



**Salisbury Conservation Commission
Meeting Minutes
September 21, 2016
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), Jane Purinton (**JKP**), Jessica Stucker (**JS**) and Walter Moquin (**WM**)

COMMISSIONER MEMBERS ABSENT: David Arel (**DA**), Jennifer Troisi (**JT**)

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

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 is being recorded.

A. MINUTES:

1. September 7, 2016

WM motioned to continue the minutes for September 7, 2016 to October 5, 2016 at 7:10 p.m.
JS seconds.

Vote: 4-0 Unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

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

JKP motioned to continue the Notice of Intent for Sterling Ventures Inc., Rear Ferry Rd/123 Bridge Rd to the October 5, 2016 at 7:10p.m.

WM seconds.

Vote: 4-0 Unanimous. Motion Carried.

2. NOI: Heidi Hovde, 26 Locust St (9/7/16)

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. He reintroduced the commission to the project and updated them on the site visit that had taken place since the last meeting. **SA** concurred with **MS**'s conclusions of the site visit and agreed with the delineation provided by the applicant's scientist. Discussion followed on the site layout.

WM motioned to approve the Notice of Intent for Heidi Hovde, 26 Locust St, for site improvements on plans dated August 2, 2016.

JS seconds.

WM amends the motion to include that standard special conditions apply.

JKP seconds.

Vote: 4-0 Unanimous. Motion Carried.

3. NOI: James Bourque, 15 Friedenfels Rd. (9/7/16)

Thomas Hughes (**TH**) of Hughes Environmental Consulting represented the applicant. Updated the commission on progress made since the last meeting. Included: updated plans that show the removal of the pool and the addition of a patio and porch, a response back from Natural Heritage, and a DEP comment that the commission should keep in mind that this property is part of the Friedenfels Subdivision and should be consistent with the existing approval.

JKP asked for clarification on the removal of the pool and the addition of the porch and patio. **TH** clarified that the pool was removed and the remaining degraded square footage was used to add a porch and patio in its stead.

JKP motioned to approve the Notice of Intent for James Bourque, 15 Friedenfels Road, based on the approval from Natural Heritage, that no adverse effect of resource area and habitat is taking place. Site Plan dated August 21, 2016, with revisions dated September 16, 2016, standard special conditions apply.

WM seconds.

Vote: 4-0 Unanimous. Motion Carried.

4. ANRAD: Tom Patenaude, 73 North End Blvd. (9/21/16)

Patrick Seekamp (**PS**) of Seekamp Environmental Consulting, Inc, represented the applicant. Introduced the developed sites layout and the boundary of the wetland that was delineated when a subdivision was built in the area. States he will be commissioning an independent review of the wetland line for this property.

JKP How long has the property had such an extensive lawn area? **PS** Unknown, the assumption based on the age of the buildings on site is a very long time. **JKP** It looks like it is mowed? **PS** Yes, it is mowed. **JKP** Will the buildings be moved? **PS** That would be determined in a different filing. There is a DEP file number for this project and the comments read “under review”. The site is in the AE zone, it is referenced on the plan.

JKP motioned to continue the Abbreviated Notice Resource Area Delineation for Tom Patenaude at 73 North End Blvd to allow for Wetland Scientist Mary Rimmer to review the existing delineation of the wetland line.

WM seconds.

Vote: 4-0 Unanimous. Motion Carried.

5. NOI: Penny McNeil, 144 Beach Road. (9/21/16)

Bill Manuel (**BM**) from Wetlands and Land Management represented the applicant and introduced the commission to the project which consists of the construction of an addition to the existing structure, over a section of the property that is currently paved. The work is in the buffer zone to vegetated bordering wetland and coastal flood area AE zone up to elevation 9.

SA Will you be removing the existing pavement? **BM** No, The pavement is going to continue to be used and the driveway will be pushed out a bit to allow for additional parking. **SA** asks for clarification on the construction of the hay bale corral. **BM** explains that the water table in this area is high and when they pour the cement for the footings, any water that accumulates in the holes would need to be removed. The water will run through the hale bales which will catch the sediment. **SA** If hay bales are used they will have to be salt marsh hay. **BM** We propose to use a mulch sock in place of the hay bales. **WM** Is the pavement under the addition being removed? **BM** Yes. **JKP** Is there going to be a foundation? **BM** Yes, a footing and basement walls. **JKP** Where is the fill removed for the basement going to go? **BM** It will be removed from the site. **JKP** How close to the marsh is the new addition? **BM** 18 feet at the closest corner. **JKP** All equipment is going to be used from the driveway side of the property not in the vegetated area? **BM** Correct. **SA** Is the lowest floor at least 9 feet above grade? **BM** We don't have elevations on the plan but the building inspector ensures compliance with regulations. **MR** The basement also needs to be 9 feet NAVD. **BM** Only if it is living space. In this case it is not, it is more like a root cellar. **SA** Where are the mechanics going to be located. **BM** They are in the existing house. **JKP** asks **MR** if the solid floor of basement is allowed? **MR** clarifies the regulations in respect to this project. **BM** There is a DEP file number and the comments read “under review”.

WM motioned to approve the Notice of Intent for Penny McNeil at 144 Beach Road according to the plan dated August 18, 2016 with the condition the addition must meet flood plain regulations with living space above 9 feet and standard special conditions apply.

JS seconds.

WM amends to include that if hay is used as erosion control it needs to be salt marsh hay.

JS seconds.

Vote: 4-0 Unanimous. Motion Carried.

6. NOI: Thomas J. Defronzo, 10 Beach Road. (9/21/16)

Patrick Seekamp (**PS**) of Seekamp Environmental Consulting, Inc, represented the applicant. Introduced the commission to the project which includes the construction of an addition to the existing apartment building and the construction of a swale and rain garden drainage system. A portion of the project is located within the wetland buffer zone. Plans to maintain the rain garden as a meadow. The structures closest point is 77 feet from the wetland line.

WM What is the purpose of the addition? **PS** To enlarge the existing apartments.

Questions followed on site layout.

SA How is the rain garden going to be constructed? **PS** We will remove the loam, create a depression and return the loam to the garden to plant the wildflower seed mix. **JKP** What are your intentions in constructing the rain garden? **PS** explains reasoning for constructing the rain garden including infiltration. It is not built to DEP standards but will work nicely. **MR** How far down is the water table? **PS** Not sure exactly but quite far down.

MR It will be dry for the most part and that's why you're doing an upland seed mix? **PS** Yes, a wildflower seed mix with a variety of tolerance.

JKP motioned to approve the Notice of Intent for Thomas J. Defronzo at 10 Beach Road with the standard special conditions being met, site plan dated August 17, 2016.

WM seconds.

Vote: 4-0 Unanimous. Motion Carried.

7. NOI: Steven & Renee D'Agati, 222 North End Blvd. (9/21/16)

Ron Laffely of Fulcrum Architects represented the applicants. Introduced the site and some history including the reasons behind the proposed plan. The purposed plan is to remove old building and replace it with a new building. Will be restoring the dune in four area around the building. Will not be removing the retaining wall around the parking area as it stabilizes the neighborhood and would damage neighboring properties.

SA What is the building height? **RL** 35 feet not including the parapet which will require a zoning variance. **SA** The area that is facing North End Boulevard beach grass? **RL** Yes, it is beach grass with snow fence around it.

SA The structure is moved back from the resource area? **RL** Only 7 inches on the deck. **SA** No lawn? **RL** No, it will be the existing driveway and dune grass. **JKP** states she would like to see the site. States her reserve in allowing the retaining wall to remain. **RL** responds that they are going to remove 30 yards of impervious surface and replacing it with 40 yards of beach sand. **MR** asks for a clarification on the location of the stairs to the beach. **RL** Shows them on the map. **JKP** Do you know how the pile driver is going to access the area? **RL** explains the plan for large equipment accessing the area. It is going to be a complicated site to work. **JKP** Will you be mitigating for the dune you're impacting? **RL** Snow fence will protect the dune. Mitigation will be in four areas on the property. **SA** What is the fencing plan? **RL** There are fences to the north and the south of the property which we do not know the ownership of and do not plan to disturb. **SA** What type of fence? **RL** A little bit of everything: rock wall, stockade.

Discussion follows on the fencing and retaining walls.

SA Is the deck going to be built over existing dune grass? **RL** No, there is a deck area is preexisting. We will be moving the location 10 feet north and 10 feet south making a smaller deck footprint. The Commission agreed that they would like to do a site visit.

WM motioned to continue the Notice of Intent for Steven & Renee D'Agati, 222 North End Blvd, to the October 5, 2016 meeting at 7:15p.m. to allow for a site visit.

JKP seconds.

Vote: 4-0 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
6. 457 N. End Blvd
7. 73 Mudnock Rd.
8. 63 Rabbit Rd.
9. 81 Railroad Ave. - **WM** brought up that there was a planting date for this enforcement order in

September. **MR** responded that there was and she would recommend extending the date due to the drought. States she will contact the owners.

E. COMMISSIONER COMMENTS:

MR comments that the Boardwalk Project is going out to bid very soon, may be already out to bid. The plans are at 90% completion and is scheduled to be begin this November and be completed by Memorial Day.

JKP thanks **MR** for sending the Beach Overlay District Zoning Changes proposal to the commission.

MR states the commission can submit their comments on the changes to the Planning Department.

F. ADJOURNMENT:

JKP motioned to adjourn the September 21, 2016 Conservation Commission Meeting at 8:34p.m.

WM seconds.

Vote: 4-0 Unanimous. Motion Carried.