



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

**COMMISSIONER MEMBERS PRESENT:** Jessica Stucker (**JS**), Jane Purinton (**JKP**), Alison Novello (**AN**), and Emily Round (**EGR**).

**COMMISSIONER MEMBERS ABSENT:** Chairman Sheila Albertelli (**SA**), Joanne Perreault (**JP**) and Jennifer Troisi (**JT**).

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

Jessica Stucker opened the meeting at 7:10p.m. under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

**A. MINUTES:  
September 6, 2017  
September 20, 2017  
October 4, 2017  
October 18, 2017**

**JKP** motioned to approve the minutes for September 6, 2017 and September 20, 2017.  
**EGR** seconded.

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

**AN** motioned to continue the minutes for October 4<sup>th</sup>, 2017 and October 18<sup>th</sup>, 2017 to November 15, 2017.  
**JKP** seconded.

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

**B. PUBLIC HEARINGS at 7:10pm:  
1. **NOI: Chris DeLuca, 100 Elm St. (3/15/17)****

Brian Knowles (**BK**) updated the Commission on the variance granted by the Zoning Board. They plan to attend the December 6, 2017 Commission meeting. Asked the Commission if they wanted a peer review of the wetlands delineation.

**JKP** motioned to continue the Notice of Intent for Chris DeLuca at 100 Elm St to December 6, 2017 to allow for peer review.

**AN** seconded.

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

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

Patrick Seekamp (**PS**) of Seekamp Environmental represented the applicant. Requested to withdraw the RDA.

**AN** motioned to accept the withdrawal without prejudice for the Request for Determination of Applicability for Eliel Deoliveira at 128 Bridge Rd.

**JKP** seconded.

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

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

**AN** motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 480, to November 15, 2017 at 7:10p.m.

**JKP** seconded

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

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

**AN** motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 478A and 479, to November 15, 2017 at 7:10p.m.

**JKP** seconded.

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

**5. NOI: Tim Anderson, 91 Bridge Rd. (9/6/17)**

No Quorum. Automatic continuance to November 15, 2017 at 7:10p.m.

**6. NOI: Ron Tirone, 40 Lafayette Rd. (11/1/17)**

Patrick Seekamp (**PS**) of Seekamp Environmental represented the applicant. Proposed to construct a single family home. Plans include a wetland crossing for a driveway with water and sewer lines. Will replicate 1,100 square feet for the filled wetland and has an additional 250 feet of temporary disturbance that will be seeded. Driveway protocol will be followed for the wetland crossing.

No DEP number was issued; the Commission can discuss but not vote.

**JKP** requested a site visit.

**JKP** motioned to continue the Notice of Intent for Ron Tirone, 40 Lafayette Rd., to November 15, 2017 at 7:10p.m., to allow for a peer review and Commission members to have site visit.

**PS** requested to be present for the peer review.

**AN** seconded.

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

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

No DEP number was issued, the Commission can discuss but not vote.

Tom Hughes (**TH**) of Hughes Environmental, Eric Botterman (**EB**) of Millennium Engineering, Dale Ginappe (**DG**) of Ginappe Design Architecture, and Steve Paquette (**SP**) of the Big Block Development Group represented the project. Wayne Capoloupo, and Brian Mulcahy were also present.

Large site located in the Velocity and A/O zone. **TH** Claimed the area is exempt from having a primary frontal dune as shown by the delineation maps produced by Coastal Zone Management (CZM). Presented post-storm photos that show no sand flow to the interior of the site.

**DG** presented the building design. Planning an E shaped building with 3 elevated landscaped courtyards. Would have a one (1) story, street scale structure on piles along the ocean front side of the building. Would have a two (2) story parking structure that the one (1) story street structure will block the view of. Parking would be sloped to follow grade. The main pedestrian entrance is planned to be off of Broadway. The main vehicle entrance is

planned to be off of Ocean Street. Proposed to create 26,300 sq. feet of sand under the beach side of the building. In this area only piles are proposed with lowest structural member being two feet high. The project will require grade beams. Proposed they be constructed on previously paved area that will remain paved.

**TH** reviewed Dune Performance Standards, Barrier Beach Performance Standards and Area Subject to Coastal Zone Flowage.

**EB** addressed the stormwater report. Currently, there is no storm water management onsite. Planning to install an infiltration system including catch basins to filter out sediment before water enters the system.

**TH** added the stormwater is being reviewed by the Town engineer for the Planning Board.

**AN** asked what is the proposed separation method between the sand and paved parking area will be. **TH** responded there will be a stone strip between but asked the Commission to consider a trial period that allows for a different barrier to be placed if sand migration into the parking area becomes a problem.

**JKP** asked if there was any skirting. **TH** replied the building would be two feet open from the ground to the lowest structural member; vegetation is proposed as visual screening for the parking area.

**MR** informed **TH** that the entire structure is subject to the VE zone.

**JKP** asked for explanation of the phases of the project. **DG** replied the two courtyards and surrounding structure will be phase I including parking. Phase II will be the remaining "U". The edge where the two phases would meet will have a temporary finish until Phase II is constructed. Once constructed it will tie in seamlessly to phase I. The phase II area will be used for staging during phase I construction, and when the phase II construction begins, the phase I parking area will be used.

**JKP** asked if there will be a multi-year lag between phases. **TH** replied it depends on many factors.

**JKP** asked if Ocean Front South can be returned to a dune. **TH** replied it is privately owned with an easement for Town use. The Town has concerns about emergency access that keeps Ocean Front South paved.

**EGR** asked if there are proposed plantings along Ocean Front South. **TH** replied there will be some native plants planted but nothing significant.

**AN** asked if the courtyards are visible from the boardwalk. **TH** replied there will be some view through the breaks in the structure. The roof line of street structure is three (3) feet above the floor of the courtyard to create a railing effect.

**JS** requested copies of the Town engineer's review. **TH** agreed to provide the information to the Commission.

**JKP** motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway, to November 15, 2017 at 7:10p.m. to allow for a site walk.

**AN** seconded.

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

### **C. NEW BUSINESS:**

#### **1. Request for Significance of Change, 22-24 First Street**

Tom Hughes (**TH**) of Hughes Environmental was present to explain the changes being requested to the existing plan. The fieldstone wall that was to remain was found to be in bad shape and needed to be replaced. Increases the resource are by ten (10) feet. There is ledge where piles for the deck were to be driven. Would like to use pin to ledge system instead of piles. Will need to add one pile to support the stairs. Another concrete wall was also found to be degraded and needs to be replaced. Two additional piles will also be pinned to ledge.

**JKP** motioned to accept the change as Insignificant for 22-24 First Street.

**AN** seconded.

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

#### **2. Request for Certificate of Compliance, 11 Railroad Ave (DEP # 065-0555)**

**3. Request for Certificate of Compliance, 11 Railroad Ave (DEP # 065-0624)**

David Manning (DM), Property Management of New England was present.

**JKP** requested a site visit.

**JKP** motioned to continue the Request for Certificate of Compliance for 11 Railroad Ave, DEP # 065-0555 and DEP # 065-0624 to November 15, 2017 to allow for a site visit.

**AN** seconded.

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

**4. Request for Certificate of Compliance, 20 Second Street**

**MR** conducted a site visit and found the site to be within the approved footprint though the structure is different. The plan was amended. The site is in compliance with the amended plan and is stabilized at this time.

**AN** motioned to issue the complete Certificate of Compliance for 20 Second Street as discussed.

**JKP** seconded.

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

**5. Request for Certificate of Compliance, 1 Samantha Way**

**MR** stated the driveway was wider than approved and the shape of the replication area was changed and now falls short of the 2:1 replication required in the Order of Condition. Recommended a site visit. *Phragmites* moved into the area and has been removed and reseeded. Will need ongoing maintenance.

**JKP** motioned to continue the Request for Certificate of Compliance for 1 Samantha Way to November 15, 2017 at 7:10p.m., to allow time for a site visit.

**EGR** seconded.

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

**D. OLD BUSINESS:**

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

**AN** motioned to continue the Request for Certificate of Compliance for 44 Railroad Ave to November 15, 2017.

**JKP** seconded.

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

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

**JKP** motioned to continue the Request for Certificate of Compliance for 11-19 Fanaras Drive to November 15, 2017 .

**AN** seconded.

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

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

**AN** motioned to continue the Request for Certificate of Compliance for 2 Denrael Drive to November 15, 2017.

**EGR** seconded.

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

**5. Request for Certificate of Compliance, 30 Elm St.**

**MR** informed the Commission she conducted a site visit. The retention area was built and the grass was struggling. There has been some mowing in an area that was specified in the Order of Conditions as natural. Suggested writing a reminder letter to the property owner that the area is not to be mowed. Erosion controls are still in place.

**AN** motioned to continue the Request for Certificate of Compliance for 30 Elm Street to November 15, 2017 to allow time for a site visit.

**EGR** seconded.

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

**6. Request for Certificate of Compliance, 54 Beach Rd.**

**MR** stated they are working on having a meeting with the owners to discuss options for moving forward.

**JKP** motioned to continue the Request for Certificate of Compliance for 54 Beach Rd. to November 15, 2017 for a site visit to be completed.

**ERG** seconded.

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

**E. ENFORCEMENT ORDERS:**

- 1. 100 Elm St.**
- 2. 28 CCC Rd.**
- 3. 13 Commonwealth Ave**
- 4. 81 Railroad Ave.**
- 5. 105 Rabbit Rd.**
- 6. 438 N. End Blvd**
- 7. Pearson's Pit Access Rd**
- 8. 128 Bridge Rd.**
- 9. 26 Sweet Apple Tree Ln.**
- 10. 91 Bridge Rd.**
- 11. 400 No. End Blvd**
- 12. 2 Linda Ln.**
- 13. 14 Jon St.**
- 14. 565 N. End Blvd**

**F. COMMISSIONER COMMENTS:**

**JKP** stated the Grate Marsh Symposium is next week. The Turn film shown at the library was excellent.

**G. ADJOURNMENT:**

**AN** motioned to adjourn the November 1, 2017 Conservation Commission Meeting at 8:47 p.m.

**JKP** seconded.

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