



**Salisbury Conservation Commission
Meeting Minutes
May 1, 2019
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

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

COMMISSION MEMBERS ABSENT: Vice Chair Jessica Stucker (JS), Emily Round (EGR), and Joanne Perreault (JP).

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

Chairman Sheila Albertelli opened the meeting at 7:09 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded.

A. MINUTES:
1. April 17, 2019

JDJ motioned to continue the minutes for April 17, 2019 to the May 15, 2019 meeting.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

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

April 17, 2019 meeting this application was continued to the May 15, 2019 at 7:10p.m.

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

JKP motioned to continue the Notice of Intent for C&R Realty Trust, 110 Elm St. to May 15, 2019 at 7:10p.m.

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

3. NOI: Zap Development, LLC, 28 Rabbit Rd. and rear lots (10/17/18)

JDJ motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd. and rear lots to May 15, 2019 at 7:10p.m.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

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

JKP motioned to continue the Notice of Intent for Northeast Properties & Investments, LLC, 187 Atlantic Ave. to June 5, 2019 at 7:10pm

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

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

JDJ motioned to continue the Notice of Intent for Azar & Marian Korbey, 23 Commonwealth Ave., to June 5, 2019 at 7:10pm.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

6. NOI: DPW Realty, LLC., 98 Elm St. & 5 Bartlett St. (4/17/19)

JKP motioned to continue the Notice of Intent for DPW Realty, LLC., 98 Elm St. & 5 Bartlett St. to May 15, 2019 at 7:10pm.

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

7. RDA: MA DOT, I - 95 North CCTV- 89 (5/1/19)

Melissa Ryan (**MER**) of AECOM represented the applicant. Proposed an Intelligent Transportation System (ITS) project for District IV. Project will improve safety and situation awareness and provide information to first responders. Includes a CCTV camera and cellular antenna on a 60 pole in a 4-foot concrete foundation that penetrates about 8 feet deep. Approximately 200 feet of underground conduit will be installed in a 2-foot by 3-foot trench. Wire will then move to an overhead wire and cross an abandoned section of Joy Road to connect to existing utilities.

SA asked for clarification on work to be done in the right-of-way for the former Town road. **MER** replied MA DOT is aware of the right of way and will receive all permissions required

JDJ asked if the area where the overhead wires are being hung is preexisting or new. **MER** stated she does not know what is preexisting, but what they are proposing is new.

JKP asked if the pole was on MA DOT property. **MER** replied it is on the shoulder of the highway.

SA asked if they would need to cut trees. **MER** replied it would require trimming in two areas, but no tree cutting is required. **SA** expressed concern about large machinery being so close to the wetland line (~10 feet). Would like the ditch to be dug with a ditch witch, as the size of the machinery is not specified and they do not want heavy machinery this close to the resource area.

JKP motioned to issue a negative determination for the Request for Determination of Applicability for MA DOT, Highway Division I- 95 with the condition that when the ditch is to be dug with a ditch witch, or similar small equipment, no heavy is equipment allowed. MA DOT will resolve any easement issues.

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

8. RDA: Carol Holland, 77 Cable Ave. (5/1/19)

Carol Holland (**CH**) presented the project to install a patio at the rear of the property; continued from the front patio. The area is about 200 feet. **JKP** asked if she is removing the sod. **CH** confirmed it is overgrown and will be removed from the property. **JKP** asked who would be doing the construction. **CH** replied Whittier would be doing the work.

JKP motioned to issue a negative determination for the Request for Determination of Applicability for Carol Holland, 77 Cable Ave with the condition that the addition of a sidewalk and front walk are allowed. The contractor is required to install the pervious pavers according to the manufacturer's specifications.

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

Restricted

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 61 Atlantic Ave.

Kevin Henderson (**KH**) was present. **SA** informed him he has an open case with DEP that needs to be closed out before the Commission can move on the request. **KH** stated he refused to pay the fine levied by DEP and they never followed up with it, so he believes the issue is closed. **MR** confirmed the issue remains unresolved and she will provide him with the contact information for him to follow up with DEP on actions required to close out the case.

JDJ recommended the request for Certificate of Compliance for 61 Atlantic Ave be tabled until notified the open case with DEP is closed.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

2. Request for Extension, 128 North End Blvd.

Alfred Zappala (**AZ**) was present to request the extension. Spoke about decreasing the size of the house by one (1) foot. **SA** replied that sounds to be a minor change; when he is ready to make the change, he should inform the Agent.

JDJ motioned to issue the extension for 128 North End Blvd for 3 years to 7/18/2022.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

3. Request for Significance of Change, 71, 73, 75 North End Blvd.

Dennis Greche (**DG**), Andover Consultants, was present. Proposed to increase the area of crushed stone to about 200 square feet to create a more easily maintained space that makes the egress cleaner and safer.

JDJ asked how close the stones would be to the wetland. **DG** replied it is about 12 feet. **JDJ** asked if the area floods. **DG** confirmed it does flood. **JDJ** expressed concern about the gravel dispersing into the wetland. **JKP** asked if the split rail fence to demarcate the wetland would remain. **DG** replied the applicant is not present to confirm but will demarcate the wetland with a split rail fence or plaques mounted on posts. **SA** requested a site visit during high tide.

JKP motioned to continue the request for significance of change for 71, 73, 75 North End Blvd.

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried.

D. ENFORCEMENT ORDERS:

1. 81 Railroad Ave. – Owners have submitted an update. Commission would like a site visit.

2. 438 N. End Blvd. – **MR** informed the Commission the plants have been struggling; the owners are working with a new landscape designer.

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.
11. 212 N. End Blvd.
12. 83 Atlantic Ave.
13. 9 Bayberry Ln.
14. 6 True Rd.
15. 211 N. End Blvd.
16. 279 N. End Blvd.
17. 146 Central Ave.
18. 82 Lafayette Rd.
19. 16 Hayes St.

20. 11 Railroad Ave. – **JDJ** informed the Commission there has been no change in the project since they started the first panel of the fence. **MR** will contact to get an update.

G. COMMISSIONER COMMENTS:

MR stated she received a complaint of people walking their dogs in the marsh and not picking up their waste. This is a common issue. It is difficult to enforce and very disrespectful, especially those that bag and leave the bag. Commission reminded the public that they need to take responsibility for their pets and clean up after them.

H. ADJOURNMENT:

JDJ motioned to adjourn the May 1, 2019 Conservation Commission Meeting at 8:24 pm

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.