



**Salisbury Conservation Commission  
Meeting Minutes  
February 6, 2019  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
7:00 P.M.**

---

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

**COMMISSIONER MEMBERS ABSENT:** Vice Chair Jessica Stucker (JS)

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

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

**A. EMERGENCY CERTIFICATE:**

**1. 189A Atlantic Ave-**

SA stated certificate is for installing helical support piles for a deck. The Building Inspector ordered the work. If it is necessary to use the state beach for access, they will seek permission from DCR.

JP motioned to issue the Emergency Certificate for 189A Atlantic Ave. with the following special conditions:

1. Vehicular access on state land shall be coordinated through Mass DCR prior to start of work, if needed. Details of which shall be provided to the Commission prior to start of work.
2. All work shall occur landward of Mean High Water.
3. Any debris in the work area shall be removed from the property entirely and disposed of legally.
4. No disturbance of dunes, vegetated or not, shall occur at any time.
5. The risers on the replacement stairs shall have openings to allow for free sand and water movement.

JDJ seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**B. MINUTES:**

**1. January 16, 2019**

JKP motioned to continue the minutes for January 16, 2019.

EGR seconded.

**Vote: 5-0, unanimous. Motion Carried.**

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

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

EGR motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, and 16-18 Broadway to February 20, 2019 at 7:10pm.

JDJ seconded.

**Vote: 5-0, unanimous. Motion Carried.**

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

**JDJ** motioned to continue the Notice of Intent C&R Realty Trust, 110 Elm St. to February 20, 2019 at 7:10pm.  
**JKP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

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

**EGR** motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd., Rear Lots, to February 20, 2019 at 7:10pm.

**JDJ** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**4. NOI: Northeast Properties & Investments, LLC, 187 Atlantic Ave. (1/2/19)**

**JDJ** motioned to continue the Notice of Intent for Northeast Properties & Investments, LLC, 187 Atlantic Ave. to February 20, 2019 at 7:10pm.

**JP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**5. NOI: Azar & Marian Korbey, 23 Commonwealth Ave. (1/16/19)**

**JP** motioned to continue the Notice of Intent for Azar & Marian Korbey, 23 Commonwealth Ave., to February 20, 2019 at 7:10pm.

**EGR** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**D. OLD BUSINESS:**

**1. Request for Certificate of Compliance, 106 Rabbit Rd.**

Stephen Herzog (**SH**), Amec Foster Wheeler, represented the project. The site has completed two (2) growing seasons of wetland replication monitoring as required in the Order of Conditions. Provided photographs from October of the area that had been overcut and was left to revegetate naturally, wetland A and wetland B.

**EGR** stated the phragmites and purple loosestrife are invasive, are there any plans to have them removed. **SH** replied there are not. **EGR** asked **MR** if there were any conditions in the order to remove the invasive plants.

**MR** replied it was not made a condition in the order.

**EGR** motioned to issue the Certificate of Compliance for 106 Rabbit Road.

**JKP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**E. NEW BUSINESS:**

**1. Request for Certificate of Compliance, 16 Atlantic Ave.**

**SA** stated this site would require a site visit.

**JKP** motioned to continue the Certificate of Compliance for 16 Atlantic Ave. to February 20, 2019 to allow time for a site visit in the interim.

**EGR** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**2. Enforcement Order, 11 Railroad Ave.**

**JDJ** motioned to issue the Enforcement Order as written for 11 Railroad Ave.

**JKP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**3. Request for Certificate of Compliance, 10 True Rd**

**JDJ** recused herself from the Commission.

**MR** stated she had reviewed the archived files and visited the site. According to Health Department files, the septic system appears to have been installed correctly. Reminded the current and future owners that work within the buffer zone of the wetland falls under the protection of the Wetland Protection Act and requires Commission approval.

Joanne Bagley (**JB**), realtor, represented the seller. Stated the original leach field had failed. It was replaced by H&M industries in 2002. He verifies it was completed and she provided the as built.

**JKP** motioned to issue the Certificate of Compliance for 10 True Rd.

**EGR** seconded.

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

**F. ENFORCEMENT ORDERS:**

1. 81 Railroad Ave.
2. 438 N. End Blvd.
3. 565 North End Blvd.
4. 128 Bridge Rd.
5. 26 Sweet Apple Tree Ln.
6. 91 Bridge Rd.
7. 2 Linda Ln.
8. 157 Bridge Rd.
9. 30 Main St.
10. **86/88 Elm St.** – Joel Balassa (**JB**) Seaside Legal Solutions and Evin Guvendiren (**EG**) of Derosa Environmental represented the owners. **JB** stated the violations were committed unknowingly. Current owners believe the previous owner misled them. Proposed a restoration plan and a proposal to replicate on the far side of the property. **EG** stated Mike Derosa delineated the wetland line. The plan is to allow vehicles to access the site and leave with as little disturbance as possible. Will need to fill three (3) wetland fingers with gravel and build concrete bins for material storage. Will replicate at a two to one ratio (2:1) to mitigate filling. Proposing a concrete wall to stabilize site and prevent material from entering the wetland. **EGR** asked how densely the area was forested before. **MR** showed the area on the plan. **EGR** asked if more than the six (6) proposed red maple trees were cut. **JL** replied yes, more than six (6) trees cut.

**JKP** asked who did the work.

James McKechnie (**JMK**), owner, replied he did not remember the contractors name. **EGR** requested Mary Rimmer review the wetland line, as there are inconsistencies between the reviewed lines. **JKP** asked to do a site visit as well. **SA** asked that in addition to the above she would also like to have

Rimmer review the plan for Compliance of the Wetland Protection Act. **JKP** asked to have a narrative prepared as well.

**EGR** motioned to continue the Enforcement Order for 86-88 Elm Street to Feb 20, 2019 at 7:10 PM with the following in the interim. Our wetland scientist will do wetlands delineation of the site and will review the restoration plan for compliance with the Wetlands Protection Act. Would also request a narrative for the restoration plan.

**JKP** seconded.

**Vote: 5-0, Unanimous. Motion Carried.**

11. 11 17<sup>th</sup> St. W
12. 212 N. End Blvd.
13. 83 Atlantic Ave.
14. 9 Bayberry Ln.
15. 6 True Rd.
16. 211 N. End Blvd.
17. 279 N. End Blvd.
18. 146 Central Ave.

19. **82 Lafayette Rd.** – Mark West (**MW**) and Brendon Doherty (**BD**) were present. **MW** updated the Commission on the proposed restoration plan. Proposing to do replication work in May with completion in April. Requesting to reclaim one hundred twenty square feet (120 sq. ft.) that is altered and mitigate by not disturbing six hundred seventy square feet (670 sq. ft.) and avoiding four hundred square feet (400 sq. ft.) of approved wetland impact. Need to reclaim the land to avoid relocating the transformer box and redesigning the basins.

**SA** asked if the Commission had received the planting plan. **MW** stated he gave hardcopies but did not submit the digital copy. **JKP** asked the purpose of the building. **BD** replied it is a self-storage facility. **JKP** asked where the parking for the site would be. **BD** replied it is in front of the building. **EGR** requested clarification on the plan and a narrative. **JKP** would like to visit the site. Will reconvene on February 20, 2019.

20. 16 Hayes St.

**G. COMMISSIONER COMMENTS:**

**H. ADJOURNMENT:**

**JKP** motioned to adjourn the February 6, 2019 Conservation Commission Meeting at 8:20 pm

**EGR** seconded.

**Vote: 5-0, unanimous. Motion Carried.**