



**Salisbury Conservation Commission  
Meeting Minutes  
January 18, 2017  
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**) and Alison Novello (**AN**).

**COMMISSIONER MEMBERS ABSENT:** Walter Moquin (**WM**), Jennifer Troisi (**JT**) and Jessica Stucker (**JS**)

**ALSO PRESENT:** Conservation Agent, Michelle Rowden (**MR**).

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

**A. MINUTES:  
January 4, 2017**

**JKP** motioned to continue the minutes for January 4, 2017.

**DA** seconded.

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

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

**1. NOI: Mark Wojcicki, 170 Bridge Rd (11/2/16)**

George Zambouras (**GZ**) of Atlantic Engineering represented the applicant. Submitted revised plans for review and received back comments, but did not have time to draft a formal response. Introduced the existing conditions and the updates made since they were last before the Commission.

**SA** informed the applicant that they received the revised materials and the review letters just before the meeting. Since they have not had a chance to read and process the material provided, they are not prepared to vote tonight and will motion to continue.

**GZ** confirmed he understood, but would like to state his responses to the reviews before the Commission.

**GZ** first responded to Rimmer Environmental's wetland review.

- The first comment was that the water quality standards would have to meet the 1 inch, not the ½ inch, standards if the potential vernal pool in the non-jurisdictional wetland was certified. **GZ** responded that this concern is valid but that no water will be discharged into the non-jurisdictional wetland. They could add more notations to the plan to clarify that.
- **GZ** commented that the buffer to the isolated vegetated wetland (IVW) area was increased to just over 13 feet.
- They added additional erosion controls within 25 feet of bordering vegetated wetland (BVW). Planned to include the isolated land subject to flooding but did not include that on the plan, will add to satisfy comment.
- They will identify the seed mix they will be using in the water quality swale and basin.
- The comment was made that the snow storage area is too small. In the winter they will not be using most of the back lot. All of that area can be used for snow storage. They will make the area larger and add a notation on the plan that snow is to remain in the graveled area.

- Rimmer suggested that a gravel lot will be required to be cleaned more frequently and that should be reflected in the operational maintenance plan (OM plan). **GZ** responded that they will include quarterly monitoring in the OM plan.
- Reporting and monitoring will also be done quarterly in the OM plan.

**SA** asked if inspections will also be done quarterly. **GZ** confirmed they will be.

**SA** also requested that fertilizer use be prohibited in the OM plan. **GZ** agreed.

**GZ** responded to the comments made by Joe Serwatka, Town Engineer.

- The first three comments in his letter were resolved.
- Comment no. 4 stated that the catch basin cannot be constructed as shown on the plan. **GZ** stated that is correct. There is a typo that needs to be corrected. Changing an 8 inch measurement to a 3 inch on the frame and grate will correct that.
- The oil and grit separator also has a typo that will be corrected.
- The next comment is about the lack of a 2 foot high ground water separation. **GZ** clarified that According to the DEP there are two types of water quality swales: wet and dry. The dry water quality swale requires the 2 foot separation. The wet water quality swale does not require any separation. The swale on this site is a wet water quality swale. It will be marked more clearly on the plan.
- Serwatka also commented that he is concerned with the front of the property. It was reviewed by Mass DOT and they approved. The settling basin TSS removal requirement is 80 percent and we are at 90 percent. DEP requires texture analysis, not soil analysis as Serwatka prefers.
- Serwatka is concerned about the break-out separation requirements for the infiltration trenches. We have a subsurface infiltration system, not basins or trenches, which does not require break-out distances.

**JKP** requested **GZ** submit a written narrative to address these comments. **SA** agreed and requested that the notations he spoke of are also added to the plans for the next meeting.

**DA** asked if there is a written statement from MA DOT confirming their approval. **GZ** answered that he received an e-mail. They asked a response from him which he furnished and is waiting for their response back. When he receives it, he will forward it to the Conservation Agent. **DA** asked for any comments MA DOT gave on the subsurface infiltration system or the wall. **GZ** replied they did not comment on those items but they are non-jurisdictional. **MR** informed him the project is reviewed as a whole.

**JKP** asked if Natural Heritage had responded about possible impact to the endangered species in the area. **GZ** answered that a letter was provided confirming this project would not result in a take.

**JKP** asked if the property is graded towards Route 1. **GZ** responded that the lot is currently graded in that direction. Showed the current drainage at the site on the plan.

**JKP** expressed concern about gravel migration. **GZ** responded that it is not a concern. **MR** asked if the driveway is paved. **GZ** clarified the apron is paved. **MR** asked if gravel will be washed onto Bridge Road. **GZ** answered that it will not.

**JKP** asked about ledge removal. **GZ** responded hammering may be required but they will not know until work begins.

Abutter John Golden (**JG**), 172 Bridge Road, was present to request a fence be built between his property and the proposed lot to protect his home from car lights. Estimated it may take 50 to 60 feet of fence. **GZ** responded he will share this request with the applicant.

Abutter Mike Goodridge (**MG**), 161 Bridge Road, asked how high the back lot from the road is. **GZ** responded that the lot is about 6 to 7 feet higher than the roads elevation. They will be grading the lot to be 8 feet above Route 1. The natural high point is 9 feet above Route 1.

Abutter Steve Jayne (**SJ**), 162 Bridge Road, stated his main concern is drainage. **GZ** responded that less water will be going from this property to his, improving his drainage situation. **SJ** is also concerned with snow storage and snow getting pushed onto his property. Requested a fence to ensure this does not happen. **GZ** stated that snow would not be pushed onto his property and a fence would not be needed.

**SA** added that snow management is included on the OM plan which will be reviewed quarterly.

Discussion progressed to ledge. **SA** suggested adding to the plan that no blasting will be done. **SJ** asked again for a fence. He is worried about the buffer to his property being removed. The fence would help buffer his business from the Rail Trail and neighboring properties. **GZ** responded he will make the requested to the applicant.

**DA** motioned to continue the Notice of Intent for Mark Wojcicki, 170 Bridge Road to the February 1, 2017 meeting at 7:10pm.

**JKP** seconded.

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

## **2. NOI: Plum Island LLC, 109-113 Bridge Rd (1/4/17)**

Bill Decie (**BD**) (wetland scientist) represented the applicant. Since the last meeting they have removed the wetland line that had not been reviewed and is located off the property and added a 200 foot riverfront line.

**JKP** motioned to approve the Notice of Intent for Plum Island LLC, 109-113 Bridge Rd based on the concerns in Rimmer's Environmental's review that were addressed. No contaminated materials are to be brought in, or stored onsite. No soils are to be stored onsite. Standard special conditions apply.

**AN** seconded.

**DA** expressed concern about contaminated trucks being washed onsite. Discussion followed. **DA** requested an amendment to the motion that vehicles brought onsite will not transfer any hazardous materials in, or on them, to the surrounding environment. **JKP** amends the motion to include that NRC ensure any truck coming on the property for general maintenance, will not in any way transfer possible contaminants contained within, or on, the vehicles to the surrounding site.

**AN** seconded.

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

## **3. NOI: Arthur Broadhurst, 1, 3 Murray St & 70 Brissette Ave. (1/18/17)**

Dennis Griecci (**DG**), an engineer with Andover Consultants, is representing the applicant. Introduced the project which includes razing three existing structures on the site. Proposing to combine the three lots into one lot and construct four (4) single family dwellings on piles with parking underneath. Briefed on the flood zone, and associated improvements.

**SA** stated there is no DEP number for this project. They can discuss, but cannot vote on this project tonight.

**JKP** referenced the narrative provided with the application, which stated that the parking areas would be paved with a pervious material and the visitor parking area would be gravel. There is a conflict with note 1 on the plan that mentions paved parking. **DG** clarified that under the structures is proposed to be paved parking. The Commission expressed concern over this. **DG** responded that he would pass the Commission's concern onto the applicant. **MR** requested the applicant provide the Commission with the ratio for impervious area existing onsite versus proposed. **DG** offered that right now the houses are 2,800 square feet total and we are proposing four (4), 600 square foot homes, which is a decrease in impervious area. **MR** informed them paving a non-usable area is not usually allowed. You will need to provide a viable reason to pave the entire area under the houses.

**SA** asked for clarification on the purpose of the extra parking area. **DG** replied it is for the non-commercial use of the residents.

**SA** stated there were some concerns about possible hazardous contamination on the property. **DG** replied he has no knowledge of contamination. **MR** explained the history of the contamination concern. **SA** requested a soil test be done to ensure there is no hazardous contamination in the soils.

**JKP** requested a side view of the buildings and the elevations. **DG** replied the applicant had not yet hired an architect, so he does not have side view of the buildings. **JKP** asked **MR** if they can approve a project when

they don't know what the structures are going to be. **MR** responded that a typical cross section is often provided that shows the location of the utility chase and sewer connection and the elevation of the house.

**JKP** asked if the DPW had been contacted. **MR** commented that there was a brief review where the DPW Director was made aware of the project. They will need to be contacted about the curb cuts and the sewer and utilities connections. **JKP** asked if there is any fencing planned. **DG** responded there is none planned. **JKP** informed him that if they do add a fence to the plan, it will need to be a 50 percent open fence. **SA** added that there is also no lattice allowed under the buildings at the beach and if hay is used as an erosion control option it needs to be salt hay.

Abutter Mr. Tremblay (**MT**), 68 Brissette Ave, asked what the height of the structures is going to be. **DG** responded they will be 2 stories. **MT** asked what the distance between the structure and the fence will be. **DG** responded it is about 12 feet.

**SA** requested that vegetation be planted and the locations shown on the plan. **MR** added that recreational areas for the residents should also be marked on the plans.

**JKP** motioned to continue the Notice of Intent for Arthur Broadhurst, 1,3 Murray St & 70 Brissette Ave to the February 1, 2017 meeting at 7:10pm.

**AN** seconded.

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

**C. OLD BUSINESS:**

**1. Request for Certificate of Compliance, 90 & 94 Forest Rd.**

Michael Wolpert (**MW**) of H&M Industries was present.

**JKP** briefed on the site visit she and **MR** conducted. The house built was smaller than the proposed house. The driveway configuration is different than shown on the plan. **MW** explained they encountered ledge and moved the driveway to avoid it. **JKP** stated that the driveway is gravel and not paved as shown on the plans. **MW** explained why they decided not to pave the driveway. **JKP** Clarified for the applicant that if the partial certificate is issued, in the future if they want to pave the driveway they will need a new approval.

**JKP** motioned to grant a Partial Certificate of Compliance to Michael Wolpert at 94 Forest Road.

**SA** seconded.

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

**2. Request for Certificate of Compliance, 47 Commonwealth Ave.**

**JKP** briefed the Commission on the site visit she and **MR** conducted. They have concerns about an AC unit being installed on the ground. AC units need to be installed off the ground (as flood regulations require). There were blocks on the ground and AC fixtures low on the house that look like an AC could be installed on the ground. Both the blocks and fixtures need to be removed. The dune was also damaged by heavy equipment during construction. **MR** addressed the issue at the time, but the sand that was brought in to repair the dune was not clean. It needs to be removed, and the dune needs to be restored properly. **MR** will contact the owners.

**JKP** motioned to continue the Request for Certificate of Compliance for 47 Commonwealth Ave, to the February 1, 2017 meeting at 7:10 p.m.

**AN** seconded.

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

**D. NEW BUSINESS:**

**1. Request for Certificate of Compliance, 5 Commonwealth Ave.**

Ron Laffely (**RL**) of Fulcrum Architects represented the applicants in their request for Certificate of Compliance. There were a few changes including using potted plants instead of ground plantings and the removal of the proposed dividing arbor.

**JKP** briefed on her site visit with **MR** to the property. They believe the beach grass was not planted deeply enough as many of the plugs have popped out of the sand and others are evident at the surface. There are also ladders currently being stored on the dune grass within a fenced area. They will need to be removed. **DA** asked if there was more plantings than required. **MR** responded it looked to be planted according to the plans.

**DA** motioned to issue the Certificate of Compliance for 5 Commonwealth Ave.

**AN** seconded.

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

## **2. 148 Lafayette Rd Compliance**

Eric Botterman (**EB**) of Millennium Engineering represented the applicant. Briefed the bringing in of fill and the loss of the property to the bank and the enforcement order that was issued on the property. The property is now for sale. Went to the property to find if wetlands were filled. No evidence of this was found. Asked the Commission to lift the enforcement order. **MR** confirmed and recommended lifting.

**DA** motioned to lift the enforcement order on 148 Lafayette Road.

**AN** seconded.

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

## **E. ENFORCEMENT ORDERS:**

At the request of **DA**, **MR** reviewed the enforcement list.

1. 100 Elm St. - discussion on the amount of time this enforcement order had been open followed. The Commission agreed it is time to escalate the situation. **DA** requested an explanation from the owners on the time elapsed. **MR** agreed to contact them.

2. 28 CCC Rd.
3. 126 N. End Blvd
4. 13 Commonwealth Ave
5. 73 Mudnock Rd.
6. 81 Railroad Ave.
7. 105 Rabbit Rd.
8. 438 N. End Blvd

## **F. COMMISSIONER COMMENTS:**

**MR** reminded the Commission that their ethics packets need to be completed.

The MACC conference is on March 4, 2017. **MR** asked the Commission to please submit their workshop selections if they would like to attend.

Bylaw discussion followed.

## **G. ADJOURNMENT:**

**DA** motioned to adjourn the January 18, 2017 Conservation Commission Meeting at 9:22 p.m.

**JKP** seconded.

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