

Salisbury Conservation Commission
Meeting Minutes
August 2, 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**), Christopher Leahy (**CL**) Arrived at 7:15 PM, Julie Doughman-Johnson (**JDJ**)

COMMISSION MEMBERS PRESENT REMOTELY:
COMMISSION MEMBERS ABSENT:

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

Chairman Jeffrey Ward (**JW**) opened the meeting at 7:08 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. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Christopher DeLuca, 108 Elm St. (11/16/22)**

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

JDJ seconded.

6-0-0. Motion Carried.

2. **NOI: Steve Paquette, 6 Forest Road, LLC, 6, 10 & 18 Forest Rd. (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 16, 2023 meeting 7:10 PM.

JDJ seconded.

6-0-0. Motion Carried.

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

Scott Cameron (**SC**) of the Morin and Cameron Group explains the project. They submitted plans based on the feedback from the planning board meeting. The letter from Joeseeph Serwatka came back with no new issues and everything has been addressed. **JDJ** wants sandy loam if allowed to be in the Order of Conditions and to be checked by the agent prior to import. **SC** agrees and will provide that to the staff. **JDJ** asks about the stone size to be used. **SC** explains a pea stone finish and that the size ranges from a quarter inch to a half inch.

MC motioned to approve the Notice of Intent for 18 NE BLVD LLC, 14, 16 & 18 North End Blvd (4/5/23) with the standard Order of Conditions as well as sandy loam mix to be approved by the agent prior to import and any stone imported shall be washed.

JDJ seconded.

6-0-0. Motion Carried.

4. **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 previous meeting and presented the updates. Speaks about the re-nourishment plan for the dune and states that it could be made a condition. **TH** talks about a sand slurry to be placed between the slab and the boardwalk in the area that they are putting sand. **TH** then explains the slurry in more detail. The area is from the leading edge of the parking up through to the boardwalk. **JDJ** asks about the parking lot and states that the building code reads that there can be a variance from the concrete and she would like something else such as clam shell. **TH** explains yes, but it is more complicated than that. Usually a variance exception is for an existing structure that does not meet the code. For a parking garage it has to be a concrete surface. **JW** asks about the bracketed section of the building code that was submitted, an exception for the parking garage could be made into something more permeable, one option is asphalt. **TH** explains that asphalt was looked at and was rejected because of gasoline spills, and its combustibility. **MC** asks about the location of snow storage. **TH** states there is a small area for snow storage near the dumpsters but reminds the commission that not much snow will be on the property, most will accumulate on the roof. We will clarify that for the next meeting. **TH** addresses the list that the agent gave to them, one being the re-nourishment of the dune if there is a storm. **TH** states a condition could be made to submit the dune nourishment plan with the Home Owners Association prior to occupancy. We are planning to provide the landscape details for the next meeting. **MC** asks if there will be enclosures within the flood zone? And he would like to see the pedestrian shares by the boardwalk on the plan. **JDJ** would like to request that Coastal Zone Management comment on this project. **JW** wanted to ask **AN** about Ms. D'Orsi's letter, when you had written your letter dated the same day did you acknowledge her letter. **AN** explains he has discussed her issues and does not feel it necessary to keep addressing them. **JW** would like to point out vehicle trips and would like that addressed for the next meeting. He views the property as not being higher load and asks **TJ** to address. **TJ** states as **AN** mentioned about the vehicle trips, storm water management understands that this is not a parking lot, it's a covered structure and does not receive the constant contamination coming across the parking lot. It does not qualify because it is not a parking lot. In the stormwater handbook most land uses that can be sheltered or covered is a great way to minimize it. This building is completely covered. Dwight Dunk (**DD**) of Epsilon Associates also representing the applicant compares a project in Revere with a current Order of Conditions that was at a higher level and the storm water plan like this was accepted and reviewed by Massachusetts Environmental Policy Act. **JW** asks for clarification with the stormwater regulations and not being interchangeable between a parking garage and a parking structure. **AN** suggests that they add a condition to sweep the parking garage into the Conditions. **JW** states that a second letter given to the Commission requesting for the denial from the big block to be entered into the record. **AN** commented that it is not relevant to this project. **JDJ** reminds the Commission it is good to read to see the changes that have been made. Harry Harutunian (**HH**), 29 Railroad Ave, thinks they should send an application into Board of Building Regulations and Standards to see if clam shell would be approved. As a board, take every opportunity. There is nothing wrong with reading the old report as well. **ML** asks about the Home Owners Association, once in place what happens when they do not think it needs to be replenished and the town does? I would recommend built in Conditions with a third party for a coastal flood an where an individual is to come down and inspect the dunes. Salisbury has the most erosion of any town along the ocean. We plan to install a filter sock and other precautions to protect the other properties during construction. **HH** states on page 4 number 5, the applicant has provided 4 items from the previous project, what happened to the other things that Massachusetts Environmental Policy Act

needed to be addressed. With the concrete, floor hydraulics systems have to be checked. They leak, what are we doing to make sure they are checked on a regular basis. Snow should be removed from the site every time it snows because of the containments. Jean D'Orsi (**JD**) of 11 Railroad Ave, speaks on the letter she sent into the commissioners. **NA** wants to clarify that he has taken all the comments very seriously and spent a lot of time to go through all of the questions.

Commissioners discuss voting to have Coastal Zone Management review the project and whether it is appropriate.

ML motioned to send this to Coastal Zone Management for a review.

JDJ seconded.

1-0-6. Motion Fails.

MC motioned to continue the Notice of Intent for Ocean Front South LLC, One Ocean Front South Development (4/19/23) for our August 16, 2023 meeting at 7:10 PM.

JDJ seconded.

7-0-0. Motion Carried.

5. NOI: Shiv Shrestha, International Capital Management LLC., 42 Commonwealth Avenue. (7/19/23)

Matthew Steinel (**MS**) from Millennium Engineering is representing the applicant and talks about the hearing last Monday and what was discussed. He presents the new plan with what was discussed and proposed the changes. **MS** discusses that after all of the calculations that it is still an improvement.

JW asks if he is considering using pea stone or gravel. **MS** states the applicant would like the pavers. If the pavers are denied the applicant will leave the pavement as is.

CL motioned to Approve the Notice of Intent for Shiv Shrestha, International Capital Management LLC., 42 Commonwealth Avenue (7/19/23) with the standard order of conditions.

MC seconded. **ML**-abstained.

4-1-2. Motion Carried.

6. NOI: Michael D'Angelo, 100 Atlantic Avenue. (7/19/23)

Matthew Steinel (**MS**) from Millennium Engineering is representing the applicant and explains the plan for this project. Applicant does not want to change the depth of the parking area. In exchange for keeping the parking area they will remove the elevated generator pad. **MW** asks to see the pictures. **JDJ** asks about the wall to the left of the house. **MS** says the wall is staying and wants to protect the parking area and side wall. **JW** asks if the paved surface in the front is staying. **MS** says yes that is parking they use. **ML** asks what the elevation is. **MS** tells him the base is 19, and goes about a tenth higher than the minimum elevation required. **MC** wants to ensure that any stone used is processed clean washed stone.

CL motioned to approve the Notice of Intent for Michael D'Angelo, 100 Atlantic Avenue (7/19/23) with the standard Order of Conditions as well as grass type, generator plan removal and more suitable back fill to be approved by the agent.

MC seconded.

7-0-0. Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 10 Ferry Lots Lane.
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. 211 N. End Blvd.
11. 16 Hayes St.
12. 11 Railroad Ave.
13. 95 Railroad Ave
14. 48 Commonwealth Ave.

ACTIVE, PENDING COMPLETION:

15. 5 Patriot Way
16. Lafayette Rd. Sewer
17. 27 12th St. W.
18. 253 North End Blvd
19. 375 North End Blvd.

COMPLETE, PENDING APPROVAL:

20. 29 Lafayette Rd.
21. 114 Bridge Rd.
22. 6 Sycamore Ln.
23. 16 Commonwealth Ave.
24. 139 Elm
25. 4 Main Street

F. COMMISSIONER COMMENTS:

AM stated that she is taking another position within the town and thanked the Commission for years working together.

G. ADJOURNMENT:

CL motioned to adjourn the August 2, 2023 Salisbury Conservation Commission Meeting at 10:55 PM.

MC seconded.

7-0-0. Motion Carried.