

RECEIVED

By City Clerk at 3:57 pm, Jul 03, 2024

CONSERVATION COMMISSION MEETING MINUTES

May 6, 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

Vice Chairman Ebert called the May 6, 2024, Virtual Conservation Commission meeting to order at 6:32pm.

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,,889251980#

Access code: 889 251 980#

Vice Chairman Ebert 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: Michael Ebert, Amanda Jones, and Fred Zackon

Also in attendance: Recording Secretary Lynn Viselli, John Lopez, Interim Conservation Agent

Transcription by: Lynn Viselli

Vice Chairman Ebert takes attendance for the record:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

Continued Business

NOI 002-1308 77 Elm Street
RCOC 002-1143 77 Elm Street

The Applicant has requested a continuance to the July 1, 2024, meeting.

NOI 002-1319 7 Old Merrill

The Applicant has requested to continue to the July 1, 2024, meeting.

RCOC 002-0953 48 Fern Avenue

The fence was replaced, and the signage installed on every other post. There are no outstanding issues.

A motion was made to issue COC 002-0953 48 Fern Avenue by F. Zackon, seconded by A. Jones and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

NOI 002-1330 2 and 13 Merrimac Street

The site visit was held to determine if an environmental peer review under the WPA was warranted regarding meeting the Riverfront standards. The stormwater peer review is being done in conjunction with the Planning Board. The site is historically developed. Vice Chairman Ebert stated that a wetland peer review is not necessary since this is a historically disturbed site. Commissioners Zackon and Jones agreed.

Michael Sanchez confirmed the stormwater peer review is being done by the Planning Board.

A motion was made to continue NOI 002-1330 2 and 13 Merrimac Street to July 1, 2024, by F. Zackon, seconded by A. Jones and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

New Business

RCOC 002-1176 31 Newton Road

The work was not done under the OOC, which is now expired and there is no need for As-Built Plan or supporting documentation.

A motion was made to issue COC 002-1176 31 Newton Road by F. Zackon, seconded by A. Jones and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

Enforcement Order 31 Newton Road

The EO was issued for removal of vegetation beyond what was approved under the OOC. The Commission approved a restoration plan, and the restoration has been completed in accordance with that plan.

A motion was made to lift the Enforcement Order at 31 Newton Road by F. Zackon, seconded by A. Jones and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

NOI 002-1332 117 Whitehall Road

The application is for the proposed addition to a single-family home. A site visit was conducted, and the proposed project meets stated and local regulations and standards and does not impact jurisdictional resources.

Kinsey Boehl stated that the project is located upgradient from the wetland across the street and outside the buffer for Lake Gardner.

A motion was made to issue the OOC as drafted for NOI 002-1332 117 Whitehall Road by A. Jones, seconded by F. Zackon and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

A motion was made to close the public hearing for NOI 002-1332 117 Whitehall Road by A. Jones, seconded by F. Zackon and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

NOI 002-1330 11-13 Newton Road Weir

The Applicant has requested to continue to June 17, 2024, meeting.

Administrative

Draft Minutes 3-4-2024 and 4-1-2024

A motion was made to approve the minutes from March 4, 2024, and April 1, 2024, by A. Jones, seconded by F. Zackon and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

WPA Fund – Table

Enforcement Order 77 Elm Street

Tabled to July 1, 2024.

Modification Request 386 Main Street

Tom Hughes informed the Commission that the addition has to be reconfigured due to side setbacks and is now further away from the River. The size of the addition has also increased from 2,653 sq. ft. to 2,749 sq. ft.

A motion was made to approve the modification as presented by F. Zackon, seconded by A. Jones and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

Modification Request OOC 002-1015 Bailey's Pond

This modification is to Phase 2 and Phase 3 buffer zone native plantings. The plantings originally approved are not surviving because it is too shady.

Tom Hughes stated that a pollinator meadow was approved however, there is not enough room. Shrubs will be planted in Phase 2 and additional markers to be installed.

A motion was made to approve the modification as presented by A. Jones, seconded by F. Zackon and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

Emergency Certification 79 High Street – Lake Gardner

The work is for an emergency repair for a sewer line under Lake Gardner. The OOC for the waterways plan has expired.

Emergency Certification 29 Pleasant Valley Road

The property owner is requesting an EC for the removal of hazardous trees and provided a letter from an arborist with pictures.

A motion was made to issue the Emergency Certification for 29 Pleasant Valley Road by A. Jones, seconded by F. Zackon and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

A motion was made to adjourn the meeting at 7:159pm by motion of F. Zackon, seconded by A. Jones and unanimously approved by roll call vote:

Vice Chairman Ebert called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES

The next scheduled meeting is June 17, 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.**