



CITY OF HAVERHILL CONSERVATION COMMISSION MEETING MINUTES



MEETING DATE: THURSDAY, AUGUST 22nd, 2024

“Pursuant to Chapter 2 of the Acts of 2023 this meeting of the Haverhill Conservation Commission, including the list of public hearings, will be conducted via remote participation. No in person attendance of members of the public will be permitted but every effort will be 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 virtually attend this meeting while in progress can properly do so by joining the meeting at the following URL: <https://us02web.zoom.us/j/84291820471> (Passcode 206268). Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so during a portion of the hearing designated for public comment by using the raise hand button and waiting for the chair. I hereby call this meeting of the Haverhill Conservation Commission to order under MGL Chapter 131 Section 40 under the City of Haverhill municipal ordinance Chapter 253 on this 22nd day of August 2024.”

Present: Oliver Aguilo (OA), Evan Barman (EB), Lisa DeMeo (LD), Jen Rubera (JR), Harmony Wilson (HW), Clerk Tom Wylie Ed. D. (TW), and Chairperson Fred Clark (FC)

Also Present: Robert E. Moore Jr., Environmental Health Technician (RM)

“At this time the Commission wishes to inform you that should an item of business be acted upon on this meeting and you wish to be notified in writing that an appeal has been filed, you must give your name and address to the Conservation Dept staff immediately following the action of that item of business so that you may follow the appeal process. You may submit your name and address via email to conservation@cityofhaverhill.com. Please identify your items of interest in the subject line. Thank you for your cooperation in implementing this policy. Please note that this meeting is being recorded. As always, the Conservation Dept. staff is available to answer any questions pertaining to all the Commission's actions.”

CONTINUANCES & WITHDRAWALS

2.1. #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

Summary: FC read comments/recommendations from RM.

Action: HW made a motion to remove this item from the agenda to include all comments read into the record from RM. Seconded by LD. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC-yes. Motion passed 7-0-0. Approved.

2.2. #33-NOI Adam and Kara Sotirakopoulos for 483 East Broadway (Parcel ID: 461-3-5G) Construction of a gravel path and boardwalk and installation of a seasonal dock system

Summary: FC read comments/recommendations from RM.

Action: HW made a motion to continue this item to September 12th to allow for the applicant to renotify abutters and submit the previously requested materials. Seconded by EB. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC-yes. Motion passed 7-0-0. Approved.

2.3. #33-1497 Steve Smolak for 86 Willow Av (Parcel ID: 768-779-9) Construction of a farm irrigation pond

Summary: FC read comments/recommendations from RM.

Action: HW made a motion to continue this item to the September 12th meeting to allow for the applicant to renotify abutters and submit the previously requested materials. Seconded by EB. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC-yes. Motion passed 7-0-0. Approved.

PUBLIC HEARINGS

1. REQUEST FOR DETERMINATION OF APPLICABILITY

1.1. City of Haverhill for Cliftwood, Welling, and Humphrey Street ROWs Installation of new drainage system

Plans and Documents

- RDA Application, dated August 9, 2024 (GPI)
- Drainage Improvements Plan, dated August 8, 2024 (GPI)

Summary: Sarah Simon from GPI gave a plan overview. EB asked how far the silt fence is from the manhole, SS said about 10'. LD asked when they will be excavating, RM said he is not sure. LD asked if there is a water table issue, RM said that hill has some shallow groundwater. LD asked if they should request that they do it when the water table is the shallowest. RM said there is a condition that this be done at low groundwater conditions, they can apply that to this. FC and TW agreed. EB asked about discharge regulations, LD moved to add in the conditions about the seasonal restriction on construction. FC read comments/recommendations from RM.

Action: LD moved to accept RM's recommendations and add in the additional condition with the seasonal restrictions on construction. Seconded by HW. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC-yes. Motion passed 7-0-0. Approved.

2. NOTICE OF INTENT

2.4. #33-1574 Massachusetts Electric Company for 0 & 8 South Main Street (Parcel ID: 700-628-1, 1A, & 2) Tree removal along Merrimack River for bridge cable replacement project

Plans and Documents

- Notice of Intent Application Materials, submitted August 9, 2024 (BSC)

Summary: Allison Milliman from MSC Group gave a project overview. TW said that this is a lot of trees and asked how they were chosen. AM said they looked at all the trees, and these were identified by the construction contractor. AM said all stumps will remain in place. TM asked for clarity on the cable placement. AM explained. LD disagreed with NG saying this is a "minimal disturbance" project. TW asked who owns the land, AM said the landowner is supportive. TW asked if the cable will affect the rail trail – it will not. FC read comments/recommendations from RM. RM said Natural Heritage comments need to be included in this as well. He does not anticipate anything from them.

Action: LD moved to approve RM's recommendations to include comments about Natural Heritage. Seconded by HW. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC-yes. Motion passed 7-0-0. Approved.

3. REQUEST TO AMEND A FINAL ORDER OF CONDITIONS

None Scheduled

OTHER BUSINESS (NON-HEARING ITEMS)

4. EXTENSIONS AND CERTIFICATES

4.1. Certificate #33-1000 Touchstone Closing & Escrow for 25 Colonial Farm Road

Summary: FC read comments/recommendations from RM.

Action: LD made a motion to issue a Partial Certificate with the inclusion of all comments read into the record from RM and HW. Seconded by HW. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC yes. Motion passed 7-0-0. Approved.

5. ENFORCEMENT

5.1. Violation: Nadia and Rehman Mirza for 16 Danrich Court

Summary: FC read comments/recommendations from RM. Nadia from 16 Danrich Court was on the call and explained what happened.

Action: HW recommended issuance of an enforcement order to include the mitigation plan that was read into the record and discussed. Seconded by EB. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW yes, FC-yes. Motion passed 7-0-0. Approved.

6. MISCELLANEOUS

6.1. Conservation Calendar Update – Jen Rubera

Summary: JR said everything is going well, and McKayla is doing a great job.

6.2. Merrimack Conservation Partnership, 2024 Environmental Science, Education and Outreach Grant

Summary: FC read comments/recommendations from RM.

Action: HW moved to issue a letter in support for the grant application to include all comments read into the record from RM. Seconded by JR. Clerk called roll: OA-yes, EB-yes, LD-yes, JR-yes, HW-yes, TW-yes, FC yes. Motion passed 7-0-0. Approved.

7. ACCEPTANCE OF MINUTES

8. ADJOURN

Prepared by Robert E. Moore, Jr., Environmental Health Technician