

CONSERVATION COMMISSION MEETING MINUTES

April 7, 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 April 7, 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,,635171915#

Access Code: 635 171 915#

Acting 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, and Mike Fallon

Also in attendance: Recording Secretary Lynn Viselli, John Lopez, and 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

Continued Business:

RCOC 002-1330 13 Merrill Road

No As-Built Plan has been received. Applicant requests to continue.

A motion was made by B. Manseau to continue RCOC 002-1330 13 Merrill Road to May 5, 2025. The motion was 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

New Business:

RCOC 002-1299 12-14 South Hunt Road

The Applicant's representative has requested a continuance to May 5, 2025.

A motion was made by B. Manseau to continue RCOC 002-1299 12-14 South Hunt Road to Maym 5, 2025. The motion was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

NOI 002-1345 81 Pleasant Valley Road

The project is for the installation of a 3.5'x6' platform and a 3.5'x15' platform connected to each other by steps and supported by 6 12" concrete footings and suspended over the bank of the Merrimack River. The lower platform will attach to a 3.5' x 35' articulating ramp which then attaches at the mean low water line to several 4'x20' walkways supported by 6'x10' floats. There will be a 20'x10' lock at the end of the walkways. The dock and walkways will float on the river. This is a water dependent project. The dock will be removed in the winter months and stored outside the 100-foot buffer on a lawn area across River Road. DEP has posted comments, and a revised narrative is required, which has not been received. DEP also suggested a Chapter 91 permit.

Mike Seekamp informed the Commission that Natural Heritage has provided feedback and suggests floats to keep the docks off the bottom of the river. The property is within the Riverfront of the Merrimack River with no BVW. The total impact of the project is 11 cubic feet for the concrete posts.

J. McCarthy asked if there were wetlands on the property. She added that the revised narrative was submitted April 3rd and she has not had time to review it.

Agent Armington stated that if the Commission did not have time to review the revised narrative, they can continue to review the updated material that was submitted late.

J. McCarthy recommended that Agent Armington visit the site to confirm there are no wetlands on the property.

Agent Lopez informed the Commission that Natural Heritage conditioned allowing the concrete blocks as an anchoring system in a navigational water way. He suggested aquatic vegetation be added to the plan, waivers for LUWB for the dock and intertidal area.

A motion was made by B. Manseau to continue NOI 002-1345 81 Pleasant Valley Road to May 5, 2025. The motion was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

RCOC 002-1215 1 Moncrief Street

Request for a Certificate of Compliance for the construction of a house, infiltration chamber for roof runoff, grading, driveway, and utilities. Staff has received the final monitoring report, as-built plans and letter of compliance with no deviations from the approved plan.

A motion was made by B. Manseau to approve the Certificate of Compliance 002-1215 1 Moncrief Street. The motion was 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

NOI 002-1347 4 Pleasant Valley Road

The project is for the installation of a small float system in the Merrimack River which will consist of an elevated platform with a seasonal ramp and bottom anchored float which will be anchored with helical anchors. The project is within NESP habitat, and no letter has been received to date. Staff recommends continuing to May 5, 2025.

A motion was made by B. Manseau to continue NOI 002-1347 4 Pleasant Valley Road to May 5, 2025. The motion was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

NOI 002-1325 14 Lake Attitash Road

The project consists of the removal of a section of existing pavement, the demolition of existing stairs to the second story and reorientation and reconstruction of the stairs, and construction of a new foundation. There was no legal ad published. The applicant has requested a continuance to May 5, 2025.

A motion was made by M. Fallon to continue NOI 002-1325 14 Lake Attitash Road to May 5, 2025. The motion was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

RDA 12 Pinewood Road

The project consists of installation of a shed, enclosing the current entrance to the home and extending an existing deck. There is a perennial stream as well as the property being located within the Riverfront of the Merrimack River. An Emergency Certificate was issued for the removal of trees.

Tom Hughes informed the Commission that the wetland has been delineated, and the perennial stream flagged. The proposed deck will be added over an existing patio area and meets the 35' setback. The shed will be on an area of lawn furthest away from the wetland as possible.

J. McCarthy asked about the construction access and if the shed could be moved outside the 100' buffer.

Tom Huges stated that access will be through the driveway to access the back patio area. If the shed were to be moved outside the 100' buffer, it would be too close to the street. The current location is 90' from the wetland.

A motion was made by B. Manseau to approve RDA 12 Pinewood Road as a Negative Determination with the condition that an access plan/statement must be provided to the Agent and erosion controls to be adjusted as the Agent deems necessary. The motion was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES

Jaime McCarthy	YES
Bob Manseau	YES

RDA 473 Main Street

The project consists of the reconfiguration of the U shape driveway and repurpose the gravel to create a straight through driveway, and removal of hedges. The applicant suggested the use of pervious pavers as gravel is difficult to maintain. Discussion followed regarding the reconfiguration of the driveway, possible curb cuts, and the use of pervious pavers.

Agent Lopez recommended the applicant revise the RDA and continue to May 5, 2025, meeting. Scott Bickford, the applicant, agreed to use the existing materials, and not pervious pavers. He also stated that no curb cut is needed as the entrance to the driveway is not being moved.

A motion was made by M. Fallon to approve RDA 473 Main Street and issue a Negative Determination. The motion was seconded by B. Manseau.

J. McCarthy added that erosion controls should be added around the construction area and reviewed by the Agent.

M. Fallon amended his motion to include erosion controls to be added around the construction area and to be inspected by the Agent. The amendment was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

Administrative:

Minutes – Approve Minutes for March 3, 2025, and March 17, 2025.

A motion was made by B. Manseau to approve the March 3, 2025, Meeting Minutes. The motion was 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

A motion was made by M. Fallon to approve the March 17, 2025, Meeting Minutes. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

Fred Zackon	YES
Mike Fallon	YES

Jaime McCarthy	YES
Bob Manseau	YES

WPA Funds

Enforcement Order 12-14 South Hunt Road

Applicant requests a continuance to May 5, 2025.

A motion was made by M. Fallon to continue Enforcement Order 12-14 South Hunt Road to May 5, 2025. The motion was seconded by J. McCarthy and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

Modification NOI 002-1306 8 Birch Lane

The applicant is requesting to extend both decks by 1' in width; add a cover to the top deck; add 2 columns; and add a footing on the smaller deck.

J. McCarthy asked about the footings. They will be 12" diameter concrete.

Agent Lopez stated that the Commission needs to answer the question "Do the changes modify the intent of the project?" The approved changes should be reflected in the As-Built Plan.

A motion was made by B. Manseau to find the modifications to be minor to NOI 002-1306 8 Birch Lane. The motion was 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

A motion was made by B. Manseau to approve the minor modifications to NOI 002-1306 8 Birch Lane as presented. The motion was 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

Reissuance of COC 002-1046 12 and 60 Merrill Street

A COC was issued for the project; however, the signed original was never recorded at the Registry of Deeds. The owner is requesting an new original, signed COC which will be recorded at the Registry of Deeds.

A motion was made by B. Manseau to approve the reissuance of COC 002-1046 12 and 60 Merrill Street. The motion was 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

Town Forest Trail Maintenance

Stephen Ridgley reviewed the history of the proposed Town Forest Trail Maintenance being proposed. A consultant was hired by the Town to review the trails in Town and provide recommendations. The plan includes clear signage for wayfinding and clearly delineating the trails. There will be 2 color coded trails that will connect and make a big loop trail. Private land owned by Waterman Tree Farm will be utilized. The only new trail will be 100' to connect the two trails.

Agent Armington confirmed that there are no new trails being made.

A motion was made by B. Manseau to support the Town Forest Trail Maintenance Plan as presented. The motion was 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

Deer Island Sign

Eagle Scout project is to construct a kiosk at Deer Island.

Ben Aitken presented his Eagle Scout project to the Commission which consists of construction and installation of a new kiosk at Deer Island. The kiosk will contain graphics communicating the dangers of the tides and currents of the Merrimack River in multiple languages. The timeline of the construction and installation was reviewed. No throw rings are part of this project.

A motion was made by B. Manseau to approve the Deer Island Kiosk Eagle Scout project as presented. The motion was 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

Emergency Certification 9 ½ Whitehall Road

An Emergency Certification was issued for the removal of four trees that posed a threat to property and persons. The condition of the trees was certified by an Arborist.

A motion was made by B. Manseau to ratify the Emergency Certification issued for 9 ½ Whitehall Road. The motion was 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

Emergency Certification 141 Pleasant Valley Road

An Emergency Certification was issued for the removal of a dead ash tree that posed a threat to property and persons. The condition of the tree was certified by an Arborist.

A motion was made by M. Fallon to ratify the Emergency Certification issued for 141 Pleasant Valley Road. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

Emergency Certification 62 Lake Attitash Road

An Emergency Certification was issued for the removal of a birch tree that posed a threat to property and persons. The condition of the tree was certified by an Arborist.

A motion was made by M. Fallon to ratify the Emergency Certification issued for 62 Lake Attitash Road. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

Emergency Certification 503 Main Street – Hawkswood Estates

An Emergency Certification was issued for the removal of a dead/cracked tree that posed a threat to property and persons. The condition of the tree was certified by an Arborist.

A motion was made by M. Fallon to ratify the Emergency Certification issued for 503 Main Street. The motion was seconded by B. Manseau and unanimously approved by Rollcall vote:

Chair Zackon called the Rollcall Vote:

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

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

The meeting was adjourned at 8:33pm.

The next scheduled meeting is May 5, 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.**