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FEATURED

Muddy runoff halts outdoor work at Amesbury Heights

By Jim Sullivan Staff writer Nov 1, 2016

BRYAN EATON/Staff photo. Workers can be seen on the roof of one of the buildings at The Heights in Amesbury at routes 110 and 150.

AMESBURY — A week after a mysterious substance turned Bailey's Pond brown, the city's Conservation Commission has placed a cease-and-desist order on all outdoor work at the Amesbury Heights construction site.

The cease-and-desist order comes a week after Beacon Street resident Tom Cusick had complained to The Daily News about a brown-tinted sediment muddying up the waters of Bailey's Pond in the wake of heavy rainfall on Friday, Oct. 21.

While city conservation agent John Lopez said that the source of the muddy water was inconclusive at the time, he added that he and city engineer Peter Manor would be keeping an eye on the situation.

After the arrival of more heavy rain Thursday night into Friday morning, the source of the sediment became much more apparent to Manor, who went to inspect one of the five tributaries that runs into Bailey's Pond and found what looked like gray clay running into the body of water.

Manor called Lopez, who joined him and quickly determined that the sediment was coming from Amesbury Heights.

Owned by property management company Corcoran Jennison and located just off Route 110, the 240-unit apartment complex has been under construction since December and is due to open next spring.

Lopez and Manor were met Friday morning at the construction site by a team of construction workers, who told the pair that they were trying to gain control of the situation.

"It was a pretty bad situation," Lopez said. "They had been working there since 3 a.m., pretty much doing the appropriate steps to try to curb the problem, but there was just so much that it was overwhelming and they were unable to do so."

With sediment still washing off the site and finding significant slope failure as well, Lopez ordered the cease-and-desist order and called in the state Department of Environmental Protection.

According to public information manager Ed Coleta, the DEP is now conducting an investigation to determine the scope of the problem with the Conservation Commission's assistance. Lopez will also use the results of the DEP's investigation when deciding whether to lift the cease-and-desist order.

"It is in DEP's hands now," Lopez said.

Further complicating matters, Lopez found the sediment that had run into Bailey's Pond was also discharging into the Merrimack River. A navigable waterway, the Merrimack River is subject to the Clean Water Act, and the U.S. Environmental Protection Agency is involved as well.

"We are dealing with the state, local and federal laws," Lopez said.

A professional water and sewer department superintendent, Cusick said he was not surprised by the most recent development.

"It's what I figured would happen," Cusick said. "There is a problem up there."

Corcoran Jennison project director Sean McReynolds did not return a phone call yesterday for comment.

Jim Sullivan covers Amesbury for The Daily News. He can be reached on Twitter @ndnsully, via email at jsullivan@newburyportnews.com or by phone at 978-961-3145.

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