



**Salisbury Conservation Commission
Meeting Minutes
December 21, 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: Chair Sheila Albertelli (SA), Katie Lewis (KL)

COMMISSION MEMBERS ABSENT: Julie Doughman-Johnson (JDJ)

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

Chairwoman Sheila Albertelli (SA) 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.

A. MINUTES:

1. March 16, 2022
2. April 6, 2022
3. April 20, 2022
4. May 5, 2022
5. May 18, 2022
6. June 1, 2022
7. June 15, 2022
8. July 6, 2022
9. July, 20, 2022
10. August 3, 2022
11. August 17, 2022
12. September 21, 2022
13. October 5, 2022
14. October 19, 2022
15. November 2, 2022
16. December 7, 2022

MC motioned to continue the minutes March 16, 2022 through December 7, 2022 to our next meeting January 4, 2023 7:10 PM.

CL seconded.

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

6-0-0. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

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

MC motioned to continue the NOI for Steve Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Rd. to the January 4, 2022 meeting 7:10 PM.

CL seconded.

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

6-0-0. Motion Carried.

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

SA recommended a motion to discuss the Certificate of Compliance and Enforcement order for 5 Patriot Way while discussing this hearing.

MC stated so moved Madam Chair.

CL seconded.

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

6-0-0. Motion Carried.

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. The restoration area is 33,487 square feet and we are allowed to alter up to 13,000 square feet and need to do some restoration to get in compliance. A large grass field was removed, three posts with signage showing conservation land are proposed, we plan to abandon and stop maintaining it and seed it. The horse trail and walking path we plan to maintain access, restore left and right side of path, also seeded with same conservation mix, then plant blueberry shrubs. Original path down to water's edge will be restored, planted with a mix of seeds and four shrubs. Area to right of barn will be left alone and reseeded with conservation mix as needed. Total of all four areas is 19,804 square feet and just over the required 19 to put them in compliance.

SA comments that this plan is for the enforcement order, the COC is for the next meeting. What is the recommendation for managing invasive species? **MS** replies yes, they have a plan to manage the invasive species and will discuss with conservation agent. **JW** discusses the numbers on the plan. **MS** states that the wetland regulation says 10% of the entire property within riverfront, on the old plan that number was noted, that's where that number comes from. **SA** is feeling much more comfortable with that percentage range. Finds the submission of photographs demonstrating plant survival sufficient.

CL motion to approve the restoration plan dated December 21, 2022 for Matthew Sanders, 5 Patriot Way.

MC seconded.

Roll Call Vote: MC- yes, KL- Abstained, CL-yes, SA-yes, MW-yes, JW-yes.

5-1-0. Motion Carried.

CL continue the COC, Enforcement Order, and the NOI for 5 Patriot Way to our next meeting January 4, 2022 7:10 PM.

MC seconded.

Roll Call Vote: MC- yes, KL- Abstained, CL-yes, SA-yes, MW-yes, JW-yes.

5-0-1. Motion Carried.

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

Chris York (**CY**) from Millennium Engineering is present and representing the applicant. **SA** discusses water flowing downhill towards the salt marsh and the clearing required to install the replication area. **CY** comments he will wait for final remarks from Rimmer Environmental. Mark Cardillo (**MC**) the applicant speaks about intending this area for dry storage of material such as granite. **SA** clarifies temporary storing for in between buying and selling the materials. **CL** asks if heavy equipment will be stored or just the granite? **MC** replies just dry storage and something to move it around but not for storing equipment. **MW** asks about snow storage being on site? **CY** answers correct, probably won't have things back from Rimmer Environmental until after the fourth but will keep this in the agenda. **MW** asks if there will be gravel on site or just silty clay sand. **CY** answers yes, our plan is to regrade it and the soil is generally silty and pretty good. Sandy loam top soil, but site will be gravel 12" on top of soil, a min of 25ft to any wetland zone. **MW** as soon as you get an open rain that water will go right into the marsh.

SA motions to continue the NOI for Mark Cardillo, F & D Realty LLC, 163 Elm St. to the January 4,

2022 meeting 7:10 PM.

MC seconded.

Roll Call Vote: MC- yes, KL- Abstained, CL-yes, SA-yes, MW-yes, JW-yes

5-1-0. Motion Carried.

4. NOI: Christopher DeLuca, 108 Elm Street. (11/16/22)

Brian Knowles (**BK**) representing Chris Deluca, prepared to submit plans but were waiting for Rimmer Environmental comments. **SA** shares that Rimmer Environmental did not approve this plan and applicant will have to come back with a revised plan. It would change the whole hydrology of the wetland. Commission is not going to make a recommendation. **BK** disagrees and states they are not changing the sheet flow. **SA** states he should respond to Rimmer Environmental's comments and DEP. The commission cannot make any recommendations. The applicant can respond to Rimmer Environmental comments and then come back.

CL motion to continue the NOI: Christopher DeLuca, 108 Elm Street. (11/16/22) for January 4, 2022 7:10 PM.
MC seconded.

Roll Call Vote: MC- yes, KL- Abstained, CL-yes, SA-yes, MW-yes, JW-yes

5-1-0. Motion Carried.

5. NOI: Kevin Ahern, 7 Florence Ave (12/7/22)

Matthew Steinel (**MS**) from Millennium Engineering represented the applicant. He states there was a site walk to address questions and are proposing a 1:1 restoration. **JW** comments that the project looks good, area of trees and marsh are not being disturbed.

CL motioned to approve the NOI: Kevin Ahern, 7 Florence Ave. (12/7/22) with standard special conditions.
MC seconded.

Roll Call Vote: MC- yes, KL- Abstained, CL-yes, SA-yes, MW-yes, JW-yes

5-1-0. Motion Carried.

6. RDA: Marsha V. Kasarosian, 506 No. End Blvd.

Matthew Steinel (**MS**) from Millennium Engineering represented the applicant. New project proposes nothing touching the ground. Everything proposed would be built from existing structure onto the second story. The purpose of this plan is to identify access locations and stockpile areas.

SA states they need compliance first, and then work on RDA.

SA makes a motion for a negative determination for the RDA for Marsha V. Kasarosian, 506 No. End Blvd contingent upon erosion control and protecting during construction, authorized by agent and to include timing and duration.

CL seconded.

Roll Call Vote: MC- yes, KL- yes, CL-yes, SA-yes, MW-yes, JW-yes

6-0-0. Motion Carried.

7. NOI: MassDOT, Reconstruction of Rt. 1 (12/21/22)

David Goldstein (**DG**) from MassDOT environmental analyst is representing. Kyle Purdy (**KP**) from Jacobs Engineering also representing. **KP** explains that this project is part of the Complete Streets Program and consists of making a pedestrian walkway, reconstruction of route 1 and safer conditions for drivers. To compensate to unavoidable impacts, restoration will be done at a 2:1 ratio to match existing grade and hydroseed. **SA** has concerns from previous work done on sewer project. Water tables are extremely high in the areas work would be done. **KP** stated they will address the issue. **AM** asks a question regarding the silt bags and

how long the anticipated duration will be, will silt bags be dewatering over the weekend? We want to ensure we will not have any failures. Clinton Mercer (CM) representing MassDOT answers no more than a few days, but there is adjacent drainage also. Should be rather quick and is at the same elevation. MC speaks about wanting to make sure the SWPPP is shared. Only two feet down is the water table, you will have issues. He recommends speaking to the engineer on previous sewer project.

JW motioned to approve the NOI for MassDOT, Reconstruction of Rt. 1 with the standard order of conditions and subject to additional dewatering measures and monitoring if necessary.

MC seconded.

Roll Call Vote: MC- yes, KL- yes, CL-abstained, SA-yes, MW-yes, JW-yes

5-0-1. Motion Carried.

C. NEW BUSINESS:

2. Request for Certificate of Compliance, 11 North End Blvd.

SA a site visit is needed JW states he would be available, MC states he will also be available.

3. Enforcement Order, 338 North End Blvd.

SA states this is for a wall subject to enforcement order.

MC motioned to ratify the enforcement order at 338 North End Blvd.

CL seconded.

Roll Call Vote: MC- yes, KL- yes, CL-yes, SA-yes, MW-yes, JW-yes

6-0-0. Motion Carried.

JW asks if they have a timeline of when to replace the timber wall. The applicant states as soon as possible, the wall is rotted and will eventually fall onto my garage. Everything was to be hand dug, no equipment to be brought in. JW recommends to approve the wall as restoration and treat bricks as a separate project.

CL motioned that enforcement for 338 North End Blvd restoration plan be approved, the applicant will be allowed to continue building. The applicant is to not start the wall on the back of the shed wall and to only work on the front wall to the previously established height and length.

MC seconded.

MC -yes, CL- yes, JW -yes, SA- yes

4-0-0. Motion Carried. Quorum.

D. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 5 Patriot Way.
2. 2A, 12th St. W.
3. 14 Old County Rd.
4. 100 Main St.
5. 14 10th St. W.
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.
14. 338 North End Blvd
ACTIVE, PENDING COMPLETION:
15. Lafayette Rd. Sewer
16. 27 12th St. W.
COMPLETE, PENDING APPROVAL:
17. 29 Lafayette Rd.
18. 114 Bridge Rd.
19. 6 Sycamore Ln.
20. 16 Commonwealth Ave.
21. 139 Elm
22. 4 Main Street

E. COMMISSIONER COMMENTS

F. ADJOURNMENT:

CL motioned to adjourn the December 21, 2022 Salisbury Conservation Commission Meeting at 9:19 PM.

MC seconded.

Roll Call Vote: MC- yes, KL- yes, CL-yes, SA-yes, MW-yes, JW-yes

6-0-0. Motion Carried.