

RECEIVED

By City Clerk at 2:55 pm, Sep 09, 2025

CONSERVATION COMMISSION MEETING MINUTES

August 4, 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 August 4, 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,,460241654#

Access Code: 460 241 654#

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, Bob Manseau, Maya Gakidis, Mike Fallon

Also in attendance: Amanda Armington, Conservation Agent

Transcription by: Lynn Viselli

Chair Zackon takes attendance for the record:

Fred Zackon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Mike Fallon	YES
Maya Gakidis	YES

Continued Business:

NOI ACC-25-1 6 Lake Attitash Way

The applicant has requested a continuance to September 2, 2025.

Chair Zackon called for a raise of hands to approve the continuance to September 2, 2025. It was unanimously approved.

ANRAD 002-1350 131 Haverhill Road

The peer review is ongoing, continue to September 2, 2025.

A motion was made by J. McCarthy to continue ANRAD 002-1350 131 Haverhill Road until September 2, 2025. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

New Business:

NOI 002- 121 Whitehall Road

This application is for the installation of a seasonal dock located at the rear of 121 Whitehall Road. The dock will be constructed of 4'x8' aluminum frames with mesh PVC deck panels supported by aluminum pipes with feet and is approximately 192 square feet. There will be no excavation, grading or altering of the bank and no fill will be placed under or near the dock. There are adverse effects on the aquatic habitat, fish spawning or bottom stability. Light will penetrate the panels to minimize shading impacts.

No DEP number has been issued. NHESP comments were received on the 2024 application, but not on this NOI application.

Gary Hoglund, the owner, informed the Commission that this is a temporary seasonal dock which will set on metal pads with an 8'x8' extension at the end of the dock. There will be no anchoring to the bank, and it will be stored 120 feet away from the waterfront.

Commissioner McCarthy asked if Natural Heritage had received this application and had any comments.

Discussion followed regarding receipt of the DEP number and continuing to the next meeting.

A motion was made by B. Manseau to continue NOI 002- 121 Whitehall Road to September 2, 2025. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

NOI 002-1351 15 & 22 Cedar Street

This project involved the installation and replacement of roof drainage pipes along building #2 which will then be connected to the existing stormwater management system. The existing perforated pipes will either be fully replaced with new PVC pipes or be removed. The existing drainage pipes will be replaced with larger PVC pipes and new pipe inverts to prevent flooding of the existing catch basins and lawn drains. The drainage pipes will collect stormwater runoff from building #2 roof top and direct it into the existing catch basins in the parking lot, which travels through the water quality treatment units and will ultimately discharge into Back River. Roof runoff from the south portion of building #2 will be captured by 5 existing roof drains, be directed into a catch basin within the parking lot. The north portion of building #2 roof runoff will be captured by 6 existing roof drains and will be directed into catch basins located within the parking lot. Both proposed drainage systems will connect into existing stormwater system, through the water quality treatment and discharge into the Back River. There will also be selective removal and replacement of brick pavers on the northwest side of building #2; removal of the existing roof drainage PVC pipes; trench excavation with the parking areas and landscape areas to prepare for the installation of the new subsurface piping; installation of either 6 or 12 inch diameter drainage pipe to replace the piping associated with the existing roof drainage system; drainage connection to the existing stormwater manhole structures; and capping of the existing drainage pipe that discharged to R Street. There are no DEP comments.

Jamie Durant of GZA, advised the Commission that the abutters had been notified and DEP had no comments. He reviewed the wetland resource areas on the site and shown on the plan provided. There will be no work within the inner 100' riparian, however work will take place within 200 feet of the river. 4,750 square feet will be impacted, but only temporarily.

Jackie Kaehler reviewed the proposed stormwater management system. Due to the fill the water cannot be infiltrated into the ground. The project is considered redevelopment under the standards.

Commissioner McCarthy advised that the project does not meet Standard #2 for peak discharge rates. This is the 3rd attempt at resolving the water issues at this site and she recommended a peer review of the proposed stormwater system to make sure it will function effectively.

Discussion followed regarding the necessity of getting this project done as soon as possible and the condominium association does not have the funds to pay for a peer review as they are taking out a loan for this project.

A motion was made by B. Manseau to approve NOI 002-1351 15 & 22 Cedar Street. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

A motion was made by B. Manseau to close the public hearing for NOI 002-1351 15 & 22 Cedar Street. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

Requests for Certificates of Compliance

RCOC 002-1299 12-14 South Hunt Road

Enforcement Order 002-1299 12-14 South Hunt Road

Chair Zackon opened both items simultaneously.

Andrew Mackin made a site visit with Agent Armington today. He reviewed the timeline from August 2023 to current. The stormwater system is now functioning and over 100 mature plants have been planted in the detention basin. The landscaping is ongoing with raking and seeding. Agent Armington added that the coverage is about 70% with mature plants in the detention basin. The plants need time to see how they grow. Muddy water is no longer going into the wetland.

Chair Zackon asked if there were any reasons why the EO should not be lifted.

Agent Armington stated that the terms of the EO issued have been resolved and the erosion controls will remain in place on the slope, so there is minimal risk of lifting the EO.

A motion was made by B. Manseau to lift the Enforcement Order 002-1299 12-14 South Hunt Road. The motion was seconded by J. McCarthy and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	ABSTAIN
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

Andrew Macklin informed the Commission that no work is being done at 12 South Hunt Road and only monitoring is occurring at 14 South Hunt Road.

Commissioner Manseau asked if monitoring could be an ongoing condition of the Partial COC. Commissioner McCarthy expressed her concern that the applicant will not come back for a full COC. Discussion followed regarding monitoring site visits and cash bond held by the City.

A motion was made by J. McCarthy to issue a Partial COC 002-1299 12 and 14 Sout Hunt Road for the work done on the entire site while maintaining the requirement of a 2-year monitoring period . The motion was seconded by J. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

RCOC 002-1140 28 Lake Attitash Road

The applicant has requested a continuance to September 2, 2025.

A motion was made by J. McCarthy to continue RCOC 002-1140 28 Lake Attitash Road to September 2, 2025. The motion was seconded by B. Manseau and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

RCOC 002-1064 24 Old Merrill Street

The owners are selling the property, and the builder did not submit a request for a Certificate of Compliance. Agent Armington conducted a site visit, and it looks to be in substantial compliance.

A motion was made by J. McCarthy to approve the RCOC 002-1064 24 Old Merrill Street. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

RCOC 002-1120 8 Birch Lane

The OOC has expired and the work was not done. The City is acquiring this property for water protection and Open Space. A request to waive the fee was received.

A motion was made by B. Manseau to approve the waiver of the fee RCOC 002-1120 8 Birch Lane. The motion was seconded by J. McCarthy and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

A motion was made by J. McCarthy to approve the RCOC 002-1120 128 Kimball Road. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

Administrative:

Minutes – Approve Minutes for July 7, 2025.

A unanimous voice vote to approve the July 7, 2025 Minutes was taken.

WPA Funds – No action taken

Invoices – No action taken

NOI 002-1306 8 Birch Lane

Request for a 3 year Extension to the OOC.

A motion was made by J. McCarthy to approve the RCOC 002-1120 128 Kimball Road. The motion was seconded by M. Fallon and approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

Emergency Certification 61 Haverhill Road

An Emergency Certification was issued for the removal of 3 red maple trees which posed a threat to persons and property. The condition of the trees were verified by an arborist.

A unanimous voice vote was taken in support of issuing the Emergency Certification 61 Haverhill Road.

Emergency Certification 14 Merrimack Street

An Emergency Certification was issued for the removal of 8 white ash trees and 1 American elm street which pose a threat to persons and property. The condition of the trees was verified by an arborist. Native replacements will be planted where feasible.

Commissioner McCarthy stated that the tree removed were along the Merrimack River within priority habitat and riverfront. The Arborist stated that the trees would die within 12-24 months. She is concerned with stabilizing the bank and that there was time to file an NOI with mitigation before cutting the trees.

Chair Zackon added that the Commission could require a mitigation plan.

Agent Armington added that the Ash Borer had impacted the Ash trees and the homeowners were being proactive. Native trees will be planted where feasible.

Commissioner Gakidis asked if the Commission could hold them accountable by requiring an after the fact NOI filing.

A motion was made by B. Manseau to ratify the Emergency Certification for 14 Merrimack Street, with the condition that an after the fact NOI filing is received for the work done. The motion was seconded by M. Gakidis and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

Administrative Meeting

The next Administrative Meeting is scheduled for August 18, 2025.

The meeting was adjourned by motion of B. Manseau, seconded by M. Fallon and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES
Jaime McCarthy	YES
Bob Manseau	YES
Maya Gakidis	YES

The meeting was adjourned at 8:12pm.

The next scheduled meeting is September 2, 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.**