

**West Newbury
Conservation Commission Meeting Minutes
Tuesday, October 9, 2012**

Members present: Dawne Fusco (chair), Judy Mizner, John Dimitry, Wendy Reed.
Conservation Agent Jay Smith also present.

Discussion: Minutes

There were no minutes to review.

Public Hearing --- Request for Determination of Applicability --- Craig Deschene, 7 Twig Rush Lane --- For a replacement septic system within the outer riparian zone to the Merrimack River resource area.

Applicant and consultant were present to discuss the request. The new system will be located further away from the wetlands. Mizner moved to issue a negative determination contingent on 1) A site inspection confirming the wetland line, 2) Installation of a siltation barrier marking the limit of work and 3) 72 hour notification to the Conservation Agent prior to beginning work. Fusco seconded the motion. Motion passed (4,0).

Public Hearing --- Notice of Intent --- Michael Zuercher-Martinson, 18 Garden St. –

The applicant would like to erect a solar array with the transmission line passing through the buffer zone of a bordering vegetated wetland.

The project is to utilize an existing buried PVC pipe to run transmission lines from the solar unit to the house. Hand holes will be dug to pull the lines and all soil returned to the holes on completion. There are no anticipated impacts to wetlands or the wetland crossing on site. Because DEP has not assigned a number to this project, the hearing is continued to the next meeting.

Discussion: Letter received presumably from Tyler Kimball regarding 95 Maple St.

Mr. Kimball stated to Smith and Mizner that he did not write the letter that was received by the Commission under his name and said that Mr. McNamara confessed that he had written it and signed Mr. Kimball's name. Mizner to draft a letter to the DEP describing the work done and the property owner's refusal to comply with the Commission's request for filing. Mizner also to draft a response to Mr. McNamara's letter with the Board of Selectman copied on it.

Other Business: Eastern Mass. Properties, C/O Tim Collins for 84 Middle St. --- COC Request (DEP #78-575).

A site walk to be conducted by Mizner and Smith Wednesday, October 10.

The next scheduled Con Com meeting will be **Monday, October 22, 2012**