



# CITY OF HAVERHILL CONSERVATION COMMISSION AGENDA



*No FRED  
PARK*

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means. Members of the public who wish to access the meeting may do so by creating an account at [www.zoom.us](http://www.zoom.us) and “joining” the meeting with the link and password listed below. No in-person attendance of members of the public will be permitted, and public participation in any public hearing conducted during this meeting shall be by remote means only. Every effort will be made to ensure that the public can adequately access the proceedings in real time, via these technological means. In the event that we are unable to do so, for reasons of economic hardship and despite best efforts, we will post on the City’s website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting. 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/hearing can be found on the Commission’s website: [https://www.cityofhaverhill.com/departments/conservation\\_commission/projects\\_under\\_review.php](https://www.cityofhaverhill.com/departments/conservation_commission/projects_under_review.php).

The Commission will meet **Thursday, November 18, 2021, at 7:15 P.M.** in the following Zoom Virtual Meeting Room: <https://us02web.zoom.us/j/84064260323> (Password: 506120), under M.G.L. Chapter 131, Sec. 40 and City of Haverhill Ordinance Chapter 253. If postponed by the Commission, the meeting will be held on November 23, 2021, at the same time and a new Zoom link will be provided on the Commission’s website.

**\*UPDATED AGENDA  
PUBLIC HEARINGS**

**1. REQUEST FOR DETERMINATION OF APPLICABILITY**

None Scheduled

**2. NOTICE OF INTENT**

- OPEN CONT* 2.1. #33-1513 RKACO LLC for 1091 Broadway (Parcel ID: 574-1-20) Verification of the validity of delineated wetland resource area boundaries
- CONT 12-9* 2.2. #33-1511 Cioto Realty Trust for 38 & 58 Railroad Street (Parcel IDs: 701-630-9 & 702-635-1) Construction of 3 residential buildings
- ISSUED* 2.3. #33-NOI Princeton Development, LLC for 887 Boston Road (Parcel IDs: 754-2-20 and 730-780N-4, -5, & -18A) Demolition of existing commercial facility and construction of a mixed-use development
- ISSUED* 2.4. #33-NOI J. Bradford Brooks for Eudora St (Parcel ID: 528-17-21) Construction of a single-family house
- CONT 12-9* 2.5. #33-NOI Fugere, LLC for 216 River St (Parcel ID: 502-227-5) Stabilization of eroding riverbank

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

None Scheduled

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

**4. EXTENSIONS AND CERTIFICATES**

- ISSUED* 4.1. Certificate: #33-0240 D & D Realty Trust for Eudora Street
- ISSUED* 4.2. Certificate: #33-0990 D & D Realty Trust for Eudora Street
- RATIFIED* 4.3. Emergency Certification: Property Management of Andover for Orchard Avenue

**5. ENFORCEMENT**

None Scheduled



# CITY OF HAVERHILL CONSERVATION COMMISSION AGENDA



## 6. MISCELLANEOUS

None Scheduled

## 7. ACCEPTANCE OF MINUTES **8.5.21 8.26.21**

## 8. ADJOURN

Signed, Harmony Wilson, Chairperson



# CITY OF HAVERHILL CONSERVATION COMMISSION STAFF MEETING NOTES



HAVERHILL CONSERVATION COMMISSION MEETING  
M.G.L. CHAPTER 131, SEC. 40, AND CITY OF HAVERHILL ORDINANCE CHAPTER 253  
THURSDAY, NOVEMBER 18, 2021, AT 7:15 P.M. IN ZOOM VIRTUAL MEETING ROOM #84064260323

## CONTINUANCES & WITHDRAWALS

**2.1. #33-1513 RKACO LLC for 1091 Broadway** (Parcel ID: 574-1-20) Verification of the validity of delineated wetland resource area boundaries

Recommendation: Mary Rimmer has reviewed the boundaries with Mike Seekamp. However, vegetation on the site has been too dense for an accurate survey to be completed. With the written request of the applicant, I recommend the opening of this hearing be deferred in accordance with HCC Policy #2000-01, Deadlines for Information Submittal.

**2.2. #33-1511 Cioto Realty Trust for 38 & 58 Railroad Street** (Parcel IDs: 701-630-9 & 702-635-1) Construction of 3 residential buildings

Recommendation: With the verbal request of the applicant, I recommend this hearing be continued to the December 9<sup>th</sup> meeting.

## PUBLIC HEARINGS

### 1. REQUEST FOR DETERMINATION OF APPLICABILITY

None Scheduled

### 2. NOTICE OF INTENT

**2.3. #33-1514 Princeton Development, LLC for 887 Boston Road** (Parcel IDs: 754-2-20 and 730-780N-4, -5, & -18A) Demolition of existing commercial facility and construction of a mixed-use development

#### Plans and Documents:

- Staff Meeting Notes, 10.28, 11.18.21
- NOI Application Package, dated 10.14.21 (HSH)
- Supplemental Data Report, October 2021, revised November 2021 (HSH)
- Site Plan, dated 10.14.21, revised 11.16.21 (HSH)
- Stormwater Peer Reviews, 11.09.21 and 11.18.21 (CEI)
- Invasive Species Management Plan, 11.16.21 (W&S)
- Response to Peer Review #1, 11.17.21 (HSH)

#### Comments:

- CEI completed its stormwater peer review and the Applicant has provided revised plans and supporting materials. Curt Busto from CEI will be in virtual attendance this evening to discuss.
- To address site walk comments, the Applicant has provided an Invasive Species Management Plan outlining a strategy to eradicate invasives from the resource area and its immediate surroundings.
- The Applicant has delineated the southern edge of the resource area and has also stippled the southeastern corner of the property for restoration with a native plant community.
- I also requested consideration be given to daylighting the stream back to the Cedardale property line and creating a pool and riffle system below the new outfall location. The velocity reduction and habitat

*Katie Enright, HSH*

functions would be small improvements to build upon the recent illicit discharge eliminations resulting from the Cedardale complex reconstruction. This is not addressed on the revised plan, and I understand will be discussed at the meeting. At a minimum, I would request one section of pipe be removed to install a more appropriate riprap velocity reducer.

- The City has inspected the Boston Road drainage system and found deficiencies. The Applicant has consented to working with the City Engineer to evaluate these further.

Recommendations: Should the Commission be satisfied with the design, I would recommend issuance of an OOC approving this project with the inclusion of conditions consistent with those recently applied under DEP File #33-1505 (The Beck). I also recommend inclusion of the conditions listed below. Lastly, I recommend issuance of the OOC be conditioned upon the Applicant providing a revised plan set satisfying CEI's infiltration chambers cleanout comments.

- The Applicant shall work cooperatively with the Office of the City Engineer to further evaluate and modify the existing Boston Road drainage system to accommodate this project. Any drainage modifications required by the City Engineer as part of his departmental approval of the project shall be performed in accordance with the conditions of this Order. *• Pull out 1 section of pipe (8'±) & create riprap velocity reducer.*
- Prior to the commencement of work, the Applicant shall submit a detailed planting plan outlining the restoration of the lawn area in the southeastern property corner with native upland forest vegetation. See Plan Sheet 8 of 16 for location. This plan shall be subject to the approval of an HCC Official prior to implementation. *• Following evaluation, the Applicant shall supply the CC with a list of agreed upon improvements to be made to this system.*
- The Applicant shall ensure the SWPPP addresses the following items from the stormwater peer review:
  - Show the locations of and details for erosion/sediment controls throughout the site; staging and stockpile locations; temporary sediment basins; dewatering containment areas; concrete cleanout containment basin; inlet protection locations, including existing catch basins along Boston Rd and South Main St that are adjacent to the Site; snow storage areas during the construction period; and installation of temporary fencing (orange snow fencing) around the proposed infiltration areas to provide an additional visual indicator to prevent encroachment of construction equipment into these areas.
  - Consider the construction of temporary sediment basins at each construction entrance to direct runoff and help prevent off-site sediment migration.
- Prior to the issuance of any occupancy permits for the project, the Applicant shall submit a final Operations & Maintenance Plan for the project that incorporates the following additional information:
  - A revised BMP Map identifying the designated snow storage areas
  - A final Illicit Discharge Compliance Statement from the project engineer, which states inspections were performed following the construction of the project to confirm no illicit connections occurred during construction and that the entirety of the stormwater system is appropriately cleaned and prepared for post-construction usage.
- As proposed by the Applicant, the drainage structures included in the parking garages shall be connected to oil/grit separators, which shall then discharge to the City's sanitary sewer system.

#### 2.4. #33-NOI J. Bradford Brooks for Eudora St (Parcel ID: 528-17-21) Construction of a single-family house

##### Plans & Documents

- Staff Meeting Notes, 11.18.21
- NOI Application Materials, Received 11.03.21 (ESS)
- Site Plan, Dated 10.29.21 (ESS)

*GREG SAAB presents  
Lloyd Jennings on call*

### Comments

- The wetlands report contains a few crossover errors from another project. To be clear, this site contains vegetated wetland that, through a culvert under the railroad tracks, borders Little River. Only Flags 1-13 were reviewed in the field. The remaining boundary should be shown as approximate.
- Although graphically mapped by FEMA to be on the east side of the tracks, the elevation (~28' NAVD88) of bordering land subject to flooding appears to extend through the culvert on our GIS and onto the site. However, this area falls within the sewer easement section of the wetland system and the area of the proposed development is well outside that elevational limit. Note the plan uses the older 1929 NGV Datum, which roughly correlates to elevation 29' for BLSF.
- The limit of 200' Riverfront Area extends into the eastern edge and southeast corner of the parcel. Again, work is well outside that resource area.
- The applicant proposes roof runoff recharge and a driveway infiltration trench to mitigate runoff. A detail of the trench should be added to the plan.
- A post & rail fence with signage is proposed to demarcate the finished edge of lawn/25'NDZ.

Recommendations With the submittal of a revised plan addressing these comments, I would recommend the issuance of an OOC approving this project, with conditions typical for SFH projects.

### **2.5. #33-NOI Fugere, LLC for 216 River St (Parcel ID: 502-227-5) Stabilization of eroding riverbank**

#### Plans & Documents

- Staff Meeting Notes, 11.18.21
- Cover Letter with NOI Application Materials, dated 11.03.21 (GeoSyntec)
- Link to Drone Footage, received 11.04.21 (GS)
- Plan Set, dated November 2021 (GS)
- Resource Areas Impact Table, received 11.04.21 (GS)
- Abutter Comments Letter, dated 11.17.21 (PGC)

#### Comments

- The Applicant has concurrently filed with the NHESP and Division of Marine Fisheries. We are awaiting agency comments and guidance.
- The Commission received comments on behalf of an abutter this week. These were forwarded to Geosyntec for review. I've requested a written response, as well as an overview for the Commission once this review is complete.

Recommendations: To allow for the NHESP and DMF comment periods and for any current comments to be addressed, I recommend this hearing be continued to the December 9<sup>th</sup> meeting.

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

None Scheduled

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

### **4. EXTENSIONS AND CERTIFICATES**

#### **4.1. Certificate: #33-0240 D & D Realty Trust for Eudora Street**

Recommendation: The HCC issued this OOC in 1986 to regulate the development of a parcel of land on Eudora Street (the subject of Item #2.4). Work never commenced. I recommend issuance of a Certificate of Compliance invalidating this expired Order.

**4.2. Certificate: #33-0990 D & D Realty Trust for Eudora Street**

Recommendation: The HCC issued this ORAD in 2000 to confirm delineated resource area boundaries on a parcel of land on Eudora Street (the subject of Item #2.4). I recommend issuance of an ORAD Certificate of Compliance.

**4.3. Emergency Certification: Property Management of Andover for Orchard Avenue**

Recommendation: I issued this ECF to allow the property owner to abate conditions causing flooding within the Groveland Estates residential complex. I recommend the Commission vote to ratify the Certification.

**5. ENFORCEMENT**

None Scheduled

**6. MISCELLANEOUS**

None Scheduled

**7. ACCEPTANCE OF MINUTES**

Draft minutes for the 08.05.21 meeting were forwarded to CC. Wylie for review and accepted. I recommend a vote to approve these minutes. CC. Wylie is currently reviewing draft minutes for the 08.26.21 meeting. If completed, I recommend a vote to approve these minutes with any revisions requested by CC. Wylie.

**8. ADJOURN**

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