

RECEIVED

By City Clerk at 2:38 pm, Apr 08, 2026

CONSERVATION COMMISSION MEETING MINUTES

January 5, 2026, 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 January 5, 2026, 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,,96974591#

Access Code: 969 745 91#

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, Matt Mohr, and Bob Manseau

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
Bob Manseau	YES

Continued Business:

ANRAD 002-1350 131 Haverhill road

The updated peer review and delineation was received from Fieldstone, the applicant's representative on 12/22/25.

Christopher Guida reviewed the response sent to Goddard Consulting. Two site visits were completed and flags relocated and the plans have been updated.

Agent Armington added that Goddard Consulting responded today to the response and revised information. The label was added to the plan and form signed.

Commissioner Manseau asked if DEP comments had been addressed. All comments have been addressed.

The intermittent stream is not part of this ANRAD.

A motion was made by J. McCarthy to approve ANRAD 002-1350 131 Haverhill Road.

The motion was seconded by B. Manseau 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
Bob Manseau	YES

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

Staff received an email from Andrew Cole of New England Environmental Permitting Group requesting to be heard tonight. He is concerned with the timeliness of the peer review process.

Staff recommends a discussion to continue with the peer review and if so, accept the proposal from Weston and Sampson for the peer review.

Hannah Raddatz reviewed the project and the concerns with the timeliness of the peer review process.

Commissioner McCarthy added that the applicant is seeking a 401 Water Quality Report which takes a great deal of time and Orders of Conditions are needed from several other towns, as such we have time for our peer reviewer to conduct the review. We also need an updated erosion control plan with staging areas and construction entrances.

Commissioner Manseau stated that Mr. Cummings had no concerns and he would like to move this application forward.

A motion was made by B. Manseau to discontinue the peer review for NOI 002-1356 394 and B154/C155 TAP Transmission Line ROW. The motion was seconded by M. Gakidis and failed by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	NO
Jaime McCarthy	NO
Mike Fallon	NO
Maya Gakidis	ABSTAIN
Matt Mohr	NO
Bob Manseau	YES

The peer review will continue. Weston and Sampson provided an updated proposal today and it was the only proposal received.

A motion was made by J. McCarthy to accept the updated proposal from Weston and Sampson for peer review of NOI 002-1356 394 and B154/C155 TAP Transmission Line ROW. The motion was seconded by M. Mohr 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
Bob Manseau	YES

New Business

ANRAD 002- 27 Kimball Road

DEP has not issued a number as of 12/31/25. Public comment received from Rick Brunnelle of Kimball Road.

Tom Schultz presented the application to the Commission. Currently there is an existing single-family dwelling with accessory structures and a driveway with the remainder of the property being forested. There is BVW on site with an intermittent stream which was not flagged. There is an isolated wetland that is jurisdictional under the by-law as it is 6500 square feet and holds 4" of water. DEP has issued a number 002-1361 and issued comments.

Commissioner McCarthy asked how large the site is and recommended a peer review. The site is 9.15 acres.

Agent Armington asked if the intermittent stream was confirmed. USGS maps and stream stats confirm the stream status.

Commissioner McCarthy asked if there was a vernal pool. The area does not hold enough water for vernal pool species.

Agent Armington summarized the public comment sent in by Rick Brunelle. He questioned the square footage of the wetland and why only 1 set of soil samples was taken for the entire wetland boundary.

Armand Bisson, 14 Kimball Road, emailed his concerns about the accuracy of the data and change of topography and runoff.

Commissioner Manseau agreed that a peer review is necessary.

A motion was made by M. Fallon for a peer review of ANRAD 002-1361 27 Kimball Road. The motion 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
Bob Manseau	YES

NOI 002-1359 27.5-29 Clarks Road

The project proposes the development of 152 residential units in 3 buildings. The 2 front buildings will be 2-story buildings containing 3 residence units each. The third building will be a multifamily building with 146 units, ranging from 2 stories to four stories. Below-grade parking will be provided and continue under the entire building to help reduce space utilized for above grade parking. Most of the project is outside the 100' buffer, including the front buildings, all pavement and parking. The southeastern portion of the multi-family building and stormwater infiltration basin are within the 100' buffer zone. There is no work proposed within the 25' buffer and no structures are within the 50' buffer. The second component of this project is the construction of a five-foot-wide public recreational trail and boardwalk through the wetland to connect Clarks Road to an existing open space located off Shore Point Drive. There will be a 5-foot-wide stone dust trail beginning at the southwestern most point of the multifamily building connecting to a wooden boardwalk that crosses the existing BVW and then continues southeast with a wood chip trail connecting to an existing trail system located on a city-owned parcel off Point Shore Drive. The only development in the 4.4 acre upland area south of the BVW will be the development of the trail.

VHB is preparing the stormwater peer review for the Planning Board. Staff has reached out for a proposal from VHB for a wetland peer review. DEP has issued comments.

The stormwater runoff is being directed away from Clarks Road and into the infiltration basin. Buildings A, B, and a portion of C will connect to an underground infiltration system. The remaining portion of Building C, the parking lot and cul-de-sac will connect to a second underground infiltration system. Native plantings to be planted within the buffer zone.

The stone dust trail will have work within the 25-foot buffer altering 810 square feet. The boardwalk will be built on helical piles and will be 1,650 square feet through a wetland with 2 stream crossings. There will be 138 square feet of alteration within the 25' buffer. A waiver has been requested under the Amesbury Ordinance and 1:1 mitigation is proposed with trees and shrubs to be planted.

Details of the boardwalk construction was reviewed. It will be built 2 feet above ground over the streams and spaces between the slats to allow sunlight through.

Commissioner McCarthy asked if there were any invasive species on site. There are bittersweet patches in the wetland which will be hand removed. The bank was not confirmed under the ANRAD, only the intermittent stream.

The boardwalk is a limited project because sufficient natural light will come through the slats and under the boardwalk, so the 1,650 square feet does not have to be replicated.

Commissioner Manseau recommended the Commission use the Planning Board stormwater peer review.

Tracy Chalifour, 25 Clarks Road, asked when the wetland was delineated. ORAD issued 10/15/2024. She is concerned with the proximity of the trail at the SW corner to the house at 27 Clarks Road. The trail is outside the 100' buffer, as such the Commission has no jurisdiction over the trail location. She questioned the ownership of the land on Point Shore Drive where the trail connects. This is city owned property. She also asked if the Commission was waiting for any additional documents. Agent Armington confirmed they are not.

Kendra O – 2 Birchwood Point, asked if the trail and boardwalk are open to the public and if there is parking. The intent is for the trail to be open to both the residents of the development and the public, however there is no designated parking for the public on site.

Commissioner McCarthy with the ORAD issued and the Planning Board conducting the stormwater peer review, the applicant has done their due diligence for the Commission.

Agent Armington recommended a continuation to wait for the stormwater peer review to be completed as this project must meet the MA Stormwater Standards.

A motion was made by J. McCarthy to continue NOI 002-1359 27.5-29 Clarks Road to February 2, 2026. The motion 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
Bob Manseau	YES

ANRAD 002-1358 28 Haverhill Road

Tabled due to error in Abutter Notification.

NOI 002-1360 29 Lake Attitash Road

The project site is a 10,919 sq. ft. undeveloped lot which contains a small gravel paved area and scrub-shrub/meadow area. The proposed project is the construction of a single-family home with driveway and utilities. The entire site is within the 100 ft. buffer. The house has been set as far away from the wetlands as possible while still meeting the zoning setbacks. There is a rain garden to provide stormwater management proposed within the 50' buffer.

Mary Rimmer reviewed the project for the Commission. The property is within the Water Protection District for Lake Attitash.

Sam Columbo reviewed the stormwater management proposed. Currently the stormwater runs to the wetland with no treatment. This project will maintain that flow being directed to the rain garden to provide treatment and to mitigate peak runoff rates. We are not sending additional water to the resource area or neighboring properties. The driveway will be pervious paver.

Agent Armington asked if the City had approved the use of pervious pavers in the ROW.

Agent Armington read into the record an email received from the owner of 43 Lake Attitash Road which was received during the meeting concerning impacts to the lake.

Gordon Glass, Johnson & Borenstein, representing a few abutters, informed the Commission that the PB was waiting for a wetland delineation and joint stormwater peer review. He added that all permits must either be obtained or applied for before an OOC can be issued.

Agent Armington added that the Commission does not require other approvals prior to issuing an OOC and the other permits are covered in the General Conditions.

Joseph Osbaldeston, 28 Lake Attitash Road, stated that he owns the first 10' of the ROW and the property is surrounded by water. He does not believe the stream is intermittent and would like the Commission to have a site visit and have a peer review.

Mary Rimmer stated that property rights would be discussed offline and the remaining portion of the lot will remain as existing. Stream stats were run and it was determined that the stream was intermittent.

Barbara Hamel, 2A Lake Attitash Road, spoke regarding her concern of the stormwater runoff into the lake.

Cody Ripel, 27 Lake Attitash Road, spoke regarding flooding in his backyard in the spring.

Peggy Osbaldeston, 28 Lake Attitash Road, spoke regarding significant flooding of properties and the roadway. She would like a peer review and for the Commission to conduct a site visit.

A motion was made by J. McCarthy to obtain a stormwater peer review and schedule a site visit for NOI 002-1360 29 Lake Attitash Road. 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
Bob Manseau	YES

A motion was made by J. McCarthy to continue NOI 002-1360 29 Lake Attitash Road to February 2, 2026. The motion 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
Bob Manseau	YES

Administrative:

J. McCarthy asked the Commission to support a campaign to accelerate wetland restoration across the Commonwealth to secure funding from the Commonwealth for ecological restoration projects. This will streamline restoration project permitting.

A motion was made by B. Manseau to support the campaign. The motion unanimously by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

Minutes – Approve Minutes for December 1, 2025.

A motion was made by B. Manseau to approve the December 1, 2025, minutes as presented, 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
Bob Manseau	YES

Hazard Tree Removal Form – Agent Armington made the requested changes at the last review. Commissioner McCarthy asked that other types of wetlands be added to the form and FEMA flood language be added. Discussion regarding Agent Armington reviewing the applications received and making the site visits.

Commissioner McCarthy asked if the applications could be put into a database.

A motion was made by B. Manseau to authorize Agent Armington to finalize the form. The motion 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
Bob Manseau	YES

WPA Funds – Agent Armington researched approved uses of the WPA fund and reviewed the uses under the WPA, such as restoration.

Invoices – No invoices to be paid.

The meeting was adjourned by motion of B. Manseau, 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
Bob Manseau	YES

The meeting was adjourned at 9:35pm.

The next meeting scheduled is February 2, 2026.

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.**