



**Salisbury Conservation Commission
Meeting Minutes
August 2, 2017
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (SA), Jane Purinton (JKP), Jessica Stucker (JS), and Alison Novello (AN).

COMMISSIONER MEMBERS ABSENT: Jennifer Troisi (JT).

ALSO PRESENT: Conservation Agent, Michelle Rowden (MR).

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

**A. MINUTES:
May 3, 2017
May 17, 2017
June 7, 2017
June 21, 2017**

JKP motioned to approve the minutes for May 3, 2017, May 17, 2017, and June 7, 2017 and June 21, 2017 meeting with the revision of the minutes for May 17, 2017 that the date in the title to be corrected to May 17th, 2017.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

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

AN motioned to continue the Notice of Intent for Chris DeLuca at 100 Elm St to August 16, 2017 at 7:10p.m. The Commission agreed that further continuances would not be granted. **MR** agreed to inform the applicant.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

2. RDA: Eliel DeOliveira, 128 Bridge Rd. (4/5/17)

JKP motioned to continue the Request for Determination of Applicability for Eliel Deoliveira at 128 Bridge Rd to August 16, 2017 at 7:10p.m.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

3. NOI: Habitat for Humanity, 22 Old County Rd. (6/7/17)

Sarah Ebaugh (SE) of Vanasse Hangen Brustlin (VHB) was present representing the applicant. **SE** informed the Commission the snow storage area was marked on the plan within property line and as far from the wetlands as possible. The site is not located within any limited or no salt use area.

JKP asked if it would be likely for people to wonder into the wetlands. **SE** replied it is a very heavily wooded area and they are not planning to remove any more vegetation than necessary creating a natural barrier. **SA** stated there are no changes to the water line reroute that was discussed at the prior meeting. **SE** replied there is no change at this time, they will return to amend when ready.

JKP motioned to approve the Notice of Intent for Habitat for Humanity, 22 Old County Road, with the standard special conditions and the inclusion of the plan notation for the snow storage.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

4. NOI: James Zorbas, 32 Railroad Ave (LC Lot 480) (6/7/17)

Matt Steinel (**MS**) of Millennium Engineering represented the project.

AN motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 480, to August 16, 2017 at 7:10p.m.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

5. NOI: James Zorbas, 32 Railroad Ave (LC Lots 478A, 479) (6/7/17)

JKP motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 478A and 479, to August 16, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

6. Amended NOI: John Gorman, 30 Elm St. (6/7/17)

Matt Steinel (**MS**) of Millennium Engineering represented the project. **MS** informed the Commission the plans were reviewed by Joe Serwatka; he confirmed all his comments were addressed.

JKP motioned to approve the amended Notice of Intent for John Gorman, 30 Elm Street, with the standard special conditions and the condition that the condo documents will be updated to include the maintenance and cleaning requirements of the storm water system.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

7. NOI: James & Sarah Hajjar, 242 North End Blvd (6/21/17)

Sarah Hajjar (**SH**) was present.

AN motioned to approve the Notice of Intent for James & Sarah Hajjar, 242 North End Boulevard, with the standard special conditions.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

8. NOI: Vincent Brandolini, 64 Forest Rd. (6/21/17)

JKP motioned to move the Notice of Intent for Vincent Brandolini, 64 Forest Rd, to the end of public hearings.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

9. NOI: Terrence Marengi Jr., 9 Garafalo Dr. (6/21/17)

Terrence Marengi Jr. (TM) was present.

JKP motioned to approve the Notice of Intent for Terrence Marengi Jr. at 9 Garafalo Drive with the standard special conditions.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

10. NOI: Richard Farina, 16 Atlantic Ave. (6/21/17)

Matt Steinel (MS) of Millennium Engineering was present to represent the project. Informed the Commission the stairway design and parking design were changed, the architectural plans were also provided as requested.

JKP asked for further explanation of the parking design. **MS** explained the spaces are now two deep. The prior plan had a third space that would have been blocked.

JKP asked about disturbance of the dune to the rear of the property. **MS** stated they changed the location and angled the back stairway to avoid the dune grass. No additional landscaping is planned. The drive is to be crushed stone.

AN motioned to approve the Notice of Intent for Richard Farina, 16 Atlantic Avenue, with the standard special conditions.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

11. NOI: Anthony Montisanti, 81 Atlantic Ave. (6/21/17)

Matt Steinel (MS) of Millennium Engineering was present to represent the project. Applicant declined to use the Commissions suggested deck material due to cost. Found an alternative material that utilizes spaces to leave a gap to allow light and water to come through.

MS clarified the swing set and the stairs on the existing deck are being removed. Nothing else is planned to be removed.

JKP motioned to approve the Notice of Intent for Anthony Montisanti, 81 Atlantic Avenue, with the standard special conditions and the condition that during construction fencing will be erected around the area of work.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

12. NOI: Augustus & Susan Harrington, 22-24 First St. (6/21/17)

Tom Hughs (TH) of Hughs Environmental Consulting and Adam Costa (AC) of Mead, Talerman, and Costa, LLC represented the applicant. **TH** informed the Commission that new plans have been submitted that include a landscape plan of all native species. Changes also include:

- Reduction of deck size
- The instillation of a drip edge along select areas in the plan to increase infiltration.
- Patios will be pervious.
- A note on the civil plan to protect a cedar tree on the neighbor's property.
- Dock dimensions
- Float storage notation for onsite storage.

JKP referenced page 2 of the narrative that states the posts to be removed would be wooden or steel piles. Asked if they had decided on one? **TH** clarified there will be seven (7) posts not five (5), they have not decided on the material.

Abutter Dave Rooney (**DR**) expressed concerns about the dock storage. Asked how many floats there are. **TH** clarified the intent is to store them off site but in the event they choose to store them on site there are eight (8). **DR** requested they not store them on site. **SA** responded that the Commission only has purview over the resource area through the Wetlands Protection Act. The area selected in the plan is the only upland onsite that would be acceptable to the Commission as a storage area. Suggested he discuss the issue with the owners to find an acceptable resolution.

DR asked that the cedar tree trimmed. **TH** stated if a limb is in the way of construction, with the owner's consent, it can be removed. If it is not in the way of construction, it will not be removed.

DR expressed concern about water runoff going towards First Street. **TH** showed a plan that details water flow and shows that none will be going to First Street.

DR expressed concern about heavy equipment being placed on the berm. **TH** responded work will start at the river side and work backwards towards the road. An environmental monitor will also be present.

JS motioned to approve the Notice of Intent for Augustus & Susan Harrington, 22-24 First St., with the standard special conditions and the following conditions:

1. Additional erosion control will be added to slopes as necessary.
2. In addition to the monthly status reports, an environmental monitor shall oversee the work within 50 feet of the Merrimack River and send reports to the Conservation Department according to the following schedule:

- A. During active site construction reports will be sent on a weekly basis.

- B. After active construction has ceased but before the area has been stabilized with landscaping bi weekly reports will be sent.

- C. Once all area within 50 feet of the river has been sufficiently stabilized with landscaping and all site work is complete it can be included in the monthly report by the project manager, as well as the following conditions recommended by the Department of Marine Fisheries:

1. To minimize sedimentation any excavation or fill activity should be performed in the dry and undisturbed soils and should be stabilized before the next incoming tide.
 2. Equipment should be operated from the upland to the greatest extent possible and not driven across or staged on marsh plants or peat.
 3. The contractor should be carefully guided to avoid disturbance or excavation of marsh habitat.
 4. The proposed game way and float should be seasonally removed and stored on an upland location and not on existing salt marsh.
 5. The proposed dock and game way should have at least a one to one height to width ratio and provide ¾ inch graded decking to allow 50 percent or more light penetration to the marsh below.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

13. RDA: Larry Mooney, 55 Beach Rd (7/19/17)

Larry Mooney (**LM**) presented the plan for a deck addition with footing piers and composite decking with quarter inch spacing.

JKP motioned to issue a negative determination for the Request for Determination of Applicability for Larry Mooney, 55 Beach Rd

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

14. RDA: Mark and Stacy Warcewicz, 31 Bayberry Ln. (7/19/17)

JS motioned to continue the Request for Determination of Applicability to August 16, 2017 at 7:10p.m.
AN seconded.

Vote: 4-0, unanimous. Motion Carried.

15. NOI: Vincent Brandolini, 64 Forest Rd. (6/21/17)

JS motioned to continue the Notice of Intent for Vincent Brandolini, 64 Forest Rd to the end of public hearings.
JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

16. NOI: William Shattuck, 45 Folly Mill Rd. (8/2/17)

JS motioned to continue the Notice of Intent for William Shattuck, 45 Folly Mill Rd Ave to August 16, 2017 at 7:10p.m.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

C. OLD BUSINESS:

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

JKP motioned to continue the Request for Certificate of Compliance for 44 Railroad Ave to August 16, 2017 at 7:10p.m.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

D. NEW BUSINESS:

1. Emergency Certification, 270 N. End Blvd

AN motioned to approve the Emergency Certification for 270 North End Boulevard for repair of the rotted beam.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

2. Enforcement Order, 2 Linda Lane

JKP moved to ratify the Enforcement Order for 2 Linda Lane.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

3. Enforcement Order, 400 N. End Blvd

JS motioned to ratify the Enforcement Order for 400 North End Blvd.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

4. Request for Certificate of Compliance, 2 Denrael Dr.

JKP motioned to continue the Request for Certificate of Compliance for 2 Denrael Drive to August 16, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

5. Request for Certificate of Compliance, 11-19 Fanaras Dr.

AN motioned to continue the Request for Certificate of Compliance for 11-19 Fanaras Drive to August 16, 2017 at 7:10p.m.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

6. Emergency Certification, Kendell Ln.

JKP motioned to ratify the Emergency Certification, Kendell Ln.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

E. ENFORCEMENT ORDERS:

- 1. 100 Elm St.**
- 2. 28 CCC Rd. – MR** stated there is very little is not in compliance. Very close to closing out.
- 3. 13 Commonwealth Ave – MR** stated the house is in compliance, only site work remains.
- 4. 81 Railroad Ave.**
- 5. 105 Rabbit Rd. - MR** stated showed good growth, plan worked well, storm water plan needs work.
- 6. 438 N. End Blvd- MR** stated the plants didn't survive winter being planted this fall
- 7. Pearson's Pit Access Rd.**
- 8. 128 Bridge Rd. – MR** stated containers pulled back, will be loamed and seeded soon.
- 9. 26 Sweet Apple Tree Ln.**
- 10. 91 Bridge Rd.**

F. COMMISSIONER COMMENTS:

MR asked any person interested in joining the conservation commission to please contact her.

JKP stated on August 15 there will be a talk at the library at 6:30 pm on climate change in the great marsh.

G. ADJOURNMENT:

JKP motioned to adjourn the August 2, 2017 Conservation Commission Meeting at 8:30p.m.

JS seconded.

Vote: 4 -0, unanimous. Motion Carried.