



# CITY OF HAVERHILL CONSERVATION COMMISSION STAFF MEETING NOTES



**MEETING DATE: THURSDAY, August 28th, 2025, 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 28<sup>th</sup> day of August 2025. Role will be called for every vote this evening; will the clerk please call the role for attendance.”

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

Present Virtually: Evan Barman (EB)

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

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 using the passcode 759304. 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.”

Summary: HW requested that they move item **2.1 #33-1589 Tinh Vien Quan Am for 41 Kernwood Ave.** to the beginning of the agenda, and continue this item to the next meeting.

Action: FC moved that they continue this item to the next meeting. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## PUBLIC HEARINGS

### 1. REQUEST FOR DETERMINATION OF APPLICABILITY

**1.1. City of Haverhill for Winnekenni Park and Plug Pond Conservation Areas** (Parcel ID: 465-1-1, 409-1A-1, 468-185-52 & 54) Winnekenni to Plug Pond connector trail and parking improvements

#### i) Plans & Documents

(1) RDA Application Materials, received 8.12.25

(2) Site Visit Photolog, received 8.21.25

Summary: RM gave an overview of the MassTrails Grant improvements. This will be done in house, in the fall. HW read comments/recommendations from RM.

Action: FC made a motion to issue a Negative Determination – Option 3 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. Motion passed 5-0-2. Approved.

**1.2. Daniel Otero, Jr. for 93 South Kimball St** (Parcel ID: 728-706-13) Construction of a single-family house

#### i) Plans & Documents

(1) Request for Determination of Applicability, received 8.14.25

(2) Site Development Plan of Land, by MES, dated 8.13.25 and revised 8.28.25

Summary: Steve Stapinski from Merrimac Engineering gave a project overview. The direct abutter (could not hear name) is requesting that they file a NOI because she is concerned about wetlands. HW asked MA to outline where the house will be, and there was discussion regarding the buffer zones and drainage improvements. RM said LandCorp is available if the abutters find varying results through survey work. RM also clarified that there are the same protocols/inspections needed for an RDA/NOI. FC asked about the drainage changes in the back. MA showed the new swale, and SS explained. HW would like demarcation along the 25' zone. HW read comments/recommendations from RM.

Action: FC moved to issue a Determination approving the project with Negative Options #1, 4, and 6 and Positive Options #5 and #6 to include all RM's comments read into the record. Seconded by OA. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-abstain, FC-yes. Motion passed 4-1-2. Approved.

## 2. NOTICE OF INTENT

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

### i) 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

Moved to first item on the agenda

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

None at this time

## OTHER BUSINESS (NON-HEARING ITEMS)

## 4. EXTENSIONS AND CERTIFICATES

**4.1. Emergency Certification Form:** Alison Hall, 176 Kenoza Street

Summary: HW read comments/recommendations from RM. Alison Hall from 176 Kenoza Street was present and outlined the problem.

Action: FC moved to ratify the issued ECF. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

**4.2. Certificate:** #33-1158 Dorner Law & Title Services, PC for 68-74 River Street

Summary: Mike Becker from 19 Parlee Street Salem, MA presented. HW read comments from RM. MB did not have any questions, and he said they are working on meeting all RM's comments. MB asked about restrictions on using Roundup. RM said as long as they are using the recommended dosage there should not be a problem. HW read recommendations from RM.

Action: FC made a motion to move this item to the next meeting to allow for items 6a through 6c to be addressed. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## 5. ENFORCEMENT

**5.1. Enforcement Order:** Guy DiStefano, 31 King Street

Summary: Guy DiStefano from 31 King Street gave a project update. Norse Environmental and RM went out to the property and outlined what needs to be done. He rented a bobcat and he is making progress. He thinks he will be done removing the fill in the next couple weeks. Norse is recommending laying down a wild seed mix and he will meet with them to determine what one. There was discussion regarding demarcation strategies. HW read comments from RM. No comments from abutters.

Action: FC moved to issue a new Enforcement Order requiring the owner to take actions (a) and (b) as read into the record tonight. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## **5.2. Enforcement Order: Rachel Cohen, 365 Broadway**

Summary: The owners of 365 Broadway gave a project overview. HW read comments from RM. HW asked if they had flooding on their property and RC explained how the culvert system works on the property. They reviewed site pictures, and there was much discussion regarding the property dynamics. RM summarized that the backland area needs to be marked out as to where the 25' no disturbance zone is; and the front portion needs some sort of restoration plan implemented by a consultant. There was discussion regarding a desired fence in the buffer zone, to keep the animals in the upland area. RM said they can file an RDA if they want to regarding this. HW read recommendations from RM.

Action: FC made a motion to ratify the issued EO and implement an updated EO with the notes read into the record; and that the homeowners will work on the restoration plan and come to the next meeting to discuss. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved. An abutter to 365 Broadway voiced his concerns about the animal waste coming onto his property. HW said anything regarding animals would be with the BOH. The owner said the BOH comes out once a year to make sure that they are up to code. Rachel is going to send over the email from the BOH.

## **5.3. Enforcement Order: Reddie's Roadside Realty Trust, 365 Broadway (back land)**

Summary: HW read comments/recommendations from RM.

Action: FC moved to ratify the issued EO to include all comments read into the record from RM. Seconded by EO. HW asked for a visual to see what they plan on doing. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## **5.4. Enforcement Order: Cioto & Johnson Development, LLC, 60 Railroad Street**

Summary: Tom Hughes from Hughes Environmental Consulting gave an assessment. TW asked how many trees were taken out – he is not sure yet. TW asked if the stumps are all there – they are. TW asked where the applicant is in terms of getting permits for the building demo. TH said the Building Dept. needed an environmental report about asbestos and lead. TH spoke about erosion control procedures. HW read comments/recommendations from RM.

Action: FC moved that they ratify the initial EO and issue a new EO based on the comments from the presentation this evening. FC also moved that they require stabilization measures before the September 18<sup>th</sup> meeting. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## **5.5. Notice of Violation: Kerry Zaloga and Shaun Prunier, 199 Brandy Brow Road**

Summary: HW read recommendations from RM.

Action: FC moved that they continue this matter to the September 18<sup>th</sup> meeting without discussion. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## **6. MISCELLANEOUS**

### **6.1. AECOM to present concept plans on behalf of the city for improvements to drainage and wildlife passage on Newton and Dutton Roads**

Summary: Brad Sabean (Project Manager from AECOM) presented on this project. Jeff Delnnocentis (Civil Engineer leading the culvert design) discussed alternatives and the stream crossing standards. Tom Touchet (Environmental Scientist) presented on the environmental impacts. HW and RM discussed access to the road/ownership and how it would work. TW asked how the process proceeds to select one of these options and when would the work begin? They are currently putting together a 30% conceptual report to submit to the City. Once all options are on the table, the City will be able to decide what they would like to do.

## **7. ACCEPTANCE OF MINUTES**

Summary: HW read comments/recommendations from RM.

Action: FC moved to accept the 8/7 meeting minutes. Seconded by OA. Clerk called role: OA-yes, EB-yes, HW-yes, TW-yes, FC-yes. Motion passed 5-0-2. Approved.

## **8. ADJOURN**