



**Salisbury Conservation Commission
Meeting Minutes
July 21, 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 7:09 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. **April 7, 2021**
2. **April 21, 2021**
3. **May 5, 2021**
4. **May 19, 2021**
5. **June 2, 2021**
6. **July 7, 2021**

JDJ motioned to continue the minutes until the August 4, 2021.

BL 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: Rodger Perlstein, 12 Wyman Greeley's Realty Trust, LLC, 12 Wyman Greeley St. (3/18/20)**

SA stated the applicant had requested a continuance to August 4, 2021.

JDJ motioned to continue the Notice of Intent for Rodger Perlstein, 12 Wyman Greeley's Realty Trust, LLC, 12 Wyman Greeley Street to August 4, 2021 at 7:10 pm.

MC 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: Thomas Underwood, 80 Cable Ave. (1/6/21)

SA stated the applicant had requested a continuance to August 4, 2021.

JDJ motioned to continue the Notice of Intent for Thomas Underwood, 80 Cable Ave., until August 4, 2021 at 7:10 pm.

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: Thomas Underwood, 86 Cable Ave. (1/6/21)

SA stated the applicant had requested a continuance to August 4, 2021.

JDJ motioned to continue the Notice of Intent for Thomas Underwood, 86 Cable Ave., until August 4, 2021 at 7:10 pm,

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. RDA: Mike Terminiello, 26 Cushing St. (4/7/21)

Matt Steinel of Millennium Engineering (**MS**) was present to discuss the project. He stated they had received a report from peer reviewer Mary Rimmer, who recommended the Commission issue a positive determination and have the applicant come back with a Notice of Intent, as the wetland identified in the application as isolated is, in fact, not isolated.

JKP motioned to find a positive determination for the Request for Determination for Mike Terminiello, 26 Cushing St.

JDJ 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: Town of Salisbury, Resilient Ring's Island Road Improvement Project (6/2/21)

SA stated the applicant had requested a continuance to August 4, 2021.

JKP motioned to continue the Notice of Intent for Town of Salisbury, Resilient Ring's Island Road Improvement Project to August 4, 2021.

JDJ 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: Russell Ahern, Garden Primrose, LLC., 220 North End Blvd (7/7/21)

SA stated no DEP # has been issued. Matt Steinel of Millennium Engineering (**MS**) represented the applicant **MS** stated there had been a site visit the past week with some Commissioners and the Agent. He intends to reach out to DEP to get the number issued, as there was an issue with the fees that has since been resolved. **JKP** advised they find out who owns the solid fence. Applicant Russell Ahern stated the fence belongs to the neighbor.

MC motioned to continue the Notice of Intent for Russell Ahern, Garden Primrose, LLC., 220 North End Blvd. to August 4, 2021.

JDJ seconded

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

7. NOI: Kevin Johnson, 22 True Realty, LLC., 37 True Rd. (7/7/21)

SA stated a DEP number has been issued with no comments from DEP. Matt Steinel of Millennium Engineering (**MS**) represented the applicant. **MS** noted a site walk took place this past week. He proceeded to review the plan and project, which was to demolish the existing single-family residential dwelling and construction a new single-family dwelling. **JKP** stated the site visit was great, and the site is starting to improve. She has no issue with the septic system. **JKP** also noted there was junk on the property such as rubble and a junk car, but that **MS** stated it would be cleaned up. She would like it included in the narrative. **MS** stated he would be happy with that as a condition. **MS** also clarified the location of the leach field on the plan.

JKP motioned to approve the Notice of Intent for Kevin Johnson, 22 True Realty, LLC., 37 True Rd. with the standard order of conditions, and the additional condition that all rubble, debris, and especially oil drums are moved off site and disposed of appropriately.

MC 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: Jennifer Gauthier, 144 Cable Ave. (7/7/21)

SA stated the applicant had requested to withdraw the application without prejudice.

JKP motioned to approve the request to withdraw without prejudice for the Notice of Intent for Jennifer Gauthier, 144 Cable Ave.

MC seconded

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

9. NOI: Marsha Kazarosian, Esq., 506 North End Blvd. (7/21/21)

SA stated there was no DEP number, so the commission cannot act or vote. Matt Steinel of Millennium Engineering (**MS**) represented the applicant. **SA** commented that the project cost could exceed half the value of the building, which would trigger substantial improvement and the building would need to go on piles. She

would like a review by the Building Inspector to see if it can be done. **MS** stated the applicant is getting an appraisal to determine the value of the building. The builder feels he can do the work and come under the threshold. **JKP** stated she thought the assessed value appeared low. **MS** agrees that the assessed value seems low. He also noted that substantial improvement is not typically a concern of the Conservation Commission. **AM** stated that everyone would like to approve a project that can move forward, so now is a good time to get everything straightened out. **MS** asked whether he should make a presentation. **JDJ** suggested continuing with site visit and talk about it next meeting when everyone will know a little more. **JKP** agreed.

JDJ motioned to continue the Notice of Intent for Marsha Kazarosian, Esq., 506 North End Blvd. to August 4, 2021 with a site visit in the interim.

JKP seconded

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

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

SA stated the applicant requested a continuance until August 4, 2021.

JDJ motioned to continue the Notice of Intent for Patrick DiMartino, 14 Lewis Ave. to August 4, 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.

C. NEW BUSINESS

1. Request for Significance of Change, 57 Railroad Ave.

SA stated there had been a site visit since the last meeting. Matt Hamor with Landplex Engineering and Surveying (**MH**) represented the applicant. **MC** noted that during the site visit, there was a mini van parked at the top of the slope and doesn't want cars to park on the erosion control once it's installed and damage it. He suggested a no parking sign to prevent people from parking on the wattles. He stated they could put up signage. He also suggested adding orange cones, and talking to abutters.

JKP motioned to find the change not significant for 57 Railroad Ave.

SA seconded

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

2. Request for Certificate of Compliance, 345-347 North End Blvd.

Matt Steinel of Millennium Engineering (**MS**) reviewed the filing. He explained that work on the right lot is complete, and reviewed the deviations from the approved plan. **JKP** asked if the agent has visited the property. **AM** replied not recently. **MS** reviewed photos of the current conditions with the Commission. **JDJ** asked if the shed is on a concrete foundation. **MS** replied that it is not and that he believes it's a plastic wood like material. **JDJ** asked whether that is permissible. **AM** replied that the Commission doesn't usually have an issue when

the shed is temporary and not on a foundation. **JKP** stated she has been out there a few times and is comfortable with the project, and that she feels the shed is temporary. **SA** added that the erosion control should come out.

JDJ motioned to grant the Request for a Certificate of Compliance for 345-347 North End Blvd. once the erosion control is removed

JKP seconded

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

3. Request for Certificate of Compliance, 15 Learned Ln

SA stated she would like to take the enforcement order out of order and hear it now.

JKP Motioned to take the Enforcement Order under D-7 for 15 Learned Lane out of order and discuss under new business

MC 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:

7. 15 Learned Lane

Matt Steinel of Millennium Engineering (**MS**) refreshed the Commission regarding the Enforcement Order, which was issued for work the homeowner was doing on a dirt path through the property and dirt bike use. They have stopped using the paths, and they have naturally cleared up. The owners are now selling the property. **AM** stated she discussed do not disturb signs with the homeowner, which he has since installed. **AM** shared photos of the signs. **SA** stated she is happy with lifting the Enforcement Order.

JKP motioned to lift the Enforcement Order for 15 Learned Lane

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. Request for Certificate of Compliance, 15 Learned Ln

MS stated the request precedes the Enforcement Order. He reviewed the deviations from the approved plan. **SA** noted that the deviations are significantly far away from the wetland.

JDJ Motioned to grant the Request for Certificate of Compliance for 15 Learned Lane.

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.**

JDJ asked for an update. **AM** stated she would ask the representative and get an update for next meeting, and the last update she had was that they were working on an as-built.

6. 150 North End Blvd.
7. 15 Learned Ln.
8. 438 N. End Blvd.
9. 565 North End Blvd.
10. 30 Main St.
11. 83 Atlantic Ave.
12. 211 N. End Blvd.
13. 16 Hayes St.
14. 11 Railroad Ave.
15. 37 Atlantic Ave.
16. 6 Sycamore Ln.

ACTIVE, PENDING COMPLETION:

17. 61 Bridge Rd.

COMPLETE, PENDING APPROVAL:

18. 2 Linda Ln
19. 139 Elm
20. 86/88 Elm St.
21. 165 Atlantic Ave.
22. 4 Main Street
23. 9 Bayberry Ln.
24. 82 Lafayette Rd

E. COMMISSIONER COMMENTS:

E. ADJOURNMENT:

JDJ motioned to adjourn the July 21, 2021 Conservation Commission Meeting at 8:15 pm.
JKP seconded.

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