



**Salisbury Conservation Commission  
Meeting Minutes  
March 4, 2020  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
7:00 P.M.**

**COMMISSION MEMBERS PRESENT:** Chairman Sheila Albertelli (**SA**), Emily Round (**EGR**), Jane Purinton (**JKP**), Julie Doughman-Johnson (**JDJ**), and Blake Leibert (**BL**).

**COMMISSION MEMBERS ABSENT:** Joanne Perreault (**JP**)

**ALSO PRESENT:** Director of Planning & Community Development Lisa Pearson (**LP**), Conservation Secretary Adriane Marchand. (**AM**)

Chair Sheila Albertelli opened the meeting at 7:10 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded.

**A. MINUTES:**

**1. January 15, 2020 –**

**EGR** motioned to approve the minutes for January 15, 2020.

**JDJ** seconded.

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

**2. February 5, 2020**

**3. February 19, 2020**

**BL** motioned continue the minutes for February 5, 2020 and February 19, 2020.

**EGR** seconded.

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

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

**1. NOI: Town of Salisbury, Bridge Road Waterline Replacement (2/5/20)**

Bree Sullivan, Bayside Engineering represented the applicant. Provided the Commission with the requested Frac-out plan and the dewatering details.

**EGR** motioned to approve the Notice of Intent for Town of Salisbury, Bridge Road Waterline Replacement with the inclusion of the frac-out plans and the dewatering details and the standard special conditions.

**JKP** seconded.

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

**2. NOI: Li Family Trust, 139 Elm Street (10/2/19)**

**JKP** motioned to continue the Notice of Intent for Li Family Trust, 139 Elm Street to March 18, 2020 at 7:10pm

**JDJ** seconded.

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

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

Tom Hughes (**TH**) Hughes Environmental Consulting, Chris York (**CY**) of Millennium Engineering, Mike Nee (**MN**) of Gienapp Architects, Dwight Dunk of Epsilon Associates and Richard “Chip” Nylen (**CN**), of Lynch, DeSimone & Nylen, LLP represented the application. Wayne Capolupo (**WC**), Brian Mulcahy (**BM**), Steve Paquette (**SP**) of the Big Block Development Group were also present.

Submitted the following materials. Response to Mary Rimmer and DEP, ownership permission and plans for boardwalk connection, Broadway stairs and sheet c7. Reviewed the site conditions and proposed plans including stormwater. Mike Nee reviewed the design of the stadium stairs and the boardwalk connection **SA** asked how the stairs would handle a storm event. **MN** stated they will be strongly fixed and are porous which will dissipate wave energy. **JDJ** asked if it will be removed in a storm event and how it will be maintained or moved. **SP** addressed the planning board process and the ongoing maintenance and management practices. **TH** addressed dune function and the standards that are held with redevelopment in the resource area. Also submitted a more detailed landscape plan for review. Offered to provide a more detailed phasing plan at the time they seek a building permit. **TH** reminded the commission of the prior meeting where they addressed all the points in the epsilon document and the presentation from the last meeting. **JKP** stated she considered the project to be new development. Sees the impervious surface as a sluiceway in storm events that will increase the likelihood of storm damage. Does not feel the amount of dune restoration is sufficient for the scope of the project. **JKP** read into the record an expert opinion from CZM Director Rebecca Haney “conformance with FEMA guidance and the MA building code is important, but it does not demonstrate that a project meets the performance standards of the wetlands protection act.” **SA** expressed her agreement with **JKP**’s statement of considering this site new development and therefore holding it to the standards of the wetlands protection act. **TH** reminded the commission that there is no new development or redevelopment. The dune on this site does not function. They are proposing to make improvement so it meets the performance standards. **JKP** asked if it could be smaller or with impervious surface. **TH** stated this has been a long process to get to this point and it needs to be economically viable. **BL** stated he disagrees with it being new development. It is redevelopment and an improvement over the existing situation. **CN** addressed the commission. Under the regulation redevelopment and new development is a moot point. It needs to meet the performance standards for the current site positions. Tim Scasus, an abutter, worried about the heat of aluminum for the stadium seating. **MN** stated aluminum was chosen as the most durable material. Standard bleacher system was chosen for ease of maintenance and longevity. **SP** wanted to ask the commission if it is really just the grade beams. They do not have an alternative to it. They are necessary and unavoidable. **BL** stated that building requirements and FEMA regulations are not their jurisdiction, and the Commission’s concern is the wetland protection act, regardless of their personal feelings on the project. It was his opinion that the proposed project is an improvement over what is currently there.

**JKP** read final paragraph of Haney’s email. Stated she doesn’t feel she needs more information.

**BL** motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway to March 18, 2020 at 7:10p.m. to allow the applicant to reply to CZM’s correspondence and for Mary Rimmer to respond to their response.

**JKP** seconded.

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

**4. NOI: DPW Realty, LLC, 4 Waldot Road (2/19/20)-**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. NOI is proposing to demolish the existing single family home and shed, fill in the foundation, and reloom and seed the area. The owner does not intend to build anything. Foundation drain will remain in place. **JKP** asked for confirmation that the trees will not be cut. **MS** confirmed no clearing is proposed. **JKP** asked how far the work is from the wetland. **MS** stated the structure is roughly 40 to 45 feet from the wetland. Probably 30 feet from the erosion control.

**EGR** motioned to approve the Notice of Intent for DPW Realty, LLC, 4 Waldot Road with the standard special conditions and the addition of distance to plan to the plan.

**JDJ** seconded.

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

**5. NOI: Raymond & Dona Champagne, 552 North End Blvd. (3/4/20)**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Presented the proposal for a single family home to be constructed on piles with carport. Includes 4 x 4 utility chase and new connections. Retaining walls allow access to homes crawl space. Will remove as much as possible but maintain what is necessary to access the storage space. Native plantings proposed. Construction fencing proposed and clean stone will be placed in the driveway. **LP** asked for clarification on what is clean stone. **MS** stated it is a crushed stone that has been washed. **ERG** asked for more information on the garage door and enclosures. **MS** agreed to supply more information on the garage enclosures.

**JKP** motioned to continue the Notice of Intent for Raymond & Dona Champagne, 552 North End Blvd. to March 18, 2020 at 7:10 pm for additional information to be provided and DEP number to be issued.

**JDJ** seconded.

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

**6. RDA: Edwin Garside, 39 Old County Rd. (3/4/20)**

Tom Hughes (**TH**) of Hughes Environmental Consulting represented the applicant. Requested to continue the public hearing so the application can be properly noticed. Commission requested Mary Rimmer review the delineation at the site in the interim

**EGR** motioned to continue the request for Determination of Applicability for Edwin Garside, 39 Old County Rd. to March 18, 2020 with review of the wetland line by Rimmer Environmental.

**JDJ** seconded.

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

**C. OLD BUSINESS:**

**1. Request for Certificate of Compliance, 1 Elizabeth Lane.**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Mary Rimmer reviewed the delineation and agreed there is no wetlands currently onsite but would not comment of the condition of the site from the Notice of Intent. The applicant has met the peer reviewer's suggestion to resubmit the request for certificate of compliance with suggested revisions.

**EGR** motioned to grant the invalid Certificate of Compliance for 1 Elizabeth Lane

**BL** seconded.

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

**2. Request for Certificate of Compliance, 37 Atlantic Ave**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Janice A. Zajchowski was also present. **MS** submitted the restoration plan to bring the site back into compliance. **JDJ** brought up keeping the concrete. Janice stated removing the concrete is the most expensive part.

**EGR** motioned to ratify the Enforcement Order for 37 Atlantic Ave.

**BL** seconded

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

**EGR** motioned to approve the restoration plan dated 3/4/2020.

**BL** Seconded

**Vote: 4 in favor- 1 opposed. Motion Carried.**

**D. NEW BUSINESS:**

**1. Request for Certificate of Compliance, 84 Ferry Rd. –**

**AM** confirmed close compliance with the Order of Conditions.

**EGR** motioned to grant the Certificate of Compliance for 84 Ferry Rd.

**JDJ** seconded

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

**2. Request for Significance of Change, 128 North End Blvd. – Mr. Zappala**

**SA** noted that the applicant had requested a continuance.

**JKP** motioned to continue the Request for Significance of change, 128 North end Blvd. to March 18, 2020 at 7:10 pm.

**JDJ** seconded

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

**3. Request for Certificate of Compliance, 585 North End. Blvd.**

**MS** presented the request for certificate of compliance. **MS** reviewed the ways in which the site is not in compliance. Included dumpster and fence, some vegetation, addition of stairs, stockade fence never replaced as it is not their fence. **LP** asked if the lattice has been unblocked.

Peter McQuillen, a Trustee of the Condo Association, replied it has not but they will work on that. **JDJ** questioned whether the lattice was approved in the garage doors. **LP** noted that they should verify that and the fence order.

**BL** motioned to continue the Request for Certificate of Compliance, 585 North End Blvd. to March 18, 2020 at 7:10 pm.

**EGR** seconded.

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

**4. Request for Certificate of Compliance, 289 North End. Blvd.**

**SA** noted that the applicant has asked to continue to review plans.

**EGR** motioned to continue the Request for Certificate of Compliance, 289 North End Blvd. to March 18, 2020 at 7:10 PM

**JDJ** seconded

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

**D. ENFORCEMENT ORDERS:**

**HOLD, PENDING UPDATE:**

1. 438 N. End Blvd.
2. 565 North End Blvd.
3. 30 Main St.
4. 212 N. End Blvd.
5. 83 Atlantic Ave.
6. 211 N. End Blvd.
7. 279 N. End Blvd.
8. 16 Hayes St.
9. 11 Railroad Ave.
10. 61 Bridge Rd.
11. 139 Elm St

**ACTIVE, PENDING COMPLETION:**

12. 86/88 Elm St.
13. 4 Main Street –

**JKP** motioned to approve the restoration plan for 4 Main St. with Mary Rimmer’s recommended conditions 1- 11, not including condition 6 which instead will include working with the agent to incorporate with reasonable flexibility.

**EGP** seconded

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

**COMPLETE, PENDING APPROVAL:**

14. 345 North End Blvd.
15. 128 Bridge Rd
16. 9 Bayberry Ln.
17. 82 Lafayette Rd
18. 44 Old County Rd.

**E. COMMISSIONER COMMENTS:**

MACC conference - **EGR** and **AM** reviewed their experience at the MACC conference

MVP public meeting - **AM** stated a public meeting will be held Thursday March 5 to discuss the MVP grant they received to raise the road and do a culvert replacement on March and Ferry Roads.

**F. ADJOURNMENT:**

**JKP** motioned to adjourn the March 4, 2020 Conservation Commission Meeting at 10:00 p.m.

**JDJ** seconded.

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