



CITY OF HAVERHILL CONSERVATION COMMISSION MEETING MINUTES



MEETING DATE: THURSDAY, DECEMBER 5th, 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 5th day of December 2024.”

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

Absent: and Jen Rubera (JR) and Lisa DeMeo (LD),

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

2.2. #33-1577 Boston Gas Company for 284 Winter St (Parcel ID: 307-2-1) Proposed site remediation associated with past manufactured gas facility

Summary: FC read comments/recommendations from RM.

Action: HW moved to continue this meeting to January 2nd. Seconded by EB. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Approved. Motion passed 5-0-2. Approved.

PUBLIC HEARINGS

1. REQUEST FOR DETERMINATION OF APPLICABILITY

1.1. Cody Kucker for 24 Sherman Ave (Parcel ID: 578-1-19) Construction of residential addition

Plans and Documents

- RDA Application, dated 11.28.2024

Summary: Cody Kucker from 24 Sherman Ave. explained the project scope. TW asked about any wetland issues, RM explained the setup of the yard and any potential issues. CK said the plan is to level it off so

the neighbors don't have drainage issues. They spoke about drainage and runoff plans. No comments from the public/abutters. FC read comments/recommendations from RM.

Action: HW moved to issue a Negative Deamination of Applicability Option #3 to include all conditions read into the record. Seconded by EB. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Approved. Motion passed 5-0-2. Approved.

2. NOTICE OF INTENT

2.1. #33-1576 James E. Young, Jr. for 0 Crystal St (Parcel ID: 576-435-20-1) Tree clearing associated with construction of horse paddocks and grading

Plans and Documents

- Notice of Intent, dated 8.30.2024, prepared by Oxbow Engineering
- Wetland Delineation Report, dated 9.6.2024, prepared by W.E. Kuriger
- MESA Plan, dated 9.11.24, revised 9.16.24, 9.25.24, 10.21.24 prepared by Civil Design Consultants
- Manure Management Plan, dated 9.25.2024, prepared by Oxbow Engineering
- Abutter Comments, dated 10.02.24, Hutchins
- Peer Review Comments, dated 10.03.2024 and 10.24.24 (email), CEI
- Water Department Comments, dated 10.3.2024
- Response to Peer Review Comments, 10.21.24, CDC
- HydroCAD Study, dated 10.21.2024, prepared by CDC
- Draft ANR Plan, prepared by CDC, dated 11.26.24, received 12.03.24
- NHESP Comment Letter dated 12.04.2024

Summary: Ron Strohsahl from Oxbow Associates explained the changes to the plan. TW asked if the City is purchasing the property alone – yes. TW said the distance between the house to the barn is high, any issues with water runoff with the pavement? RS said there is no pavement connecting the house to the barn. TW asked how water is being supplied to the barn, there is a well at the house and there would be some type of connection installed. RS said there is no plan for any commercial use of the barn, there will be a dumpster there to prevent manure runoff. James Young from 47 Herick Circle Pelham, NH said there will be about 10 horses in the barn and it will be private. RM said the water supply protection ordinance may preclude that. FC read comments/recommendations from RM.

Action: HW made a motion to issue an OOC approving this project to include all comments read into the record from RM. Seconded by EB. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Approved. Motion passed 5-0-2. Approved.

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

Plans and Documents

- Notice of Intent, dated 4.28.2021
- Site Plan, dated 9.24.2019, revised 11.14.2024, rev 11.15.2024, prepared by MES
- Long Term Operation and Maintenance Plan, dated 11.14.2024, prepared by MES
- MassDEP Comment Letter, 05.13.2021
- Response to DEP Comments by MES, 11.14.2024
- “Willowdale Farm” Farm Plan 2024, prepared by Devon Smolak

Summary: Steve Stapinski from Merrimack Engineering in Andover, MA explained the scope of work and project status. The scope of the work will be excavation, the soil will be temporarily stockpiled, and then be spread into the corn field. The soil will most likely not be tarped, and it will not be trucked away.

TW asked if there will be enough water for the farm? SS said the county recommended the size of the pond. There will be no recreational use for the pond. EB asked about the soil stockpile and rain events – there is erosion control on the bottom of it. FC read comments/recommendations from RM.

Action: HW made a motion to approve an OOC to include all comments read into the record from RM. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Approved. 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: #33-1571 RKACO, LLC for 99–101 Germain Avenue

Summary: FC read comments/recommendations from RM. HW asked if this should be time bound. RM said he doesn't think it is needed.

Action: HW made a motion to issue a complete certification to include all comments read into the record. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Approved. Motion passed 5-0-2. Approved.

5. ENFORCEMENT

None Scheduled

6. MISCELLANEOUS

6.1. Discussion of Second-Generation Anticoagulant Rodenticides

Summary: RM opened the discussion regarding second generation rodenticide's and how they are bioaccumulating higher up in the food chain. Everyone is going to research this and they plan to talk about this topic again at a later date.

7. ACCEPTANCE OF MINUTES

Summary: FC read comments from RM.

Action: HW moved that they approve the minutes for the November 14th Meeting. Seconded by EB. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Approved. Motion passed 5-0-2. Approved.

8. ADJOURN