

CONSERVATION COMMISSION MEETING MINUTES

March 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

Chairman Broadrick called the March 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

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,,868247638#

Access code: 868 247 638#

Chairman Broadrick 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, Fred Zackon and Tim Broaderick

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

Transcription by: Lynn Viselli

Chairman Broadrick takes attendance for the record:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES
Timothy Broadrick	YES

Continued Business

RCOC 002-0953 48 Fern Avenue

The Applicant has requested to continue to April 7, 2024, meeting.

New Business

RCOC 002-1306 3 Erin Road

There is significant information missing. Staff received only a letter from the property owner stating the work was completed.

Continued to April 7, 2024, for further information.

ANRAD 002-1307 265R, 277R, 281, 287, 287.5 Elm Street

The applicant had submitted a previous ANRAD application, which has been withdrawn for administrative reasons and resubmitted. There was a scrivener's error, and you cannot amend an ORAD. The site has been peer reviewed.

Christopher Lucas informed the Commission that the mean high water and bank flags were revised by Mary Rimmer but did not include inland bank. This ORAD will confirm the mean annual high water, inland bank flagging, and confirm there is no BLSF or ILSF on site.

A motion was made to approve the resource area delineation as presented for ANRAD 002-1327, 265R, 277R, 281, 287 and 287.5 Elm Street was made by Commissioner Zackon, seconded by Commissioner Jones and unanimously approved by a vote of 4-0.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES
Timothy Broadrick	YES

A motion was made to close the public hearing for ANRAD 002-1327, 265R, 277R, 281, 287 and 287.5 Elm Street was made by Commissioner Jones, seconded by Commissioner Zackon and unanimously approved by a vote of 4-0.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES

Fred Zackon YES
Timothy Broadrick YES

RDA 193R Lions Mouth Road

The application is for the construction of a small bridge between the Shay Memorial Lower Elementary School and the adjacent fields at Woodsom Farm. The improvement will be a universally accessible bridge. A delineation of the site was completed by the previous DPW director.

Rebecca Reuse, Jennifer Hawryl and Alli Tanzella presented the project to the Commission. The project will improve the existing trail to be able to take all students from the elementary school to Woodsom Farm. They will construct a bridge and trail which are ADA compliant. The proposal is dependent on the awarding of a grant and an approval under the state and local wetlands laws will assist in the grant process.

A motion was made to issue a Negative Determination for 193R Lions Mouth Road by Commissioner Zackon, seconded by Commissioner Ebert and approved by a vote of 4-0-1.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert YES
Amanda Jones ABSTAIN
Fred Zackon YES
Timothy Broadrick YES

NOI 002-1326 355 Main Street

Chairman Broadrick stated that this application was approved at the last meeting, however an abutter was not notified, and the application has to be reopened and reheard by the Commission. David Cowell presented the project to the Commission. There was an error in mailing an abutter notification, all abutters have been notified of this hearing and the legal ad was placed. The updated plan shows the restoration area along the riverfront with a planting plan. The deck will be expanded in the rear of the house using helical piles and a vegetated cover underneath. The proposed shed will be where the existing carport is located.

A motion was made to approve NOI 002-1326 355 Main Street, to include the Special Conditions issued at the last meeting, by Commissioner Ebert, seconded by Commissioner Jones and unanimously approved by a vote of 4-0.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert YES
Amanda Jones YES
Fred Zackon YES
Timothy Broadrick YES

A motion was made to close the public hearing for NOI 002-1326 355 Main Street was made by Commissioner Ebert, seconded by Commissioner Zackon and unanimously approved by a vote of 4-0.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES
Timothy Broadrick	YES

Administrative

Draft Minutes 2-5-2024

Commissioner Ebert recommended a correction removing Commissioner Jewell's name from the attendance.

A motion was made to approve the Minutes as amended by Commissioner Ebert, it was seconded by Commissioner Zackon and unanimously approved by a vote of 4-0.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES
Timothy Broadrick	YES

WPA Fund – Table

Account Transfer Request – Table

Reschedule September Meeting date –

September 2024 meeting will be rescheduled to September 4, 2024.

Discussion took place regarding rules of procedure. The Commission informs the applicants and/or their representatives of the requirements under the WPA and/or the local ordinance. The burden of proof is on the applicant. Agent Lopez spends extensive time with applicants and representatives reviewing the requirements of the applications and permits.

ANRAD 002-1327 Elm Street

Agent Lopez asked the Commission to consider waiving the local ordinance fee for the refiling of the ANRAD application.

A motion was made to waive the local ordinance fee for ANRAD 002-1327 Elm Street by Commissioner Ebert, seconded by Commissioner Zackon and unanimously approved by a 4-0 vote.

Chairman Broadrick called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES
Timothy Broadrick	YES

A motion was made to adjourn the meeting at 7:26pm by Commissioner Ebert, seconded by Commissioner Zackon and unanimously approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

Michael Ebert	YES
Amanda Jones	YES
Fred Zackon	YES
Timothy Broadrick	YES

The next scheduled meeting is April 7, 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.**