



**Salisbury Conservation Commission  
Meeting Minutes  
February 1, 2017  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
7:00 P.M.**

**COMMISSIONER MEMBERS PRESENT:** Chairman Sheila Albertelli (**SA**), David Arel (**DA**), Jessica Stucker (**JS**) and Alison Novello (**AN**).

**COMMISSIONER MEMBERS ABSENT:** Walter Moquin (**WM**), Jane Purinton (**JKP**) and Jennifer Troisi (**JT**).

**ALSO PRESENT:** Conservation Agent, Michelle Rowden (**MR**), Conservation Secretary, Adriane Marchand (**AM**).

Sheila Albertelli opened the meeting at 7:08 p.m. under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

**A. MINUTES:**

- 1. January 18, 2017-**
- 2. January 4, 2017-**

**DA** motioned to approve the minutes for January 4, 2017 and January 18, 2017.

**AN** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**B. PUBLIC HEARINGS at 7:10pm:**

- 1. NOI: Mark Wojcicki, 170 Bridge Rd.**

**AN** motioned to continue the Notice of Intent for Mark Wojcicki, 170 Bridge Road to the February 15, 2017 at 7:10pm.

**DA** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**1. NOI: Arthur Broadhurst, 1, 3 Murray St & 70 Brissette Ave.**

Dennis Griecci (**DG**) of Andover Consultants represented the applicant. The project has received its DEP number. DEP also commented that they need to include a profile view of the buildings that shows the lowest structural member is located out of the flood zone. **DG** Showed the cross-section they added to the plan which shows the buildings profile raised out of the flood zone as required. Also added plantings to the plan and replaced the hay bales with silt socks as discussed at the last meeting. Notes were added to the plan including the need to communicate with the DPW. They also removed the proposed pavement under the buildings and replaced it with pea stone or crushed stone with containment.

**DA** asked about their plans for trash can storage. **DG** responded they had not discussed that topic, but he can look into it. **DA** reminded them that if they do put in containment, it needs to be 50 percent flow through. **MR** confirmed that is correct, if it is fencing. If the containment is a structure, it also needs to comply with flood regulations.

**DA** motioned to approve the Notice of Intent for Arthur Broadhurst, 1, 3 Murray St & 70 Brissette Ave with the conditions that the utility chases will be installed adjacent to a piling and no more than 3 feet by 3 feet square or equivalent. Any trash containment or storage that is added to the plan will be 50 percent open to the weather. Standard special conditions for demolition and debris removal apply. This includes the requirement that any stockpiling of debris will be in a container.

**SA** requested to include in the motion that trash containment or storage also needs to comply with flood regulations. **DA** restated that any trash containment or storage that is added to the plan will be 50 percent open to the weather and comply with flood regulations.

**JS** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

## **2. NOI: Greater Newburyport YWCA, 29 Elm St.**

Chris York (**CY**) of Millennium Engineering represented the applicant. Lou Russo and Matt Coughlan were also present. The proposed project is to build two residential apartment buildings with associated parking and drainage. There is a wetland resource area to the rear of the site. Drainage from the proposed parking area will run into a swale and drain into the infiltration basin. The roof runoff will be piped through 8 inch PVC pipe directly into the infiltration basin. The infiltration basin is designed to handle a 100 year flood.

**DA** expressed concern about the developments proximity to the wetland. **SA** also shared his concern. The site is almost completely in the 100 foot buffer zone and the rear of the buildings is only 7 feet from the wetland line.

**CY** responded that the original plans were closer to the wetland, they have pulled the project away as much as practical. The construction equipment will work from the front side of the buildings, away from the wetland. A silt sock and construction fencing will protect the wetland line from the construction work. Added the DEP had no comment.

Abutter Jennifer Figueredo, 12 Mudnock Road, expressed concerns about the sites history and the possibility of dredging releasing contaminants into the surrounding environment. She operates a daycare from her home and would not want the children she cares for to be exposed to anything harmful. Urged the Commission to use discretion in making this decision.

**SA** clarified that the site was a 21 E that was cleaned up. **AN** asked for further clarification.

**MR** briefed the Commission on the sites history. A shoe company that was operating at the site dumped shoe leather into the wetland. The site was cleaned up and capped and now meets residential standards. The project was highly regulated and the Town received their Certificate of Compliance.

**SA** stated that there is still a lot of dialog that needs to happen between the applicant and the Town Engineer before this can move forward.

**JS** motioned to continue the Notice of Intent for Greater Newburyport YWCA, 29 Elm St, to February 15, 2017 at 7:10 p.m. meeting to allow the Applicant and the Town Engineer to have further discussion.

**AN** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

## **C. OLD BUSINESS:**

### **2. Request for Certificate of Compliance, 47 Commonwealth Ave.**

**AN** motioned to continue the Request for Certificate of Compliance for 47 Commonwealth Ave, to the February 15, 2017 at 7:10 p.m.

**DA** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**D. NEW BUSINESS:**

**1. Request for Extension, 57 Railroad Ave.**

The Commission discussed the circumstances for the extension

**DA** motioned to grant the 3 year extension for the Order of Conditions on 57 Railroad Ave.

**JS** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**E. ENFORCEMENT ORDERS:**

1. 100 Elm St. – **MR** informed the Commission that she wrote an e-mail to the owner and the engineer of the project and has yet to receive a response back.

**SA** stated that in her opinion 3 years is enough time for some action to have been made. **AN** asked what the enforcement order was for. **MR** replied the site is an auto body shop that received their Certificate of Compliance for a Notice of Intent they filed through the Commission. They then removed the drainage system, a swale and basin, which was required in the Order of Conditions for the project. They now park cars over the area.

Discussion followed on how to proceed with the enforcement order resulting in the following agreement.

**MR** will send a certified letter to the owner and engineer that requires a response within 14 days of the date of the letter. If no acknowledgment is given, then the enforcement order will be given to the DEP for enforcement. If they acknowledge the letter they will have till May 15, 2017 to resolve the enforcement order to the satisfaction of the Commission or it will be given to the DEP to be resolved.

2. 28 CCC Rd.
3. 126 N. End Blvd
4. 13 Commonwealth Ave
5. 73 Mudnock Rd.
6. 81 Railroad Ave.
7. 105 Rabbit Rd.
8. 438 N. End Blvd

**DA** asked if progress was continuing to be made on the other enforcement orders. **MR** answered yes.

**F. COMMISSIONER COMMENTS:**

**G. ADJOURNMENT:**

**DA** motioned to adjourn the February 1, 2017 Conservation Commission Meeting at 8:04 p.m.

**AN** seconded.

**Vote: 4-0, unanimous. Motion Carried.**