

CONSERVATION COMMISSION MEETING MINUTES

January 6, 2025, 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 Amanda Jones called the January 6, 2025, 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,,365348056#

Access Code: 365 348 056#

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, Bob Manseau and Amanda Jones

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

Transcription by: Lynn Viselli

Chair Jones takes attendance for the record:

Fred Zackon	YES
Jaime McCarthy	YES
Amanda Jones	YES
Bob Manseau	YES

Continued Business:

NOI 002-1337 31 Newton Road

The Applicant's representative has requested a continuance to February 3, 2025.

A motion was made by F. Zackon to continue NOI 002-1337 31 Newton Road to February 3, 2025. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

NEW BUSINESS:

The proposed project is for the removal and reconstruction of an existing porch, sea wall and underpin foundation at a single-family residence. The entire site is within the 200-foot Riverfront Area to the Merrimack River and the majority of the site work will take place within FEMA Flood Zone X; the remainder of the work will take place in the AE Flood Zone. The jurisdictional areas were reviewed for the Commission. Portions of the site along the Merrimack River are located within the boundaries of both Priority and Estimated Habitat of Rare Species as determined by Natural Heritage (NHESP).. A review of the application is required by NHESP, and comments have not been received to date. Once their review is complete, a letter will be submitted to the Commission.

The shoreline stabilization plan to serve as mitigation for the project was discussed during the site visit, but no plans have been included. The applicant proposed a vegetation plan during the site visit, and it was suggested the plan be provided with the NOI. An invasive species management plan and native species planting pan should be required.

Michael Seekamp reviewed the project for the Commission, including all work taking place within the Riverfront Area and Flood Plain.

J. McCarthy stated that she received only the Existing Conditions Plan, not the revised plan. Agent Lopez informed the Commission that the NHESP letter must be received prior to making a decision. Agent Lopez met with the applicant and their consultant to review the missing items from the application. He will email Michael Seekamp with the list of the missing items from the application so they can be addressed.

The Commission will conduct a site visit on January 14, 2025, at 12:30pm.

A motion was made by B. Manseau to continue NOI 002-1343 26 Merrimac Street to February 3, 2025. The motion was seconded by F. Zackon and unanimously approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

NOI 002-1344 92 Lake Attitash Road

The proposed project includes the removal of the existing structure closest to Lake Attitash with the foundation to remain and construction of a new single-family dwelling within the same footprint. Repairs to the foundation will take place along the lakeside, within the existing footprint. This project will have a temporary impact to the bordering land subject to flooding, but it would be a positive one. Two site visits were conducted in April 2024 and again on January 3, 2025.

Tom Hughes reviewed the project with the Commission. The footprint of the structure will not be expanded. The concrete slab will be removed and replaced with a pervious patio.

A motion was made to approve waivers for NOI 002-1344 92 Lake Attitash Road by F. Zackon. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

Beth Sloane, an abutter, supports the project.

There will be temporary disturbance which will not alter the flood plain, nor impact the flood capacity. The building will not be expanded so there is no displacement within the flood plain.

An environmental monitor will be conditioned to submit monthly monitoring reports with site visits required after .5 inches of rain.

The pervious patio shall be properly maintained in perpetuity and provide an O&M plan to be followed in perpetuity.

Upon issuance of the Certificate of Compliance, the applicant must demonstrate the grades within the flood plain have not been changed.

A motion was made to approve the NOI 002-1344 92 Lake Attitash Road by B. Manseau. The motion was seconded by F. Zackon and unanimously approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
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Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

RCOC 002-1299 12-14 South Hunt Road

Enforcement Order 002-1299 12-14 South Hunt Road

Continue to February 3, 2025, without discussion

Administrative:

Minutes – Approve Minutes for December 2, 2024, meeting.

A motion to approve the Minutes of December 2, 2024, as presented by F. Zackon. The motion was seconded by J. McCarthy and approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

WPA Funds – Table.

Emergency Certification 12 Pinewood Road

Request for an Emergency Certification to remove up to 16 trees within the fall line of the house. A site visit was conducted in December 2024 and a discussion took place to allow the removal of one to three trees closest to the house. It was decided that up to 16 trees could be removed under the Emergency Certification with the condition that either an NOI or an RDA be filed for the after-the-fact tree removal and a planting plan to serve as mitigation to be submitted in time for the February 3rd meeting.

A motion was made to ratify the Emergency Certification for 12 Pinewood Road by B. Manseau. The motion was seconded by F. Zackon and approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

Emergency Certification 124 Pleasant Valley Road

An Emergency Certification was issued for the removal of 7 dead ash trees that are a threat to person and property. The condition of the trees was verified by an arborist.

A motion was made to ratify the Emergency Certification for 124 Pleasant Valley Road by F. Zackon. The motion was seconded by B. Manseau and approved by Rollcall vote:

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

F. Zackon discussed an Administrative Hearing within the next few weeks to vote for a new Chair and Vice Chair in time for the February 3rd meeting.

J. McCarthy nominated F. Zackon as Acting Chair, it was seconded by B. Manseau.

F. Zackon accepted the nomination.

Chair Jones called the Rollcall Vote:

Fred Zackon	YES
Amanda Jones	YES
Jaime McCarthy	YES
Bob Manseau	YES

The meeting was adjourned by Chair Jones at 7:37pm.

The next scheduled meeting is February 3, 2025.

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.**