



**Salisbury Conservation Commission
Meeting Minutes
November 7, 2018
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), Vice Chair Jessica Stucker (**JS**), Emily Round (**EGR**), Jane Purinton (**JKP**), Joanne Perreault (**JP**) and Julie Doughman-Johnson (**JDJ**).

COMMISSIONER MEMBERS ABSENT:

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

Chairman Sheila Albertelli opened the meeting at 7:09 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded.

A. MINUTES:
1. October 17, 2018

JDJ motioned to approve the minutes for October 17, 2018.

JP seconded.

Vote: 6-0, unanimous Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. NOI: Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway (11/1/17)

JS motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, and 16-18 Broadway to December 5, 2018 at 7:10pm.

JDJ seconded.

Vote: 6-0, unanimous. Motion Carried.

2. NOI: C&R Realty Trust, 110 Elm St. (7/18/18)

JS motioned to continue the Notice of Intent for C&R Realty Trust, 110 Elm Street to December 5, 2018 at 7:10pm.

JDJ seconded.

Vote: 6-0, unanimous. Motion Carried.

3. NOI: H&M Industries, Inc., 45 Old County Rd. (9/5/18)

Mike Wolpert (**MW**) of H&M Industries was present. Submitted revised plans to the Commission.

ERG asked if shading of the saltmarsh was a concern, given the height of the project. **MW** stated he does not believe there will be any shading.

EGR asked if there would be any demarcation proposed for the marsh line. **MW** offered to install a post and rail fence to demarcate the resource area. **EGR** asked how far the house is from wetland flag A3. **MW** replied it is approximately 12 feet.

JKP asked what erosion control is proposed. **MW** replied a wattle is shown on the plan. **JKP** reminded him that if the wattle is filled with hay, the hay would need to be saltmarsh hay.

EGR asked if it would be possible to return the driveway material to what was originally proposed, which was permeable, due to the close proximity to the resource area. **MW** stated he would like to keep the paved driveway and concrete under the house as it is neater. **JKP** asked if the site floods. **MW** confirmed it has flooded in the past. **JKP** stated that since it floods, a permeable surface at least under the house would be a better choice. **MW** agreed to put a permeable surface under the house but would like keep the pavement of the existing drive and do any patching needed with pavement.

JKP motioned to approve the Notice of Intent for H&M Industries, Inc., 45 Old County Road, with the standard conditions and the condition a post and rail fence will be added to the plan along the saltmarsh line to demarcate the resource area and marked as a do not disturbed area. The surface under the house will be changed to gravel or crushed stone.

JDJ seconded.

Vote: 4 in favor – 2 opposed, motion carried.

4. RDA: Alan Sicard, 405 North End Blvd (10/3/18)

Alan Sicard (**AS**) was present. Completed a survey of the lot. Appears to show the fence is located off the property. **AS** agreed, he would move the fence to his property. **JKP** asked if he had a timeline in mind to move the fence.

A relation to Mr. Sicard stated they would move the fence before they begin work on the deck. Added he spoke to DEP about the fence and wanted to know why he had to remove it. **SA** explained the regulations in the MA Wetlands Protection Act. Informed him the easiest way to be sure the replacement fence is compliant, is to find one they like and before they buy it, send a picture to the Commission's Agent and she can confirm if it is appropriate for the barrier beach.

JS motioned to issue a negative determination on the Request for Determination of Applicability for Alan Sicard, 405 North End Blvd., with the condition that the fence currently installed off property will be moved onto their property and brought into compliance. The fence material is to be approved by the Commission's Agent before purchase.

JP seconded.

Vote: 5-0, 1 abstained. Motion Carried.

5. Amended NOI: Arakelian Family LLC, 195 – 201 Elm St. (10/3/18)

JKP motioned to continue the Amended Notice of Intent for Arakelian Family LLC, 195 – 201 Elm St., to December 5, 2018 at 7:10pm.

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

6. RDA: Ray Pike, 33 Elm St. (10/17/18)

Ray Pike (**RP**) was present. Commission members have visited the site. **JKP** asked if he had staked down the erosion control. **RP** confirmed. He also placed stakes under the wetland flags as additional markers for the resource area. The dumpster has arrived and he is ready to begin work.

JKP motioned to issue a negative determination for the Request for Determination of Applicability for Ray Pike, 33 Elm St.

JDJ seconded.

Vote: 5-0, 1 abstained. Motion Carried.

7. NOI: Zap Development, LLC, 28 Rabbit Rd., Rear Lots (10/17/18)

JS motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd., Rear Lots, to December 5, 2018 at 7:10pm.

EGR seconded.

Vote: 6-0, unanimous. Motion Carried.

8. NOI: Linda Joaquin, 76 Central Ave. (11/7/18)

Matt Steinel (**MS**) of Millennium Engineering represented the applicant, also present. Proposed to construct a wheelchair lift for handicap accessibility and modify existing second floor deck and add a third floor deck. The building is a multifamily with their residence on the second floor. Site is currently paved. The lift structure will comply with flood zone regulations and remain open to 21 feet. The lift has a sensor that when wet (like in a flood event) will raise the lift. No new impervious surface is proposed; will lay concrete pad for the lift over the existing pavement.

JKP asked if the second or third floor decks would need new supports. **MS** replied the engineers are still working on the specifics but the second floor deck will support the third floor deck with no new piles proposed. **JKP** asked if they had considered removing their pavement and replacing with a permeable surface. **MS** replied not at this time.

JS motioned to close the public hearing and approve the Notice of Intent for Linda Joaquin, 76 Central Ave., with the standard special conditions.

JDJ seconded.

Vote: 6-0, unanimous. Motion Carried.

C. NEW BUSINESS:

1. 2019 Schedule of Meetings and Deadlines

JKP motioned to approve the 2019 Schedule of Meetings and Deadlines.

JDJ seconded.

Vote: 6-0, unanimous. Motion Carried.

2. Request for Extension, 10 Bartlett St.

JS motioned to approve the extension for 10 Bartlett St. until October 31, 2019.

JKP seconded.

Vote: 6-0, unanimous. Motion Carried.

D. ENFORCEMENT ORDERS:

1. 81 Railroad Ave.

2. 438 N. End Blvd.

3. 128 Bridge Rd.
4. 26 Sweet Apple Tree Ln.
6. 2 Linda Ln.
7. 565 N. End Blvd.
8. 157 Bridge Rd.
9. 30 Main St.
10. 86/88 Elm St.
11. 11 17th St. W
12. 212 N. End Blvd.
13. 83 Atlantic Ave.
14. 9 Bayberry Ln.
15. 6 True Rd.
16. 146 Central Ave – MR updated the Commission the owners have begun modifying the fence.
17. 209 N. End Blvd. – MR updated the Commission the fence has made compliant

JS motioned to lift the enforcement order for 209 North End Blvd.

JKP seconded.

Vote: 6-0, unanimous. Motion Carried.

18. 211 N. End Blvd.
19. 276 & 277 N. End Blvd. – MR informed the Commission the fences have been made compliant.

JKP motioned to lift the Enforcement Order for 276 & 277 N. End Blvd.

JS seconded.

Vote: 6-0, unanimous. Motion Carried.

20. 279 N. End Blvd.

F. COMMISSIONER COMMENTS:

JKP informed the public there are many enforcement orders out for illegal fences and the great majority of them have worked very hard to bring their fences into compliance. JDJ stated they will continue to do their work but will be conscious of deadlines as the weather worsens. JP added we will need to remain diligent as the weather improves. MR added they will continue to try to address fences before they are installed or during installation.

JDJ and EGR will be attending the symposium tomorrow.

G. ADJOURNMENT:

JP motioned to adjourn the November 7, 2018 Conservation Commission Meeting at 8:08 pm

JS seconded.

Vote: 6-0, unanimous. Motion Carried.