



**Salisbury Conservation Commission
Meeting Minutes
January 18, 2023
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Hybrid Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT IN PERSON: Julie Doughman-Johnson (**JDJ**), Chairman Sheila Albertelli (**SA**), Michael Colburn (**MC**), Mark Warcewicz (**MW**), Jeffrey Ward (**JW**), Christopher Leahy (**CL**)
COMMISSION MEMBERS PRESENT REMOTELY : Katie Lewis (**KL**)
COMMISSION MEMBERS ABSENT:

ALSO PRESENT: Conservation Agent, Adriane Marchand (**AM**), Administrative Assistant, Alison Weaver (**AW**)

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 2, 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
17. December 21, 2022
18. January 4, 2023

JW motioned to continue the minutes March 2, 2022 - January 4, 2023 to our next meeting February 1, 2023 7:10 PM.

MC seconded.

Roll Call Vote: **MC-** yes, **KL-** yes, **JDJ-**yes, **SA-**yes, **JW-**yes, **CL-**yes, **MW-** yes
7-0-0. 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: Steve Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Rd. (1/19/22) to the February 1, 2023 meeting 7:10 PM.

CL seconded.

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

7-0-0. Motion Carried.

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

Matthew Steinel (**MS**) from Millennium Engineering is present and is representing the applicant. **MS** states the previous error in storm water calculations was corrected and showed that the Jersey Barrier is high enough to keep onsite and run appropriately. TJ Melvin (**TJ**) from Millennium Engineering ran the calculations and showed that the current height is high enough and the calculations are correct. **CL** asks about plan page C5, he noticed a snow storage area infiltration system, has that been allowed, will that impact the performance function? **MS** answers that water being generated from snow would be sheet flowed across the area. **MS** states the site will have a large retaining wall that is relatively flat until it slopes around the back. No erosion will happen once vegetation is growing. **MW** is still concerned about filling and asks if they are going to loom and seed. **MS** replies yes, we will loom and seed with a conservation wild seed mix. Marc Cardillo (**MC**) the applicant, talks about the different shrubs and plants for the replication areas. **KL** asks about equipment storage during construction. **MS** answers that it will be stored outside of the buffer zone. After construction they will utilize the site for stock piling and materials. **MW** voices his concern for the silty material and states it will definitely run off. **MS** says they have an erosion control barrier provided and could double up the erosion control. **MS** explains on the plan they are bringing in 14 feet of structural fill material. **MC** wants clarification on where they are putting the Jersey Barrier. **MS** explains the Barrier is higher up, running up along the slope and not anticipating any sheet flow which Joe Serwatka reviewed. **MC** asks about a big storm and if they would be willing to put a sock at the top of the slope if it is needed. **MS** agrees and adds it can be put in the order of conditions. **SA** wants to go back to Rimmer Environmental's recommendations for the slope stabilization mats. **SA** states she doesn't feel they are sufficient to prevent erosion and will affect the function of the wetland and the adjacent wetland. **MS** addresses her concern and will replace inadequate material. He adds that those are conditions that must be inspected daily and has to be removed by the site contractor. The suggests that they can double up the fence. **MW** says he would feel more comfortable if the project is done in sections. **MS** states it cannot be done in sections. **CL** agrees that it should be done in phases, a plan that limits the amount of disturbed soil. **MS** will go back and speak to property owner and come back with a new construction schedule and what can be done to address their concerns.

MC motioned to continue the NOI: Mark Cardillo, F & D Realty LLC, 163 Elm St. (8/3/22) to the February 1, 2023 meeting 7:10 PM.

CL seconded.

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

7-0-0. Motion Carried.

3. NOI Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road (10/5/22)

CL motioned to continue the NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road (10/5/22) for the February 1, 2023 meeting 7:10 PM.

MC seconded.

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

7-0-0. Motion Carried.

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

Brian Knowles (**BK**) representing the applicant is present and states they submitted new plans in response to DEP comments. **SA** states that the recommendation from Rimmer Environmental, is to deny the project. **MC** adds that he disagrees with Rimmer Environmental on this project. The pipe is a storm surge pipe and all the ground water flows to that area. It's perforated and would allow water into the wetlands. **SA** is concerned it's cutting off the primary hydrology. **JW** agrees and that it sounds like disconnect between what Rimmer Environmental is saying and what Brian Knowles is proposing. **BK** explains the purpose is to alleviate the pocket. **MC** adds that all the water from the pipe will percolate into the ground anyways and not dry out the wetlands. **JW** says he hasn't looked closely at the layout of the pipe. Chris Deluca (**CD**) the applicant states that he is feeling frustrated and would like to speak to Rimmer Environmental. **SA** would like to schedule a meeting between the applicant and Rimmer Environmental to speak about the project before the commission makes a vote to see what is being misunderstood. **MW** asks the applicant how much water stays onsite? **CD** answers that the site stays mushy but that no standing water is in it, but there was not much rain all year up until recently. **MC** says he has never seen water coming out of that pipe, it's an intermittent stream.

MC motioned to continue the NOI: Christopher DeLuca, 108 Elm Street. (11/16/22) for the February 1, 2023 meeting 7:10 PM. with a site visit with Mary Rimmer Environmental and all commissioners possible. **MC** seconded.

Roll Call Vote: MC- yes, KL- yes, JDJ-yes, SA-yes, JW-yes, CL-yes, MW- yes
7-0-0. Motion Carried.

C. OLD BUSINESS:

1. Request for Certificate of Compliance, 54 Old County Road

Matt Steinel (**MS**) from Millennium Engineering is representing the applicant. **SA** talks about the homemade foam inserts in the flood grates. Flood grates can open and closed but that function needs to be engineered, not homemade. Those closures are not in compliance with the Wetlands Protection Act. Tom Patenaude (**TP**) talked to the owners and they will remove them. **MC** adds that it's in the best interest of the home owners to abide by the regulations. Recommendation is to approve but hold until inspected by agent.

JW motioned to approve Certificate of Compliance, 54 Old County Road.

MC seconded.

Roll Call Vote: MC- yes, KL- yes, JDJ-yes, SA-yes, JW-yes, CL-yes, MW- yes
7-0-0. Motion Carried.

2. Request for Certificate of Compliance, 52 Old County Road

JW motioned to approve Certificate of Compliance, 52 Old County Road.

MC seconded.

Roll Call Vote: MC- yes, KL- yes, JDJ-yes, SA-yes, JW-yes, CL-yes, MW- yes
7-0-0. Motion Carried.

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.
17. 338 North End Blvd

COMPLETE, PENDING APPROVAL:

18. 29 Lafayette Rd.
19. 114 Bridge Rd.
20. 6 Sycamore Ln.
21. 16 Commonwealth Ave.
22. 139 Elm
23. 4 Main Street

E. COMMISSIONER COMMENTS

AM announces a workshop on bylaws to take place on January 19, 7:00 PM to discuss Natural Resource and Storm Water. **JDJ** talks about storm damage from a recent storm. The beach had significant erosion but not structural damage. Dune plans are in the works. Access 9 was really bad. Since 2018 North End Blvd has been a target of storms and something has been coming in and carving out the area. **MC** thinks off shore we need an energy bridge to break that energy for future storms.

F. ADJOURNMENT:

CL motioned to adjourn the January 4, 2023 Salisbury Conservation Commission Meeting at 10:00 PM.
MC seconded.

Roll Call Vote: MC- yes, KL- yes, SA-yes, JW-yes, JDJ- yes
7-0-0. Motion Carried.