

CITY OF BEVERLY  
PUBLIC MEETING MINUTES

BOARD OR COMMISSION: Beverly Conservation Commission  
SUBCOMMITTEE:  
DATE: January 10, 2023  
LOCATION:  
MEMBERS PRESENT: Chair Christine Bertoni, Vice Chair Robert Buchsbaum,  
William Squibb, Meghan Jones, Amber Redmond  
MEMBERS ABSENT:  
OTHERS PRESENT: City Conservation Agent David Spidaliere  
RECORDER: Naomi Moca

1. Chair Bertoni calls the meeting to order at 7:00 p.m. and reads the public notice regarding holding meetings remotely due to COVID-19.

Jones moves to recess. Seconded by Buchsbaum. Bertoni takes a roll call vote. Motion passes 5-0.

2. **Recess for Public Hearings**

3. **Notices of Intent/Abbreviated Notices of Intent/Requests for Amended Orders of Conditions**

- a. **New: 0 Dodge Street - Norwood Pond, No DEP File # – construct a pedestrian bridge and bog bridge – City of Beverly Planning Department c/o Darlene Wynne**

Spidaliere reads the legal notice. Charles Mann from the Beverly Open Space and Recreation Committee (OSRC) is present. Mann states that this bridge project will connect the existing trails on Norwood Pond. The lot is 140 acres with a trail easement through Cummings Properties. Mann states that on the application the CCA lumber has been replaced with ACQ lumber. Mann states that there may be guard rails on the boardwalk due to the fluctuating water level on the pond.

The Commission discusses that the boardwalk goes through a wetland and a resource area as indicated on the application. The Commission discusses the number of posts that will need to be placed by hand, that the timber will be hand cut offsite, and that there may be slight disturbance to the banks. Mary Rimmer of Rimmer Environmental Consulting is present and clarifies that the boardwalk through the BVW will have sleepers. The elevated boardwalk across the pond will have piles, not sleepers. She states that there is no calculated impact to the BVW and that no clearing of vegetation will be required. Cummings Properties will be funding the project.

A site visit is scheduled for Saturday, January 21 at 8:00am.

Buchsbaum moves to continue the hearing to the January 31, 2023 meeting. Seconded by Redmond. Bertoni takes a roll call vote. Motion passes 5-0.

#### **4. Reconvene Regular Meeting**

Squibb moves to reconvene the regular meeting. Seconded by Buchsbaum. Bertoni takes a roll call vote. Motion passes 5-0.

#### **5. Requests for Certificates of Compliance**

##### **a. New: 400 Hale Street, Endicott College, DEP File #5-1197 – Annual pond maintenance work and associated monitoring – Rick Gagnon**

Rick Gagnon, Facilities Director from Endicott College, and Joe Orzel, Wetlands Specialist with Lucas Environmental are present. The applicant is requesting a COC for maintaining pond water quality and hydro-raking of the pond to remove accumulated organic material. Orzel clarifies that the work did not entail dredging. Endicott intends to file an NOI to continue the program, proposing the same methods.

The Commission discusses recommendation #5 regarding fertilizers, the impact of geese in the ponds, and the chlorophyll levels in the report. Orzel states that SWCA Environmental Consultants has been conducting the monitoring activities and determining when to use herbicides. The Commission requests that the details of making those decisions be included in the next NOI. The Commission and Orzel discuss the need to revisit the NOI periodically under the Wetlands Protection Act and the bylaws, and whether in the future a more extensive extension is possible instead of filing a new NOI every 5 years.

Spidaliere states that he and Orzel visited the site last week and everything looks stable.

Buchsbaum moves to issue a complete certificate of compliance. Seconded by Redmond. Bertoni takes a roll call vote. Motion passes 5-0.

#### **6. Old/New/Other Business**

##### **6a. Requests for Minor Modification to existing Order of Conditions**

##### **a. New: 10 Fieldstone Lane, Dep File #5-1335**

Lisa Ambrosino, property owner, states that the project has been downsized from a two-story house addition to a one-story addition. Ambrosino states that she would

like to maintain the impervious concrete slab that was in place when the home was purchased for sentimental reasons. The area adjacent to the new addition will be paved with pervious concrete pavers and crushed stone. The remaining parts of the approved plan will remain the same, such as the relocation of the shed out of the 25-foot no disturb zone and the project's footprint. The Commission discusses the original conditions remaining the same, and requests that a note regarding keeping the concrete slab in place be included if the minor modification is approved.

Squibb moves to approve the minor modification and discussed. Seconded by Buchsbaum. Bertoni takes a roll call vote. Motion passes 5-0.

## **6b. Conservation Restrictions**

### **a. New: 25 & 27 Beaver Pond Road**

Maggie Brown, Land Conservation Project Manager with Essex County Greenbelt, is present. Brown states that Greenbelt is working to permanently protect the lots, which are 22 acres adjacent to Norwood Pond, for conservation. The Commission discusses whether the forest management plan will continue beyond the 15 years, that the Greenbelt will not pursue having the possible vernal pond certified, and whether potential vernal pools are protected under the Beverly ordinance.

The Commission discusses the quality of the wetland, whether it has invasive species, and that Greenbelt, the grantor, and the State agreed on the permitted uses. Compliance with permitting procedures is covered in Section D on page 7 of the Conservation Restriction package provided by Greenbelt. The land is still covered by the jurisdiction of the Conservation Commission.

Buchsbaum moves to endorse the Conservation Restriction as proposed by Essex County Greenbelt for 25 & 27 Beaver Pond Road. Seconded by Squibb. Bertoni takes a roll call vote. Motion passes 5-0.

## **6c. Tree Removal Requests, If Any**

### **a. New: 89 Lothrop Street**

Sharon Burrill, property owner, is requesting to remove one cedar tree and one Norway maple tree. Burrill is concerned about potential damage to the property wall and fence from the growth of the cedar. Spidaliere states that the cedar was choked out with vines over the years and will hinder the placement of the post for the fence that the applicant is planning to build. The Norway maple tree is dead and very close to the neighboring property. Spidaliere states that he visited the property and that he agrees that the Norway maple is a risk to the neighbor's property and house. Burrill

states that the permitting has been completed for the fence project. The Commission discusses replacing the cedar tree with a native planting, such as a shrub.

Buchsbaum moves to approve the tree removal request at 89 Lothrop Street with standard tree removal conditions. Seconded by Redmond. Bertoni takes a roll call vote. Motion passes 5-0.

#### **6d. Cont.: West Beach Corporation, beach raking response letter**

Spidalieri states that he met with representatives from the Natural Heritage and Endangered Species Program (NHESP) for input on composing a letter to property owners and residents along West Beach that is educational in tone, stating that work of any kind that is along the beach should be run by the Conservation Commission and NHESP, due to West Beach being designated an estimated and priority habitat. The Commissioners review letter and offer edits. The Commission discusses that it is a State issue, the idea of doing an outreach campaign, and that there is a sample of a beach management plan from Manchester for reference. The City of Beverly is working on an NOI application for beach management plans for all city owned beaches as well. The Commission discusses whether a similar letter would be appropriate for other waterfront properties in Beverly.

#### **7. Approval of Minutes**

- a. September 20, 2022
- b. October 18, 2022
- c. November 9, 2022
- d. November 29, 2022
- e. December 19, 2022

Members review and offer edits to the draft meeting minutes. Redmond moves to approve the minutes of the September 20, 2022 meeting, as amended. Seconded by Jones. Bertoni takes a roll call vote. Motion passes 5-0.

Members review and offer edits to the draft meeting minutes. Buchsbaum moves to approve the minutes of the October 18, 2022 meeting, as amended. Seconded by Redmond. Bertoni takes a roll call vote. Motion passes 5-0.

Members review and offer edits to the draft meeting minutes. Redmond moves to approve the minutes of the November 9, 2022 meeting, as amended. Seconded by Jones. Bertoni takes a roll call vote. Motion passes 5-0.

Members review and offer edits to the draft meeting minutes. Buchsbaum moves to approve the minutes of the November 29, 2022 meeting, as amended. Seconded by Redmond. Bertoni takes a roll call vote. Motion passes 5-0.

Members review and offer edits to the draft meeting minutes. Jones moves to approve the minutes of the December 19, 2022 meeting, as amended. Seconded by Buchsbaum. Bertoni takes a roll call vote. Motion passes 5-0.

## **8. Adjournment**

Buchsbaum moves to adjourn. Seconded by Squibb. Bertoni takes a roll call vote. Motion passes 5-0.

Meeting ends at 9:18 p.m.

The next regular meeting of the Conservation Commission is scheduled for Tuesday, January 31, 2023.