



# CITY OF HAVERHILL CONSERVATION COMMISSION MEETING MINUTES



**MEETING DATE: THURSDAY, FEBRUARY 19<sup>th</sup>, 2026, at 7:15 PM.**

“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 19<sup>th</sup> day of February 2026. Role will be called for every vote this evening; will the clerk please call the role for attendance.”

Present: Oliver Aguilo (OA), Evan Barman (EB), Fred Clark (FC), Jen Rubera (JR), and Tom Wylie Ed. D. (TW)

Absent: Lisa DeMeo (LD) and Harmony Wilson (HW)

Also Present: Robert E. Moore, Jr., Environmental Health Technician (RM) and McKayla Arsenault (MA)

“At this time the Commission wishes to inform you that should an item of business be acted upon in 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@haverhillmass.gov](mailto:conservation@haverhillmass.gov). 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 audio and video recorded, participants may join this meeting remotely. Note: if technological problems interrupt the virtual meeting, the meeting will continue in person. As always, the Conservation Dept. staff is available to answer any questions pertaining to all the Commission's actions.”

## PUBLIC HEARINGS

### 1. REQUEST FOR DETERMINATION OF APPLICABILITY

None scheduled

### 2. NOTICE OF INTENT

**2.1.#33--1589 Tinh Vien Quan Am for 41.5 Kernwood Ave (Parcel ID: 633-10-116A) Paving of temple parking area**

#### Plans & Documents

- (1) Notice of Intent, received 7.17.2025
- (2) Drainage Report, Civil Environmental Consultants, LLC, received 7.17.2025
- (3) Site Plan, Civil Environmental Consultants, LLC, received 7.17.2025, revised 11.1.2025
- (4) Operation and Maintenance Plan, received 9.18.2025, CEC
- (5) Response Letter, dated 9.12.2025, CEC
- (6) Drainage Report, February 2026, CEC

Summary: Hoa Ho and Sy Vo gave a project update. EB read comments/recommendations from RM. HH asked for a copy of the recommendations and FC said they can provide those.

Action: TW moved that they issue an OOC per the recommendations read into the record today from RM. Seconded by FC. All in favor. Motion passed 5-0-2. Approved.

**2.2. #33-1591 City of Haverhill for 0, 284 & 288 Brandy Brow Road** (Parcel ID: 462-203-1, 462-201-3&4) Removal of dilapidated vehicular bridge and replacement with pedestrian crossing

At GPI's request, continue this item until February 19<sup>th</sup> to allow time to respond to comments received from MassDEP today.

**Plans & Documents**

- (1) Notice of Intent, received 11.07.25, GPI
- (2) Stormwater Report Checklist, received 11.07.25, GPI
- (3) Geotechnical Report, dated 06.17.24, GEI
- (4) Hydraulic Report, dated July 2024, GPI
- (5) WPA Notice of Intent Plans, dated 11.06.25, Sheet 3 rev 12.05.25, final production 02.18.26, GPI
- (6) Response to Comments Submittal, 12.10.25, GPI
- (7) NHESP Comments Letter, dated 12.11.25
- (8) DEP Comments Letter, dated 01.07.26
- (9) GPI Response to DEP Comments, dated 01.22.26
- (10) Additional Floodplain Calculations, received 02.06.26, revised 02.18.26, GPI

Summary: Sam Campbell and Alexa Marquis were present at the meeting; SC gave a project update. EB read comments from RM. EB asked if they can go over the final set of plans. SC reviewed the plans. Christine Pricha from 14 Colby's Lane asked for clarity on what it will look like. SC answered. EB asked what kind of decking – SC said it will be paved with poles so vehicles will be restricted. TW asked about the timeframe – SC said TBD, but probably next year. EB ready recommendations from RM.

Action: JR made a motion to issue an OOC approving the project with conditions consistent with those applied to the Little River bridge replacement project on Rosemont Street (DEP #33-1565). Seconded by OA. All in favor. Motion passed 5-0-2. Approved.

**2.3. #33-1593 Mitchell Messer for East Broadway** (Parcel ID: 469-187-34C-1&2)  
Construction of 2 SFH

**Plans & Documents**

- (1) Notice of Intent, dated 02.05.26, CDC
- (2) Site Plan Set (5 Sheets), dated 02.05.26, CDC
- (3) MassDEP Comments Letter, dated 02.17.26

Summary: Kylie Coulter from IM Consultants presented from 9 River Road in Amesbury, MA. EB read comments/recommendations from RM. TW would like to see the site. EB asked what the garage will be used for. Mitchell Messer from 39 Lazarus Way in Salem, NH said it will be for parking and some tinkering. FC asked if they would move the lot because of the flood plain area. Kylie explained that they had to put the house there due to the septic. EB said it would help if they could pull away from the flood zone. An abutter (could not hear name) is concerned about the overflow during construction; the Commission is going to look at this at the site visit.

Action: JR made a motion to continue this item to March 12<sup>th</sup> to allow for a site visit and all riverfront/habitat assessments to be completed. Seconded by OA. All in favor. Motion passed 5-0-2. Approved.

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

None scheduled

#### OTHER BUSINESS (NON-HEARING ITEMS)

#### 4. EXTENSIONS AND CERTIFICATES

##### 4.1. Certificate: #33-1550 Tinh Vien Quan Am for 41.5 Kernwood Ave

Summary: EB read comments from RM. Hoa Ho had a few responses to RM's comments. (A) HH and RM discussed that this is not an issue anymore. (B) HH wanted clarity on the rainwater requirements and RM explained that they would like a trench with stone to handle the runoff water on the next build. (C) HH spoke to the neighbors about the garden and they said that this was not an issue, they do not use that area. RM clarified that the issue is the encroachment into the wetland and they will mark it out for them. Demarcation will be needed once this area is clarified. HH asked if a Certificate of Completion will be issued or no. RM said he recommends continuing this until June. That way they can get out there in the spring, make some markings, and they have a few months to resolve the issues and then they can issue a certificate for the original addition project. EB read recommendations from RM. Action: JR made a motion to continue this to the June 4<sup>th</sup> meeting. Seconded by OA. All in favor. Motion passed 5-0-2. Approved.

##### 4.2. Certificate: #33-1532 Phil Rice for 14 Corliss Hill Road

Summary: EB read comments/recommendations from RM.

Action: JR made a motion to issue a Complete Certification with the inclusion of Conditions 35 (requiring a homebuyer affidavit at the time of sale) and 62 through 77, inclusive, as Ongoing Conditions. Seconded by OA. All in favor. Motion passed 5-0-2. Approved.

#### 5. ENFORCEMENT

##### 5.1. Enforcement Order: Tinh Vien Quan Am, 41.5 Kernwood Ave

Summary: EB read comments/recommendations from RM.

Action: JR made a motion of a notice of return to compliance. Seconded by OA. All in favor. Motion passed 5-0-2. Approved.

##### 5.2. Enforcement Order: John Cannatella for 374 Brandy Brow Road

Summary: EB read comments/recommendations from RM.

Action: JR made a motion to continue this item to March 12<sup>th</sup> for GPI to provide the restoration report. Seconded by OA. All in favor. Motion passed 5-0-2. Approved.

#### 6. MISCELLANEOUS

None scheduled

#### 7. ACCEPTANCE OF MINUTES

Summary: OA read comments/recommendations from RM.

Action: TW approved the January 29<sup>th</sup> meeting minutes. JR seconded. All in favor. Motion passed 5-0-2. Approved.

#### 8. ADJOURN