

**CITY OF BEVERLY
PUBLIC MEETING MINUTES**

BOARD OR COMMISSION: City of Beverly Conservation Commission
DATE: April 29, 2026
LOCATION: Virtual via Google Meet
MEMBERS PRESENT: Chair Christine Bertoni, Vice Chair Amber Redmond,
William Squibb, Robert Buchsbaum, Grace Charles
MEMBERS ABSENT:
STAFF PRESENT: Conservation Agent David Spidaliere; Conservation Field
Inspector Scott White

1. Call to Order

Chair Bertoni calls the meeting to order at 6:30 p.m. and conducts a roll call. A quorum of seated members is present. Bertoni reads the public notice regarding holding meetings remotely due to COVID-19 provisions.

**2. Certificates of Compliance/Minor Modifications/Extensions/Tree
Removals/Emergency Certifications**

a. Certificates of Compliance

i. New: 55 Abbott Street, DEP File #5-1008

Bill Manuell, Wetlands & Land Management, states that the comments from MassDEP seem to be fairly superficial. Bertoni states that some of the comments dealt with where the top of Coastal Bank is established on the plan. Manuell states that there are no changes proposed to the plan. This can be addressed during the Notice of Intent hearing later in the meeting. MassDEP asked for transects on the new plan which can be provided. Spidaliere notes that he does not believe the MassDEP comments will impact the Certificate of Compliance, as this area is a further away from the top of Coastal Bank.

Manuell explains that an as-built plan showing the existing conditions was submitted. It shows any deviations from the approved plan. The largest parts of the plan were a wooden deck to be rebuilt, a large bluestone terrace to be installed, and wooden steps replaced with masonry steps. Most of the work was not completed. The deck was rebuilt in a different configuration than what was originally approved. The deck and stairs are 28 square feet smaller than what the Commission approved. The bluestone terrace was not installed. The steps to be converted were instead replaced with a composite material.

Bertoni asks about the top of Coastal Bank shown on the plan and how the 25' No Disturb Zone was placed on the plan. It is unclear why the two bump outs are on the plans. Manuell explains that the width of the property includes vertical walls and a rip rap slope. Elevation 14 intersects the top wall. The 100' flood line intersects the vertical walls. Adjacent to elevation 14 is a slope that is steeper than 4:1. This extends further inland, just off site.

Bertoni states that she would like to see a 50' No Build Zone from the top of Coastal Bank shown on the plan. She asks when the work was completed. Manuell states that this was done around 2010-2011.

Buchsbaum: Motion to issue a Complete Certificate of Compliance for 55 Abbott Street, DEP File #5-1008, including perpetual conditions #35-38. Redmond seconds. Bertoni takes a roll call vote. Motion carries (5-0).

3. Recess for Public Hearings

Squibb: Motion to recess for Public Hearings. Redmond seconds. Bertoni takes a roll call vote. Motion carries (5-0).

4. Notices of Intent/Abbreviated Notices of Intent/Requests for Amended Orders of Conditions/Abbreviated Notices of Resource Area Delineations

a. New: 206 Greenwood Avenue, DEP File #5-1469 – raze and re-build an existing building – Glen Urquhart School c/o Lindsay Calef

Spidaliere reads the public legal notice.

Bertoni notes that she received an abutter notification for this project but has no financial interest.

Mike DeRosa, DeRosa Environmental, explains that the design of the new proposed building looks to reduce changes in impervious surfaces in all zones. The 25' No Disturb Zones shows a reduction of 597 s.f. and the 50' No Build Zone shows a reduction of 229 s.f. The outer 100' Buffer Zone from the edge of wetland shows a reduction of 216 s.f. Overall, there is a reduction of a little over 1,000 s.f. In riverfront area, there is a reduction in the Inner Riparian Zone of 630 s.f.

The proposed building will be consistent with other buildings on site. This will allow for two classrooms, an exhibition hall, and an administrative office/meeting space. The project is within the No Build Zone for 450 s.f. and mitigation is shown on the plan. The building will also move closer to the perennial stream than the existing building and mitigation is shown on the plan. There are invasive species within the wetland area that will be removed mechanically and replanted with native species. There is also gravel near the parking area, and this has been plowed into the wetlands in the past. This area will be curbed to prevent this and a split rail fence will be installed as a visual barrier. There are three trees that will need to be removed. These will be replaced with red maples closer to the wetlands. The applicant will control water from the gravel driveway to a curb cut that leads to a swale, where it will be filtered before entering the wetland. Another drainage area will capture half of the new building roof area. All of the drainage will be connected underground, with a water quality unit installed to capture all new and existing drainage. There will be 2.8:1 mitigation in the Riverfront Area.

There is discussion regarding vernal pools on the site. DeRosa explains that there were none discovered on the site.

The Commission agrees to hold a site walk on May 2nd at 8:00am.

There is no public comment at this time.

Squibb: Motion to continue the hearing to May 19, 2026. Redmond seconds. Bertoni takes a roll call vote. Motion carries (5-0).

b. New: 55 Abbott Street, DEP File #5-1468 – install a terrace, walkway, and bench – Robert and Susan Duncan

Spidaliere reads the public legal notice.

Bill Manuell, Wetlands & Land Management, explains that this Notice of Intent is to finish a landscape concept which began in 2009. The overall objective is to work on the lower terrace to create a zero/low-maintenance seaside habitat. This will include a granite patio (10'x11'), grant walkways, large boulders, and native plantings. There will not be any work done on the Coastal Bank. Transects will be added to the plans per MassDEP's request. A mini excavator will be used for some of the work to move materials over the wall. The patio will be slabs of granite over a gravel bed. There will be a line of siltation fence on the inner side of the seawall as an added level of protection. The project is within the 25' No Disturb Zone and a waiver has been requested.

Spidaliere asks if the heavy machinery will place the boulders from the upper terrace or if there will be additional machinery used on the lower terrace. Manuell states that the machinery will be large enough to lower the boulders from above the wall. Spidaliere asks about storage of the construction equipment. Manuell states that it will be left in place on plywood boards.

Bertoni asks how much new impervious surface will be added based on the granite and boulders. She asks if the seawall has weep holes. Manuell states that there will be spacing in between the granite pieces so any water will make its way to the surface to percolate.

There is no public comment at this time.

The Commission agrees to hold a site walk on May 2nd at 9:00am.

Squibb: Motion to continue the hearing to May 19, 2026. Redmond seconds. Bertoni takes a roll call vote. Motion carries (5-0).

c. New: 212 Common Lane, DEP File #5-1467 – construct an addition and reconstruct a portion of the existing driveway – Anthony and Emily Lever

Spidaliere reads the public legal notice.

Bob Griffin, representing the applicant, explains that the property contains a two-story house with a one-story addition, and a wooden deck. The site plan shows a small BVW south of the lot line. There is a perennial stream approximately 300' from the property. There is some proposed work outside of the jurisdiction area. Demolition of the one-story building addition and wooden deck are proposed. There is concrete under much of the wooden deck, leading to the shed, which will be removed. The proposed garage addition will have a smooth surface leading to it. There will be a significant reduction in impervious surfaces in the buffer zone as a result of the project. The proposed work includes a 970 s.f. two story building addition, a new porch and stairs, pavement to be removed, grading work, and impervious areas to be converted to lawn. There will be no building work inside the No Build Zone or the No Disturb Zone. In total there will be approximately a 750 s.f. reduction in impervious surfaces.

Bertoni asks if fill will be brought onto the site for grading. Griffin states that some fill will be needed and the pavement will be raised slightly to enter the garage. There is some exposed ledge that may need to be hammered out, but no blasting is expected.

Bertoni notes that there is an existing shed with the 25' Zone. Griffin explains that this is proposed to remain at this time.

There is no public comment at this time.

The Commission agrees to hold a site walk on May 2nd at 9:30am.

Redmond: Motion to continue the hearing to May 19, 2026. Squibb seconds. Bertoni takes a roll call vote. Motion carries (5-0).

d. New: 7 Hathaway Avenue, DEP File #5-1466 – construct a building addition and deck - Peter and Lousie Kennedy

Spidaliere reads the public legal notice.

Bob Griffin, representing the applicant, explains that the site contains a perennial stream and BVW. The applicant is looking to build an accessory dwelling unit (ADU) attached to their residence. The proposal is to build a 1,000 s.f. addition with a breezeway connection and a driveway for two cars. The driveway will have approximately 650 s.f. of impervious surface. There is a total of approximately 1,700 s.f. of new impervious surfaces associated with this project. There are also some trees to be removed along the side of the proposed ADU, and three new trees are proposed to mitigate for this. Runoff generally flows toward the stream, and an area drain is proposed to pick up the runoff in the front yard and bring it to a 1,000 gallon drywell. The roof runoff will go to a 500 gallon drywell. Both drywells together provide for 2" of volume from the roof and impervious areas. There is also a 10'x19' deck which is proposed to be connected to the ADU and attached to the main portion of the house. The project complies with the 50' No Build Zone and, other than some mitigation work, there will be no work in the No Disturb Zone. The intention is to turn the 25' No Disturb Zone into an upland meadow

habitat. This will be seeded with a conservation/wildlife seed mix. The three trees will be planted in that area along with some shrubs.

There is no public comment at this time.

The Commission agrees to hold a site walk on May 2nd at 10:00am.

Buchsbaum: Motion to continue the hearing to May 19, 2026. Squibb seconds. Bertoni takes a roll call vote. Motion carries (5-0).

e. New: 5 Orchard Street, No DEP File # as of posting – construct an addition and replace the existing driveway – Bill Dupre

Spidaliere reads the public legal notice.

Bob Griffin, representing the applicant, explains that this parcel of land is 6,450 s.f. The plan shows the area of the proposed building addition. The backyard has an existing split rail fence, and the Lawrence Brook runs along the back of the property line. The proposal is for a one-story building addition, 12'x18', with a crawl space underneath and a conventional concrete foundation. This will match the living elevation of the rest of the house to create additional living area for the family. Part of the mitigation proposal is to replace the asphalt driveway with pervious pavers, approximately 380 s.f. A grass strip will be maintained into the backyard. There will be planting beds alongside the addition and there are existing beds in the backyard. The proposal is to add some native shrubs to the site.

Bertoni asks if there is a way to bring the proposed building addition out of the 50' No Build Zone. Griffin explains that the layout of the house and lot do not allow this to be moved to an alternate location. There is no grade change proposed. There will be some gravel brought in for the driveway work.

Bertoni states that the work seems to be closer to the riverfront than the existing degraded area. Griffin states that there are other existing improvements located closer to the Brook.

Bertoni states that the existing shed may have been unpermitted. Griffin states that this is the first he has heard of this. Bertoni notes that this will need to be reconciled before the next meeting.

There is no public comment at this time.

The Commission agrees to hold a site walk on May 9th at 8:00am.

Redmond: Motion to continue the hearing to May 19, 2026. Charles seconds. Bertoni takes a roll call vote. Motion carries (5-0).

f. New: 13 Butterworth Road, DEP File #5-1465 – construct an addition and expand the driveway – Alan Synenki

Spidaliere reads the public legal notice.

Bob Griffin, representing the applicant, explains that the property contains an existing ranch style house with lawn around it. There is a small intermittent stream that travels right to left across the rear of property. The proposal is for a building addition project. The owner recently went before the Zoning Board of Appeals (ZBA), as this is a non-conforming lot. Approval was issued from the ZBA. The proposal includes adding some new vegetation to the planting beds along the front of the house and to improve the appearance of the front of the house with a small porch. The existing one car garage is proposed to become a two-car garage. The home's first floor living space will be expanded to the back with a living room constructed on posts. There will be a patio underneath the living room area and a deck off the living room, also elevated on posts. There will be some basement space, for access and storage. The addition comes slightly into the 50' No Build Zone. The proposal includes removal of a ginkgo tree and rhododendron bush. A maple tree will be added to the site and there will be some pruning of the existing trees. As mitigation for the minor incursion into the 50' No Build Zone, the applicant is proposing a mitigation planting area approximately 50 s.f. There is an area of invasive species in the rear portion of the yard, with some Norway maples to potentially be removed depending on cost, and the entire area replanted with native trees and shrubs.

Bertoni states that she would like additional information regarding the methodology of the invasive species removal proposed for the project and the associated disturbance.

There is no public comment at this time.

The Commission agrees to hold a site walk on May 9th at 9:00am.

Squibb: Motion to continue the hearing to May 19, 2026. Redmond seconds. Bertoni takes a roll call vote. Motion carries (5-0).

5. Reconvene Meeting

Squibb: Motion to reconvene the meeting. Redmond seconds. Bertoni takes a roll call vote. Motion carries (5-0).

6. Requests for Determination of Applicability

a. Cont.: 228 Common Lane – construct a deck – Vincent Orlando

Charles exits the meeting at 8:50pm.

Spidaliere states that the applicant has requested a continuance while they work on closing out an expired Order of Conditions for this property.

Redmond: Motion to continue this item to May 19, 2026. Squibb seconds. Bertoni takes a roll call vote. Motion carries (4-0).

b. New: 51 Brimbal Avenue – construct a deck – Justin Jenkinson

Spidaliere reads the public legal notice.

Tim Hough, son of the property owner, explains that an existing deck on the site needs to be replaced. The only new footprint will be a wraparound area to the back of the house.

Bertoni notes that there will be 5-6 helical anchors associated with the project. Hough states that these will be drilled into the soil. Spidaliere states that the applicant is moving through the building permit process.

Redmond: Motion to issue a Negative 3 Determination of Applicability with conditions as discussed. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (4-0).

7. Enforcement Matters/Potential Violations

a. Enforcement Orders

i. Cont.: 140 Hart Street – Jeffrey Burbank & Iron Tree Service

Dennis Silvio, Iron Tree Service, states that the restoration plan includes six high bush blueberry shrubs on either side of the driveway and two red maples along the driveway. The trees will be approximately 6'-8' off the driveway itself.

Redmond: Motion to amend the Enforcement Order to accept the restoration plan, with the plantings to be installed by hand; photo documentation of plant installation sent to the Conservation Agent; and two years of survivorship with 100% for trees and 75% for shrubs with a report submitted at the end of growing season 2027. Squibb seconds. Bertoni takes a roll call vote. Motion carries (4-0).

ii. Cont.: 181 Elliott Street – Beverly Commerce Park LLC c/o Steve Drohosky

Spidaliere states that he received an update that the snow pile is not completely melted and the damage done has been mostly detailed. The intention is to replace the benches and light posts, to prune the existing damaged bushes and remove the dead ones, and to plant 20 new bushes to replace the 12 that were badly damaged. A continuance has been requested in order to consult with a landscape architect about the plantings and for a formal restoration plan.

Redmond: Motion to amend the Enforcement Order, requiring the submittal of a formal restoration plan by May 12, 2026 for the vegetation that was disturbed/damaged by the snow pile, and to require the representative to attend the May 19, 2026 meeting to present the plan. Squibb seconds. Bertoni takes a roll call vote. Motion carries (4-0).

iii. **Cont.: 11 & 13 Bay View Avenue – Amanda Outerbridge & Kenyon Kellogg**

Bob Griffin, representing the homeowners, states that he submitted a narrative and photos for this item. The dune grass seems to have survived the winter reasonably well. The owners would like to continue to place the dune fence seasonally to protect the dune restoration area. A Notice of Intent will be filed for this item.

Buchsbaum: Motion to amend the Enforcement Order, to have a Notice of Intent filed by July 14, 2026, for seasonal or permanent dune fencing. Squibb seconds. Bertoni takes a roll call vote. Motion carries (4-0).

8. Other Business

a. **Discussion or Action Items Related to Commission Business, Correspondence, etc.**

i. **New Potential Delineation Policy**

The Commission reviews an example delineation policy from the Hingham Conservation Commission. Spidaliere notes that one of the main points is that resource area flagging must be done within the last three years. The Commission agrees to review an updated draft of this policy at an upcoming meeting.

9. Orders of Conditions, If Any

None at this time.

10. Approval of Minutes (as available):

a. **April 7, 2026**

Redmond: Motion to approve the meeting minutes of April 7, 2026, as submitted. Squibb seconds. Bertoni takes a roll call vote. Motion carries (4-0).

11. Adjourn

Redmond: Motion to adjourn. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (4-0).

Meeting adjourns at 9:40 p.m.

Next Regular Meeting of the Conservation Commission: Tuesday, May 19, 2026