

**West Newbury
Conservation Commission Meeting Minutes
Monday, May 21, 2012**

Commission members present: Dawne Fusco (chair), John Dimitry and Wendy Reed. Conservation Agent Jay Smith was also present.

Cont. Public Hearing --- Request for Determination of Applicability --- Bachelor St. --- Linda Massey, 38 Bachelor St. --- The applicant would like to construct a detached garage within the buffer zone to a vegetated wetland.

A site walk was completed and the requested revisions to the plan were provided by the Applicant. Fusco moved to issue a negative determination with the following conditions.

1. The cut brush disposed of along the property line will be removed.
2. The buffer zone area will be left to grow back naturally. It may be mowed once a year during dry weather to prevent tree growth.

Reed seconded the motion. Motion passed (3,0).

Public Hearing --- Request for Determination of Applicability --- SPS New England for Church St. next to the State boat ramp. --- For a temporary lay down area/ field office used for repairs to the Rocks Village Bridge that lies within the Merrimack Riverfront resource area.

The bridge is scheduled to close on June 18th and work is planned to continue until August 2013.

As described, the temporary work areas proposed within the resource area will not create an adverse impact. Fusco moved to issue a negative determination with the following conditions.

1. The silt sock and fence will be extended to the boat ramp and beyond the do not enter sign on Church Street to more fully define the area of work. Applicant will request Agent approval prior to beginning of work.
2. Details of boat ramp construction to be provided to Commission. (Already completed).
3. A Stormwater Prevention Plan detailing control of runoff from vehicles, construction equipment and materials will be submitted to the Commission prior to the beginning of work.
4. A copy of the Hazardous Materials Plan being prepared for the State will be submitted to Commission when completed.

Dimitry seconded the motion. Motion passed (3,0).

Public Hearing --- Request for Determination of Applicability --- Michael Dacey and Judy Ashworth, 16 River Rd. --- For the construction of a foyer addition within the Merrimack Riverfront resource area. The foyer proposed would be 12 by 10 feet with a four foot porch. Its location is within the outer protection zone and slopes away from the street and river. Fusco moved to issue a negative determination with no conditions. Dimitry seconded the motion. Motion passed (3,0).

Public Hearing --- Notice of intent --- Thomas Stoker, 16 Brickett St. (DEP #78-596)--- For the construction of a single-family home and septic system. Work will be done within the buffer zone to more than one resource area at 97 Moulton St.
A failed septic system will be replaced and the existing house removed and a new single-family house constructed. Although the 25 foot no disturb zone had been planted with grass and

historically been mowed, the Commission informed the Applicant that it must be allowed to grow back naturally. A plan for replanting with low native plants would be considered if the Applicant wants to preserve the view of the reservoir. Two abutters were present but did not express concerns relative to Commission jurisdiction. A site walk will be scheduled and the hearing continued at the next meeting.

Discussion: Mike Dimodica ,73 Coffin St. ---- Request to control knot weed infestation within the buffer zone to a vegetated wetland.

Mr. Dimodica described his plan to control knotweed along the driveway to his home. He will work with the Conservation Agent to develop a written plan to be presented at the next meeting. The tarps he had placed over the area will be allowed to remain until a plan is approved.

Public Hearing --- Request for Determination of Applicability --- Charles Rotondi, 5 Carlson Dr. -
-- For the installation of a replacement septic system within the buffer zone of a vegetated wetland.

The wetland adjacent to the property has not been delineated. Excavation of a trench is the only component of this project that will be in the buffer zone area and it is currently a lawn. No impacts to the wetland area are anticipated. Fusco moved to issue a negative determination with the condition that a silt fence or hay bales will be installed to prevent runoff into the wetland area. The Agent is to approve placement of the controls prior to work beginning. Dimitry seconded the motion. Motion passed (3,0).

Cont. Discussion: John and Susan Camozzi, 6 Captain Pierce Dr. --- For restoration of a wetland and natural vegetation area.

The property owner was not present. The discussion will be continued at the next meeting.

Discussion: Scanlon Engineering for 774 Main St. --- COC request.

Conservation Agent will conduct a site inspection and review the report for the next meeting.

Discussion: Assign new person to attend the CPA meetings as a representative of the CC.

Because Reed's two year appointment is completed and she is no longer able to attend the Thursday night meetings, Fusco moved to appoint Mizner to be the Commission representative. Reed seconded the motion. Motion passed (3,0).

Discussion: Minutes

The minutes from the May 7 meeting were reviewed. Fusco moved to accept them as written. Dimitry seconded the motion. Motion passed (2,0,1 – Reed was not present at the meeting).

The next scheduled Con Com meeting will be Monday, **June 4, 2012**