

1 **FINAL**

2 Newbury Conservation Commission Meeting

3 November 28, 2023

4 Newbury Town Hall

5
6 **MEMBERS PRESENT:** Ms. Holmes (Chair), Mr. Stewart (Vice Chair), Ms. Lord (ex officio),
7 Mr. Beauchemin, Mr. Rhodes, Mr. Magee

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9 Ms. Chair Holmes called the meeting to order at: 7:08pm.

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11 **ADMINISTRATIVE:**

12 **Minutes**

13 The DRAFT minutes from several meetings were reviewed and voted on:

14 July 6, 2023 - Mr. Stewart moved, Mr. Rhodes seconded, Approved

15 August 3, 2023 - Mr. Rhodes moved, Mr. Stewart seconded, Approved

16 August 8, 2023 - Mr. Rhodes moved, Mr. Stewart seconded, Approved

17 September 12, 2023 - Mr. Magee moved, Mr. Beauchemin seconded. Approved

18 Oct 20, 2023 - Mr. Rhodes moved, Mr. Stewart seconded – Mr. Magee will include the NCC
19 letter to DNCR as part of these minutes. Approved

20 Nov 14, 2023 - Mr. Beauchemin moved, Mr. Rhodes seconded, Approved

21
22 **INTENT TO CUT:**

- 23 • Lynne Tuohy & Michael Regan - South Gate Rd, Acreage of Lot: 2.4 Acreage to cut: 2.4.
24 John Magee provided the Newbury Conservation Commission comments.
25 • Michael Regan & Lynne Tuohy - Morse Hill/South Gate Acreage of Lot: 9 Acreage to cut: 7
26 • Intent to Cut - Change in the statute 2023.

27
28 **TREE APPLICATIONS & NCC COMMENTS IN PROTECTED SHORELAND:**

29 (all comments from NCC are at the end of each Tree App)

- 30 • James & Karen S. Morgan (After the Fact App) - 5 Bay Point
31 • Linda Minerva - 90 Gillingham Drive
32 • Daniel Schimberg - 326 Bowles Road
33 • Benjamin Howe - 22 Lake Ave
34 • Stuart Werman & Lynn MacFarlene -226 Rt. 103A

35
36 **NHDES: SHORELAND STANDARD APPLICATIONS:**

37 Standard Dredge and Fill App. #2023-02990 -Cynthia Bolduc -131 Grace Hill. Proposed repair
38 or replace an existing L shaped crib dockage consisting of a 11 ft. x 24 ft. section with an
39 attached 10 ft. x 19 ft. 6 in. section supported by a full crib in kind with no change in size,
40 location or configuration. Proposed installation of a 12 ft. x 28 ft. seasonal canopy supported by
41 a permanent piling canopy. Additionally install four ice protection clusters adjacent to the
42 dockage. Lastly install two seasonal PWC lifts adjacent to the dockage. UNDER TECHNICAL
43 REVIEW

Shoreland Permit #2023-02975: Cecil/Paul Slye - 212 Rt 103A Demolition of existing residence structure and guest house and construction of a new residence with detached guest house and associated site and drainage improvements, and renovation of the existing boathouse. Replacement of the existing boathouse cribbing and decking is occurring under Wetland PBN 2017-03088. UNDER TECHNICAL REVIEW

Shoreland Permit #2023-02918: Joseph P Yost - 21 Lakewood Manor Permit. This project proposes a pervious path and steps to an existing lawn, a pervious patio at the back of the house, a pervious path with retaining walls connecting to the front driveway and driveway modification to reduce impervious areas. Rebuild a retaining wall. Redirect runoff, catch basins and a raingarden with an in filtrating drywell for stormwater management. UNDER TECHNICAL REVIEW

Shoreland Permit #2023-02888: Lori Ward - 51 Bay Point Road. Impact 201 square feet of protected shoreland in order to install a shed. SHORELAND PBN ACCEPT

Wetlands Permit: #2023-02831. Received letter:10/23/2023 - 59 Lakewood Manor - Rebuild 45 ln. ft. of shoreline wall and reduce stormwater runoff into the beach area. Build stone stairs into the shoreline wall to access existing beach area, build a sloped pervious path from boathouse to the existing beach for ADA compliance and replenish the existing beach with less than 10 cy. of sand. Agent: DB Landscaping. UNDER TECHNICAL REVIEW

Shoreland Permit: #2023-02828 - 59 Lakewood Manor - Realign, regrade and resurface the existing driveway and build a retaining wall to slow and direct the stormwater to catch basins and infiltration areas. A pervious path replaces the existing path from the driveway to the existing boathouse. Disturbed areas to be revegetated using plantings. Agent: Dan Bruzga UNDER TECHNICAL REVIEW

Shoreland Permit #2023-02798: Bakon & Worrall 110 RT 103A. Install a new septic tank as a result the tree cell count in cell "C" will be temporarily reduced below the minimum standards and revegetated with native species once excavation is completed. The proposal also includes stormwater improvements and a reduction in impervious area. UNDER TECHNICAL REVIEW

COMMUNICATIONS:

- Proposed Newbury Septic Regulations, Public hearing on November 6 – Mr. Rhodes said that Town Counsel has approved the concept of moving forward with a warrant article. Town Administrator and Select Board would like to have a second public hearing.
- Eckman Engineering/Maps for “Sunapee Hills” (Chalk Pond) project for erosion control.
- Newbury Planning Board - Lori Ward – me check email from Katheryn
- From LSPA “Mt. Sunapee Snow Storage Plan - a map offering suggestions to the Mt. Sunapee folks on how to manage snow storage that limits the impact on the water quality of Beck Brook.

- 1 • Received email from NHDES Wetlands Bureau (Emmanuel Uwizeye) that Vail/Horizons
2 submitted a response the most recent Request for More Information (RFMI). NHDES #2023-
3 00719.

4
5 **OLD BUSINESS:**

6 Mt. Sunapee update (NHDES #2023-00719, Alternation of Terrain Permit Application and
7 Groundwater Permit Application) – NH Department of Natural and Cultural Resources has not
8 yet responded to Newbury Conservation Commission’s previous questions about a meeting and
9 site review at Mt Sunapee regarding all three permit applications and sewage lagoon concerns
10 regarding apparent leakage.

11
12 **NEW BUSINESS:**

13 Update Tree Application/discuss CEO’s suggestions (provided to NCC members by Chair) –
14 NCC went through the process recommendations from CEO Greenwood. NCC decided that
15 NCC comments should be sent directly to Selectboard administrative staff (Pam) with a cc to
16 CEO and ex-officio member of Selectboard (Joanne). This will provide a paper trail of the
17 submission of comments/review by the NCC. NCC prefers that the public submit tree
18 applications directly to the CEO, and will make this recommendation to the Town Administrator.
19 Joanne brought up issue with CEO proposal that would require the Selectboard to include in the
20 motion to approve the recommendations and comments of the CEO and NCC. NCC agrees that
21 this should not be part of the proposal. NCC would like to ensure that there is appropriate
22 oversight on the removal of trees in the waterfront buffer, and recommends that the NCC has the
23 discretion to require an arborist report for specific tree removal proposals. NCC will continue the
24 discussion of the application process at a future meeting.

25
26 **OTHER:**

27 November Native American Heritage Month
28

29 Mr. Rhodes brought up concerns about 10 Sunlight property – discussion about several trees
30 relative to approval for cutting them down. Overall, the NCC feels that the approach the Select
31 Board was taking will be adequate.
32

33 Mr. Magee moved to adjourn at 9:30pm, and Mr. Rhodes seconded. Meeting minutes recorded
34 by John Magee, member of the NCC.