

**Salisbury Conservation Commission  
Meeting Minutes  
July 19, 2023  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
Hybrid Meeting  
7:00 P.M.**

**COMMISSION MEMBERS PRESENT IN PERSON:** Michael Colburn (MC), Chairman Jeffrey Ward (JW), Michael Lucas (ML), Christine Maxim (CM), Mark Warcewicz (MW)

**COMMISSION MEMBERS PRESENT REMOTELY:** Christopher Leahy (CL)

**COMMISSION MEMBERS ABSENT:** Julie Doughman-Johnson (JDJ)

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

Chairman Jeffrey Ward (JW) opened the meeting at 7:00 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. May 18, 2022
2. June 1, 2022
3. June 15, 2022
4. July 6, 2022
5. July, 20, 2022
6. August 3, 2022
7. August 17, 2022
8. September 21, 2022
9. November 16, 2022
10. December 7, 2022
11. May 3, 2023
12. May 17, 2023
13. June 7, 2023
14. June 13, 2023
15. June 21, 2023

MC motioned to approve the minutes May 18, 2022, June 1, 2022 and Sept 21, 2022.

JDJ seconded.

**Roll Call Vote:** JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.

**6-0-0. Motion Carried.**

JDJ motioned to continue the minutes June 15, 2022 through August 17, 2022, November 16, 2022, December 7, 2022 and May 3, 2023 through June 21, 2023 to our next meeting August 2, 2023 at 7:10 PM.

MC seconded.

**Roll Call Vote:** JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.

**6-0-0. Motion Carried.**

**B. PUBLIC HEARINGS at 7:10pm:**

1. **NOI: Joseph Hughes, 150 Cable Avenue. (7/19/23)**

Joseph Hughes (**JH**) is present and explains his project of replacing a deck onto his property. **JW** asks if this will include a new flight of stairs. **JH** states yes, he would like to add new stairs. **MC** asks how it is planned to be supported. **JH** states the Inspector wants him to use two 12-inch sonatubes. **MC** would like something such as helical piles. **JW** what is currently existing. Remove the landing and replace with something that is not concrete. **CL** suggest sonatubes under the deck posts and take out the concrete pad. **JH** would like to use the existing concrete pad to stabilize the stairs.

**MC** motioned to approve the Notice of Intent for Joseph Hughes, 150 Cable Avenue with the standard order of conditions and the removal of two rows under the existing addition and clean washed stone to be used under the deck.

**JDJ** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

2. **6 Steve Paquette, 6 Forest Road, LLC, 6,10 &18 Forest Road. (1/19/22)**

**MC** motioned to continue the Notice of Intent for 6 Steve Paquette, 6 Forest Road, LLC, 6,10 &18 Forest Road (1/19/22)

to the August 2, 2023 meeting 7:10 PM.

**JDJ** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

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

**MC** motioned to continue the Notice of Intent for Christopher DeLuca, 108 Elm Street. (11/16/22) to the August 2, 2023 meeting 7:10 PM.

**JDJ** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

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

Tom Hughes (**TH**) from Hughes Environmental consulting and TJ Melvin (**TJ**) on behalf of Millennium Engineering are representing. **TH** explained the remarking where they are close to the buffer zone to the wetland. They would like to propose a marker plan for review and approval of Agent prior to construction. **AM** discusses special conditions in regards to the marking and the footage within 25 feet on durable post. Also, an inclusion of invasive species management plan in regards to the roadway. **CL** reads the condition. **TH** asks for language to be change to bedrock removal. **MW** would like to see this voted on tonight. Mrs. Pallowich from 10 Corporal Patten Way, would there be improvements to the area of Forest Road to improve movement for traffic to go around construction traffic. What will they do with equipment and placement of trucks on the dead end. **TH** explains the process during construction of working with the construction equipment and specific stabilized accesses to be used. **MC** would like a commitment that they will not leave trucks on Gerrish Road. **TH** to the extent possible.

**MC** motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road (10/5/22) with standard order of condition and draft agreed upon at this meeting.

**CL** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**5. NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road Lot 1. (5/3/23)**

Tom Hughes (TH) from Hughes Environmental consulting and TJ Melvin (TJ) on behalf of Millennium Engineering are representing. TH explains the plan and conditions to remain in effect when closing out the permit. JW would like to remain consistent with the 25 feet. TH the markers with big lots with people who buy the homes it is good to have the markers to keep the area protected and show where its jurisdictional. TH would like the condition for the markers to be struck and a condition providing a plan with the resource areas on a plan set submitted prior to the pre-construction meeting. Michelle Pallowich (MP), 10 Corporal Patten Way, would like a statement from the commission that states it is a good idea to build a road through a wetland. JW explains that the commission are under an obligation that is non-bias to projects and fallow strictly the wetlands protection act.

CL motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road LOT 1 (5/5/23) with standard order of conditions, Operations and Maintenance Plan and special Order of Conditions, strike 24 and add condition with respect to the wetland delineation upon transfer of the property.

MC seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**6. NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road Lot 2. (5/3/23)**

Tom Hughes (TH) from Hughes Environmental consulting and TJ Melvin (TJ) on behalf of Millennium Engineering are representing. TH explains they are outside the 100-foot buffer to wetlands and would like the same conditions as lot one without the Operation and Maintenance Plan.

JDJ motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road LOT 2 (5/5/23) with standard Order of Conditions and special Order of Conditions, striking 24 and add a condition with respect to the wetland delineation upon transfer of the property.

MC seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**7. NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road Lot 3. (5/3/23)**

Tom Hughes (TH) from Hughes Environmental consulting and TJ Melvin (TJ) on behalf of Millennium Engineering are representing. TH explains this lot is outside the 50 foot and the clearing is under the roadway permit. There is no need for markers on this site.

JDJ motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road LOT 3 (5/5/23) with standard Order of Conditions and special Order of Conditions, striking 24 and add a condition with respect to the wetland delineation upon transfer of the property.

CL seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**8. NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road Lot 4. (5/3/23)**

Tom Hughes (**TH**) from Hughes Environmental consulting and TJ Melvin (**TJ**) on behalf of Millennium Engineering are representing. Markers to be provided on this plan and an Operation and Maintenance plan for the infiltrator.

**CL** motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road LOT 4 (5/5/23) with standard order of conditions, Operations and Maintenance Plan for infiltrator and special order of conditions strike 24 and add condition with respect to the wetland delineation upon transfer of the property.

**MC** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**9. NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road Lot 5. (5/3/23)**

Tom Hughes (**TH**) from Hughes Environmental consulting and TJ Melvin (**TJ**) on behalf of Millennium Engineering are representing. **TH** explains no stormwater system to manage. **AM** would like the drafted order of conditions number 45 for a signage plan for the gazebo.

**JDJ** motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road LOT 5 (5/3/23) with standard order of conditions and special order of conditions striking 24 and add a condition with respect to the wetland delineation upon transfer of the property and a special order for signage to be placed at the gazebo and pruning condition.

**CL** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**10. NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road Lot 6. (5/3/23)**

Tome Hughes (**TH**) from Hughes Environmental consulting and TJ Melvin (**TJ**) on behalf of Millennium Engineering are representing. Markers will be placed, an infiltrator subject to an Operation and Maintenance Plan.

**CL** motioned to approve the Notice of Intent for Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road LOT 6 (5/3/23) with standard order of conditions, Operations and Maintenance Plan for infiltrator and special order of conditions strike 24 and add condition with respect to the wetland delineation upon transfer of the property.

**MC** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**11. NOI: 18 NE BLVD LLC, 14, 16 & 18 North End Blvd. (4/5/23)**

Scott Cameron (**SC**) on behalf of the Morin and Cameron Group. **SC** explains the project is in the process of technical review and explains the changes to the plan. **SC** talks about engineering the water run off so it continues to flow across the property. **MC** asks about the planting out front. **SC** pulls up the landscaping plan. **MC** would like a sand instead of a sandy loom and have it approved by **AM**. **MC** asks about the stepping stones and pea stone on the plan. **SC** explains the stepping stones and wanting the pea stone to be able to move and more stable for plows. **MC** wants to clarify that the stone need to be washed.

**MC** motioned to continue the Notice of Intent for 18 NE BLVD LLC, 14, 16 & 18 North End Blvd (4/5/23) to the August 2, 2023 meeting 7:10 PM and in the interim, a cut sheet for the paver and **AM** to draft the Order of Conditions for the next meeting.

**JDJ** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**12. NOI: Delince P. Louis, Esq., Essex Property Group LLC, 5 Shea Street. (7/19/23)**

Scott Cameron (**SC**) of Morin and Cameron Group is representing the applicant and explains the overview of the project. **MC** asks about the utility chase and what the size is. **SC** states it is accounting for the structure and they do not want it to be easily destructible. **JW** would like the utility chase decreased. **AM** states she had a meeting with FEMA where they discussed 30 properties with utility chases too large. **JW** wants to clarify that all stormwater management is for this property strictly. **SC** states that is correct. **MC** would like specifics for the pavers that will be used.

**JDJ** motioned to approve the Notice of Intent for Delince P. Louis, Esq., Essex Property Group LLC, 5 Shea Street (7/19/23) with standard Order of Condition and also special Conditions with the utility chase to meet FEMA and the sift analysis for soil being used.

**CL** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**13. NOI: Ocean Front South LLC, One Ocean Front South Development (4/19/23).**

Attorney Nylon (**AN**) is representing the applicant along with Tome Hughes (**TH**) of Hughes Environmental and TJ Melvin (**TJ**) from Millennium Engineering. **AN** explains the updated plans sent to the commissioners and questions asked on how do we improve the performance standards from the existing conditions. **TH** explains the boardwalk to change the service for flow of vegetation. He explains that the boardwalk ramp at the beach has vegetation surviving underneath and will provide a temporary protection to the site with encased sand and or a sand tube on the Ocean Front South to provide a barrier for over wash. **MW** asks if this is the biggest building to be put on a barrier beach. **TH** explains there are other places with a building this big. **JW** has concerns where those places have a sea wall and we do not. Dwight Dunk (**DD**) states in Revere there is a sea wall but there is still wave action. **JW** asks, does the sea wall mitigate? **DD** answers that the beach here has wave run up. **DD** then explains that the project does not have an adverse effect on the dune with the size of the building. The whole building is up on piles above the VE Zone. **ML** asks if there is a difference in grade from the front of the building where the piles are to the parking. **TH** explains the dune coming down and blended with additional sand. **JW** is concerned about the concrete being undermined at only 5 inches thick. **TH** states that is easily repaired and not structural. **JW** asks about the possibility of sand being washed away from under the building. **TH** states that sand can be replaced under the building. **JW** asks what will happen after that first initial storm event and with each subsequent event, the sand being put under the building becomes less and less effective. **AN** commented that FEMA requires that if you replace the at grade structure you have to put it up on piling but does not require anything about the paving below. **DD** states that the standard there is to evaluate the standard condition to the proposed condition. The existing condition is 92 percent hardened to the proposed which removes 1.2 acre of hardened surface. There is no vegetative cover now and we proposed vegetative cover. The building is raised up and allows the water to function. The dune cannot move at all currently and in the future the dune sand can move within the site. In stating these comments there are no adverse effects. **CL** states that concrete is solid fill. **CL** asks about the gravel driveway having concrete curbing. **TJ** comments they are looking at alternative curbing. **CM** would like to be shown on the plan the amount of concrete being removed. **JW** would like to work with the applicant to make sure it is in the best compliance to bring

to the WPA. **JW** asks what is the transition between the dune and the parking. **TH** explains it is sand to stone, then to concrete. **TH** would also like to remind the Commission that the WPA is for no adverse effect not for maximum improvement. **DD** reads Rimmer Environmental's letter and clarifies she states no adverse effect. **AN** comments that town council wants this as a redevelopment. There is nothing in the WPA that states we have to have a impervious area under a pervious area. **DD** discusses development verses redevelopment and reads page 216 of the WPA guidelines for the Commission. Wayne Capolupo (**WC**) addresses concern to re-nourish the dune and the ability to slurry sand. John Chiluso (**JC**) of 4 Atlantic Avenue states the proposed dune will reinforce the dune that is there now. Jean D'Orsi (**JD**) asks for Millennium Engineering to explain the portion proposed for grading and that it should be provided. **TH** explains the grading plans. **JW** would like language written for how funds through the Home Owners Association would be spent for the sand nourishment.

**MC** motioned to continue the Notice of Intent for Ocean Front South LLC, One Ocean Front South Development (4/19/23) for our August 2, 2023 meeting at 7:10 PM.

**JDJ** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

**CM** would like to continue the remainder of the Agenda to a special Conservation Commission meeting to July 24, 2023 at 5:30pm in the Colchester Room of Salisbury Town Hall.

**MC** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**

#### **F. ADJOURNMENT:**

**CL** motioned to adjourn the July 19, 2023 Salisbury Conservation Commission Meeting at 11:30 PM.

**MC** seconded.

**Vote: JW-yes, MC-yes, CM-yes, ML-yes, MW-yes, CL-yes.**

**6-0-0. Motion Carried.**