



**Salisbury Conservation Commission
Meeting Minutes
October 19, 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**), Jessica Stucker (**JS**), Walter Moquin (**WM**), and Alison Novello (**AN**)

COMMISSIONER MEMBERS ABSENT: Jennifer Troisi (**JT**), Jane Purinton (**JKP**)

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

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

A. MINUTES:

1. October 5, 2016

WM motioned to approve the minutes for October 5, 2016.

DA seconded.

Vote: SA, DA, WM, JS FOR; AN Abstained. Motion Carried.

SA extends welcome to the newest Conservation Commission member Alison Novello.

B. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Sterling Ventures Inc., Rear Ferry Rd/123 Bridge Rd (7/20/16)**

DA motioned to continue the Notice of Intent for Sterling Ventures Inc., Rear Ferry Rd/123 Bridge Rd to November 2, 2016 at 7:10 p.m.

JS seconded.

Vote: 5-0 Unanimous. Motion Carried.

2. **NOI: Andrea Migneault & John Ciriello, 8 Kendell Ln. (10/5/16)**

SA stated the applicants presented to the commission at the October 5, 2016 meeting. We were waiting on a DEP number to vote. We have received the number and can proceed.

WM motioned to approve the Notice of Intent for Andrea Migneault & John Ciriello, 8 Kendell Lane with the standard special conditions.

DA seconded.

Vote: SA, DA, WM, JS In Favor; AN Abstained. Motion Carried.

3. **NOI: D.E.C.M. LLC, 167 Beach Rd (10/19/16)**

Matt Steinel (MS) of Millennium Engineering represented the applicant. Introduced the plan that includes 5 lots. Three (3) of the lots will have single family homes built on them and the fourth (4th) lot will have a duplex built. The last lot has an existing house. Each lot is in the wetland buffer zone. The closest point of development

to the nearest wetland flag is 43 feet. The wetland was delineated by Mary Rimmer for the construction of the new Police Station. Seekamp Environmental delineated the wetland across Old County Rd. They believe the delineation to be accurate. Explained the plans to bring utilities to the houses.

WM asked if there were going to be any basements? **MS** answered that there would not be basements as the structures are planned to be elevated. **WM** asked what the driveway material was planned to be? **MS** answered it is to be paved.

DA asked what the height of the lowest structural member is? **MS** answered it will be 2 feet above flood elevation. Currently sits between elevations 8 and 9. Will be raised to code which is 2 feet above flood zone and then some as they would like to be able to drive underneath. **DA** asked why the duplex is planned for the lot that is completely in the buffer zone? **MS** answered that it is the largest preexisting lot and can therefore fit the larger structure. All of the lots are preexisting except for subdividing 2 lots. **DA** asked what is planned for Grant Street? **MS** answered it will remain as it sits, in its current state.

DA asked if there was a drainage plan? **MS** answered that the elevations don't call for a drainage plan. The pitch is away from the roadways, the water will stay onsite. There will be gutters that drain into the ground. **DA** asked are all the lots to be developed? **MS** answered yes, but they are not in the buffer zone therefore not under review by the commission. **MR** points out that if the land drains back into the lot, behind the houses, there will be puddling and flooding. **MS** responds that the test pits have all been very sandy, it will drain very fast. **MR** asked if loam will be brought in? **MS** answered no, it is currently grassed and going to remain at elevation so the only loam brought in would be for the utility trenches. **SA** expressed concern about the puddling that will occur.

MR asked if under the houses was planned to be enclosed? **MS** answered they will not be enclosed. **MR** stated that details like that should be on the plans. Asked if under the house is paved? **MS** answered that under the structures is not planned to be paved, only the driveways will be paved. **SA** asked **MR** for information on the requirements on raising the structures. **MS** clarified that they would like to use the space under the house for storage so it would likely be higher than required. **MR** elaborates on the flood regulation. **DA** asked if the lowest structural member of the house needs to be raised 2 feet above the flood elevation. **MR** answered that is the requirement in the V Zone. The A Zone, where this site is located, is at or above elevation 9.

DA asked what the plan for snow removal is? **MS** answered the plan for snow removal is to store it on either side of the driveway or under the house.

DA recommends the driveways drain away from the buffer zone. Discussion follows on drainage for the site.

WM asked if lots 277 and 278 have driveways? **MS** explained the plan for the pavement and curb cuts. **SA** asked what vegetation is going to be removed? **MS** answered that grass and some ornamental shrubs will be removed and may be replanted. **SA** asked if there are going to be decks? **MS** answered they are not planned at this time. **WM** asked if any trees along Old County Rd are going to be removed? **MS** answered that some small trees may need to be removed. Only removing the necessary trees, not clear cutting but I would need to confirm that for you with the project manager. **SA** asked about the possibility of a berm? **MS** stated he would need to consult with the applicant and the project manager.

WM motioned to continue the Notice of Intent for D.E.C.M. LLC, 167 Beach Rd, to allow them to update the plans, to the November 2, 2016 meeting of the Conservation Commission at 7:10p.m.

DA seconded.

Vote: 5-0 Unanimous. Motion Carried.

C. NEW BUSINESS:

1. Enforcement Order, 105 Rabbit Rd.

SA introduced the commission to the enforcement order.

Drew Vardakis (**DV**) of AMEC present on behalf of Ameresco. Explained the circumstances that caused the violation to take place. The wetland flags have since been reestablished. Overcut areas have been quantified and they have submitted a restoration plan.

Wetland Scientist, Steve Herzog explained the plans. Clarified there were no trees removed, only brush was removed. **SA** asked **MR** for her opinion on the submitted plan. **MR** replied that it is moving in the right direction. She agrees with the preferred location of the wetland replication area presented on the plan. Asked for a detail plan and recommend specifying on the plan that only one of the areas outlined as replication area is going to be replicated.

WM motioned to issue the enforcement order for 105 Rabbit Road, to include an updated restoration plan submitted by November 2, 2016.

SA seconded.

Vote: 5-0 Unanimous. Motion Carried.

D. ENFORCEMENT ORDERS:

1. 100 Elm St.
2. 28 CCC Rd.
3. 126 N. End Blvd
4. 7 Elmwood St
5. 13 Commonwealth Ave – **MR** met with the representative on a return to compliance plan. Will be presenting it at the next meeting.
6. 457 N. End Blvd
7. 73 Mudnock Rd.
8. 81 Railroad Ave.
9. 438 North End Blvd. – **MR** met with building inspector and the owners at the site. The owners are currently working on a proposal for return to compliance.

E. COMMISSIONER COMMENTS:

MR commented that the Dune Nourishment plantings have begun in the area from beach center to access number 6. School groups have been going out and doing a great job. **AN** asked how long each group plants for? **MR** replied about 1 to 1.5 hours working in shifts. Contact Alison Eberhardt at UNH if you would like to volunteer.

There will be a community planting day on October 28, 2016 from 9:30 to 11:30am.

F. ADJOURNMENT:

WM motioned to adjourn the October 19, 2016 Conservation Commission Meeting at 8:03p.m.

DA seconded.

Vote: 5-0 Unanimous. Motion Carried.