



CITY OF HAVERHILL CONSERVATION COMMISSION MEETING MINUTES



MEETING DATE: THURSDAY, June 20th, 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 20th day of June 2024.”

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

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

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.”

PUBLIC HEARINGS

1. REQUEST FOR DETERMINATION OF APPLICABILITY

None Scheduled

2. NOTICE OF INTENT

2.1. #33-NOI RKACo LLC for 99 Germain Ave (Parcel ID: 744-3-42) Construction of additional residential unit

Plans and Documents:

- Notice of Intent Application Materials, dated received 06.04.24 (RAM)
- Site Plan, dated 05.20.24 (RAM)

Summary: Russel Ahearn presented from 639 East Broadway Haverhill, MA. RA provided an update and he said he will stay away from the wetlands. EB asked how close the abutters are to the new construction, RM answered based off the plan. Evan asked if it meets all setbacks – RA said yes. RM said three signs across the back would be more than sufficient for demarcation. Mary Finn from 103 Germain Ave. asked

how far the house would be from her property line, RM said 11.6'. Gail Desmarais from 60 Germain Ave. expressed concerns about how narrow Germain is. RA said the majority of construction vehicles will be on his land not on the street. FC read comments/recommendations from RM.

Action: HW moved issuance of an OOC approving this project with conditions typical for a residential lot development to include demarcation of the no disturbance zone with at least 3 posts. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. 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. Extension: #33-1504 GIRI Hotel Management LLC for 401 Lowell Avenue

Summary: FC read comments/recommendations from RM.

Action: HW moved the issuance of an Extension Permit establishing a new expiration date for the OOC of August 11th, 2027. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. Motion passed 5-0-2. Approved.

4.2. Certificate: #33-1487 309B South Main Street Realty Trust for 309 & 309B South Main Street

Summary: FC read comments/recommendations from RM.

Action: HW moved that they issue a Complete Certification with the inclusion of Ongoing Conditions #64-80 and the attachment of the approved Operations & Maintenance Plan. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. Motion passed 5-0-2. Approved.

4.3. Certificate: #33-0029 MassDOT for Parcel ID 544-426-18 at 393 Broadway

Summary: FC read comments/recommendations from RM.

Action: HW moved that they issue a Complete Certification. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. Motion passed 5-0-2. Approved.

4.4. Certificate: #33-0203 MassDOT for Parcel ID 544-426-18 at 393 Broadway

Summary: FC read comments/recommendations from RM.

Action: HW moved that they issue a Complete Certification. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. Motion passed 5-0-2. Approved.

4.5. Certificate: #33-0434 MassDOT for Parcel ID 544-426-18 at 393 Broadway

Summary: FC read comments/recommendations from RM.

Action: HW moved that they issue a complete certification. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. Motion passed 5-0-2. Approved.

5. ENFORCEMENT

None scheduled

6. MISCELLANEOUS

6.1. Open Space and Recreation Plan Update – Rob Moore

Summary: RM said they are continuing to make progress; they should have a draft at some point next week. TW asked if there were any comments about a proposal to extend the Bradford Rail Trail from the yacht club to the Groveland line. RM said Andrew Herlihy provided some verbiage regarding this, but the majority of comments were not river focused.

6.2. Conservation Calendar Update – Jen Rubera

Action: This has been continued to July 11th.

7. ACCEPTANCE OF MINUTES

Summary: FC read comments from RM.

Action: HW moved the acceptance of the 5.30.24 and the 06.07.24 meeting minutes. Seconded by EB. Clerk called roll: OA-yes, EB-yes, HW-yes, TW-yes, and FC-yes. Motion passed 5-0-2. Approved.

8. ADJOURN

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