

West Newbury Conservation Commission Meeting Minutes

Meeting date & place: 7:00 pm, February 12, 2024, Second Floor Town Offices.

Members Present: Chair Molly Hawkins, David Parrott, George Preble, Jack Haley, Haley McCraven, and Conservation Agent Michelle Greene.

Not present: None

1. Discussion: Scheduling of additional administrative business meetings

The commission scheduled the next two administrative business meetings for Monday, March 11th and Tuesday, April 9th.

2. Discussion: Authorization of potential revolving account expenses including postage and mileage reimbursement for FY25

Ms. Greene explained that postage costs have been increasing, primarily the cost of the certified mailings which are the method required under the WPA to send out permits and enforcement orders to applicants and MA DEP. She estimated that over the next year these costs will be around \$1,200 and asked that the commission allocate funds from the wetlands revolving account either for FY25 or as a recurring allocation.

Ms. Hawkins moved that the Commission allocate \$1,200 from the wetlands revolving account for Conservation Commission postage for FY2025. Mr. Preble seconded the motion and the passed unanimously.

Ms. Hawkins also moved that the Commission allocate \$500 from the wetlands revolving account to cover Conservation Commission postage for the rest of FY24. Mr. Preble seconded the motion and the motion passed unanimously.

Ms. Greene also walked the Commission through mileage reimbursement costs, noting that this has typically been budgeted in the Commission's operating budget. She estimates that around 75% of her reimbursable milage can be attributed to enforcement and administration of the WPA.

Ms. Hawkins moved that the Commission allocate \$1000 from the wetlands revolving account to cover a portion of the Conservation Agent's mileage reimbursements for FY25. Mr. Preble seconded the motion passed unanimously.

3. Discussion: Work on Wetlands Protection Bylaw

The Commission discussed Limited Projects, as identified by the WPA regulations. It was clarified that this category of project is only defined in the regulations, not the actual Act, and so the Commission did not need to define this sort of project in the bylaw. There was consensus to review and revisit the concept for regulations under the bylaw.

The Commission continued their discussion of state level exempt activities. Ms. Greene suggested that the Commission might not want to give blanket approval to all projects that fall under the minor exemption section of the WPA regulations, especially as the state is working to expand these exemptions in the near future. Ms. Greene specifically identified the conversion of lawn to a swimming pool, exploratory borings, underground utilities within existing roadways, new equipment within existing electric and gas facilities, and path maintenance within 6 feet of path and signs as cases where the Commission might desire to retain some level of regulatory control, especially as it has historically required applicants to file for many of these

activities. Mr. Preble expressed concern that excluding activities that are exempt at the state level may fuel opposition to the bylaw vote. Mr. Parrott suggested that adopting all the state exemptions as-is simplifies the bylaw and minimizes confusion for applicants. The Commission declined to make any further changes to the draft bylaw at this time.

4. Discussion: Work on regulations for Wetlands Protection Bylaw

With the majority of work on the bylaw complete, Ms. Greene indicated that the Commission should now begin work on the regulations to be promulgated under the bylaw. Ms. Green asked the Commission to review the draft regulations for Weston which KP Law had provided and also the regulations of Merrimac which she believes to be well written.

5. Discussion: Review and revise Standard Conditions

No action taken.

6. Other Business / Informal Discussion

Ms. Greene informed the commission that they were requested to provide a letter of support for the CPA funding application for design, engineering, and permitting, but not construction, of three wetland crossings at the Sawmill Brook Conservation Area, one improving the trail coming in from the end of Poorhouse Lane, one crossing a perennial stream where an unpermitted footbridge previously existed and one to connect the Sawmill Brook Conservation Area to the trails on the Deer Run. The Commission was generally excited about Sawmill Brook, in favor of supporting the proposed CPA project, and directed Ms. Greene to write an appropriate letter of support.

7. Next Meeting: Tuesday February 20, 2024 – Regular business, public hearings and meetings.

Adjournment 8:38 pm

Meeting Documents

Presentations and records associated with each matter identified, as included in the Conservation Agent's files.

Respectfully submitted