

CONSERVATION COMMISSION MEETING MINUTES

January 3, 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 January 3, 2024, Virtual Conservation Commission meeting to order at 6:31pm.

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,,882535013#

Access code: 882 535 013#

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 Jewell, 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

NOI 002-1319 7 Old Merrill

A motion was made to continue NOI 002-1319 7 Old Merrill to February 5, 2024, by Commissioner Zackon, seconded by Commissioner Ebert and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

RDA 72 Elm Street

The applicant will be withdrawing this application and filing a NOI for the February meeting.

RCOC 002-1220 66B Lake Attitash Road

An EO was issued for work done without a valid permit which required an NOI be filed. There is work remaining under the OOC issued which includes native plantings. Non-native plantings were installed without permission of the Commission. An new NOI has been filed to complete the work under this OOC.

A motion was made to issue COC 002-1220 66B Lake Attitash Road by Commissioner Zackon, seconded by Commissioner Ebert and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

NOI 002-1323 66B Lake Attitash Road

The application includes the work remaining under OOC 002-1220, new plantings, removal of wooden steps and deck and reestablishing lawn, removal of RR ties, installation of steppingstones to existing stairs to seasonal dock. Removal of paved area and concrete slab and installation of permeable patio and deck above. Removal of paved walkway along the house and installation of round stones, removal of concrete walkway in the front of the house, removal of metal shed and installation of new shed, installation of granite staircase and permeable patio landing with steppingstones. There will be a reduction of 780 square feet of impervious surface.

Chairman Broadrick stated that there is a dramatic reduction in impervious area within the buffer zone with the native plantings proposed.

A motion was made to approve the NOI and issue the OOC 002-1323 66B Lake Attitash Road by Commissioner Ebert, seconded by Commissioner Zackon and approved by Rollcall Vote:

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 002-1323 66B Lake Attitash Road by Commissioner Zackon, seconded by Commissioner Ebert and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

New Business

RCOC ACC20 18 Woodwell Circle

The OOC was never closed out properly related to the original subdivision application. A Superseding Certificate of Compliance was issued by DEP verifying the work was done in compliance with the approved plan.

A motion was made to issue RCOC ACC20 18 Woodwell Circle by Commissioner Ebert, seconded by Commissioner Jones and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

NOI 002 -1324 386 Main Street

The application is for the construction of a garage/mudroom addition in the rear of the house for a total increase of 751 square feet. The total riverfront area for this property is 9,442 square feet. The proposed addition and garage are proposed within the outer riparian zone of the river.

Tom Hughes informed the Commission that minimal stockpiling will take place on the lot with only a small amount for backfilling will remain on the lot.

A motion was made to approve the NOI and issue the OOC 002-1324 386 Main Street by Commissioner Zackon, seconded by Commissioner Jones and approved by Rollcall Vote:

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 002-1324 386 Main Street by Commissioner Ebert, seconded by Commissioner Jones and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

Administrative

Minutes of December 4, 2023. **Tabled**

WPA Fund

No new update.

Account Transfer Request – Fines

No new update.

Peer Review Invoice Sign Off Representative

No new update.

Enforcement Order 53 South Hunt Road

This was continued from October 2023 meeting for a final report from the applicant's representative confirming the removal of the plastic waddle material. Bob Prokop submitted a final monitoring report dated 12-27-23 confirming the erosion controls were removed from the property and the site was stable.

Bob Prokop confirmed for the Committee that the core logs have been removed and the site is stable.

A motion was made to lift the Enforcement Order for 53 South Hunt Road was made by Commissioner Jones, seconded by Commissioner Zackon and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

Enforcement Order 12 South Hunt Road and 14 South Hunt Road

John Lopez reviewed the timeline for the EO. A restoration plan was received based on the additional runoff and change in conditions.

Mike Scannell informed the Commission that several inches of rain fell on December 17th and 18th. Erosion controls and silt fencing have been repaired, the 2 detention basins on the northwest portion of the property were increased in size, a higher capacity hose and pump is being used to pump water into the larger detention basin to infiltrate. Two temporary detention basins were dug in the southwest part of the site. Infiltration rates and peak velocity leaving the detention basins are being reviewed at the recommendation of BSC Group.

Discussion followed regarding keeping the runoff out of the wetlands and managing runoff during storm events.

Commissioner Ebert asked if the maintenance and corrective actions stated in the BSC report are being addressed.

Mike Scannell informed the Commission that the 2 temporary detention basins, larger pipe/hose were done in response to the report, and they are actively repairing the erosion controls weekly. Chairman Broadrick explained to the Commission that turbid overflow issues do happen in large scale projects that take a long time to complete and will occur until the project is complete. The modifications allowed by the Commission were done with the consideration that the runoff, especially along the driveway, would be handled by the existing stormwater management system.

Mike Scannell confirmed the capacity of the stormwater management system is adequate once completed.

A motion was made to revise the Enforcement Order for 12 South Hunt Road and 14 South Hunt Road to incorporate mitigation shown on plan dated December 7, 2023, by Commissioner Zackon, seconded by Commissioner Jones and approved by Rollcall Vote:

Chairman Broadrick called the Rollcall Vote:

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

DEP 002-1286 Lake Gardner Beach

An interim As-Built Plan has been requested.

Tabled until February 5, 2024.

John Lopez reviewed MVP Grants received by the City of Amesbury and the Open Space Plan with the new Commissioners.

A motion was made to adjourn the meeting at 7:34pm 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 February 5, 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.**