

## **Newbury Conservation Commission (NCC)**

**April 17, 2018**

Approved May 8, 2018

**Members Present:** Katheryn Holmes, Chair; Eric Unger, Vice-Chair; Bob Stewart, Members; Russ Smith, Ex-officio.

Ms. Holmes called the meeting to order at 6:02 p.m.

### **ADMINISTRATIVE**

#### **Minutes**

The Commissioners tabled the available draft minutes for review until the next meeting.

#### **INTENT TO CUT**

There was significant discussion regarding the process involved in NCC receipt/review/commentary and Selectboard review and approval/denial. Concerns were raised by Mr. Unger who, for 30 years, has volunteered his time in reviewing Intents to Cut applications and providing detailed review of same. Mr. Unger expressed his concern that applications presenting problems should have a built-in process that delays Selectboard review until said problems are explored.

Commissioners discussed options to ensure that problem applications received appropriate review. Also, Commissioners discussed the state regulations concerning intents to Cut, forestry, and the town regulations regarding same.

Suggestions included the following:

- Have the Code Enforcement Officer included in the application review process.
- Include with the application a copy of the "Timber Harvesting in Newbury" document.
- Include with the application a copy of the town tree cutting regulations with an applicant sign-off section to ensure the applicant has acknowledged the parameters of the regulations.
- Schedule a meeting with the Selectboard to discuss the NCC concerns. Ms. Holmes and Mr. Unger agreed to do this.
- Check with the state to see if there is any grace period beyond the 30-day review/decision requirement if the application presents problems and the need for further review.
- Include in the NCC comments section the statement: "needs further review" so the Selectboard knows there are as-yet unresolved issues with the application.

Mr. Unger noted that he reviewed the following Intents to Cut applications:

- David & Ronda Long Family Trust, 578 Rte.103, TaxMap/Block/Lot 43/797/526. Lot 12.5 acres, Acreage to Cut: 2-3
- Digilio Jr. Living Trust, Chalk Pond Rd., TaxMap/Block/Lot 28/210/475. Lot 72.59 acres. Acreage to Cut: 45
- Jeffery J. Heath & Allisen E Heath Revocable Trust, Rte. 103B, TaxMap/Block/Lot 7/579/239. Acreage 4.64. Acreage to Cut: 4.64.

## **BUFFER ZONE CUT**

Ms. Holmes reviewed the following Buffer Zone Cut applications:

- Brian MacMullin, 103 Gillingham Dr., TaxMap/Block/Lot 112/472.
- Francis & Marie Murray, 17 Lakewood Manor, TaxMap/Block/Lot 19/451. Ms. Holmes noted that the application was denied. Applicant applied because sap was dripping on their car. She added that the application does not meet town regulations for the buffer zone.
- Country Road Realty Trust 202216-236 Bowles Rd., TaxMap/Block/Lot 016/519/106. Ms. Holmes noted that this application pertains to the removal of six trees to put in a perch beach. The Code Enforcement Officer denied this application. Ms. Holmes requested that NCC schedule a site visit.
- Country Road Realty Trust, 202216-236 Bowles Rd., TaxMap/Block/Lot 016/519/106. Ms. Holmes noted that this application pertains to the removal of 57 trees for the installation of a circular driveway. She added that the Code Enforcement Officer denied this application. Ms. Holmes requested that NCC schedule a site visit.

Discussion followed regarding perched beaches, definition thereof, typical construction requirements, impact on the shoreland, and potential erosion into the lake.

The NCC agreed to make a site visit to the Country Road Realty Trust property on April 19 at 4:00 p.m.

Ms. Holmes expressed her concern regarding the necessity for NCC review of large projects to surface any issues pertaining to wetlands, buffer zone considerations, erosion control, tree removal, heavy equipment placement, soil disturbance, etc.

## **NH DEPARTMENT of ENVIRONMENTAL SERVICES (DES)**

Ms. Holmes reviewed the following items from DES:

- Notice of Acceptance of Permit Application, File #2018-00907, 236 Bowles Rd. (April 4, 2018).
- David & Beth Boucher (follow-up) to Wetlands Council (March 19, 2018).
- Letter from the Wetland Council to David & Beth Boucher (a follow-up, March 26, 2018)

## **COMMUNICATIONS**

Ms. Holmes shared with the NCC the following:

- NHANRS-Shrubland Species & Habitats Workshop on May 18, 2018. Mr. Stewart indicated that he will attend.
- LSPA-Notice of Public Meeting “Water Protection in the Sunapee Watershed” on April 12, 2018. Commissions were not able to attend.
- ASLPT-Copies of 2017 Monitoring Inspection Reports for Stoney Brook Property & Levine/Vail Property. Ms. Holmes reviewed the field notes for same.
- The NCC agreed to attend the Planning Board meeting at 7:00 p.m. on April 17 to participate in the public portion of The Fells lower parking lot/pavilion application.
- Committee Report: Bob Stewart, Eric Unger, and Meg Whittemore plan to meet to discuss the possibility of applying for a stormwater mitigation grant.

## **NEW BUSINESS**

Ms. Holmes called for a Motion to renew NCC's membership in LSPA and NHANRS.  
Mr. Stewart made a motion to renew NCC's annual membership in LSPA and NHANRS. Mr. Smith seconded the motion. All in favor.

There being no further business to discuss, Ms. Holmes called for a Motion to Adjourn.  
Mr. Stewart made a motion to adjourn. Mr. Unger seconded the motion. All in favor.

The meeting adjourned at 6:57 p.m.

Respectfully submitted,

Meg Whittemore  
Recording Secretary