



# CITY OF HAVERHILL CONSERVATION COMMISSION MEETING MINUTES



**MEETING DATE: THURSDAY, JULY 15, 2021, AT 7:15 PM.**

Pursuant to Governor Baker's March 12, 2020, Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020, Order imposing strict limitation on the number of people that may gather in one place, this meeting of the Haverhill Conservation Commission was conducted via remote participation. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting were posted on the Commission's website. For this meeting, members of the public who wished to virtually attend the meeting did so by creating an account at [www.zoom.us](http://www.zoom.us) and "joining" the meeting at the following URL: <https://us02web.zoom.us/j/84886296302> (Password: 308470). No in-person attendance of members of the public was permitted, but every effort was made to ensure that the public could adequately access the proceedings in real time, via these technological means.

**Present:** Chairperson Harmony Wilson (HW), Vice-Chairperson Ralph Basiliere (RB), Clerk Tom Wylie, Ed.D. (TW), Jen Rubera (JR), and Fred Clark (FC)  
**Absent:** Neil Frasca PG (NF), and Phil LaCroix (PL),  
**Also, Present:** Robert E. Moore, Jr., Environmental Health Technician (RM), and Nicole Gray, Minutes Clerk

## **PUBLIC HEARINGS**

### **1. REQUEST FOR DETERMINATION OF APPLICABILITY**

None Scheduled

### **2. NOTICE OF INTENT**

**2.1. #33-1498 John Micue for 93 Carleton Street** (Parcel ID: 570-2-18) Construction of a garage  
Plans and Documents:

- Notice of Intent, dated 4.20.21 (MES)
- Site Plan, dated 3.24.21, revised 5.25.21 (MES)
- Email from John Micue regarding garage location, 7.15.21

Summary: John Micue is on the call to discuss the No Build Zone encroachment. TW discusses that the points where not addressed with solutions. Mr. Micue explains that he spoke with Steve Stapinski and that is what he discussed. Also, that if the garage was any more forward it would be an issue. His mother parks near the entrance of her apartment. As for wetlands and technical portion that is what Steve Stapinski proposed. Mr. Micue believes this is the best location with all things considered. HW asks if he considered the whole property becoming a horseshoe so it would not interfere with his mother's access. FC asks to clarify the paving theory; John says in the future he may pave it but for now it is crushed stone. TW asks if John will comply with the conditions the board is requiring. John goes back and forth about the proposed and conditioned garage locations.

Action: RB moves to issue an Order of Conditions to include all standard conditions and to include the bullet points listed in the Staff Meeting Notes by RM and read into record by HW. FC seconded. TW calls role RB-yea; FC-yea; JR-yea; HW-yea; TW-yea;

**2.2. #33-1503 MED Properties, LLC for Peabody St (Parcel ID: 728-704-8AA) Construction of 3-lot residential subdivision**

Plans and Documents:

- Notice of Intent, 4.12.21 (AC)
- Stormwater Report, 4.12.21 (AC)
- Definitive Plan, 4.12.21, revised 7.1.21 (AC)
- CEI Peer Review #1, 6.22.21 (CEI)
- Response to Peer Review #1, 7.1.21 (AC)
- Supplement to Stormwater Report, 7.1.21 (AC)
- Email from Curt Busto with Updated Peer Review Comments, 7.12.21 (CEI)

Summary: Dennis Griecchi with Andover Consultants is here to presents the revised plan. There were some adjustments made from the peer review. It also reflects wetland boundaries that were revised. There will be another set of plans submitted that will have a few added details responding to the City Engineer and the Commission's peer reviewer. RB wants to ensure that the abutters from the last meeting had concerns and would like to be sure they are getting addressed. RM discusses that there has been a leaching structure added to the beginning of the road and outfalls were adjusted to be sure the water heads out toward the wetland. He also points out that they are meeting the design to the maximum extent practicable, anticipating the future unit on lot three. TW asks if this will be a city or private street, RM explains it will be a city street.

Action: RB moves to issue an Order of Conditions typical for residential subdivisions to include all recommendations by RM and those provided in the meeting notes as read into record by HW. TW seconded. TW calls role RB-yea; FC-yea; JR-yea; HW-yeah; TW-yea;

**2.3. #33-NOI The Procopio Companies for #19 & Unaddressed Railroad Av and 236 South Elm St (Parcel IDs: 711-4-4, 711-4-4A, 712-684-1, 711-4-2, 711-4-3, 711-4-2A, and 711-4-1) Construction of a mixed-use development and public park**

Plans and Documents:

- Notice of Intent, 7.01.21 (Bohler)
- Drainage Report, 7.01.21 (Bohler)
- Proposed Site Plan, 7.01.21 (Bohler)
- Compensatory Flood Storage Exhibits, 7.01.21 (Bohler)

Summary: Steve Martorano and Matt Mrva with Bohler to present with the team Michael and Kevin Procopio, Brian Vitale, and Brad Johnson, from Procopio Companies. Along with Mary Rimmer with Rimmer Environmental and Mike Migliori from Fiorello and Migliori. Steve discusses the project in length about the traffic mitigation, vegetation, erosion on the bank, flood plain for the peak 100-year event and the project details. TW has concerns about the slope on the bank and thinks that there should a railing down there. TW asks to have the drawing up to show the pathway to take the turn for traffic. Otherwise, he likes the project.

Action: HW reads into record the comments by RM. RB moves to continue the hearing until August 5<sup>th</sup> to allow for peer review to be conducted. FC seconded. TW calls role RB-yea; FC-yea; JR-yea; HW-yea; TW-yea.

**3. REQUEST TO AMEND A FINAL ORDER OF CONDITIONS**  
None Scheduled

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

**4. EXTENSIONS AND CERTIFICATES**

**4.1.** Certificate: #33-0817 Samuel Amari for 485 East Broadway

Action: HW reads into record the comments by RM. RB moves to continue to August 26<sup>th</sup>. FC seconded. TW calls role RB-yea; FC-yea: JR-yea; HW-yea; TW-yea;

**4.2.** Certificate: #33-1486 RKACO, LLC for 4 Arthur Street

Action: HW reads into record the comments by RM. RB moves to continue to August 5<sup>th</sup>. JR seconded. TW calls role RB-yea; FC-yea: JR-yea; HW-yea; TW-yea;

**5. ENFORCEMENT**

**5.1.** Returned to Compliance: Beverly Patterson for 35 Hammond Farm Road

Action: HW reads into record the comments by RM. RB moves to issue a Notice of Returned to Compliance. FC seconded. TW calls role RB-yea; FC-yea: JR-yea; HW-yea; TW-yea;

**6. MISCELLANEOUS**

None Scheduled

**7. ACCEPTANCE OF MINUTES**

None

**8. ADJOURN**

Meeting adjourned 9:07 pm. TW would like to put on the record that RB wrote to the Mayor's Chief of Staff Allison to discuss the homeless situation in the area on Railroad Ave that will need to be addressed. RB discusses that they are looking for an ethical and coordinated response for this issue.