

CONSERVATION COMMISSION MEETING MINUTES

November 3, 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 Fred Zackon called the November 3, 2025, 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,,641864565#

Access Code: 641 864 565#

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, Maya Gakidis, Mike Fallon and Matt Mohr

Also in attendance: Amanda Armington, Conservation Agent

Transcription by: Lynn Viselli

Chair Zackon takes attendance for the record:

Fred Zackon	YES
Jaime McCarthy	YES
Maya Gakidis	YES
Mike Fallon	YES
Matt Mohr	YES

Continued Business:

NOI ACC-25-1 6 Lake Attitash Way

The waiver request has been received; however, the Conservation Restriction document has not been received. The Applicant has been to the ZBA and will be attending a Planning Board meeting. The waiver requested is for a structure within 50' no-build zone. The applicant has requested a continuance.

A motion was made by J. McCarthy to continue NOI ACC-25-1 61 Lake Attitash Way to December 1, 2025. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Maya Gakidis	YES
Matt Mohr	ABSTAIN

ANRAD 002-1350 131 Haverhill Road

The Commission attended a site visit on September 9th. The peer reviewer will be confirming the flagging with the applicant's representative. peer review is ongoing, and a site visit was requested to confirm the flagging. An updated peer review will be provided after the site visit. Staff recommends a continuance.

A motion was made by J. McCarthy to continue ANRAD 002-1350 131 Haverhill Road until December 1, 2025. The motion was seconded by M. Gakidis and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Maya Gakidis	YES
Matt Mohr	ABSTAIN

NOI 002-1355 0 and 14 Mill Street

This was continued from the October 6, 2025, meeting to select a peer reviewer. The applicant appeared at the October 20th Administrative meeting for the Commission to vote on a peer reviewer, however no quotes had been received. Since the last meeting severe erosion and soil

deposition have been observed at the existing Substation 5. Staff recommends that the Commission discuss the possibility of waiving the previously requested peer review provided an environmental monitor is required in its place to ensure compliance and oversight during construction activities. DEP has submitted comments, and the Applicant has provided a written response. A site visit was held October 31st.

Andrea Kendall, LEC Environmental, informed the Commission that the supplemental information was provided to DEP and the Commission regarding work within BLSF and compensatory flood storage of more than 1:1.

Cory Cormier stated that the additional stormwater management discussed at the last meeting has been added to the revised plan. The stormwater management proposed meets MA stormwater standards except peak attenuation standards. The FEMA Flood Zone AE is now shown on the revised plan and will be confirmed prior to construction.

Andrea Kendall added that the site will be returned to greenfield conditions upon completion of decommissioning.

Agent Armington stated that the conditions need to be specific because this is a temporary project and should include the site monitor, restoration plan, hazard materials, etc.

J. McCarthy stated that DEP comments state that the project does not meet all the stormwater standards. Erosion control is an issue now and an environmental monitor is needed. This permit cannot be extended if the project is not completed and the area is not restored. The Applicant will have to come back with a new NOI and show how they can meet the stormwater standards at that point.

Chair Zackon asked about the status of the retaining wall. The retaining wall will be removed with the other infrastructure when the project is completed under a new NOI for site restoration.

J. McCarthy made a motion to waive the peer review for NOI 002-1355 0 and 14 Mill Street. The motion was 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
Maya Gakidis	YES
Matt Mohr	YES

The Special Conditions include an environmental monitor, contingency plan for machinery, restoration plan to restore the area to pre-construction conditions, timeline, and if the project is not completed in 3 years, the applicant will come back with a new NOI and show how the standards can be met.

J. McCarthy made a motion to approve the NOI 002-1355 0 and 14 Mill Street with Special Conditions as discussed. The motion was 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
Maya Gakidis	YES
Matt Mohr	YES

J. McCarthy made a motion to close the public hearing NOI 002-1355 0 and 14 Mill Street. The motion was 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
Maya Gakidis	YES
Matt Mohr	YES

New Business

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

The project proposes maintenance and improvement activities associated with the Line 394 and B154/C155 King Street TAP Line Asset Condition Refurbishment Project. The purpose of the project is to conduct general maintenance and system improvements along the transmission line ROW, including targeted structure replacements, installation of Optical Ground Wire, and reconductoring of the B154 and C155 King Street Tap Lines. Only Line 394 occurs in Amesbury. New England Power is also proposing to maintain or improve structure work pads and the existing access network, with access widening and construction of temporary access in some locations. No tree removal is required, but there will be work within BVW and the 100' buffer zone to BVW, Inland Bank, Riverfront Area and FEMA 100-year Flood Plain/BLSF. DEP has not issued comments.

Hannah Roddatz, of BSC Group, presented the project to the Commission. This is a 17-mile transmission line with existing structures that need repair or maintenance improvements to the work pads and some structure replacements. There will be 353 square feet of impacts.

J. McCarthy added that not every part of the project is exempt and asked for a peer review to check the delineation since the wetland flagging was done in 2023. She asked for BLSF; cut and fill at each elevation; stormwater calculations and the erosion controls to be shown on a separate plan.

J. McCarthy made a motion for a peer review for NOI 002-1356 394 and B154/c155 TAP Transmission Line ROW, it was 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
Maya Gakidis	YES
Matt Mohr	YES

Theresa Portante, of BSC Group, informed the Commission that she has reviewed the work under the 401 program: wetland mapping and fill. DEP in Boston is reviewing the application, and we are waiting for technical comments.

J. McCarthy made a motion to continue NOI 002-1356 394 and B154/c155 TAP Transmission Line ROW to December 1, 2025, it was seconded by M. Gakidis and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Maya Gakidis	YES
Matt Mohr	YES

NOI 002-1357 62 Lake Attitash Road

The project is for the repair of an existing flagstone patio located at the front of the property and the extension of an existing shed by 6'x8'. The extension of the shed will be towards the roadway.

J. McCarthy stated that the impervious area will not be increased since the area is already gravel and erosion controls will be needed because the yard slopes toward the water.

M. Fallon made a motion to approve NOI 002-1357 62 Lake Attitash 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
Maya Gakidis	YES
Matt Mohr	YES

J. McCarthy made a motion to close the public hearing for NOI 002-1357 62 Lake Attitash Road, it was 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
Maya Gakidis	YES
Matt Mohr	YES

Requests for Certificates of Compliance

RCOC 002-1345 1 Pleasant Valley Road

The Applicant has requested a Certificate of Compliance for the installation and removal of a seasonal dock.

M. Gakidis made a motion to approve RCOC 002-1345 1 Pleasant Valley Road, 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
Maya Gakidis	YES
Matt Mohr	YES

RCOC 002-1352 121 Whitehall Road

The Applicant is requesting a Certificate of Compliance for the implementation and removal of a seasonal dock.

J. McCarthy made a motion to approve RCOC 002-1352 121 Whitehall Road, the motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Jaime McCarthy	YES
Mike Fallon	YES
Maya Gakidis	YES
Matt Mohr	YES

Administrative:

Minutes – Approve Minutes for October 6, 2025. Table to December 1, 2025.

B. Manseau requested a correction to 28 Lake Attitash Road.

WPA Funds – No action taken.

Invoices – BSC Group – The Commission is to vote on the payment of a BSC invoice dated July 10, 2025, in the amount of \$254.69.

A unanimous voice vote was taken to pay the Invoices for BSC Group.

Hazardous Trees – Staff would like to propose a new system for approval for the removal of hazardous trees. Currently, hazardous tree removal is being requested through an Emergency Certification, and an emergency is difficult to determine. Staff is suggesting the filing of an

RDA for the removal of a hazardous tree. Surrounding Conservation Commissions do not require an Emergency Certification or an RDA, but a letter from an arborist with photos of the trees and the request is not deliberated at a meeting. Staff goes out and views the trees and makes the determination and provides an email to the resident either allowing the removal because the trees are hazardous or requiring an RDA filing for the removal if they are not deemed hazardous.

J. McCarthy stated that hazardous trees can be dangerous and there should be a streamlined process without a formal filing.

27 Kimball Road 40B State Filing Comments

This project is before the ZBA and will be filling in a wetland and the Commission is being asked to waive consideration for this filling.

J. McCarthy asked if there would be a MEPA review because they need to account for the runoff from the site.

Barbara Hamel, Lake Attitash Association, expressed her concern with the runoff that flows through that parcel.

The next Administrative Hearing scheduled for November 17, 2025, was rescheduled for December 9, 2025, at 6:30pm.

The meeting was adjourned by motion of J. McCarthy, 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
Maya Gakidis	YES
Matt Mohr	YES

The meeting was adjourned at 8:18pm.

The next meeting scheduled is December 1, 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.**