

**West Newbury
Conservation Commission Meeting Minutes
Monday, November 7, 2011**

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

Discussion: Minutes

There were no minutes available for review.

Public Hearing --- Notice of Intent --- Jeff Towers, 95 River Road --- The applicant would like to construct an addition with associated site work within the Merrimac River resource area and bordering vegetated wetlands.

The proposed addition is located on the outer edge of the 200 ft riverfront line and within the 100 ft buffer zone of two wetlands, which border the property. A wetland delineation was completed in September 2011; however, Smith did not approve the line on the western side of the property. The applicant requests that the work be allowed to begin immediately due to personal circumstances. While the overall project is expected to take 3 months to complete, all excavation and grading work will be completed in a 3-week period. Fogel moved to issue an order of conditions with standard conditions and the following:

1. Wetland bounds to be installed on the west side of the property between flags C2 and C7 at the tree line, final location and material to be determined with approval of Agent.
2. Stabilization measures to be determined in consultation with Agent for both the winter period following construction and spring reseeded.
3. Existing vegetation in the riparian area east of the property line shall not be disturbed.
4. All equipment access to the site will be from the east side of the property on the existing driveway.

Spieler seconded the motion. Motion passed (5,0).

Public Hearing --- Notice of Intent --- Al Perkins for 419 Main Street (lot 2) --- The applicant would like to construct a single-family home. A portion of the driveway and grading is within the buffer zone to a bordering vegetated wetland.

The Commission in spring 2011 approved an ANRAD for this project. Spieler moved to issue an order of conditions with standard conditions and a requirement that no other work be completed within the 100-foot buffer zone. Dimitry seconded the motion. Motion passed (5,0).

Public Hearing --- Request for Determination of Applicability --- Emily Poore, 14 Poore's Lane --- The applicant would like to upgrade the septic system a portion of which is located within the buffer zone to a bordering vegetated wetland.

Smith conducted a site walk for this project and approved the wetland line. Fusco moved to issue a negative determination for this project with the requirement that

Smith inspect and approve erosion control measures prior to work beginning. Fogel seconded the motion. Motion passed (5,0).

Public Hearing --- Notice of Intent --- Peter O'Brien, 7 Donovan Drive --- for the construction of an addition, deck and driveway paving. The work proposed is within the buffer zone to a bordering vegetated wetland

All work for this project is to be completed within existing lawn or landscaped areas. There are two wetlands on the site and both were delineated in July of this year. Removal of a shed and pavement would be located within 25 feet of the wetland. Smith to conduct a site walk prior to next meeting.

Public Hearing --- Request for Determination of Applicability --- Nancy Morrison, Director of Insight Mediation Center, 443 Middle Street --- For grading and paving a driveway. The work proposed is within the buffer zone to a bordering vegetated wetland.

Applicant proposes to pave a 700-foot driveway, 100 feet of which is located within the wetland buffer zone. Existing slope and drainage will be maintained and all work will be completed within the limits of the existing driveway. The lower section of this driveway leads to a conservation area and is located on town owned land. Town counsel has determined that paving the driveway is an improvement to town owned land and can be allowed. Spieler moved to issue a negative determination with the requirements that the Agent be given a day's notification prior to work beginning and that there be no alteration of the existing fence along the wetland area on the eastern side of the lower driveway. Fogel seconded the motion. Motion passed (5,0).

Public Hearing --- Notice of Intent --- Anthony and Donna Cannatelli, 13 Maple Street --- For a septic system upgrade. The work proposed is within the buffer zone to a bordering vegetated wetland.

A new leaching field is proposed between 50 and 100 feet of the wetland line, with grading to 30 feet of the wetlands. An existing garage is also to be replaced and will be integral to the septic system upgrade. Smith to conduct a site visit and review the wetland line prior to the next meeting.

Cont. Discussion: Roger Colvin, 255 River Road --- Cont. request for a COC for a dock on the Merrimack River.

Fusco moved to issue a certificate of completion pending Agent's confirmation that the seasonal dock has been removed in accordance with the Order's requirements. Spieler seconded the motion. Motion passed (4,0,1 – Fogel).

Meeting adjourned at 8:45 p.m.

The next scheduled Con Com meeting will be **November 21, 2011**