

METHUEN CONSERVATION COMMISSION MEETING MINUTES OF MARCH 5, 2026

CITY OF METHUEN
METHUEN, MA

CONSERVATION COMMISSION

Minutes of a Meeting – March 5, 2026 2026 APR 21 AM 9:04

The City of Methuen Conservation Commission held a hybrid meeting via in-person and Zoom video conferencing (VC) on March 5, 2026, at 7:00 p.m. in the Searles Building, 2nd floor Conference Room, 41 Pleasant Street, Methuen, MA 01844. Present for this meeting were Matthew Davidson, Chair; Dave Di Zazzo, Vice Chair; Kenneth Sateriale, Secretary; and Commissioners Sandra Boulay and Rachel Lecher. Absent was Cara Seaman. Also present were Conservation Officer Chris Parsons and Conservation Clerk Amy Priante-Walkowicz.

Chairman, Matthew Davidson, announced that, Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted via remote means in accordance with applicable law. This means that members of the public body, as well as members of the public, may access the meeting via virtual means. The meeting may be accessed remotely via Zoom video conferencing (VC) by contacting the Conservation Office. When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting may do so by in-person attendance or by accessing the meeting remotely, as noted above. For this meeting, members of the public who wish to listen/watch the meeting may do so in the following manner: to be contacted by phone or by VC, please contact the Commission Office. In the event that access and participation are not achieved, then the Commission will post, on the City of Methuen website, an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting. The following are actions, comments, and concerns regarding the information submitted for the Commission's meeting of March 5, 2026.

I. NOTICES OF INTENT:

A. Notice of Intent – DEP File #219-1320, MCC File #26-001 – 11 Cross Street – CROSSL D QOZB, LLC – Dresser, Williams & Way, Inc.

Mrs. Maureen Herald of Norse Environmental spoke on behalf of the applicant. Mrs. Herald stated that due to confusion between submitted and electronic file plan dates, she would like to table the hearing to the Commission's March 19, 2026, meeting. She stated that the electronic plan files submitted to both the Department of Environmental Protection (DEP) and the City of Methuen were correct, with a date of 1/8/2026; however, the hard copies submitted to the office had an incorrect date. She stated that the applicant will resubmit the legal notice and resend the abutter notifications to include both the Notice of Intent and the Stormwater Permit for this project.

Motion made by Mr. Di Zazzo, seconded by Mr. Sateriale, so voted UNANIMOUS to TABLE this hearing to the March 19, 2026, meeting.

NOTE: Mrs. Boulay entered the meeting at 7:05 pm.

II. CALL TO ORDER: 7:06 pm

III. ACCEPTANCE OF AGENDA / AMENDMENTS (IF ANY):

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Motion made by Mr. Di Zazzo, seconded by Mr. Sateriale, so voted UNANIMOUS to ACCEPT the agenda with the amendment of adding the recently assigned DEP File number "1320" to item "A. Notice of Intent DEP File #219-13XX, MCC File #26-001 – 11 Cross Street"

IV. ACCEPTANCE OF MINUTES: 2/19/2026

Motion made by Mr. Sateriale, seconded by Mr. Di Zazzo, so voted UNANIMOUS, to ACCEPT the minutes from the 2/19/2026 meeting.

V. NEW BUSINESS:

A. **Request for Determination of Applicability #26-002** – 2 Sawyer Place – Angel Cedano – Altiva Design Studio (Continued from 2/19/2026)

Angel Cedano was present on behalf of the applicant to discuss the project. As requested at the last meeting, Mr. Cedano provided the Commission with an updated plan showing the erosion control line for this project.

Mr. Parsons stated that this project is working within the existing footprint of the home and that there will be no grading or removal of vegetation, and erosion control is at the Top of Bank. The existing shed will be replaced in the exact same spot, the existing septic is being abandoned in the back of the property, and the home will be connected to the existing city sewer line in the front of the property. The second-floor addition will remain within the existing footprint.

Mr. Cedano stated that the current home is approximately 780 square feet with one bedroom, and the homeowner would like a second floor to have additional bedrooms, with all proposed work staying within the existing house footprint.

Motion made by Mr. DiZazzo, seconded by Mr. Sateriale, so voted UNANIMOUS, to ISSUE a Negative 2 Determination under the State and a Negative 3 Determination under the Local, with Special Conditions 1 – 9.

B. **Request for Determination of Applicability #26-003** – Merrimack River Boom Installation – City of Methuen

Macklen Weir, Environmental Planner for the Merrimack Valley Planning Commission (MVPC), was present to speak on behalf of the project and answer the Commission's questions.

Mr. Weir stated that this MVPC project, called the Shoreline Cleanup Project, has been ongoing since last summer, with five communities participating. He stated that each community has a volunteer shoreline cleanup day where the municipality works with the public. Mr. Weir further stated that each community gets two booms, which are 100 feet in length and are fastened to the shoreline and anchored to the river bottom, enabling the boom to collect floating debris as it moves down the Merrimack River. Mr. Weir stated that the booms are cleaned once a month, and that under this permit, the booms are proposed to be installed in April (once the river is no longer frozen), cleaned once in May, and then removed in June due to the length of the contract from the state, which expires in June.

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Mr. Sateriale asked if there would be any impact on wildlife in the river from these booms.

Mr. Weir answered that the booms are considered minimally invasive, since they float on top of the river, therefore, there would be no impact to fish under the surface of the river; he noted that, for example, for ducks swimming by, the current might be slowed down on the surface of the water, but Mr. Weir would not categorize that as a major impact to the wildlife.

Mr. Sateriale asked if there would be any impact to other authorized recreational activities on the river?

Mr. Weir answered that the booms are 100 feet in length and are formed in a U shape, so ultimately, they'll be closer to about 50 feet in length. He further noted that for recreational boaters, their presence will be evident, as they are a bright orange color and have a bright red buoy at the end; they are also marked with a sticker with the details of Mr. Weir's contact information, as well as that of the operator of the booms.

Mr. Sateriale asked Mr. Weir if these booms have been used successfully on any other bodies of water.

Mr. Weir answered that this project includes 5 different communities, three of which MVPC has overseen – Andover, Tyngsboro, Haverhill – and they have successfully executed this project from late last summer to the end of Fall, under the same type of project as currently proposed for Methuen and in the same body of water.

Mr. Di Zazzo asked if the booms would be placed above or below the dam, to which Mr. Parsons stated that they would be placed above the dam.

Mr. Parsons further stated that this project is being conducted through a grant from the state, and once the booms are removed in July, they will become the City's property, and should the City wish to continue this practice, they would be responsible for installation, cleaning out, removal, and storage of the booms.

Mr. Weir clarified that the current contractor would be cleaning out the booms twice during their use.

Mr. Sateriale asked Mr. Parsons if, since the booms will now belong to the city, there is an obligation to continue their use, and if the decision to do so lies with the Conservation Commission or another city department.

Mr. Parsons replied that there is no obligation to continue with the booms, and the decision would involve multiple departments, including the Police, the Department of Public Works (DPW), among others. He therefore noted that it would only be able to continue under the City's auspices if the departments could coordinate to handle the responsibilities.

Mr. Di Zazzo asked who would be installing the booms if it would be the town's responsibility, to which Mr. Parsons stated that the Police Department is the department with a boat, so there would have to be coordination with the police and DPW.

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Resident Ed Johnson of 50 Lowell Boulevard spoke to the Commission. He stated that he has lived at that address for 20 years, and the Merrimack River is essentially in his backyard. He stated that there are booms on both sides of the river up near him and noted that the ones on the Methuen side seem to be functioning well. He stated that the booms on the Andover side are not anchored to prevent backflow, and that northeast winds blow upriver and the trash in the boom gets pushed out and floats back into the river, and those booms are still in the icy river when they should have been removed. Mr. Johnson stated that he hoped this grant would not use the same contractor because they appear to be doing minimal maintenance of the boom.

Mr. Parsons stated that he thinks it is the same contractor and that he could provide Mr. Johnson with that information if he wishes.

Mr. Johnson asked what equipment would be used for this project, as he noted that in Andover several years ago, a rowboat was used, and that was not sufficient for the work that needed to be performed.

Mr. Parsons replied that this year, the contractor will be doing the installation, cleanup, and removal of the booms, and since he works for various communities, it is unlikely that he is relying on just a rowboat. Mr. Weir confirmed that the contractor is not using a rowboat.

Mr. Johnson asked that he wants someone to pay attention to the booms, because of the problems he has observed. He stated that the Methuen booms were done by a local non-profit, which has managed booms during the 20 years that he has lived there, and he has seen this nonprofit group learn, change, and improve upon their methods over time. Mr. Johnson stated that when he bought his house 20 years ago, the river was a conveyor belt of trash, and that now, except for some areas that are not in Methuen, it is pristine. Mr. Johnson asked the Commission to please keep an eye on it.

Rocky Morrison for the Clean River Project spoke to the Commission and showed photos of what a boom looks like in April when it is full. He stated that the booms fill up quickly due to the April runoff, with material floating down from the north, from areas such as Lowell and Manchester. He stated that it must be managed with the correct equipment to empty the booms.

Mr. Parsons stated that the booms are likely not going to be installed by April.

Mr. Morrison asked if the contractor has the proper equipment for collecting hazardous items such as hypodermic needles, feces, condoms, and female applicators. He further asked if the contractor is hand-picking these items out of the boom.

Mr. Weir stated that the contractor doesn't have a claw or crane to remove the debris, but is taking the proper safety precautions to avoid direct contact with the debris.

Mr. Morrison noted that the debris builds up and is thick and heavy, and therefore, the booms need to be monitored closely, especially when the wind moves them, and if they aren't anchored properly, the captured debris is released. Mr. Morrison stated that the booms in Andover and Haverhill were never removed by the contractor before the river iced over.

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Mr. Weir stated that Andover has contracted with a different vendor for their booms, and he acknowledged that the Haverhill booms were frozen in the river but have now been removed from the ice. Mr. Weir further stated that while this grant's contractor utilizes trash removal methods that may not be as intensive as those that Mr. Morrison might recommend, the contractor uses nets, pickers, and proper puncture-safe gloves. Mr. Weir further stated that the booms will be collecting things that float, so anything that might require any heavy lifting or machinery wouldn't be picked up by the booms.

Mr. Morrison asked who was handling the waste containment and where the waste would be disposed of.

Mr. Weir stated that the vendor will bag the waste and bring it on his boat to the shore, where it is handed over to the DPW crew.

Mr. Morrison reiterated that the DPW would be handling hazardous waste and bacteria-laden debris, and without proper procedure and protection, a person can get sick from contact with this debris. Mr. Morrison stated that he has been managing the booms for over 22 years and brought the booms to the Merrimack Valley, and it is his specialty and he wants it to be done safely. He further stated that the booms should have markers, and buoys with flashing lights at night, to aid people navigating on the water. Mr. Morrison stated that the city must understand the inherent risks in this type of project, and handle things appropriately, including having insurance on the booms.

Mr. Parsons stated that he would think the contractor under grant would have the insurance information.

Mr. Morrison stated that with a budget of only \$18,000, he doesn't know how the city could afford the trucking, equipment, and DPW services. He asked if DPW is committed to this and using the Police boat.

Mr. Parsons stated that there has been limited conversation between the DPW and the Police Department, and if everything is not solidified between the departments, the booms will not go in.

Mr. Morrison stated that he loves the work he is doing for Methuen to keep the river, trails, and shoreline clean and is happy to partner with Methuen, and just wants to see the work done safely. Mr. Morrison noted that he doesn't want to see the catch-and-release of debris that he has seen in some instances with booms.

Mr. Weir stated that he appreciates the work Mr. Morrison's group does and his attention to safety. Mr. Weir stated that this is a pilot project, built on the success that has been seen on the regional scale, and that he welcomes feedback, especially where safety is concerned.

Mike Barker, a board member for the Clean River Project spoke to the Commission stating that the Clean River Project has been doing this work for quite a while, and he understands that the DPW will be expected to handle the hazardous waste, which will defray some of the costs. However, he feels that given the total grant budget, it will be very difficult to do this boom project with that budget.

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Mr. Di Zazzo commented that many of the Commission's Enforcement Orders result from residents reporting activities that concern them. He noted that the Conservation Officer inspects those reported activities and the Commission addresses resulting violations. He further stated that he knows that the Clean River Project takes their work seriously and would appreciate them alerting the Commission if they see anything with the booms that doesn't seem right. Mr. Di Zazzo reiterated that the Commission relies on the eyes of the community to help alert them to activities that may be in violation of the wetlands protection laws.

Mr. Di Zazzo commented that it is better if the Clean River Project works to observe and offer their input to the City's project, to get the project completed correctly, since everyone wants this project to be successful.

Mr. Weir thanked the Clean River Project members and stated that he understands they have a lot of valuable experience doing this. He noted there will be a shoreline cleanup day as well, and that Haverhill and Andover teams ran this program in the summer months on the same budget as allotted for this current Methuen project.

Mr. Parsons stated that up until this point, the Commission has had limited information on exactly what's happening. The Commission wasn't aware until recently that the contractor was installing them, cleaning them, and removing them for this year only, and that after this season the city will own the booms. He stated that whether this happens again in the future will depend on resources such as the police boat. He noted that there has been very little involvement from the police department or DPW, and that this grant project is a trial that we want to succeed.

Mr. Morrison stated that he was working with the mayor and City Council for a Request for Proposal to put it out for bid, for a larger-scale project like this.

Mr. Parsons stated that there were 3 proposed sites for the booms – the old boat ramp, the bridge by I-93, and the intake for the sewer treatment plant. He also stated that he would have liked to see the boom installation happen later in the year when the water levels were lower and the current was less strong to prevent the possible catch and release of debris that was spoken about earlier; however, since the grant contract goes through the end of June the installation has to be earlier so the booms can be pulled out before July.

Mr. Morrison stated that he likes to put the booms early because they catch a large amount of debris at this time, which helps the ocean and shorelines.

Ms. Lecher asked if the contractor for the grant is certified in hazardous waste handling.

Mr. Weir stated that when the Request for Proposal was filled out by the contractor checked all of the boxes and it was made clear the applicant must be able to handle hazardous waste and the contractor filled out the grant application completely including that requirement.

Ms. Lecher asked if the contractor would have a container for any needles that he recovered from the boom, to which Mr. Weir stated that the contractor does have a sharps container for needles.

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Motion made by Mr. DiZazzo, seconded by Mrs. Boulay, so voted UNANIMOUS to ISSUE a Negative 2 Determination under the state and Negative 3 Determination under the local, with conditions 1-7.

VI. OLD BUSINESS:

A. Notice of Violation #25-014 – 134 Meriline Ave. – C & A Enterprises, LLC (Continued from 1/22/2026)

Mr. Parsons stated that it would be acceptable to continue this to the first meeting in May to allow all the snow to melt and the ground to thaw, so that the homeowner can properly clean up the debris that is in violation.

Motion made by Mr. Di Zazzo, seconded by Mrs. Boulay, so voted UNANIMOUS to CONTINUE this item to the May 7, 2026 meeting.

B. Notice of Violation #25-004 – 30 Brown Court – Henrique Alves (Continued from 2/19/2026)

Maureen Herald from Norse Environmental Services spoke on behalf of the applicant. She stated that this Notice of Violation was carried over from last year, and that former Conservation Officer Joseph Giarrusso had started working on this violation. She stated that the homeowner had brought in fill and that the Bordering Vegetated Wetlands (BVW) had been flagged. Mrs. Herald noted that, at the direction of former Conservation Officer Joseph Giarrusso, the homeowner had installed straw wattles as shown on the plan that Mrs. Herald displayed on her screen for the Commission to view. Mrs. Herald stated that in addition to being within 100 feet of the BVW, the entire lot is within the Floodplain. She stated that she and Mr. Parsons had conducted a site visit last fall to dig some deep holes, and the resulting information indicates that there is approximately 9 inches of fill that is in violation on his property. She further stated that the fill needs to be removed and properly disposed of off-site, and the homeowner is requesting to relocate sheds that are stored outside of his property line to behind his garage. Mrs. Herald said the property owner would like to gradually grade the area of his lot towards the wetland to avoid ponding of water on his property.

Mrs. Herald stated that she has a restoration plan with a schedule and will provide copies of these to the Commission for review. She asked if this could be continued to May to allow for the weather to improve, and at that time, the 9 inches of fill will be removed and disposed of properly offsite. She stated that after the fill is removed, Andover Consultants will conduct a site visit of the property and create an as-built plan of the actual grade of the lot to ensure that all the fill has been removed and the lot is at its original grade. Mrs. Herald stated that the property shall then be seeded and returned to lawn, and the two sheds will be relocated from outside the property boundary to behind the homeowner's garage. She also noted that the stockpile of concrete, cinderblocks, and wood within the wetland area will be removed, and the As-Built plan will be provided to the Commission. Mrs. Herald stated that once the law has begun to reestablish, the

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Conservation Officer can conduct a site inspection, and, if the homeowner is in compliance, he would like to request a release of the Notice of Violation.

Mr. Di Zazzo requested that Conservation Markers be installed along the erosion control line after the work has been completed, to make it clear that no work or dumping of any kind can go behind those markers, thus protecting the wetland area.

Mrs. Herald stated that the markers will be installed and that she will have the location of the Conservation Markers added to the As-Built plan created by Andover Consultants.

Motion made by Mr. Di Zazzo, seconded by Mrs. Boulay, so voted UNANIMOUS to CONTINUE this item to the May 21, 2026 meeting to allow time to begin the restoration process.

C. Certificate of Compliance – DEP File #219-1318, MCC File #25-006 – 109 North Street – Nolberto Galicia – Andover Consultants, Inc.

Mrs. Priante-Walkowicz read a memo into the record from the Engineering/DPW department stating that they had reviewed the As-Built plan for this project and found the resulting work to be in compliance with the approved plan.

Motion made by Mr. Di Zazzo, seconded by Mrs. Boulay, so voted UNANIMOUS to ISSUE a Certificate of Compliance and release the bond for this project.

VII. CONSERVATION OFFICER'S REPORT: None

VIII. OTHER BUSINESS:

- A. Discussion of withdrawal of request to amend Order of Conditions for DEP File #219-1242, MCC File #20-002, New England Power Company, 397 Transmission Line Structure Replacement Project represented by the BSC Group, Inc.-

Mr. Parsons stated that the Department of Environmental Protection (DEP) felt that the changes proposed in the request to amend the existing Order of Conditions are very large for an Amendment and might be denied in that format, and, therefore, suggested that the second phase of work under this original Order of Conditions be conducted under a separate Notice of Intent application. He stated that the applicant did not want to take a chance that the Amendment would be appealed by DEP, so they opted to withdraw the request to amend the Order of Conditions and will file another Notice of Intent in the near future.

Addendum to tree removal procedure document -

Mr. Parsons stated that the Tree Removal Policy that the Commission drafted had been updated to clarify handling of trees that come into the buffer zone of amphibian, reptile, and fish habitat.

- B. Coordinated peer review of stormwater of projects applying through both the Community Development Board and Conservation Commission -

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Mr. Parsons stated that projects that require permitting through both the Conservation Commission and the Community Development Board are handled separately but in tandem. He stated that the Community Development Board uses the engineering firm of TEC, Inc. to look at the features and stormwater structures that comply with the Subdivision Rules and Regulations (such as impact to roadways and traffic, and design of proposed drainage structures. He stated that Tighe & Bond performs a review of the same project for the Conservation Commission requirements regarding impacts to the wetlands, and compliance with Federal stormwater standards, as well as Methuen's local Stormwater Ordinance and Rules and Regulations. Mr. Parsons stated that the applicant for the 11 Cross Street project has expressed concern that there will be duplication of effort between TEC, Inc. and Tighe & Bond when doing their reviews of this same project for the two different boards. Therefore, Mr. Parsons stated that the Engineering Department will meet with both TEC, Inc. and Tighe & Bond on a regular basis to coordinate their reviews and avoid any unnecessary overlap between the two consultants.

C. Possible solar panel/battery storage project.

Mr. Parsons stated that new information had come in from the applicant for the possible solar panel project at 79 Haverhill Street, indicating that cost for National Grid to connect to the solar panels would be cost prohibitive for the applicant, and that there is another program for battery storage of solar energy that the applicant may consider instead, and that the applicant would stay out of the 50-foot No Disturb zone to the BVW. Mr. Parsons stated that the fire department's ability to conduct fire suppression of these batteries are an issue at this point. Mr. Parsons stated that this is only at the point of discussion right now; no filing has been submitted.

D. The Mullen Rule –

Mr. Parsons also discussed the use of a rule in our meetings, which asks that when a Commission member misses a meeting, they must sign a form to certify that they will either watch the video of the meeting or read the minutes of that meeting to stay up to speed with the project for making future motions at meetings.

Mrs. Priante-Walkowicz stated that for the Community Development Board, the members would fill out this form to make up for missing one meeting, but if they miss two meetings for a particular project, they will be ineligible to vote on that project.

Mr. Sateriale asked for clarification on the document and process and asked if the clerk must take on the role of following up on this with all members, which represents extra work for the Clerk.

Mrs. Boulay stated that she has some information on the Mullen Rule and will forward it to the Commission.

Mr. Parsons stated that he thinks it would be a good idea for the Commission to adopt, but leaves it up to the Commission to discuss.

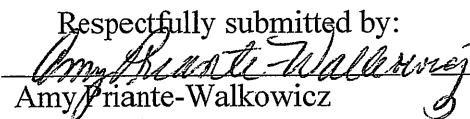
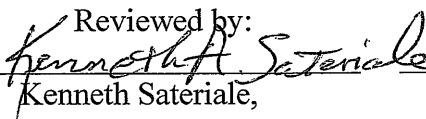
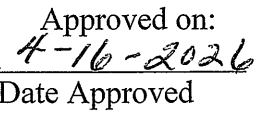
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Mr. Di Zazzo also mentioned that at a recent Massachusetts Association of Conservation Commissions conference, the issue was discussed as to whether a Conservation Commission can close a hearing without a DEP file number.

IX. ADJOURN: 8:01 pm

Motion made by Mr. Di Zazzo, seconded by Ms. Lecher, so voted UNANIMOUS to ADJOURN at 8:01 pm.

Respectfully submitted by,
Matthew Davidson, Chairman

Respectfully submitted by:	Reviewed by:	Approved on:
		
Amy Priante-Walkowicz Clerk III	Kenneth Sateriale, Secretary	Date Approved