the April 4, 2011 meeting. Reed seconded the motion. Motion passed (3,0).

7:30 p.m. Discussion: 17 Coffin Street --- Possible Violation

Smith reported that a trench had been excavated along the driveway and to the wetlands at the back of the property. A letter had been sent to the property owner requesting that they contact Smith, but no response has been received to date. Fogel moved to send an enforcement order by certified mail, requiring attendance at the next meeting. Spieler seconded the motion. Motion passed (5,0).

7:35 p.m. Public Hearing – Request for Determination of Applicability –

Stephen and Paula Cutter, 44 Coffin Street For an addition to a single-family home within the buffer zone to a bordering vegetated wetland.

Modification of an approved but not yet built home is requested. Spieler moved to issue a Negative Determination. Fusco seconded the motion. Motion passed (5,0).

7:40 p.m. Public Hearing — Request for Determination of Applicability ---

Jeffery Hogan 74 Main Street. For a shed within the buffer zone to a bordering vegetated wetland.

Demolition and rebuilding of a shed located within 100 feet of the bank to an intermittent stream is proposed. Spieler moved to issue a Negative Determination with the following conditions. A silt fence or haybales will be placed in front of the stone wall behind the shed and wrap around around the building site to avoid run off. Smith is to be contacted for approval prior to work beginning. Fogel seconded the motion. Motion passed (5,0).

7:45 p.m. Discussion – Estate of Hugh Cawley, Parcel 2, Middle Rd. –

Request to convert land taxed under M.G.L. Chapters 61 and 61 B.

Reed moved to notify the Board of Selectman that the Conservation Commission has no objection to them waving right of first refusal for this property. Fogel seconded the motion. Motion passed (5,0).

7:50 p.m. Discussion – 15 Prospect Street --- Possible Violation

Smith reported that a trench had been hand dug to route basement water to adjacent wetlands. Fogel moved to send the property owners a letter requesting their attendance at the next meeting. Spieler seconded the motion. Motion passed (5,0).

7:55 p.m. Discussion – 274 Middle Rd. --- Possible Violation

Smith reported that trees had been cut and that vehicle use of trails through a wetlands area is occurring. Fogel moved to send the property owners a letter requesting their attendance at the next meeting. Spieler seconded the motion. Motion passed (5,0).

8:05 p.m. Meeting Adjourned.

The next scheduled Con Com meeting will be **Monday, May 23, 2011**