



**Salisbury Conservation Commission
Meeting Minutes
April 5, 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), Jane Purinton (JKP), Jessica Stucker (JS), and Alison Novello (AN).

COMMISSIONER MEMBERS ABSENT: Jennifer Troisi (JT).

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

Sheila Albertelli opened the meeting at 7:11 p.m. under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

A. MINUTES:
1. March 1, 2017-

JKP motioned to approve the minutes for March 1, 2017.

AN seconded.

Vote: 5-0, unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. RDA: Town of Salisbury, Hayes St and Washington St (3/15/17)

Matt Steinel (MS) of Millennium Engineering was present to represent the project. **MS** introduced the Commission to the project landscape which includes two (2) isolated wetlands, one of which was constructed. The run-off from the road will be collected into drainage basins before it is directed into the state road drainage system.

JKP motioned to issue a negative determination for the RDA for the Town of Salisbury, Hayes Street and Washington Street project.

DA seconded.

Vote: 5-0, unanimous. Motion Carried.

2. NOI: Mark Wojcicki, 170 Bridge Rd.

DA motioned to continue the Notice of Intent for Mark Wojcicki, 170 Bridge Road, to the April 19, 2017 meeting at 7:10pm.

JS seconded.

Vote: 5-0, unanimous. Motion Carried.

3. NOI: James Sullivan, 447-449 N. End Blvd (3/1/17)

JS motioned to continue Notice of Intent for James Sullivan at 447-449 North End Blvd to April 19, 2017 meeting at 7:10p.m.

JKP seconded.

Vote: 5-0, unanimous. Motion Carried.

4. NOI: David Daly, 81 Baker Rd. (3/15/17)

Matt Steinel (**MS**) of Millennium Engineering was present to represent the project. **MS** introduced the site layout which includes a wetland at the front of the property created by a drainage system, with a hand dug drainage ditch, that serves the sump pump from the property the lot was created from. The DEP had questions from the former Notice of Intent that was filed for this property and withdrawn that included a request for a water quality certification. We submitted the water quality certification to them and are waiting for the results. They have not yet made comment for this application, it is under review.

The replication area for the wetland crossing is currently planned to be a 1:1.4 ratio. The location will be near the proposed driveway. There will be a 12 inch drainage pipe under the driveway to allow the drainage easement to continue to function. No pipe is needed near Bridge Road. **MS** concluded with a brief description of the septic design which meets title V requirements and the grading that will be done on site.

SA asked if the proposed site for the replication area has the same soil type or another suitable soil type as the existing wetland. **MS** described the soil profile which consisted of a thin organic layer followed by a fine sand and silty loam (almost like clay) which is suitable for the replication area. **JKP** asked if the soil removed from the replication area excavation is going to be used to fill the driveway. **MS** responded that this wetland is a forested wetland that was created by the drainage from the nearby house. They are anticipating a lot of leaf litter but not a significant amount soil removed or rare plants.

JKP asked if they are planning to use riprap near the number two crossing near the drainage outlet. **MS** stated it is not really necessary but they can add it near the outlet to protect the drive from wash out. **SA** asked about a 1 inch pipe referenced on the plan. **MS** clarified that is a typo and will be fixed to reflect the correct 12 inch measurement.

JKP asked if a plant list will be provided. **MS** confirmed they will provide a plant list.

SA asked for the erosion control to be increased to a larger size or replaced with hay bales. **MS** agreed. Offered the option that a combination of bales and silt fence might be best solution. **SA** reminded him that the hay bales will need to be salt marsh hay. **SA** stated there was an abutter who had concerns with the surveying that was done. **MR** added that when she spoke with them, she recommended they hire their own surveyor to look into the issue. There has been no evidence of filling so far. **MS** responded that he was not aware of the issue, but he is not aware of any filling taking place on the property since he has started working on it several years ago. **MS** offered to work with the abutter if they would like.

JKP motioned to continue the Notice of Intent for David Daly at 81 Baker Rd to April 19, 2017 at 7:10 p.m.

DA seconded.

Vote: 5-0, unanimous. Motion Carried.

JKP motioned to move item number 10 on the agenda, the Notice of Intent for Thomas & Maryann Newman at 77 Baker Rd, to item number 5 on the agenda.

DA seconded.

Vote: 5-0, unanimous. Motion Carried.

5. NOI: Thomas & Maryann Newman, 77 Baker Rd (4/5/17)

Matt Steinel (**MS**) of Millennium Engineering was present to represent the project. **MS** introduced the project for a garage addition and extension of a retaining wall. They will also be grading water away from the back of the house where they have been experiencing a puddling problem and install an in-ground pool in the back yard. The pool is 75 feet from the wetland line and the garage extension is about 45 feet from the wetland. Two wing walls will be removed and a ramp along the garage to the backyard will be installed.

JKP asked for confirmation that no replication will need to be done as there is no adverse impact on the wetland and the work area will be enclosed. **MS** confirmed. Added there will be a 9 inch silt sock surrounding the work area. Discussion on whether this is sufficient size followed. Resulted in **JKP** asking the silt sock be increased to 12 inches.

JKP asked that all debris be removed from the site. **MS** confirmed. Added no demolition is happening at the site but fill will be brought in.

DA asked for more description of the retaining wall extension. **MS** replied that the retaining wall supports the driveway. They are going to use the retaining wall to create a ramp from the front yard to the backyard that travels from elevation 106 to 103. Riprap will be used. **DA** asked if it is going to be a riprap slope or a vertical wall. **MS** stated that is not yet decided, any wall they use will be approved by the building inspector. They plan to have a block wall that matches the existing wall but riprap may be used.

MR asked what the height of the wall will be. **MS** stated it will be 4 feet at its highest point. **MR** confirmed that the wall will need a building permit.

DA expressed concern about building a structure in the buffer zone. **JKP** asked how far the wall is from the wetland line. **MS** stated it is about 35 feet. **JKP** responded she has no problem with it. **DA** expressed concern about the barrier a wall creates for runoff as opposed to riprap. **MS** replied there are engineering requirements that are used with a block wall to allow water to flow naturally.

SA asked if they had received any comments from DEP. **MS** replied they had received no comments.

JKP motioned to approve the Notice of Intent for Thomas & Maryann Newman, 77 Baker Rd with the standard special conditions.

JS seconded.

SA asked that the condition to increase the silt sock size to 12 inches be included.

JKP amended to motion to include the silt sock size be increased to 12 inches.

JS seconded.

Vote: 5-0, unanimous. Motion Carried.

6. NOI: Chris DeLuca, 100 Elm St. (3/15/17)

Brian Knowles (**BK**) was present to represent the project. Chris DeLuca (**CD**) was also present.

BK introduced the project which includes increasing the building size through an addition. They will also be increasing the pavement area and installing a storm water management system to satisfy the current enforcement order on the property. The storm water system will consist of a water quality swale that will lead into an infiltration basin before discharging into the vegetated wetland. Overviewed the different aspects of the plan including the erosion control and the space use.

SA stated that the DEP made a comment on a prior application for the site that it qualified for a LUPPL. **BK** replied that the DEP considered the site to have higher pollution rates. Our engineer and the Town's engineer will be sure that is taken care of.

MR asked if the wetland flags are still present. **BK** replied he will make sure any flags that are down will be put back up. **SA** asked if any services will still be offered as part of auto sales building. **BK** replied no mechanical work will be done in the sales building.

DA asked what the loading area will be used for. **BK** answered the loading area will be used for the large delivery trucks to unload new cars that are to be sold. **DA** asked for a clarification on what areas of the plan are to be paved. **BK** outlined the area on the plans. The pavement will extend from the back of the building, through the loading area and to the new building, over to the swale and to the front of the site.

SA asked if the TSS removal rates before infiltration needs to be shown on the plans. **MR** replied that requirement falls under the stormwater plan. **SA** asked how far the building is from the wetland line. **BK** answered it is about 8 to 10 feet. **JKP** asked if there is any way the addition can be moved closer to the road. **BK** replied the site has to comply with setbacks from Elm Street, this location just meets those requirements. **JKP** asked if the building can be shifted into the loading area a little bit it pull it away from the wetland as far as possible. **BK** said they can consider it. **JKP** asked if any areas not labeled on the plans are going to be grassed area. **BK** responded he will mark the grassed areas on the plans.

DA asked where the runoff from the building that is going on the proposed foundation will go. **BK** responded they will direct the water into the infiltration basin, not into the wetland directly. **DA** had issue with the plan not being complete as the building is not shown. **JS** and **SA** agreed that it is atypical to be presented an incomplete plan. It creates a degree of discomfort in issuing a decision. **JKP** added that could be addressed by the Town Engineer's letter, which we have not had a chance to review.

CD clarified for the Commission that the building will be a block structure with a brick face to match the existing structure. It will have a flat roof pitched towards the front to be sure the water is running in the correct direction for the storm water management system. This building will be for car sales, not services. **SA** asked that the plan be revised to include these details.

BK added that the last proposed change to the site is to change a culvert pipe end from flared end to straight pipe with a head wall. This change is proposed to keep debris out and allow for easier maintenance. There have been issues with the pipe becoming clogged with debris and we believe this will rectify the issue.

DA motioned to continue the Notice of Intent for Chris DeLuca at 100 Elm St to May 3, 2017 at 7:10p.m. **JS** seconded.

Vote: 5-0, unanimous. Motion Carried.

7. RDA: William Lesniak, 122 Cable Ave (4/5/17)

William Lesniak (**WL**) was present. Briefed the Commission on the plan to replace an existing deck with a three (3) season porch. Will be using diamond pier footings that will not require much digging.

SA asked if there will be any skirting on the porch. **WL** replied there will not be any skirting. **JKP** requested that the debris from the deck demolition needs to be put into a dumpster and hauled offsite. **WL** confirmed it will be done. **DE** clarified that construction debris will also have to receive the same treatment. **WL** agreed. **DA** asked what will be under the deck. **WL** replied they will either use sand or crushed stone under the deck. **DA** asked if there are any plantings planned in front of the structure. **WL** replied there are not.

DA motioned to issue a negative determination for the RDA for William Lesniak at 122 Cable Ave. Standard conditions apply.

JKP seconded.

Vote: 5-0, unanimous. Motion Carried.

8. NOI: Tracy Scott Grab, 286 No. End Blvd (4/5/17)

Mike Wolpert (**MW**) was present to represent the applicant. Introduced the project which includes removing an old block retaining wall and replacing it with a new stackable block retaining wall. The wall is 55 feet long and 4 feet high but decreases in height on both ends. The old blocks, when removed, will be placed in a dumpster

and disposed of offsite. The sand disturbed from the removal of the wall will be stockpiled on site and reused behind the new wall when it is built.

SA asked why the wall is going to be replaced. **MW** responded the wall is falling down.

DA expressed concerns about vegetation growing behind the wall. **MR** asked the applicant if the vegetation is going to be removed. **MW** stated they are not removing vegetation. **MR** asked if the work will negatively impact the vegetation. **MW** replied they have no intent to damage the vegetation and will do their best to make sure that doesn't happen. **JKP** asked about reusing the sand. **MW** stated the sand will be filled in behind the wall with about 12 inches of gravel to improve the drainage. They will do the wall replacement a little at a time and stock pile the sand onsite to reuse behind the new wall. **JKP** asked about a concrete wall. **MW** stated that is not included in the plan. **DA** asked if there are any concerns from abutters. **MW** stated there have been no concerns raised so far. **JKP** requested a site visit.

JKP motioned to continue the Notice of Intent for Tracy Scott Grab at 286 No. End Blvd to April 19, 2017 at 7:10p.m.

DA seconded.

Vote: 5-0, unanimous. Motion Carried.

9. RDA: Eliel Deoliveira, 128 Bridge Rd. (4/5/17)

JKP motioned to continue the RDA for Eliel Deoliveira at 128 Bridge Rd to May 3, 2017 at 7:10p.m.

AN seconded.

Vote: 5-0, unanimous. Motion Carried.

10. RDA: James C. Bourque Construction, 12 Friedenfels Rd. (4/5/17)

Tom Hughs (**TH**) of Hughs Environmental Consulting was present to represent the project. James Borque and Brad and Robin Nelson were also present. **TH** introduced the plan to extend the existing home, garage, and driveway. The area a work is all within the existing lawn area. There are no plans to extend the landscaping. A small section of the work area is in the wetland buffer zone.

JKP requested that a silt fence or sock be used, can be determined by the applicant.

JKP motioned to issue a negative determination for the RDA for James C. Bourque Construction at 12 Friedenfels Rd.

AN seconded.

Vote: 5-0, unanimous. Motion Carried.

*Item number 11 on the agenda was a duplicate and was already heard earlier in the meeting. Please disregard.

C. OLD BUSINESS:

1. Request for Certificate of Compliance, 44 Railroad Ave.

JS motioned to continue the Request for Certificate of Compliance for 44 Railroad Ave to April 19, 2017

DA seconded

Vote: 5-0, unanimous. Motion Carried

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D. ENFORCEMENT ORDERS:

1. 100 Elm St.
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
9. Pearson's Pit Access Rd-

SA briefed the Commission on the enforcement order for illegal dumping. **MR** added that the dumping took place on 4 parcels by 2 violators. There are two enforcement orders that need to be ratified.

JKP motioned to ratify the enforcement orders for Pearson's Pit access road.

DA seconded.

Vote: 5-0, unanimous. Motion Carried

DA asked how someone can contact the Environmental Protection Officers. **SA** replied they are an arm of the Massachusetts State Police and their information is available online.

E. COMMISSIONER COMMENTS:

JKP asked if anyone had attended the Coastal Storm Surge Meeting. **AN** responded she had and it went very well; provided some alarming information. It was recorded so everyone may be able to access it.

F. ADJOURNMENT:

JKP motioned to adjourn the April 5, 2017 Conservation Commission Meeting at 8:45 p.m.

JS seconded.

Vote: 5-0, unanimous. Motion Carried.