



**Salisbury Conservation Commission
Meeting Minutes
September 15, 2021
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Virtual Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT: Chairwoman Sheila Albertelli (SA), Blake Leibert (BL), Jane Purinton (JKP), Michael Colburn (MC), Julie Doughman-Johnson (JDJ), Daniel Richard (DR)

COMMISSION MEMBERS ABSENT:

ALSO PRESENT: Conservation Agent, Adriane Marchand (AM).

Chairwoman 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 and being held remotely.

A. MINUTES:

1. **May 5, 2021**
2. **May 19, 2021**
3. **June 2, 2021**
4. **July 7, 2021**
5. **August 4, 2021**
6. **August 18, 2021**
7. **September 1, 2021**

JDJ motioned to continue the minutes for May 5, 2021; May 19, 2021; June 2, 2021; July 7, 2021; August 4, 2021; August 18, 2021; and, September 1, 2021 until October 6, 2021.

MC seconded

Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes

Vote: 6-0-0. Unanimous. Motion carried

B. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Patrick DiMartino, 14 Lewis Ave (7/21/21)**

SA stated no DEP # has been issued, and the applicant had requested a continuance to October 6, 2021.

JDJ motioned to continue the Notice of Intent for Patrick DiMartino, 14 Lewis Ave. to October 6, 2021.

DR seconded

Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes

Vote: 6-0-0. Unanimous. Motion carried

2. NOI: Tom Patenaude, 207 Beach Road, lots 249-258 (8/4/21)

SA stated the applicant has requested a continuance to October 6, 2021.

JDJ motioned to continue the Notice of Intent for Tom Patenaude, 207 Beach Road, lots 249-258. to October 6, 2021.

MC seconded

**Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried**

3. NOI: Tom Patenaude, 207 Beach Road, lot 259 (8/4/21)

SA stated the applicant has requested a continuance to October 6, 2021.

JDJ motioned to continue the Notice of Intent for Tom Patenaude, 207 Beach Road, lot 259. to October 6, 2021.

MC seconded

**Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried**

4. NOI: Tom Patenaude, 207 Beach Road, lot 260 (8/4/21)

SA stated the applicant has requested a continuance to October 6, 2021.

JDJ motioned to continue the Notice of Intent for Tom Patenaude, 207 Beach Road, lot 260. to October 6, 2021.

MC seconded

**Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried**

5. NOI: Wayne Capolupo, 13 Beach Road, LLC, 13 North End Blvd. (8/4/21)

SA stated the applicant has requested a continuance to October 6, 2021.

JDJ motioned to continue the Notice of Intent for Wayne Capolupo, 13 Beach Road, LLC, 13 North End Blvd. to October 6, 2021.

MC seconded

**Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried**

6. NOI: Jacqueline Guilmette, 121 Central Ave (9/1/21)

Matt Steinel of Millennium Engineering (**MS**) reviewed the last meeting and addressed the parking concerns voiced in the last meeting, stating the lot had a house as recently as five years ago, and has been a parking lot ever since. Currently, cars access the lot from North End Blvd., and exit via Central Ave., so it's reasonable for the homeowners to continue utilizing both accesses once the home is built. **JKP** asked how parking would work with the stairs located where they are. **MS** reviewed parking set up, showing parking will be available under the structure, as well as along the south side of the home. **SA** advised that if any pervious pavers break and need to be replaced, the specs for the replacements will need to be approved by the Commission before installation.

JKP motioned to approve the Notice of Intent for Jacqueline Guilmette, 121 Central Ave. with the standard order of conditions and the added condition that pavers need to be approved before installation.
DR seconded

Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried

7. RDA: Paul & Suzanne Creegan, 481 North End Blvd (9/1/21)

Matt Steinel of Millennium Engineering (**MS**) reviewed the previous meeting. **SA** asked if the type of erosion control to be used was specified on the plan. **MS** replied that existing vegetation and berm would act as erosion control, but they can add construction fencing to keep contractors out of vegetated areas. **SA** stated she would feel more comfortable with conditioning a stipulation that if erosion occurs and erosion control is needed, then they are to contact the Agent to determine what type of erosion control should be used and where. **MS** replied they could just put some in anyway to avoid confusion. **MC** agreed there needs to be some kind of erosion control, but advised that you need to dig six inches down to install silt fencing, which might damage root systems, and they should install wattles on the ground instead. **SA** agreed

JKP motioned to issue a negative determination for the Request for Determination for Paul & Suzanne Creegan, 481 North End Blvd., with the condition that salt straw wattles will be installed.
JDJ seconded

Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried

8. NOI: Damon Amato, Downeast Residential, LLC, 30 & 32 Cable Ave. (9/15/21)

SA advised there was no DEP # issued. **SA** read portions of a letter from abutters Angelo & Anita Paleologos of 34 Cable Ave. into the record. The letter discussed concerns regarding run off and the building setback. **SA** advised that the setback concern is outside the jurisdiction of the Conservation Commission. Tom Hughes of Hughes Environmental (**TH**) represented the applicant. The applicants Damon Amato (**DA**) and Ben Legare (**BL**) were also present. **TH** addressed the abutter's stormwater concerns and stated a peer review will be conducted and the reviewer should be made aware of the concerns. **TH** stated the project is for the construction of a new six-unit residential building on pilings with associated site work and stormwater management. **TH** reviewed the property location, and explained that roof run off will be directed into a rain garden at the back of the site. Plantings for the rain garden will be native. **SA** advised that the profiles don't include all of the elevation data. **TH** stated it can be provided. **SA** asked if any grade changes were proposed. **TH** they are adding gravel for parking beneath the structure, but no significant grade changes are proposed. **SA** questioned whether the retention area for the stormwater would be large enough. **JKP** commented there were some lines on the plan that made it look like the site will be regraded to direct water to the retention area. **TH** replied that those were drain lines. **SA** requested a contingency plan in the event of a failure with the proposed stormwater management. **TH** replied there is an O&M plan, and the Commission can request copies of the inspection

reports be submitted to the Commission. **MC** noted that the rim for the bioretention area is 5.7, and the park line is 5.7, so the area is level. **TH** agreed and stated it will infiltrate, and if it over tops, the water will flow into the parking lot like it does already. He added that they could add a slight vegetated berm on the south side of the lot if desired. **MC** agreed that it would help keep the stormwater on the property. **TH** asked if the Commission would be ok with the use of loam for the berm. The Commission agreed with the use of loam. **JKP** requested more detail on the native shrubs to be used and planting ratios. **TH** referred to the landscape plan. **SA** requested details regarding the rear trash receptacle area. **JKP** asked if there was snow storage. **TH** replied there was enough storage for small storms, but larger storms snow would have to be removed from the site. **SA** asked what size the utility chase was. **TH** conferred with **BL** who replied it would be 3 feet by 3 feet. **MC** asked if there were one or two chases. **TH** replied that there are 2. Abutter Ali Sabouri of 20 Cable Ave. stated he was concerned about noise and length of construction. His building is very close to the construction. He also noted that the lot floods and does not drain easily, even in smaller storms. **SA** advised that noise and set back concerns are not under Conservation purview.

JKP motioned to continue the Notice of Intent for Damon Amato, Downeast Residential, LLC, 30 & 32 Cable Ave. to October 6, 2021. in the interim the Commission will conduct a site visit, and request a review of the Stormwater from Joe Serwatka, including the size of the retention pond, snow storage, stormwater runoff, and the installation of a berm. Correspondence from the abutters should be submitted to Mr. Serwatka as well. **MC** seconded

Roll Call Vote: SA – Yes; **JDJ** – Yes; **JKP** - Yes; **MC** – Yes; **BL** – Yes; **DR** - Yes
Vote: 6-0-0. Unanimous. Motion carried

C. NEW BUSINESS

1. Request for Certificate of Compliance, 128 Elm Street

SA stated the project was approved in 2007 for a gravel parking area and construction of a garage. There was a special condition that they revegetate the riverfront area. They are having difficulty getting an as-built and would like requirement waived. Aerial photographs of the site show the area was well vegetated, and the driveway is gravel **JKP** asked whether the Agent had been to the site and was ok with everything. **AM** replied she had and she was comfortable with the site. The Commission agreed with waiving the as-built.

JKP motioned to approve the Request for Certificate of Compliance for 128 Elm Street.
JDJ seconded

Roll Call Vote: SA – Yes; **JDJ** – Yes; **JKP** - Yes; **MC** – Yes; **BL** – Yes; **DR** - Yes
Vote: 6-0-0. Unanimous. Motion carried

2. Discussion RE meeting format going forward

AM noted that the consensus seems to be to remain remote until at least January. **DR** stated he feels in person is better, but under the circumstances remaining remote is ok for a few more months. **MC** agreed and added that returning to in person meetings is important and should be done at some point.

JDJ Motioned to remain in the remote meeting format until another discussion in January to allow all members to improve their immunity to COVID-19 before they increase their exposure. The format will be reassessed in January.
JKP Seconded

**Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried**

D. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 97 Atlantic Ave.
2. 114 Bridge Rd.
3. 36 Pike St.
4. 2 Baker Rd.
5. 16 Commonwealth Ave.
6. 150 North End Blvd.
7. 565 North End Blvd.
8. 30 Main St.
9. 83 Atlantic Ave.
10. 211 N. End Blvd.
11. 16 Hayes St.
12. 11 Railroad Ave.
13. 6 Sycamore Ln.

ACTIVE, PENDING COMPLETION:

14. 61 Bridge Rd.
15. 438 N. End Blvd

COMPLETE, PENDING APPROVAL:

16. 139 Elm
17. 86/88 Elm St.
18. 165 Atlantic Ave.
19. 4 Main Street
20. 9 Bayberry Ln.
21. 82 Lafayette Rd

E. COMMISSIONER COMMENTS:

E. ADJOURNMENT:

DR motioned to adjourn the September 15, 2021 Salisbury Conservation Commission Meeting at 8:42PM.

JDJ seconded.

**Roll Call Vote: SA – Yes; JDJ – Yes; JKP - Yes; MC – Yes; BL – Yes; DR - Yes
Vote: 6-0-0. Unanimous. Motion carried**