



**Salisbury Conservation Commission
Meeting Minutes
June 1, 2016
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), David Arel (**DA**), Jane Purinton (**JKP**), Jessica Stucker (**JS**), and Walter Moquin (**WM**)

COMMISSIONER MEMBERS ABSENT: Jennifer Troisi (**JT**), Joanne Perreault (**JP**)

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

Sheila Albertelli opened the meeting at 7:07 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

1. MINUTES:

a) April 20, 2016

JKP motions to approve the minutes for April 20, 2016

WM seconds.

Vote 5-0 unanimous. Motion Passed.

b) May 18, 2016

JKP motions to approve the minutes for May 18, 2016.

SA seconds

Vote 5-0 unanimous. Motion Passed.

2. PUBLIC HEARINGS at 7:10pm:

a) NOI: 345 North End Blvd Realty Trust, 345 N. End Blvd (2/3/16)

DA motions to grant a continuance for the Notice of Intent for 345 North End Blvd Realty Trust to June 15, 2016 at 7:10 p.m.

JKP seconds.

Vote 5-0 unanimous. Motion Passed.

b) RDA: Marc Chidley (MC), 121 Central Ave (6/1/16)

Marc Chidley, 114 Central Ave, provides photographs of property to commission.

SA Is the building abandoned? **MC** Yes. Continues to brief the commission on buildings history, work already achieved and future plans.

SA Does the building have a foundation? **MC** No. I have crawled under the building and there is some concrete down there but not a foundation. Once the building is removed we are anticipating a 2 foot depression that will need to be filled.

SA Any fill used would need to be compatible with the Beach Management Plan; you can coordinate that with the conservation agent.

SA The windows will need to be removed from the building before demolition begins. **MC** Yes. I can do that, no problem.

SA The thermostats in the building will also need to be removed. **MC** I don't believe there are any but I will check and remove them if found.

SA Have you met with the planning department and the DPW to discuss parking lot design? **MC** I have not. **SA** They would need to check it to make sure it doesn't cause a traffic issue. **MC** Do I have to that before the determination? **SA** It would be a condition of the determination.

No abutters present.

JKP motions to issue a negative determination for the RDA for Marc Chidley, 121 Central Ave, with the conditions:

1. That the windows and all hazardous materials are removed from the building prior to demolition.
2. That you coordinate with the conservation agent on what fill material is going to be used
3. That you coordinate with the DPW and the Planning Department staff on the design of the parking lot that is to be built.

WM seconds.

Vote 5-0 unanimous. Motion Passed.

c. NOI: Alfred & Jeanne Zappala, 128 N. End Blvd (6/1/16)

Matt Steinel (**MS**) Millennium Engineering representing Alfred & Jeanne Zappala. Briefs on plans for demolition of current building and new construction of a three family home including the ratio of dune disturbed to dune replicated.

SA How much is the footprint of the house moved forward. **MS** About 1.5 feet. It is about equal to where the concrete pad was.

SA The restoration ratio is 1:1? **MS** its closer to 2:1.

SA There is no DEP number so we can discuss but not issue a determination tonight. Were you aware? **MS** Yes, I was under the impression that you could act on it but not issue the order **MR** No.

WM When will stairs be done? **MS** About the same time as the other construction. It will just have a different filing number.

JKP As long as there is no skirting or lattice planned it looks good to me. **MS** There is no skirting or lattice planned, only the utility chases.

SA What are the dimensions for the parking spaces? **MS** 9feet by 18 feet allows us to fit 8 spaces.

SA You're squeezing it down as small as you can? **MS** Yes, to minimize impact.

SA Do you have an elevation plan? **MS** Not yet.

DA Will the new structure be closer to the existing dune. **MS** Yes, by 1.5 feet.

SA Did you include a flood information on the plan? **MS** Yes, I included the FEMA map. The v zone elevation is 19 feet, so we will do 21 feet.

DA We would ask for a bond to insure replication. **MS** My clients would be agreeable with that.

SA The AC units are in compliance. **MS** Yes.

SA What is the size of the chase? **MS** 4 feet by 4 feet. **MR** How many are there? **MS** 3.

No abutters present.

DA motions to continue to June 15th at 7:10p.m.

JKP seconds.

Vote 5-0 unanimous. Motion Passed.

3. NEW BUSINESS:

1. Emergency Certification, Rabbit Rd beaver dam for Mass DOT

WM Is it capture and release? **MR** No.

JKP motions to ratify the Emergency Certification, Rabbit Rd beaver dam for Mass DOT.

WM seconds.

Vote 5-0 unanimous. Motion Passed.

4. ENFORCEMENT ORDERS:

1. 2 Broadway
2. 44 Lafayette Rd.
3. 100 Elm St.
4. 28 CCC Rd.
5. 126 N. End Blvd
6. 7 Elmwood St
7. 13 Commonwealth Ave
8. 457 N. End Blvd
9. 73 Mudnock Rd.
10. 63 Rabbit Rd.
11. 516 N. End Blvd
12. 81 Railroad Ave.

Enforcement order for 81 Rail Road Ave- Remove gravel from dune and restore the native vegetation.

Sam Giarrusso speaks on what happened and asked what process he needs to use to be able to legally use the area as a parking lot without removing the stone if possible.

Discussion follows on what the conditions were before the violation in regards to revegetating with costal species.

JKP you put the gravel down to abate the weeds and make it an easier walking surface, it doesn't seem like it is in the path of your house? **SG** we park there during the summer.

SA it seems like there is no native vegetation because of the nonnative species using it. There is dune grass in the area, you have room for growth. Filling it with gravel is in violation of the wetland protection act.

Outlines two courses of action for him:

1. Comply with the enforcement order. Remove the gravel, plant native species the disrupted area. If you would like to make this area a parking lot, submit a Notice of Intent at the Salisbury Planning Office.
2. Leave the gravel as is and mitigate the damage caused to the area by restoring the adjacent dune at a minimum ratio of 1:1.

SG It was a parking area for over 70 years. **MR** Since we have had aerial photos, so for the last 16 years, it was in a vegetated state. **SG** I was too busy to keep up with the maintenance. What I did was to rectify that. **SG** I don't believe my mother would be ok with the planting. **DA** We need to speak to the family representative who can make decisions, is that you? **SG** Yes. **MR** clarifies options. **SG** If I took the gravel out tonight it would be revegetated tomorrow. **DA** The weeds currently growing through the gravel are not sufficient vegetation to qualify as replication. **JKP** If the conservation agent provides you with a list of plant species that you could use as plantings would that help, can you do that Michelle? **MR** yes. **SG** Yes. **SG** Is there anything that prevents us from parking there once we have restored it? **MR** Yes. **DA** Are there any provisions in the Wetland Protection Act that would grandfather property? **MR** No there is not. The commission is working with you by giving you an amendment option.

DA motions to ratify the enforcement order for 81 Rail Road Ave with an amendment option offered to provide a restoration plan of at least 1:1 by June 15, 2016.

WM seconds.

Vote 5-0 unanimous. Motion Passed.

5. COMMISSIONER COMMENTS:

Comments from **MR**:

1. Dune Nourishment Project for the beach center north to access number 6. There is a public meeting for the property owners affected by the proposed project area Monday, June 6th at 7pm in the Colchester room at Town Hall. This meeting is intended to address the NOI submittal requirements, easement information, and general project information.
2. The DCR's work at the Beach Center is complete for now. Foundation of the Sidewalk Café and parts of the old pool have been removed and the dune has been installed including sand fencing. Planting will occur in the fall.
3. Town of Salisbury was officially enrolled in the Community Rating System. The Town has been accepted into FEMA's CRS program as a Category 8 Community. This means a 10% discount on policy premiums for those within the floodplain, paying standard rates starting May first of this year. Anyone already receiving a discounted rate (preferred risk policies) will not receive the credit.

JKP I'd like to thank you (**MR**), Lisa Pearson, Leah Hill, The Town Inspector and the Assessor's office. It took a lot of work and we really appreciate it.

DA How does a town becomes a 7? **MR** It is outline in the manual. We would need to further exceed the federal regulations. **DA** How would the Blackwater flood-wall effect that? **MR** The flood-wall is a federal project and we can't take credit for that.

JKP Remember the workshop I told you about at last meeting. I have the presentation for each of you to look over. I'll e-mail it to you and if you want a hard copy the planning office can print one out for you.

Adjournment:

DA motions to adjourn the June 1, 2016 Conservation Commission Meeting at 8:53 p.m.

JKP seconds.

Vote: 5-0 Unanimous. Motion Passed.