

**RECEIVED**

**By City Clerk at 5:53 pm, Jan 14, 2025**

## **CONSERVATION COMMISSION MEETING MINUTES**

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**November 4, 2024, at 6:30 p.m.**

**Virtual Meeting – 6:30 p.m.**

This meeting will be conducted under S. 2475, *An act relative to extending certain COVID-19 measures adopted during the state of emergency*, signed June 16, 2021, which was extended by legislation enacted on July 16, 2022, and was extended by legislation enacted on March 24, 2023. The public can view this meeting on ACTV Channel 12, the ACTV website or their Facebook Page: [www.facebook.com/AmesburyCommunityTelevision](https://www.facebook.com/AmesburyCommunityTelevision)

*Chair Amanda Jones called the November 4, 2024, Virtual Conservation Commission meeting to order at 6:30pm.*

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020, Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Conservation Commission on August 1, 2022, is being conducted via remote participation.

No in-person attendance of members of the public will be permitted, but every effort is being made to ensure that the public can adequately access the proceedings as provided for in the Order.

A reminder that persons who would like to like to watch this meeting can do so on ACTV Channel 12, the ACTV website or the City of Amesbury Facebook Page:  
[www.facebook.com/amesburyma](https://www.facebook.com/amesburyma)

To submit a public comment, you may do so on the Facebook Live feed by beginning your comment with PUBLIC COMMENT. It will be read aloud at the appropriate time. Viewers may also email [conservation@amesburyma.gov](mailto:conservation@amesburyma.gov) to submit a public comment.

Members of the public may dial into Microsoft Teams at: +1 323-457-5649,,423595101#

Access Code: 423 595 101#

Chair Amanda Jones notes that tonight's Conservation Commission meeting is being recorded by Amesbury Public Access Television; this legal step has been taken but does not act as the official record. The written meeting minutes by the Recording Secretary is the official record.

**Attendance:** Jaime McCarthy, Fred Zackon, Amanda Jones and Bob Manseau

**Also in attendance:** Recording Secretary Lynn Viselli, and Alison McKay, Conservation Agent

**Transcription by:** Lynn Viselli

*Chair Jones takes attendance for the record:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

**Continued Business:**

**NOI 002-1337 31 Newton Road**

Stantech has submitted its initial stormwater peer review which contained substantial issues with the current design and the stormwater management standards. The applicant has requested a continuance to the December 2, 2024, meeting.

**A motion was made by F. Zackon to continue NOI 002-1337 31 Newton Road to December 2, 2025. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:**

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

**RCOC 002-1260 193 Lionsmouth Road**

This was continued from the October meeting to allow the applicant to install a barrier fence/protective fencing around the buffer zone plantings. This has been completed.

Tim Dorman reviewed the stakes and barriers that were installed.

**A motion was made to issue the Certificate of Compliance for NOI 002-1260 193 Lionsmouth Road by F. Zackon. The motion was seconded by B. Manseau and approved by Rollcall vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

**NEW BUSINESS:**

**RCOC 002-341 62 Lake Attitash Road**

The OOC was issued in 1992, and no file can be found in the office nor on DEP's database. Staff has inspected the property and there is no indication of what work could have been

completed under the OOC. The site is stable with no violations visible. Staff recommends issuance of the Certificate of Compliance.

Attorney Debra Dow informed the Commission that the Estate is selling the property and this outstanding OOC showed up on the title exam.

**A motion was made to issue the Certificate of Compliance for NOI 002-341 62 Lake Attitash Road by B. Manseau. The motion was seconded by F. Zackon and approved by Rollcall vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

#### **NOI 002-1340 58 Pleasant Valley Road**

The project includes the razing of the existing structures and construction of a new single-family home, invasive species removal, native plantings and restoration of bank by removing existing pier structure and stabilization with plantings.

Mike DeRosa reviewed the resource areas on site and the restoration of the inland bank. The entire lot is within the 200' Riverfront. The concrete pier and concrete along the shoreline will be removed. The impervious area will be reduced by 1200 sq. ft. The mitigation offered is the restoration of the bank, native plantings and removal of Japanese knotweed. He also reviewed the DEP comments and responses provided.

J. McCarthy asked for a more specific plan in removing the Japanese knotweed as this property is at the beginning of the salt marsh and within a priority habitat.

The Commission will schedule a site visit and receipt of a Japanese knotweed removal plan.

**A motion was made to continue NOI 002-1340 58 Pleasant Valley Road to December 2, 2024, by F. Zackon. The motion was seconded by B. Manseau and approved by Rollcall Vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

#### **ANRAD 002-1341 118 Pleasant Valley Road**

The confirmation of jurisdictional resource areas on the property includes BVW, Mean Annual High Water, Inland Bank, 200-foot Riverfront Area and BLSF. A portion of the property is also within a priority habitat area and there are potential vernal pools. There is an open OOC from

2019 for the replacement of a septic system and the plan provided shows a gravel driveway. A request for a COC will be prepared.

The driveway is now paved and appears the current owners paved the driveway without a permit. A significant amount of gravel was pushed over the edge of the newly paved driveway into the BVW, and this should be noted on the COC request. Staff recommends this violation be addressed upon receipt of an NOI application.

DEP is requesting an updated plan.

Chris Sparages reviewed the property with the Merrimack River to the south. The BVW was flagged in May with an intermittent stream on site. The DEP comment regarding the location of the Mean Annual High Water will be reviewed and addressed.

Melinda Cashman, an abutter, is concerned with any chemical treatment of Japanese Knotweed and the recent paving of the driveway and fill brought in to pave.

J. McCarthy asked if any application had been received for the work done.

A. McKay conducted a site visit and observed the paved driveway, and these issues will be addressed when an NOI is filed.

Chris Corbett, an abutter, is concerned with the water impact on his property.

**A motion was made to continue ANRAD 002-1341 118 Pleasant Valley Road to December 2, 2024, by F. Zackon. The motion was seconded by B. Manseau and approved by Rollcall vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

#### **Administrative:**

**Minutes** – Approve Minutes for 10/7/24 meeting.

**A motion was made to approve the meeting minutes of 10/7/24 as presented by F. Zackon. The motion was seconded by B. Manseau and approved by Rollcall vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

**WPA Funds – Table.**

**Ratify Emergency Certification 118 Pleasant Road**

The cutting and pruning of several compromised trees which are a safety concern to property and persons.

J. McCarthy added that this is a significant number of trees under an EC for a property that will be having a renovation. She asked if they posed a significant risk to the house.

A. McKay spoke with the homeowner at the site visit, and they agreed to remove limbs and not remove a higher number of trees. Discussion followed regarding what a hazard tree is and community outreach regarding hazard trees.

**A motion was made to ratify the Emergency Certification for 118 Pleasant Valley Road by B. Manseau. It was seconded by F. Zackon and unanimously approved by Rollcall vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

**Community Preservation Committee Representative**

**F. Zackon nominated B. Manseau as the representative on the Community Preservation Committee. It was seconded by A. Jones and unanimously approved by Rollcall vote:**

*Chair Jones called the Rollcall Vote:*

|                       |            |
|-----------------------|------------|
| <b>Fred Zackon</b>    | <b>YES</b> |
| <b>Amanda Jones</b>   | <b>YES</b> |
| <b>Jaime McCarthy</b> | <b>YES</b> |
| <b>Bob Manseau</b>    | <b>YES</b> |

**MACC Training –** New Commission members are taking the Fundamentals Courses.

**Quarterly November 18, 2024, Administrative Meeting Agenda Items.**

- 12 & 14 South Hunt Road
- Conservation owned land and Open Space discussion
- Adopting and enforcing a Tree Policy
- Recruitment of additional Commission members

**2025 Meeting Schedule**

The 2025 Meeting Schedule was reviewed.

**The meeting was adjourned by Chair Jones at 8:18pm.**

**The next scheduled meeting is November 4, 2024.**

**Submitted by: \_\_\_\_\_**  
**Lynn Viselli, Recording Secretary**

**Per the Massachusetts Open Meeting Law, the list of documents that were either distributed to the Amesbury Conservation Commission before the meeting in the packet or at the meeting are as follows:**

- 1. Agenda**
- 2. Agenda Guide.**