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CITY OF HAVERHILL
CONSERVATION COMMISSION
AGENDA

The Haverhill Conservation Commission will meet **Thursday, April 17, 2025, at 7:15 P.M.** under M.G.L. Chapter 131, Sec. 40 and City of Haverhill Ordinance Chapter 253. If postponed by the Commission, the meeting will be held on April 24, 2025, at the same time. This meeting will be held in-person at **4 Summer Street, City Hall Room 301, Haverhill, MA 01830**.

Meeting attendees will have the option to participate remotely by joining online using the following link: https://us02web.zoom.us/j/84810851688 (Passcode: 759304). Note if technological problems interrupt the virtual meeting, the meeting will continue in-person. For more information concerning this meeting, contact our office by email at conservation@haverhillma.gov or calling (978) 374-2334 or go to www.cityofhaverhill.com/departments/conservation_commission/home.php.

STARTED @ 7* DUE TO TRAFFIC DELAYS

PUBLIC HEARINGS

1. **REQUEST FOR DETERMINATION OF APPLICABILITY**

POSITIVE 4-5

1.1. Zachary Restuccia for 85 Rosemont Street (Parcel ID: 636-2-25) Construction of a single-family home

2. **NOTICE OF INTENT**

C-5-8

2.1.#33-1540 City of Haverhill for Groveland Rd (Parcel ID: 776-788-24, 26, 27, & 1AA) Final capping of the Northern Mound of the municipal landfill and Lot 26 Ash Area

C-5-8

2.2.#33-1580 Singh Realty Group, LLC for 1400 Hilldale Avenue (Parcel ID: 585-431-22A) Construction of industrial outdoor storage yard

C-5-29

2.3. #33-1581 85 Water Street Redevelopment, LLC for 0 & 85 Water St (Parcel ID: 200-4-1 & 3, 207-2-1A) Construction of a 113-unit multifamily residential building

OPEN CONTINUANCE

2.4.#33-ANRAD Hecate Energy Ward Hill Energy Center, LLC for 1160 Boston Rd (Parcel ID: 771-779-66 and 770-779-63) Verification of the validity of delineated wetland resource area boundaries

3. **REQUEST TO AMEND A FINAL ORDER OF CONDITIONS**

None Scheduled

OTHER BUSINESS (NON-HEARING ITEMS)

4. **EXTENSIONS AND CERTIFICATES**

INVALID **4.1.** Certificate #33-336: Dennis & Susan Suslavich for Liberty Street

COMPLETE **4.2.** Certificate #33-323: City of Haverhill for Liberty Street

5. **ENFORCEMENT**

NEW EO **5.1.** Enforcement Order: Guy DiStefano for 31 King Street

NEW EO **5.2.** Enforcement Order: Q&G Development, LLC for 0 & 37 Edgehill Road

6. **MISCELLANEOUS**

6.1. Conservation Partners Update ✓

7. **ACCEPTANCE OF MINUTES** 3.27

8. **ADJOURN** 9:25P

Signed, Harmony Wilson, Chairperson

HAVERHILL CONSERVATION COMMISSION MEETING
M.G.L. CHAPTER 131, SEC. 40, AND CITY OF HAVERHILL ORDINANCE CHAPTER 253
THURSDAY, APRIL 17, 2025, AT 7:15 P.M. IN CITY HALL ROOM 301

CONTINUANCES & WITHDRAWALS

2.3.#33-1581 85 Water Street Redevelopment, LLC for 0 & 85 Water St (Parcel ID: 200-4-1 & 3, 207-2-1A) Construction of a 113-unit multifamily residential building
The project team is working to complete engineering review and address comments from CEI. Applicant requests this item to be continued to May 29th. TW/OA 4-0-3

2.4. #33-ANRAD Hecate Energy Ward Hill Energy Center, LLC for 1160 Boston Rd (Parcel ID: 771-779-66 and 770-779-63) Verification of the validity of delineated wetland resource area boundaries
The project team is working to restore the wetland flagging for review and address other city regulatory matters associated with the project. The applicant requests an open-ended deferral to the opening of the hearing and has agreed to send a courtesy notice to abutters upon requesting a return to the agenda.
LD/OA 4-0-3

PUBLIC HEARINGS

1. REQUEST FOR DETERMINATION OF APPLICABILITY

1.1. Zachary Restuccia for 85 Rosemont Street (Parcel ID: 636-2-25) Construction of a single-family home
Z.R. PRESENTS

Plans & Documents

- RDA Application Materials, received 4.3.25

Comments

- Please refer to the photographs on the last page which were taken during the staff visit on April 15th.
- The Applicant is proposing the construction of a single-family house on the northern side of the lot, with frontage on Rosedale Avenue. There is a wetland in the northeast corner of the property that drains to a south-flowing stream that is culverted under Rosemont Street. In the area of the existing residence at 85 Rosemont Street, there exists lawn and landscaping within about 5' of the stream.
- In conversations with the Applicant we discussed the typical 25' and 50' Zones and the unlikeliness that a new development would be able to comply with these wetland buffers. We also discussed the potential for No Disturbance Zone restoration between the stream and the existing home as possible mitigation for new encroachments. During the staff site visit we noted what appear to be two areas of historic filled wetland on and/or adjacent to the lot that might also serve as potential mitigation.
- The Applicant filed this application primarily to discuss mitigation opportunities with respect to existing and proposed encroachments upon the City's typical wetland buffers. The issuance of a Positive Determination is anticipated. However, the proper filing of this application affords the property owner an opportunity for dialogue before exploring more costly permitting options.

Recommendations

We recommend the Commission discuss the site constraints involved with a proposed development on the lot and the potential adequacy of the mitigation measures that might be available. We would then recommend a motion to issue a Positive Determination – Options 4 and 5 – requiring the filing of Notices of Intent under the Wetlands Protection Act and the Haverhill wetlands protection ordinance for the proposed project. LD/OA 4-0-3

2. NOTICE OF INTENT

2.1. #33-1540 City of Haverhill for Groveland Rd (Parcel ID: 776-788-24, 26, 27, & 1AA) Final capping of the Northern Mound of the municipal landfill and Lot 26 Ash Area
BRUCE HASKELL

Plans & Documents

- Notice of Intent Application, 11.4.2022, Epsilon
- NHESP Determination Letter, 11.23.2022
- MassDEP Comment Letter, 12.2.2022
- MEPA Comment Letter, 9.29.2024
- Langdon Response to Comments, 9.27.2024
- MEPA Certificate on 4th Notice of Project Change, 10.11.24, with agency comments
- NOI Supplement Packet, 1.30.2025, Epsilon
- Response to Comments Package, 3.26.25, Langdon
- MESA Determination Letter, 3.31.25
- Final Response to Comments Letter, 4.16.25

Comments

- The applicant continues to work with NHESP on the issuance of the final Conservation and Management Plan (Wood Turtle and Atlantic & Shortnose Sturgeon) for the project. Bald Eagle mitigation is also proposed as part of the CMP. The CMP is scheduled to be issued by May 8th.

Recommendations The applicant submitted additional information to address my March 27th comments. Bruce Haskell from Langdon Environmental will be in attendance to update the Commission on the NHESP proceedings and to address any questions. It is recommended the Commission then request consent to continue this hearing to May 8th to allow NHESP to issue the final Conservation and Management Plan. TW/LD 4-0-3

2.2.#33-1580 Singh Realty Group, LLC for 1400 Hilldale Avenue (Parcel ID: 585-431-22A) JAY & DAIMA SINGH
Construction of industrial outdoor storage yard ANDY P. 101
The project team is working to address comments from the Commission, CEI, and DEP. Andy Pojasek from Dana Perkins will be in attendance to provide a brief update and request a continuance to May 8th.

LD/OA 4-0-3

3. Request to Amend a Final Order of Conditions

None Scheduled

Other Business (Non-Hearing Items)

4. Extensions and Certificates

4.1.Certificate #33-336: Dennis & Susan Suslavich for Liberty Street

HCC issued this Order in 1988 to regulate the development of a phase of the Village Woods subdivision off Crystal Street. This phase was not constructed under the Order. Many years after the expiration of the Order this area of the site was permitted under a new Order to be developed. That project was completed several years ago and received a Certificate of Compliance. We recommend a motion to issue a Certificate of Compliance invalidating this Order. LD/OA 4-0-3

4.2.Certificate #33-323: City of Haverhill for Liberty Street

HCC issued this Order in 1987 to regulate the development of much of the Village Woods subdivision off Crystal Street. With several amendments, modifications, and extensions issued, the development was completed sometime in the 1990s. HCC has issued several Partial Certifications over the years. We inspected the development on April 15th and find it to be satisfactorily completed. We recommend a motion to issue a Complete Certificate of Compliance for this project. TW/OA 4-0-3

5. Enforcement

5.1.Enforcement Order: Guy DiStefano for 31 King Street

Comments Guy on Zoom

- EO was issued for "land disturbance and filling within100' of a bordering vegetated wetland and possibly within the wetland resource area"

Recommendation

- Issue a new EO requiring the following: TW/OA 4.0.3
  - Install sediment control measures at the downslope end of disturbed slopes to prevent exposed soils from eroding to the downstream resource areas.
  - The property owners shall immediately secure the services of a qualified wetlands consultant to delineate the wetland resource area boundaries on the property, including any of those that may have been filled by the cited activities, and to advise on the installation of sediment control devices to protect the downstream resource areas.
  - The property owners shall schedule a subsequent inspection with an HCC Official and the consultant to review the delineation.
  - Resource area alterations resulting from said activity shall be corrected. By May 8, 2025, the property owners shall submit a restoration plan for all impacted wetland resource areas and the 25'-No Disturbance Zone, prepared by the wetlands consultant, for review and discussion at the Commission's May 8th meeting. Update on 5/8 if more time needed → 5/29

5.2. Enforcement Order: Q&G Development, LLC for 0 & 37 Edgehill Road David: Jennifer MR: MRS GIROUARD IN PERSON SUSAN KANE ON CALL

Comments

- EO was issued under #HAV-008 for
  - Commencement of work (i.e., tree clearing) without notification or pre-construction meeting
  - Alteration of a protected resource area
  - Work conducted outside limit of work/on abutting property

Recommendation LD/OA 4.0.3

- Issue a new EO requiring the owner to take the following actions:
  Any of the following activities that extend onto the abutter's land at 37 Edgehill Road shall only be conducted with the consent of that property owner.
  - Remove all vegetation that was cut outside the approved limit of work.
  - All trees cut outside the approved limit of work shall have the remaining stumps/boles cut to ground level. The stumps shall be left in place.
  - Plant three (3) trees on the border with 37 Edgehill Road. Trees shall be planted by a professional in such matters. The professional shall install appropriate tree protection measures immediately following planting. Minimum size of plantings shall be at least 1 ½", DBH, diameter at breast height 4.5' above ground level. Q&G shall guarantee the planted trees for one (1) year and shall replace any which fail within that first year. The trees shall be one, or a combination, of the following: Red Maple, Sycamore.
  - Q&G shall coordinate the inspection and approval of all work, including planting of trees, with an HCC Official.
  - Should consent be granted by the abutting property owner at 37 Edgehill Road, Q&G shall cut and remove the three (3) marked dead pine trees bordering the expanded cut area onto that location.
  - The above actions shall be completed by June 15, 2025.
  - Q&G shall file a letter with the Commission by June 15, 2026, but no sooner than one year from planting, requesting the issuance of a finding that the site has been returned to compliance.

6. Miscellaneous

6.1. Conservation Partners Update

7. Acceptance Of Minutes

CC Wylie reviewed and approved draft minutes for the March 27th meeting. I recommend a vote to accept.

8. Adjourn

LD/OA 4.0.3

Prepared by Haverhill Conservation Department Staff

1.1. Zachary Restuccia for 85 Rosemont Street (Parcel ID: 636-2-25) Construction of a single-family home

Figure 1. Proposed location of SFH

Figure 2. Potential wetland fill area from landscape waste, wetland flag 10; potential site for restoration of BVW and 25'NDZ

Figure 3. Fill material deposited near or within BVW, roadside wetland flags 1~3; potential site for restoration of BVW and 25'NDZ

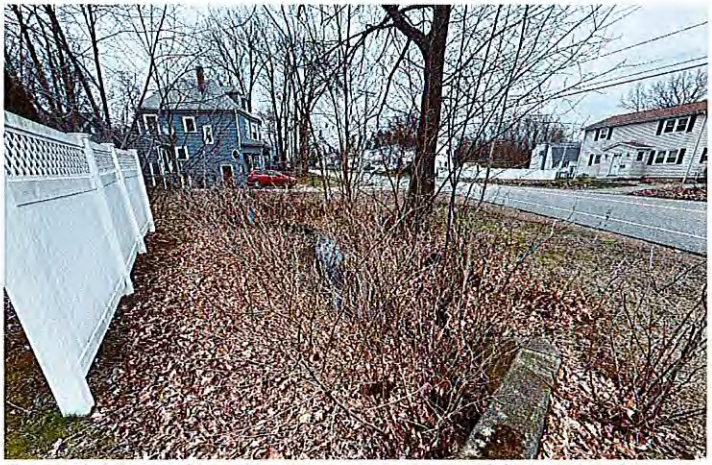

Figure 4. Stream channel upstream view; potential for BVW replication and restoration

✓ present 4/10/25

VOTING SHEET

MEETING DATE: ~~3/27/25~~

AGENDA ITEM/ADDRESS: 2.3 85 WEST ST.

MOTION MADE BY: TM

STIPULATIONS OR CONDITIONS:

CONT TO MAY 29TH

AFFIRM

VOICE

MOTION SECONDED BY: AGUILÓ

✓ MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
✓ MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
✓ MR. WYLIE:	Yea	Nay	Abstain	Absent
✓ MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☑ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: 2.4 1166 Bir Rd

MOTION MADE BY: LISA

STIPULATIONS OR CONDITIONS:

NM w/ def deferral —

MOTION SECONDED BY: AGUILÓ

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☑ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: I.1. 85 Rosemont St.

MOTION MADE BY: Lisa D.

STIPULATIONS OR CONDITIONS:

Pvs. Dets, opvms 4+5

Voice Approval -

MOTION SECONDED BY: Aguilá

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☑ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: 2.1. CITY GROVE CANAL RD

MOTION MADE BY: TOM

STIPULATIONS OR CONDITIONS:

REQUEST CONT TO MAY 8TH

MOTION SECONDED BY: LISA

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☑ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: 2. 2. Singh / 140 Hillsdale

MOTION MADE BY: Lisa

STIPULATIONS OR CONDITIONS:

(Revised Plans only Related to ~~Reg~~ Condx. To May 8th

Rob -
Can we look your
all "Addressable".

MOTION SECONDED BY: Olivia

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☒ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: 4.1 Lib. St.

MOTION MADE BY: LISA -

STIPULATIONS OR CONDITIONS:

Cat. 4 Compliance
w/ Guidelines

MOTION SECONDED BY: Oliva -

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☒ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: 4.2. 615 5th.

MOTION MADE BY: Tim

STIPULATIONS OR CONDITIONS:

Complete certify & Comply.

MOTION SECONDED BY: Olivia

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☑ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: E.O 31 King ST.

MOTION MADE BY: Tom.

STIPULATIONS OR CONDITIONS:

Mbsg, by Barn Engineering

New E.O. w/ Bulletin

Requirements.—

(c) Restoration Plan by May 8th.

(e) Hire Wetland Consultant

Unanimous

MOTION SECONDED BY: Oliver

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☐ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: EO 437 Edgehill Rd.

MOTION MADE BY: Lisa

STIPULATIONS OR CONDITIONS:
D Ave + Jennifer Grands
a new EO, + Make
Actions as Needed, BY 6/15/25

Passed

MOTION SECONDED BY: J Civia

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent

APPROVED: ☑ DENIED: ☐

VOTING SHEET

MEETING DATE: 4/17/25

AGENDA ITEM/ADDRESS: G 1-

MOTION MADE BY: Consent. Parties - Update -

STIPULATIONS OR CONDITIONS:

Added 3rd Member -
Pet Cervera - w/ Chairman H, + Clerk

Min. 9 3/27/25

MOTION SECONDED BY: _____

MR. AGUILÓ:	Yea	Nay	Abstain	Absent
MR. BARMAN:	Yea	Nay	Abstain	Absent
MRS. DEMEO:	Yea	Nay	Abstain	Absent
MRS. RUBERA:	Yea	Nay	Abstain	Absent
MRS. WILSON:	Yea	Nay	Abstain	Absent
MR. WYLIE:	Yea	Nay	Abstain	Absent
MR. CLARK:	Yea	Nay	Abstain	Absent

APPROVED: ☒ DENIED: ☐