

1 **FINAL**

2 Newbury Conservation Commission Meeting

3 October 20, 2023

4 Newbury Town Hall

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6 **MEMBERS PRESENT:** Ms. Holmes (Chair), Mr. Stewart (Vice Chair), Mr. Rhodes, Mr.  
7 Magee

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9 Ms. Chair Holmes called the meeting to order at: 7:20pm.

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11 **ADMINISTRATIVE:**

12 **Minutes**

13 No past DRAFT minutes were voted on.

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15 **INTENT TO CUT:**

- 16 • There were no Intent to Cut Applications received.

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18 **TREE APPLICATIONS & NCC COMMENTS IN PROTECTED SHORELAND:**

- 19 • Matt Kegerreis 283 Bay Point Rd.  
20 • John & Maureen Snyder 263 Chalk Pond Road  
21 • Matt & Dawn Clark 98 Bay Point Road

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23 **NHDES: SHORELAND STANDARD APPLICATIONS:**

- 24 • Fisher Revocable Trust #2023-02598-4 Acorn Road. Replace existing septic system with  
25 new septic system. Under technical Review.  
26 • Barbara L & Philip B Barr #2023-02580-204 Bowles Road Remove existing 4 bedroom  
27 house and Construct 6 bedroom house. Remove existing septic system and replace with new  
28 septic system. Total disturbance area 224000 sq. ft. Under technical review.  
29 • Shoreland PBN-Well Spent Trust#2023-02450 23 Washington St. Rehab current structure,  
30 no change in size, footprint or impervious surface. Accept.  
31 • Statutory PBN# 2023-02617-McNulty 1067 RTE 103 Install a seasonal pier not to exceed 6  
32 feet x 40 feet on frontage along Lake Sunapee in Newbury. Under technical Review.

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34 **COMMUNICATIONS:**

35 “The Beacon” by LSPA: Ms. Chair Holmes mentioned that the best management practices  
36 includes both a thermostat and timer. Mr. Magee gave a summary of the Beck Brook  
37 electrofishing results that there were nearly 200 brook trout caught in the section of the brook  
38 that was reconstructed in August 2022 with a water quality restoration grant from NH  
39 Department of Environmental Services. New Hampshire Municipal Law Assoc. Annual  
40 Conference. September Selectboard Highlights email from Kristin Schultz. New Septic  
41 Regulation Public Hearing: The hearing is Monday, November 6th at 6pm. Mr. Stewart will give  
42 a presentation on a proposal on septic system rules.

1 The NCC had a publicly noticed meeting with the NH Department of Natural and Cultural  
2 Resources Commissioner Sarah Stewart and two staff on October 3, 2023. Discussed DRAFT  
3 notes. Ms. Chair Holmes will send our notes (see attached) from this publicly-noticed meeting on  
4 October 3, 2023 to NH Department of Natural and Cultural Resources Commissioner Sarah  
5 Stewart.

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7 Wetlands application (#2023-00719) for the parking lot increase and new parking lot at Mt.  
8 Sunapee. Applicant has till October 27 to respond to the NHDES Request for More Information.  
9 Chair Holmes will ask NHDES if receipts of responses and letters from NHDES can be sent to  
10 the NCC via email so the NCC is aware of these responses.

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12 **OLD BUSINESS:**

13 None

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15 **NEW BUSINESS:**

16 Conditional Use Permit: Lori Ward: Proposal to build new shed. The NCC recommends that the  
17 applicant be in compliance with the Newbury Zoning Ordinance (Article 8) and place the shed  
18 outside the 75-foot setback for wetlands greater than 10,000 square feet. To achieve this, the  
19 NCC advises the applicant produce a plan that depicts the delineated wetland, the 75 foot  
20 setback, and the proposed shed location. It appears the shed can be placed outside of the 75-foot  
21 setback on the property by moving it approximately 20 feet from the originally proposed  
22 location. The Planning Board has a strong track record of requesting that the applicant first look  
23 to comply with the Zoning Ordinances, an approach the NCC supports. Under Zoning Ordinance  
24 8.7.5, in particular “8.7.5.3 The method of implementation will minimize the impact to the  
25 wetland buffer”, the applicant’s argument does not include any stormwater mitigation. The NCC  
26 advises that a stormwater management plan be required if the shed is approved for anywhere in  
27 the wetland buffer.

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29 **OTHER:**

30 None

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32 Mr. Stewart moved to adjourn, Mr. Rhodes seconded. Adjourned at 9:29pm. Meeting minutes  
33 recorded by John Magee, member of the NCC.