

RECEIVED

By City Clerk at 2:49 pm, Mar 04, 2026

CONSERVATION COMMISSION MEETING MINUTES

February 2, 2026, 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

Chair Fred Zackon called the February 2, 2026, 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

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 to submit a public comment.

Members of the public may dial into Microsoft Teams at: +1 323-457-5649,,40128488#

Access Code: 401 284 8#

Chair Fred Zackon 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, Mike Fallon, Matt Mohr, and Bob Manseau

Also in attendance: Amanda Armington, Conservation Agent

Transcription by: Lynn Viselli

Chair Zackon takes attendance for the record:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

Continued Business:

NOI 002-1356 394 and B154/C155 TAP Transmission Line ROW

Weston and Sampson conducted a peer review of the NOI, wetland flags and stormwater management. The stormwater management peer review is complete, some additions were requested for the NOI and several comments about wetland flagging, an intermittent stream not labeled on the plans and a culvert not mentioned.

Hanna Raddatz informed the Commission that a response to the comments was drafted and filed late Friday. The BVW data forms will be submitted and BSC Group will go back into the field to address the questions once the snow melts and provide a revised wetland delineation report. Commissioner McCarthy reminded the Commission that the peer review comments are between the applicant and the peer review to discuss, and the Commission receives the final peer review to move forward with the application. The Commission does not get involved unless there is an issue.

Agent Armington stated that the responses were sent to Weston and Sampson today and she will review the revised documents and responses.

A motion was made by B. Manseau to continue NOI 002-1356 394 and B154/C155 TAP Transmission Line ROW to March 2, 2026. The motion was seconded by J. McCarthy and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

ANRAD 002-1361 27 Kimball Road

Staff received 2 proposals from VHB and Weston and Sampson for the peer review of this application. Discussion followed regarding the difference/benefit of a fixed price compared to a time and materials price on the proposals.

A motion was made by B. Manseau to approve the proposal from Weston and Sampson for the peer review for ANRAD 002-1361 27 Kimball Road. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
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Jaime McCarthy	ABSTAIN
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

A motion was made by J. McCarthy to continue ANRAD 002-1361 27 Kimball Road to March 2, 2026. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

NOI 002-1359 27.5-9 Clarks Road

Updated plans were received on January 20th. Questions remain regarding the trails and whether the undeveloped land will be dedicated as open space.

Dan Wells reviewed the project with the Commission. It is a multi-family development with a boardwalk which will have minor impacts to the BVW. 2:1 replication is proposed as mitigation. The Planning Board peer review is complete, and they have approved the project. Agent Armington asked if the water from the infiltration basin would flow into the wetland. The water will leach into the ground water, and the basin is built for a 100-year storm event. Agent Armington added that the stormwater peer review was not provided to the Commission.

Commissioner Manseau asked for the construction sequencing.

Dan Wells reviewed the construction timeline and construction monitoring.

Commissioner McCarthy informed him that the Commission will have their own monitor for the project.

Commissioner Manseau stated that he would like time to review the stormwater peer review before issuing the NOI.

Discussion followed regarding the construction of the boardwalk and placement of erosion controls.

Chair Zackon recommended a continuance to allow for the drafting of the OOC and Special Conditions and to receive the final stormwater peer review details.

Agent Armington agreed and added that if the construction plan changes after issuance of the OOC, the OOC would have to be amended, and Commissioner Manseau agreed.

Special Conditions discussed were:

Stormwater review complies with WPA;

Construction sequencing and boardwalk construction plan be provided prior to construction;

Biodegradable erosion controls;

Construction monitoring;

Planning Board conditions to be included and SWPP Reports.

A motion was made by J. McCarthy to approve NOI 002-1359 27.5-29 Clarks Road with Special Conditions as discussed. The motion was seconded by M. Mohr.

Tracy Chalifour, Clarks Road, asked about an environmental peer review. An ORAD was issued by the Commission for this property so there is no environmental peer review. The Planning Board conducted the stormwater peer review. Ms. Chalifour stated that the Planning Board discussed the environmental impact report, and she did not see that report in the Conservation Commission packet.

Dan Wells informed the Commission that an environmental impact report is a requirement for subdivision approval, it does not reference the WPA or Ordinance. The Open Space is being permanently protected.

Commissioner Manseau stated that this hearing should be continued for further due diligence by the Commission.

Commissioner McCarthy stated that the Special Conditions can mirror the Planning Board conditions.

Chair Zackon called the Rollcall Vote:

Fred Zackon	NO
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	NO

A motion was made by M. Fallon to close the public hearing for NOI 002-1359 27.5-9 Clarks Road. It was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

NOI 002-1360 29 Lake Attitash Road

Willliams and Sparages has provided a proposal for the peer review. Commission should vote to accept the proposal.

Public comment was received stating that the culvert from the street should be included in the peer review.

Commissioner McCarthy added that the abutters are concerned with flooding and provided their own stormwater report.

Mary Rimmer informed the Commission that the culvert is on the City of Amesbury property, and the drain line is on the property. The property is not in a flood zone so that is not required as part of this application.

Peggy Osbaldeston, Clark Road, spoke regarding the January 5, 2026, meeting and comments made by Mary Rimmer.

Joe Osbaldeston, Clark Road, believes the culvert on 29 Lake Attitash Road joins 2 other culverts and the third culvert is on his property.

Frances Fleming, Clark Road, spoke regarding the culverts.

Commissioner Manseau would like the culverts to be included in the peer review if they are on the property.

Agent Armington will add a stormwater review to the proposal and the Commission can approve it at the Administrative Meeting on February 23, 2026.

A motion was made by M. Fallon to continue NOI 002-1360 29 Lake Attitash Road to February 23, 2026. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

New Business

ANRAD 002-1358 28 Haverhill Road

Chair Zackon recused himself from this hearing.

VHB completed the wetland delineation in August 2025. The site contains Bank, BVW, MAHW, LUW, Riverfront Area and BLSF. No portion of the site is within Priority Habitat of Rare Species or Estimated Species Program2, or Priority Habitat of Rare Species or Rare Wildlife. There are no vernal pools on site. DEP issued comments recommending the applicant complete and submit engineering calculations in accordance with 310 CMR 10.57(2)(a)3, to determine the elevation of the FEMA 100-year floodplain.

Scott Morrison of VHB reviewed the 13.27-acre site which contains a perennial stream, and he agreed that a peer review will be done of the wetland.

Public comment was received from Joe Kubik regarding flood zone delineation and concern regarding draining to Bailey's Pond.

Scott Morrison replied that due to the slope confirmation of FEMA flood zone was not included. The peer review proposal scope of work includes on site view, review of submitted documents and no FEMA flood zone review.

A motion was made by M. Fallon to continue ANRAD 002-1358 28 Haverhill Road to February 23, 2026. The motion was seconded by M. Mohr and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	ABSTAIN
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

A motion was made by B. Manseau to obtain a peer review for ANRAD 002-1358 28 Haverhil Road. The motion was seconded by M. Mohr and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	ABSTAIN
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

NOI 002- 287 Elm Street Rocky Hill Development

No DEP number has been issued, and the Amesbury Ordinance does not allow the hearing to be opened without a DEP number. Discussion followed regarding allowing a presentation of the project. B. Manseau stated that historically the Commission does not hear the project without a DEP number.

Christopher Lucas presented an overview of the project. The Planning Board is reviewing the stormwater. An ANRAD was issued for the wetland delineation.

Agent Armington added that the stormwater impacts should be included in the Planning Board peer review.

Hearing was tabled for receipt of a DEP number.

RCOC 002-1347 4 Pleasant Valley Road

The project was for the addition of a seasonal dock. The applicant's representative notes a difference in the size of the associated deck. The approved size of the deck was 4'x4' and the actual size is 5.2'x4.1'. The approved plans showed 8 helical anchors and the float required 6. This resulted in 5 sq. ft. more impact to the Riverfront Area due to the slight increase in the deck.

A motion was made by B. Manseau to issue the COC for 002-1347 4 Pleasant Valley Road. The motion was seconded by M. Mohr and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

Administrative:

0 and 14 Mill Road

Minor Modification Request – Andrea Kendall requested to reduce the drywell to 25'x15' and shallower modifications to inverts to systems due to this change. The stormwater standards are being met.

A motion was made by M. Fallon to approve the Minor Modification for 0 and 14 Mill Road. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

Draft Minutes January 5, 2026- Tabled.

WPA Fund – no update.

Lions Mouth Road Paving – Table.

Invoices – BSC Invoices to be paid.

A unanimous voice vote was taken to approve the payment of BSC invoices.

Vote for Chair

Chair Zackon recused himself from this vote.

B. Manseau nominated F. Zackon as Chair, it was seconded by M. Fallon and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	ABSTAIN
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

The meeting was adjourned by motion of B. Manseau, seconded by M. Fallon and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Matt Mohr	YES
Bob Manseau	YES

The meeting was adjourned at 9:44pm.

The next meeting scheduled is February 2, 2026.

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.**