



**Salisbury Conservation Commission
Meeting Minutes
June 6th, 2018
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

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

COMMISSIONER MEMBERS ABSENT:

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

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

ERG motioned to add the Emergency Certificate for the MA DCR, Salisbury State Beach Reservation to the agenda.

JP seconded.

Vote: 6-0, unanimous. Motion Carried.

JP motioned to add the Emergency Certificate for 130 Central Avenue to the agenda.

ERG seconded.

Vote: 6-0, unanimous. Motion Carried.

A. Emergency Certifications:

1. DCR, Salisbury State Beach Reservation-

Darryl Forgione (**DF**) representative for MA DCR and David Smith (**DS**) of GZA Environmental were present to introduce the emergency work proposed to repair damages from the 2018 storms.

DF addressed the purpose of the repairs, which is to preserve public safety. All work will be completed by June 30th. Includes import of sand, sand fencing, regrading of sand along the state beach, repair to access structures, and repairs to the sink hole and sea wall in the reservation.

DS further outlined the repairs to the seawall and the sink hole behind the wall and to the nourishment needed to the west of the wall. They will also be repairing access ways (R3, 8, 9 and 10) and nourish dunes and add fencing (as funds allow) in select locations from beach center to the reservation.

JP asked if they would be planting dune grass. **DF** stated they will not, it is too late in the season. Looking for funding to do planting in the fall.

JS motioned to issue the Emergency Certificate for the DCR, Salisbury State Reservation for the following work:

1. Sand nourishment west of Reservation seawall
2. Reservation Seawall sinkhole repairs
3. Reservation access 3 stair renourishment
4. Beach Center/Oceanfront South beach nourishment
5. Public Access 8, 9 and 10 beach nourishment

ERG seconded.

Vote: 6-0, unanimous. Motion Carried.

2. 130 Central Ave. -

JKP motioned to approve the Emergency Certification for 130 Central Ave for the import of sand to rebuild dune, protect property and provide storm resiliency.

EGR seconded.

Vote: 6-0, unanimous. Motion Carried.

B. MINUTES:

1. May 16, 2018

EGR motioned to approve the minutes for May 16th, 2018.

JP seconded.

Vote: 4-0, 2 abstained. 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)

JS motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, and 16-18 Broadway to June 20th, 2018 at 7:10p.m.

JKP seconded

Vote: 5-0, 1 abstained. Motion Carried.

SA welcomed new commissioner Julie Johnson (**JDJ**) to the Conservation Commission.

2. NOI: Keith Sullivan, 51 Baker Rd. (4/4/18)

Brian Knowles (**BK**) represented the applicant. Presented a revised plan that shows the requested tree plantings (14 balsam or white spruce) and wetland demarcation in the form of two foot diameter (2') boulders along the wetland line. Proposed to plant a wetland see mix with blueberry bushes in the area where trees were cut. **SA** requested the rocks have permanent tagging to mark them as a wetland demarcation.

EGR asked why the new tree plantings are not located where the trees were illegally cut. **BK** stated the area is mostly driveway and utilities. They also want to have solar power and they don't want the mature trees to shade the house.

JS asked how close wetland flag A18 is to the house. **BK** stated it is no closer than 12 feet.

JKP asked if the lawn extends to the rear of the house, between the house and the wetlands. **BK** stated it does.

JKP stipulated no fertilizers are to be used on the lawn.

ERG requested additional trees to be planted between wetland flags A22 to A24 where the stumps are located to replace to trees removed.

JKP motioned to close the public hearing and approve the Notice of Intent for Keith Sullivan, 51 Baker Road with the standard special conditions and the conditions that the minimum of three trees are added between wetland flags A22 to A 25, that the stumps are removed, no fertilizer is to be used and the boulders are to be permanently marked as wetland demarcation. Certified organic fertilizer (OMRI) is allowed.

JP seconded

Vote: 4-1, 1 abstained. Motion Carried.

3. NOI: Joseph Johnson, 26 Gerrish Rd. (4/18/18)

JS motioned to continue the Notice of Intent for Joseph Johnson, 26 Gerrish Road to June 20th 2018 at 7:10 pm
JP seconded.

Vote: 6-0, unanimous. Motion Carried.

4. NOI: 54 Beach Rd LLC, 56 Beach Rd (6/6/18)

SA stated at this time no DEP number has been issued for this project. The Commission may discuss but cannot vote.

Matt Steinel (**MS**) of Millennium Engineering represented the project. Recently requested a Certificate of Compliance for a prior NOI. COC was denied as the project was not completed according to the plans. This project proposes two structures with 3 units in each structure. Drainage from the houses will be directed into a stone drip edge. The driveways and road will drain into the existing drainage basin which is of sufficient size. **JS** asked if the wetland flags are currently in the field. **MS** stated they are not but they will flag the wetland line before construction begins. The line, though ten years old, is not likely to have changed. There is a slope that limits the possibility of the wetland expanding. **MS** presented a hand-out showing the line that had been previously approved.

JKP requested Joe Serwatka review the storm water calculations.

JKP stated for next meeting she would like the following items addressed: snow storage, dumpster location, details on any tree clearing and landscaping plan.

Steve Paquette (**SP**) informed the Commission there would be curbside pickup for garbage disposal, no dumpster required. In regards to the landscape plan, he met with Grace Mackenzie, resident of 50 Beach Rd., about the 12 new units that will be part of the Sheffield Village condominiums. (There will be 44 units when completed. Buildings in this development same type and size as pre-existing units.) Agreed to provide landscaping between their properties for which they will provide a plan.

JS asked if there is any guest parking. **MS** replied the units all have driveways and garages to accommodate parking.

EGR asked if unit # 41, which is very close to the brook, could be limited in size to pull it back from the resource area. **MS** replied it is placed as far from the resource as possible while still accommodating zoning and maintaining uniformity. **JS** asked how close the building is to the wetland. **MS** replied 12 to 15 feet. Described how the water runoff will move (away from resource area). Maintenance of the drainage structures will fall to the condo association.

JKP asked where the Cultec system that was mentioned in the narrative will be. **MS** stated there is no such system. That is a clerical error and will be removed.

ERG asked how close the grading goes to the wetland. **MS** replied the grading is not proposed by the wetland. Only the installation of the drip edge. Commission requested a site visit and that the plan revision includes a limit of clearing.

JS asked if there will be curbing. **MS** replied there will not be.

EGR motioned to continue the Notice of Intent for 54 Beach Rd LLC, 56 Beach Rd to June 20th 2018 at 7:10 pm. In the interim, request a review by the Town Engineer of the storm water plan under the wetlands protection act and a site visit.

JS seconded.

Vote: 6-0, unanimous. Motion Carried.

5. NOI: 54 Beach Rd LLC, 60 Beach Rd (6/6/18)

SA stated at this time no DEP number has been issued for this project.

JKP asked that the requests for the prior motion apply to this NOI as well with the inclusion of a tree removal plan and landscaping plan.

MR asked if there is any fencing for the retention pond. **MS** replied it will be addressed.

JKP motioned to continue the Notice of Intent for 54 Beach Rd LLC, 60 Beach Rd to June 20th 2018 at 7:10 pm with a site visit in the interim.

JP seconded.

Vote: 6-0, unanimous. Motion Carried.

6. RDA: Daniel Kinsella, 86 Central Ave (6/6/18)

Daniel Kinsella (**DK**) was present. Sand has been imported and the fencing is in. Applying for a beach crossing that has already been installed; was not aware the access needed to be applied for.

SA asked if the crossing meets the states performance standard. **MR** stated it is above the crest of the dune and angled to the south west.

JKP asked what was previously located at the site. **DK** replied there was a similar walk over.

JS asked how the stairs are anchored. **DK** stated they are anchored with 2x4's buried as deep as they could get them, about 5 feet.

JP requested comment from **MR**. **MR** replied she wishes the applicant had come the commission before building the stairs as they would have asked for the stringer to be further from the sand, which would have made it a more resilient structure. As is, it is mostly in compliance.

JS motioned to issue a negative determination for the Request for Determination of Applicability for Daniel Kinsella, 86 Central Ave

JKP seconded.

Vote: 6-0, unanimous. Motion Carried.

7. RDA: Stephen Rosetti, 13 Lewis Ave (6/6/18)

Stephen Rosetti (**SR**) was present. Existing stone driveway is difficult to maintain in the winter months. Would like to replace it with permeable pavers.

JKP asked what will be done with the material that is removed. **SR** stated it will be removed from the site.

SA asked if they had the spec sheet for the pavers. Discussion followed on the permeability of the pavers that are being installed. Needs to be installed correctly to be permeable. **JKP** specified stone dust is not to be used.

SA asked that the spec sheet be provided to the Conservation Agent and the contractor.

JKP motioned to issue a negative determination for the Request for Determination of Applicability for Stephen Rosetti, 13 Lewis Avenue with the conditions that they provide the spec sheet for the pavers, that they are installed per the instructions, the material used between the paves is permeable and any material removed will be disposed of properly off-site.

JS seconded.

Vote: 6-0, unanimous. Motion Carried.

8. RDA: Cynthia Dandrea, 141 Atlantic Ave (6/6/18)

Bryce Roberts (**BR**) and Chris Yocum (**CY**) of Ryft Designs were present to represent the applicant. Proposing to build a dune crossover. Walkway is elevated 24 inches above dune and designed to beach standards. **BR**

Requested the height to be 18 inches per client preference. Commission agreed as the request is within the acceptable range.

BR reviewed the design of the walkway. Material used is pressure treated white pine. Boards are 1 inch apart, pile driven, and no concrete will be used. Will use a shelf brace.

Commission requested the horizontal structural member be removed. **JKP** requested they consider using a thru flow type decking and diamond piers to anchor. **MR** suggested they consult the Building Inspector on the best anchor. **BR** replied that he would not recommend the change in material as it is too lightweight and is very dangerous when it breaks.

JP motioned to issue a negative determination for the Request for Determination of Applicability for Cynthia Dandrea, 141 Atlantic Ave with condition that the horizontal bracing be removed.

JKP seconded.

Vote: 6-0, unanimous. Motion Carried.

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 43 Folly Mill Rd

MR recommended approval as the site is in compliance with its Order of Conditions.

JKP motioned to issue the Certificate of Compliance for 43 Folly Mill Rd.

EGR seconded.

Vote: 6-0, unanimous. Motion Carried.

2. Request for Certificate of Compliance, 162 N. End Blvd

Order of Conditions issued in 1982, file was not found. The Order of Conditions had basement specific conditions. There is no basement in the structure. The structure was raised above the flood elevation for the time. Is on a poured a slab. Therefore the conditions for the basement do not apply. Otherwise found to be in compliance with the Order of Conditions.

JS motioned to approve the request for Certificate of Compliance for 162 N. End Blvd.

JKP seconded.

Vote: 6-0, unanimous. Motion Carried.

D. ENFORCEMENT ORDERS:

- 1. 28 CCC Rd.**
- 2. 81 Railroad Ave.**
- 3. 438 N. End Blvd**
- 4. Pearson's Pit Access Rd**
- 5. 128 Bridge Rd.**
- 6. 26 Sweet Apple Tree Ln.**
- 7. 91 Bridge Rd.**
- 8. 2 Linda Ln.**
- 9. 565 N. End Blvd**
- 10. 157 Bridge Rd.**
- 11. 30 Main St –**
- 12. 86/88 Elm St –**

E. COMMISSIONER COMMENTS:

MR welcomed Julie Johnson to the Conservation Commission.

G. ADJOURNMENT:

JP motioned to adjourn the June 6th, 2018 Conservation Commission Meeting at 9:02 p.m.

JS seconded.

Vote: 6-0, unanimous. Motion Carried.