



**Salisbury Conservation Commission
Meeting Minutes
March 16, 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), Christopher Leahy (CL)

COMMISSION MEMBERS PRESENT REMOTELY: Julie Doughman-Johnson (JDJ), Jane Purinton (JKP)

COMMISSION MEMBERS ABSENT: Chairwoman Sheila Albertelli (SA), Jeffrey Ward (JW)

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

Vice Chairwoman Jane Purinton opened the meeting at 7:05 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. **October 20, 2021**
2. **November 3, 2021**
3. **November 17, 2021**
4. **December 1, 2021**
5. **December 15, 2021**
6. **January 5, 2022**
7. **January 19, 2022**
8. **January 21, 2022**
9. **February 2, 2022**
10. **February 16, 2022**
11. **March 2, 2022**

JDJ motioned to approve the minutes for October 20, 2021 and November 3, 2021.

CL seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

JDJ motioned to continue the minutes for November 17, 2021- March 2, 2022 (3-11) until April 6, 2022 meeting 7:10 PM.

CL seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Town of Salisbury, Planning Director, Lisa Pearson, Forest Road & Gerrish Road (3/2/22)**

JKP stated there is no DEP number on file.

TJ Melvin (TM) of Millennium represented the applicant. Provided updates to the plan including additional planting.

CL stated at last meeting they requested narrative update to match the scope 10.58 etc., and he didn't see revised narrative? TJ responded it will be done for the next meeting.

MC motioned to continue the Notice of Intent for Town of Salisbury Planning Director, Lisa Pearson, Forest Road & Gerrish Rd until April 6, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

2. NOI: Town of Salisbury Planning Director, Lisa Pearson, Meaders Lane, Gove Lane, Short Lane & Sandy Lane (2/2/22)

TJ Melvin (TJ) of Millennium Engineering represented the applicant. They updated the construction schedule and stock pile information. The plan has details for outfall, rip rap apron, and erosion control barriers with revision to swale at Meaders Lane Ext.

JKP and CL agree that all concerns were addressed.

MC motioned to approve the Notice of Intent for Town of Salisbury Planning Director, Lisa Pearson, Meaders Lane, Gove Lane, Short Lane & Sandy Lane with standard order of conditions including all updates.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

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

JKP noted the Commission received a letter from Rimmer Environmental Consulting (REC). JDJ added she has not had a chance to review.

Chris York (CY) of Millennium Engineering represented the applicant. They reviewed the REC's comments regarding dewatering and disagreed. JKP has issues with the concrete under the buildings and snow storage.

JDJ asked where will dewatering discharge? CY replied ultimately back into the ground. The location depends on where they are working. JDJ requested to view photos of flooding in the area and discusses photos from January where a not so large storm caused flooding concerns for neighbors. Matt Steinel (MS) of Millennium Engineering stated it does flood, noting it is land subject to coastal storm flowage. The displacement is immeasurable, project conforms with WPA.

JKP reviewed REC's concerns regarding the roadway and thinks there is not enough room to construct the road without impacting the wetlands. MC talked about flooding and asked if raising the grade will impact the abutters behind them or will it keep flooding on Beach Rd? Had questions about mitigating flooding. MS replied they will build the site up during dry weather, and will work with the tides.

Tom Patenaude (TP), applicant, discussed how the roadway would be done in small sections, dug out will be filled that day. It is dense soil with peat. MC asked what material will be stored on job the site? TP replied they will try to truck out material at the end of each day, but can't guarantee every day. CL had questions about road construction elements, how far down will the peat go? JKP added REC stated 5 feet in places. TP estimates between 5 to 7 feet. CL asked can geomembrane be used for less disturbance? TP replied it was considered and they can look into again. CL stated they won't pave until done, sub base will get washed out if it floods. Is there something to use to protect roadway? TP stated they willing to secure the site before storms. If a dirt bag doesn't work (agent to monitor) they will bring in tank. JKP stated that is a good compromise. MC asked is this roadway how Joe Serwatka wanted it. CY replied Serwatka commented on the amount of peat and to hire a technical engineer remove peat and build back up. We will revisit with the Geotech. JKP referenced REC

comments, peat is not a good material for erosion control. **CL** stated it is dispersed around the peat and works. **CY** added he met with director for final plans and they are coming.

MC motioned to continue the Notice of Intent for Tom Patenaude, 207 Beach Road, lots 249-258. To April 6, 2022 at 7:10 PM.

CL seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

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

Chris York (**CY**) of Millennium Engineering represented the applicant and reviewed the updates with the Commission. Rimmer Environmental was satisfied with the changes. **JKP** stated the commissioners haven't had time to read the letter.

MC motioned to continue the Notice of Intent for Tom Patenaude, 207 Beach Road, lot 259. April 6, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

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

Chris York (**CY**) of Millennium Engineering representing the applicant and reviewed the updates with the Commission.

MC motioned to continue the Notice of Intent for Tom Patenaude, 207 Beach Road, lot 260. to April 6, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

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

MC motioned to continue the Notice of Intent for Damon Amato, Downeast Residential, LLC, 30 & 32 Cable Ave. to April 6, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

7. NOI: Brian Thibaut, ZJBV Investment Realty Trust, 191 Atlantic Ave. (10/6/21) –

MC motioned to continue the Notice of Intent for Brian Thibaut, ZJBV Investment Realty, 191 Atlantic Ave. to April 6, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

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

JDJ motioned to continue the Notice of Intent for Henry A. Richard, Jr., 247-249 North End Blvd. to April 6, 2022 at 7:10 PM.

CL seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

9. NOI: New Cingular Wireless PCS LLC, 91 North End Blvd. (1/5/22)

Attorney Ed Pare (**EP**) of Brown Rudnick represented the applicant and reviewed the updated project with the Commission. Removed generator out of the wetlands and in the buffer and allows access to DPW. Discussed platform, meter location, trench details. **EP** shows plan with steel grate platform. Location of meter bank was in between two generators. Meter bank is existing.

Commission discuss putting flood zone in revised plan with proposed trenching in a specific narrative. AT&T installation is less intrusive.

MC motioned to approve the Notice of Intent for New Cingular Wireless PCS LLC, 91 North End Blvd. to April 6, 2022 at 7:10 PM with standard order of conditions.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

10. NOI: Steven Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Road (1/19/22)

CL motioned to continue the Notice of Intent for Steven Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Road to April 20, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

11. NOI: Jamil Jouraij, Salisbury Petroleum and Auto Repairs, Inc., 156 Bridge Road (3/2/22)

Chris York (**CY**) of Millennium Engineering represented the applicant. **CY** stated they had a site walk on Friday, not a lot of concerns from last meeting. Planning Board continued, added post and rail fence to southern area. **JKP** stated the committee's concerns have been addressed. We are comfortable with the delineation.

MC motioned to approve the Notice of Intent for Jamil Jouraij, Salisbury Petroleum and Auto Repairs, Inc., 156 Bridge Road to April 6, 2022 at 7:10 PM with standard order of conditions.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

12. NOI: Seacoast Canine, 156 Lafayette Road (3/2/22)

CL motioned to continue the Notice of Intent for Seacoast Canine, 156 Lafayette Road to April 6, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: JDJ-yes, JKP -yes, MC-yes, CL-yes

Vote: 4-0-0. Unanimous. Motion Carried.

13. NOI: Joseph Leone, 20 Friendenfels Road (3/16/22)

JKP stated there is a DEP number, but still waiting on Natural Heritage & Endangered Species Program. Tom Hughes (**TH**) of Hughes Environmental represented the applicant. The dock was previously permitted as a permanent structure is right at the edge of shallows. Homeowners boat requires over 5 feet of draft and can't access the dock. Discuss proposed project, reconfiguring anchoring and float layout. Received approval from harbor commission, working on Harbormaster, and Army Corps. **JDJ** asked is the mooring from Salisbury? **TH** stated there is waiting list for some, not enough draft in others. It would not be a workable solution. **JKP** requested to do a site visit.

CL left the meeting due to an emergency.

JKP stated due to lack of quorum, this hearing will be continued to the next regularly scheduled meeting of the Salisbury Conservation Commission on April 6, 2022 at 7:10 PM., in the interim a site visit will be set up.

C. NEW BUSINESS

1. **Master Plan Discussion-** atomically continued to the next regularly scheduled meeting of the Salisbury Conservation Commission on April 6, 2022 at 7:10 PM..

D. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 100 Main St
2. 53 Railroad Ave
3. 14, 10th St. W.
4. 97 Atlantic Ave.
5. 114 Bridge Rd.
6. 36 Pike St.
7. 2 Baker Rd.
8. 565 North End Blvd.
9. 30 Main St.
10. 83 Atlantic Ave.
11. 211 N. End Blvd.
12. 16 Hayes St.
13. 11 Railroad Ave.

ACTIVE, PENDING COMPLETION:

14. Lafayette Rd. Sewer
15. 150 North End Blvd

COMPLETE, PENDING APPROVAL:

16. 6 Sycamore Ln.
17. 16 Commonwealth Ave.
18. 61 Bridge Rd.
19. 139 Elm
20. 86/88 Elm St.
21. 4 Main Street

E. COMMISSIONER COMMENTS:

F. ADJOURNMENT:

JKP motioned to adjourn the March 16, 2022 Salisbury Conservation Commission Meeting at 9:03 PM.
MC seconded.
Meeting Adjourned. **9:03 PM.**