

**CITY OF BEVERLY
PUBLIC MEETING MINUTES**

BOARD OR COMMISSION: City of Beverly Conservation Commission
DATE: June 9, 2026
LOCATION: Virtual via Google Meet
MEMBERS PRESENT: Chair Christine Bertoni, Robert Buchsbaum, William Squibb
MEMBERS ABSENT: Vice Chair Amber Redmond, Grace Charles
STAFF PRESENT: Conservation Agent David Spidaliere

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. Mayor Discussion Topics

- a. Potential sidewalk construction project abutting vernal pool at 90 & 92 Boyles Street**

This item is tabled to later in the meeting as the Mayor is not present.

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

- a. Certificates of Compliance**
i. New: 12 Fosters Point, DEP File #5-283

This item is tabled to later in the meeting as the applicant is not present.

- ii. New: 47 Corning Street, DEP File #5-345**

Vivian McMullen, previous owner, and Leonardo Casillas, current owner, address the Commission. They explain that the lot was split back in the early 1990s so that the parents who owned the property at the time could give one lot each to their children. There was no building on the main lot, 47 Corning Street. All the construction took place on the other three lots behind it (28, 30 & 32 Newbury Street).

Spidaliere explains that this lot was likely lumped into this Order of Conditions with the other three lots to keep everything together, but that the lot in question had no work occur on it and is well outside of the 100-foot buffer zone.

Buchsbaum: Motion to issue a Partial Certificate of Compliance for 47 Corning Street, DEP File #5-345, including perpetual condition #5, and noting that a Complete

Certificate of Compliance request will still need to be filed for the remaining lots.
Squibb seconds. Bertoni takes a roll call vote. Motion carries (3-0).

4. Recess for Public Hearings

Squibb: Motion to recess for Public Hearings. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

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

- a. **New: 58 West Street, No DEP File # as of posting – invasive species treatment, reconstruct existing stairs and walkway, and install a raised garden bed – Jayne Rice**

Spidaliere reads the public legal notice.

Jayne Rice, property owner, explains that this is a near copy of a previously approved NOI that the previous homeowner had submitted with a couple of changes. The previous owner had proposed several items including expanding a deck and adding a perimeter fence. The previous owner expanded the deck but did not do any of the remaining work approved under the previous Order of Conditions. The plan was to install a playscape, repair the stairs that lead down the hill toward the pond, and treat a large area of invasive plants. The current proposed plan is also to fix the broken stairs, add a patio, and remove invasive plants, but instead install some raised garden beds instead of a play structure.

Bertoni asks if the plan submitted is an engineered plan with the changes proposed. Rice states that it was taken from the originally approved plan and marked up by her. Bertoni expresses concern that the changes were not identified on an engineered plan created by the applicant. There is a concern regarding using a past plan that was not updated or signed off on by an engineer.

Buchsbaum suggests a site visit and notes that he is not concerned with using a previously approved engineered plan with updates on it. Bertoni states that she would like to know if the original engineer agrees with what is on the plan, including proper dimensions of the gardens. Rice explains that the original engineer is no longer part of the project.

The Commission agrees to hold a site visit on Saturday, June 20th at 8am.

There is no public comment.

Buchsbaum asks what the invasive plants will be replaced with. Rice explains that she would like to replace them with native plantings that do not need much maintenance and that protect the soils. Joe Pallazola, representing the applicant, explains that in certain areas where the steps are there will be a platform installed which will require a retaining wall. Bertoni states that methods

for constructing the retaining wall will be needed. She asks if the consultant wetlands scientist will be available for the next meeting. Rice states that she will ask her to participate.

Buchsbaum: Motion to continue the hearing for 58 West Street, *No DEP File as of posting* to June 30, 2026. Squibb seconds. Bertoni takes a roll call vote. Motion carries (3-0).

Squibb: Motion to reconvene the regular meeting. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

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

a. Certificates of Compliance

i. New: 12 Fosters Point, DEP File #5-283

The applicant is still not present, so the Commission agrees to continue this item to the next meeting.

Squibb: Motion to continue this item to June 30, 2026. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

Buchsbaum: Motion to recess for Public Hearings. Squibb seconds. Bertoni takes a roll call vote. Motion carries (3-0).

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

a. New: 15 Wirling Drive, No DEP File # as of posting – construct and addition and patio with associated landscape improvements – Meredith Johnson

Spidaliere reads the public legal notice.

Bob Griffin, Griffin Engineering and representing the applicant, explains that this property is a 10,000 s.f. lot. There is a large wetland system behind the lot. Work is to take place within the 100-foot buffer zone to the Bordering Vegetated Wetlands (BVW). The proposal is for a two-story addition at the back of the house, approximately 250 s.f. Another part of the project is to construct a small paver patio off of back door of the house and a walkway connection between the addition and the patio. There is approximately 71 s.f. of the paver patio proposed in the No Build Zone. There is some mitigation proposed at the back of the fence. The project proposes approximately 250 s.f. of new impact in the buffer zones, associated with the construction of the building addition. Griffin notes that there is a pile of yard waste at the back corner which will be removed as part of the project.

In response to a question from Buchsbaum, Griffin explains that the paver patio will have gaps of 1/8"-1/4" to allow runoff to infiltrate. The runoff from the addition will flow onto the lawn and toward the BVW. Excavation of a frost wall will be needed for the addition, with a masonry wall above. The grade does not need to be changed.

Bertoni asks about alternations to the lawn. Griffin explains that the lawn is being left as is and not expanded.

There is no public comment.

The Commissioners discuss closing the hearing, but no DEP File # has been assigned

Buchsbaum: Motion to continue the hearing for 15 Wirling Drive, *No DEP File # as of filing* to June 30, 2026. Squibb seconds. Bertoni takes a roll call vote. Motion carries (3-0).

b. New: 8 Upland Road, *No DEP File # as of posting* – construct a carport with associated driveway, walkway, and patio – Paul Clermont

Spidaliere reads the public legal notice.

Bob Griffin, Griffin Engineering and representing the applicant, explains that a carport addition at the front of the house is proposed. The proposed carport is 21'x20', with enough room for two cars, and in the same location as the existing driveway. As part of the carport construction, some of the roof runoff will be directed to the back of the property. The applicant is proposing two dry wells. There is also a proposal to repair some brick walkways and brick patios on the property. There will be a new brick walkway in the front to connect the entrance with the paver patio area. It will also provide access to the carport. There will be approximately 100 l.f. of new walkway into the backyard. One brick walkway will be removed and replaced with natural stones, with an infill of clover. There is an existing brick patio area which is in rough shape and the proposal is to remove and replace it with a pervious paver patio. Some lawn area which does not grow well will be removed and replaced with a clover ground cover. Mitigation planting areas are shown on the plan. Erosion controls are shown circling the work area.

In terms of the Riverfront Area calculations, Griffin explains that this is an 11,000 s.f. lot. The regulations allow an applicant to degrade 5,000 s.f. or 10% of the lot area, whichever is greater. This proposal will increase degraded Riverfront Area from 2,667 s.f. to 2,825 s.f. There is also a standard for redevelopment projects, which states that the applicant must provide 2:1 mitigation for the 158 s.f. increase in degraded area. This will be done by changing a portion of the existing driveway from concrete to pervious pavers at 190 s.f. and with mitigation planting areas A and B at 180 s.f. There will be no new structures closer to the riverfront than existing.

Buchsbaum asks if the clover is considered an improvement to the lawn area. Griffin states that it should be an improvement as it will not receive the same types of treatment that a lawn needs.

Bertoni asks if the driveway asphalt will be replaced with pervious pavers. Griffin explains that the driveway will be a bit wider in some spots. The area of pervious pavers is approximately 400 s.f.

There is no public comment.

The Commission agrees to a site visit on June 20th at 9am.

Buchsbaum: Motion to continue the hearing for 8 Upland Road, *No DEP File # as of filing* to June 30, 2026. Bertoni seconds. Bertoni takes a roll call vote. Motion carries (3-0).

8. Reconvene Meeting

Squibb: Motion to reconvene the regular meeting. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

9. Requests for Determination of Applicability

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

Griffin reviews a detailed drawing of the proposed deck addition. The deck was initially about 14' off the existing building, approximately 32' wide, totaling 448 s.f. The Commission previously had some concerns about the location of the deck in the No Disturb Zone. The revised plan shows a significantly smaller deck footprint, a 250 s.f. mitigation area with some new shrubs to be planted, and an invasive species management area. The footprint within the No Disturb Zone has been reduced from 225 s.f. down to 70 s.f.

The Commission states that this seems to be a good compromise.

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

10. Mayor Discussion Topics

a. Potential sidewalk construction project abutting vernal pool at 90 & 92 Boyles Street

The Commission took up this topic at this time as the Mayor joined the meeting

Mayor Michael Cahill explains that the City has been working to establish sidewalks for the safety of children and families along the whole length of Lakeshore Avenue and turning left onto Cross Lane. This has also been completed along a stretch of Boyles Street from Hale Street but the end of Boyle Street where it connects with Cross Lane and the train tracks has not been completed. The City is trying to establish a sidewalk on the left-hand side of this area. There is a vernal pool to the left of the road facing the train tracks. The 100' No Disturb Zone to a Vernal Pool extends to both sides of the roadway. The intention is to get the sidewalk as close to the train tracks as possible, working with the MBTA to get a crossing of the track itself. The request is to work with the Commission to extend the sidewalk at the left edge of the roadway, given that the vernal pool is to the left of this area. The City has considered crossing the street with it before getting to the vernal pool, but it would be preferable to stay on one side of the road and not have to add two crosswalks, especially in areas where roadway visibility is not as good.

Lisa Chandler, City Engineer, states that she does not believe there will be any adverse impacts to the vernal pool. She believes the project will improve the water quality, as the runoff will be directed back towards the street, instead of dumping directly into the vernal pool as it currently does. The width of the roadway in this area is such that even putting the sidewalk across the street would still be within 100' of the vernal pool. There is a triple barrel culvert that currently runs under the roadway in one area. The topography makes the site difficult. There is property on the other side of the street that is owned by National Grid which would require a number of easements to put a sidewalk on. The sidewalks installed nearby have been greatly utilized. The intention is to make sure the vernal pool is not disturbed in any way and that the water quality will be improved by directing drainage away from it. The goal would be to come before the Commission later this summer to have the project permitted.

Buchsbaum suggests shifting the road over slightly in order to keep the sidewalk further from the vernal pool. Chandler states that this is the intention, though there is a constraint where the culvert is located.

Bertoni notes that this is within both state and local jurisdictional areas. An alternatives analysis showing how the impacts will be reduced should be submitted. The alternatives analysis should also include ways to replicate the vernal pool nearby or elsewhere if there is any impact.

11. Requests for Determination of Applicability

b. New: 16 Robinson Road – install an above ground pool – Marissa Mezoff

Spidaliere reads the public legal notice.

Marissa Mezoff, property owner, explains that she would like to install an above ground pool. The proposed pool is 12'x24' and would be set back 10' from the neighbor's property. Currently, there is grass in the area of the proposed pool. The proposal is to remove the first 1"-2" of topsoil, fill in the area with sand, and include pavers around the perimeter of the pool for stability. The property is not within flood zone.

Spidaliere states that there does not seem to be any erosion or previous flooding that has occurred on the site and that there is a fence around the entire yard.

Bertoni states that the proposed work is outside of the No Disturb Zone but within the No Build Zone.

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

c. New: 564 Hale Street – connect to the City sewer – Sarah Carlin & Derek Beckwith

Spidaliere reads the public legal notice.

Bob Griffin, on behalf of the applicants, explains that this is approximately a 1.2 acre parcel of land with a real estate transaction pending. As part of the process, it was determined that the onsite septic system is failing. There is a small intermittent stream that runs underneath the road and follows a brick wall along Hale Street. This creates a 25' No Disturb Zone on the property. The existing cesspool is in the backyard, close to wetlands. The proposal is to abandon that septic system, by filling it with sand and/or gravel. The sewer line from the house will be run to a new pump chamber. The proposal is to replace 60' of force main, which is a small diameter pipe 4' below grade, a quarter pipe 60' to the property line, and approximately 20' to the sewer line in the street. This particular sewer line is under pressure at all times so a redundant technology will be installed. There will also be approximately 30'-40' of electrical conduit and a control panel installed on the side of the house to operate the pump chamber. The necessary paperwork has been filed with MassDOT for the road exaction work to make the connection.

In response to a question from Buchsbaum, Griffin explains that the Health Department has received the Title 5 report and will likely visit the site while the cesspool is being filled in.

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

12. Enforcement Matters/Potential Violations

a. Enforcement Orders

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

Damien Savoie, Cummings Properties, explains that they have prepared a combined snow removal and restoration plan. The snow storage areas will be to the northwest of 500 Cummings Center and to the south of 100 Cummings Center. A native planting schedule has been submitted. The applicant will maintain a 75% planting survivorship over two growing seasons and plantings that do not survive will be replaced with the same type of plant. Removals and planting will be done by hand. Two damaged benches and a damaged top of light post will be repaired and/or replaced. Eight existing damaged plants will be replaced with 20 new plants. As the snow mound is completely melted, the straw wattle is no longer needed so can be removed.

Bertoni notes that the restoration plan submitted includes Sheet S1 and the suggested buffer zone restoration guidelines which will be followed.

Bertoni notes that hand watering will be needed to help establish the plantings. Savoie agrees. Bertoni mentions a number of conditions for the restoration plan including replacement of benches and repair of the light post, pruning of damaged bushes and removal of dead ones, planting of 20 new native plants, and a 75% survival rate over two growing seasons.

Buchsbaum: Motion to approve the restoration plan as presented. Squibb seconds. Bertoni takes a roll call vote. Motion carries (3-0).

Squibb: Motion to amend the Enforcement Order to have the restoration plan implemented, plantings installed and repairs completed by June 30, 2026. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

13. Other Business

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

i. Cont.: Potential Delineation Policy

The Commission reviews the proposed Delineation Policy. The Commission agrees to continue discussion on this item to the next meeting.

b. Expenditure Approvals, if any

i. Conservation Agent May mileage

Squibb: Motion to approve the Conservation Agent May mileage of \$29.35 and the Conservation Field Inspector May mileage of \$14.20. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

ii. Conservation Field Inspector May mileage

As previously addressed.

14. Approval of Minutes (as available):

a. May 19, 2026

Squibb: Motion to approve the meeting minutes of May 19, 2026, as amended. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

15. Adjourn

Squibb: Motion to adjourn. Buchsbaum seconds. Bertoni takes a roll call vote. Motion carries (3-0).

Meeting adjourns at 9:01 p.m.

Next Regular Meeting of the Conservation Commission: Tuesday, June 30, 2026