



**Salisbury Conservation Commission
Meeting Minutes
September 7, 2022
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Hybrid Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT IN PERSON: Michael Colburn (MC), Mark Warcewicz (MW), Jeffrey Ward (JW), Christopher Leahy (CL)

COMMISSION MEMBERS PRESENT REMOTELY: Chairwoman Sheila Albertelli (SA), Julie Doughman-Johnson (JDJ)

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 both remotely and in person.

SA welcomed new Commission member Katie Lewis who is present tonight but will not be participating.

A. MASTER PLAN DISCUSSION:

MC introduced the master plan update they have been working with Barrett Group. AM asked for public and Commissioner input.

B. MINUTES:

1. **January 5, 2022** – Approved at August 17, 2022 meeting of the Commission, no action required.
2. **January 19, 2022**
3. **January 21, 2022**
4. **February 2, 2022**
5. **February 16, 2022**
6. **March 2, 2022**
7. **March 16, 2022**
8. **April 6, 2022**
9. **April 20, 2022**
10. **May 4, 2022**
11. **May 18, 2022**
12. **June 1, 2022**
13. **June 15, 2022**
14. **July 6, 2022**
15. **July, 20, 2022**
16. **August 3, 2022**
17. **August 17, 2022**

JDJ motioned to continue the minutes from January 19, 2022 – August 17, 2022 to September 21, 2022.
MC Seconded.

Roll Call Vote: MC- yes , JDJ- yes, CL-yes, MW– yes, JW- yes, SA- yes.

Motion Carried.

c. PUBLIC HEARINGS at 7:10pm:

1. NOI: Henry A. Richard, Jr., 247-249 North End Blvd. (1/5/22) –

SA stated the applicant has requested a continuance until September 21, 2022

MC motioned to continue the Notice of Intent for Henry A. Richard, Jr., 247-249 North End Blvd. to September 21, 2022 at 7:10 PM.

JW seconded

Roll Call Vote: MC- yes , JDJ- yes, CL-yes, MW– yes, JW- yes, SA- yes.

Motion Carried.

2. NOI: Matthew Sanders, 5 Patriot Way (5/4/22) –

SA stated the applicant has requested a continuance until September 21, 2022

MC motioned to continue the Notice of Intent for **Matthew Sanders, 5 Patriot Way** to September 21, 2022 at 7:10 PM.

JW seconded

Roll Call Vote: MC- yes , JDJ- yes, CL-yes, MW– yes, JW- yes, SA- yes.

Motion Carried.

3. NOI: Mark Cardillo, F & D Realty LLC, 163 Elm St. (8/3/22) -

SA stated the applicant has requested a continuance until September 21, 2022

MC motioned to continue the Notice of Intent for Mark Cardillo, F & D Realty LLC, 163 Elm St. to September 21, 2022 at 7:10 PM.

JW seconded

Roll Call Vote: MC- yes , JDJ- yes, CL-yes, MW– yes, JW- yes, SA- yes.

Motion Carried.

4. NOI: Maribeth Timony, 556 North End Blvd. (8/17/22)

Matthew Steinel (MS) of Millennium Engineering represented the Applicant. MS stated MC and AM did a site walk on 9/1/2022. Refreshed the commission on the proposed addition, deck and open cell paver plan. MC requested consideration be given to making further improvement to dune function by removing some of the impervious pavers and replacing with pervious. SA agreed and stated she was not comfortable approving the plan as proposed and would like to see additional mitigation. MS stated he could discuss with the applicant. JDJ was concerned about the impacts to vegetation on site, appears more is being removed than replaced. MS stated what is existing and what is proposed. CL requested the reasoning behind the pavers under the house and if they could be removed. MS stated they are an existing condition but he could discuss with applicant. SA was concerned about the stacked “retaining” wall and the solid fence on site. MS stated the fence was not on the applicant’s property but he could discuss the wall with the property owner.

JDJ motioned to continue the Notice of Intent for Maribeth Timony, 556 North End Blvd to September 21, 2022 at 7:10 PM to allow the applicant to address the commission’s comments.

CL seconded

Roll Call Vote: MC- yes , JDJ- yes, CL-yes, MW– yes, JW- yes, SA- yes.

Motion Carried.

5. NOI: Antoinette Burke, 49 Cable Ave (8/17/22)

SA stated the applicant has requested a continuance until September 21, 2022

CL motioned to continue the Notice of Intent for Antoinette Burke, 49 Cable Ave to September 21, 2022 at 7:10 PM.

MC seconded

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW-** yes, **JW-** yes, **SA-** yes.

Motion Carried.

6. RDA: David Burgess, Burgess Builders, 469 North End Blvd

SA stated site visit was 9/1/2022 with **AM** and **MC**. No concerns were identified with the deck proposal as long as erosion control is used during the installation of the foundation which should be helical piles or diamond piers. **JDJ** if the decision had been made between helical piles or diamond piers. **CL** recommended allowing the applicant and the professionals doing the install to decide on the best option for the site. **JDJ** asked for the Agent to request the AC units be raised above flood level.

CL motioned to issued the negative determination with the conditions erosion controls are used and the foundation type is helical piles or diamond piers.

MC seconded.

Discussion: Should the AC be raised? **CL** didn't feel it could be required as it was not part of the scope of the project. **SA** would like to see the property owner's investment protected and would like to take the opportunity to make improvements. **JW** suggested continued the application as neither the representative or the property owner are present and discuss with them in the interim.

CL motioned to withdraw his motion to issue a negative determination.

MC seconded.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW-** yes, **JW-** yes, **SA-** yes.

Motion Carried.

CL motioned to continue the Request for Determination for David Burgess, Burgess Builders, 469 North End Blvd to September 21, 2022 at 7:10 PM to discuss the location of the deck and the AC unit on grade.

MC seconded.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW-** yes, **JW-** yes, **SA-** yes.

Motion Carried.

7. NOI: Grant J. Monahon, 444 North End Blvd. (9/7/22)- Matthew Steinel (**MS**) of Millennium

Engineering represented the Applicant. **MS** reminded the commission of the existing order of conditions for reconstruction of a single-family home that the commission had approved in the prior months. **MS** explained how when shutting off the utilities it was found the were serving more than one house. This application is to permit the additional utility work now required. Due to work recently done the plans do not accurately depict the utility locations so the applicant requests to continue to allow them to provide the Commission with accurate plans. They wanted to open the public hearing tonight to get any comments they need to address. **MC** asked if they had met with the DPW and if a second service will be needed. **MS** replied they will meet with DPW and a second service is proposed.

CL motioned to continue the Notice of Intent for Grant J. Monahon, 444 North End Blvd to September 21, 2022 at 7:10 PM to revise plans.

JW seconded.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW-** yes, **JW-** yes, **SA-** yes.

Motion Carried.

D. NEW BUSINESS:

1. Request for Certificate of Compliance, 69 Railroad Ave. – SA stated the Agent Recommend issuance. Dan Moynihan was present to answer any questions.

JDJ motioned to Certificate of Compliance for 69 Railroad Ave.

MC seconded.

Roll Call Vote: MC- yes , **JDJ**- yes, **CL**-yes, **MW**– yes, **JW**- yes, **SA**- yes.

Motion Carried.

D. OLD BUSINESS

2. Request for Certificate of Compliance, 5 Patriot Way.

SA stated the applicant requested a continuance.

MC motioned to continue the Request for Certificate of Compliance, 5 Patriot Way. to September 7, 2022.

CL seconded

Roll Call Vote: MC- yes , **JDJ**- yes, **CL**-yes, **MW**– yes, **JW**- yes, **SA**- yes.

Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 5 Patriot Way
2. 27 12th St. W.
3. 29 Lafayette Rd.
4. 2A, 12th St. W.
5. 14 Old County Rd.
6. 100 Main St.
7. 53 Railroad Ave.
8. 14 10th St. W.
9. 97 Atlantic Ave.
10. 36 Pike St.
11. 2 Baker Rd.
12. 565 North End Blvd.
13. 30 Main St.
14. 83 Atlantic Ave.
15. 211 N. End Blvd.
16. 16 Hayes St.
17. 11 Railroad Ave.

ACTIVE, PENDING COMPLETION:

18. 114 Bridge Rd.
19. Lafayette Rd. Sewer

COMPLETE, PENDING APPROVAL:

20. 6 Sycamore Ln.
21. 16 Commonwealth Ave.
22. 61 Bridge Rd. –

SA motioned to lift the Enforcement Order for 61 Bridge Road.

CL seconded

Roll Call Vote: MC- yes , **JDJ**- yes, **CL**-yes, **MW**– yes, **JW**- yes, **SA**- yes.

Motion Carried.

- 23. 139 Elm
- 24. 86/88 Elm St.
- 25. 4 Main Street

F. REORGANIZATION

MC nominated **SA** as Chair and motioned should she accept for her to Chair the Conservation Commission.

JDJ seconded.

SA accepted the nomination.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW–** yes, **JW-** yes, **SA-** yes.

Motion Carried.

MC nominated **CL** as Vice Chair and motioned should he accept his nomination to make him the Vice Chair the Commission.

JDJ seconded.

JW accepted the nomination.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW–** yes, **JW-** yes, **SA-** yes.

Motion Carried.

MC nominated **JDJ** as Clerk and motioned should she accept the nomination for her to be the Clerk for the Commission.

CL seconded.

JDJ accepted the nomination.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW–** yes, **JW-** yes, **SA-** yes.

Motion Carried.

H. COMMISSIONER COMMENTS

AM informed the public of a works on Wednesday, September 9, 2022 to discuss drafting a Natural Resource Bylaw

MC shared the Lions Club Memorial for 9/11.

MC Salisbury Days is the following weekend. The information is on the Parks and Rec website, the Lions website with the dates and times of different events.

F. ADJOURNMENT:

JW motioned to adjourn the August 17, 2022 Salisbury Conservation Commission Meeting at 9:04 PM

CL seconded.

Roll Call Vote: **MC-** yes , **JDJ-** yes, **CL-**yes, **MW–** yes, **JW-** yes, **SA-** yes.

Motion Carried. Meeting Adjourned 8:19p.m.