



**Salisbury Conservation Commission
Meeting Minutes
July 6, 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), Jeffrey Ward (JW), Christopher Leahy (CL), Mark Warcewicz (MW)

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

COMMISSION MEMBERS ABSENT: Chairwoman Sheila Albertelli (SA)

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

Vice-Chairwoman Jane Purinton opened the meeting at 7:03 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. **December 15, 2021**
2. **January 5, 2022**
3. **January 19, 2022**
4. **January 21, 2022**
5. **February 2, 2022**
6. **February 16, 2022**
7. **March 2, 2022**
8. **March 16, 2022**
9. **April 6, 2022**
10. **April 20, 2022**
11. **May 4, 2022**
12. **May 18, 2022**
13. **June 1, 2022**
14. **June 15, 2022**

JDJ motioned to approve the minutes dated December 15, 2021.

JW seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW- abstained.

Vote: 5-0-1. Motion Carried.

CL motioned to continue the remaining minutes January 5, 2021 through June 15, 2022 until our next scheduled meeting July 20, 2022 at 7:00 PM.

JDJ seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW- abstained.

Vote: 5-0-1. Motion Carried.

B. PUBLIC HEARINGS at 7:10 pm:

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

MC motioned to continue the Notice of Intent for Henry A. Richard, Jr., 247-249 North End Blvd. to our next scheduled meeting July 20, 2022 at 7:10 PM.

JW seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**- yes.

Vote: 6-0-0. Motion Carried.

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

MC motioned to continue the Notice of Intent for Matthew Sanders, 5 Patriot Way to our next scheduled meeting July 20, 2022 at 7:10 PM.

JW seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**- yes.

Vote: 6-0-0. Motion Carried.

3. NOI: Charles Michael Lopiano, 124 & 126 North End Blvd. (6/15/22)

JKP noted a DEP number had been issued and that there was a site visit on July 1st. Matthew Steinel (**MS**) of Millennium Engineering presented the project and reviewed changes including the adjustment in the beach access, changed to 45-degree angle. **MS** reviewed locations of construction fencing & crane staging area, anticipated 384 sf of vegetation impacts, 1879 sf of restoration. **JW** asks about the sand area for trash bins and if there will be a platform or will barrels be on sand. **MS** comments that there is a plan for Mobi-mats to be used.

CL motioned to approve the Notice of Intent for Charles Michael Lopiano, 124 & 126 North End Blvd with the Standard Special Order of Conditions.

JDJ seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**- yes.

Vote: 6-0-0. Motion Carried.

4. NOI: Brian Knowles, 1 Corporal Patten Way, f/k/a 114 Forest Road. (7/6/22)

The applicant, Brian Knowles (**BK**) presented the project. **CL** comments asking about the location of the soil stockpile. **JDJ** notes the driveway gets close to wetland and suggest a wall to prevent the driveway migrating towards the wetland. **BK** suggested large stones. **CL** asks about driveway paving. **BK** states that maybe up by house they could pave. **JKP** suggestions to add or change soil stock pile to the plans. The commissioners discuss trees to be removed.

MC motioned to continue the Notice of Intent for Brian Knowles, 1 Corporal Patten Way, f/k/a 114 Forest Road to the next scheduled meeting July 20, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**-yes.

Vote: 6-0-0. Motion Carried.

5. AMENDED NOI: Joseph Leone, 20 Friedenfels Road (7/6/22)

JDJ motioned to table the Amended Notice of Intent for Joseph Leone, 20 Friedenfels Road.

CL seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**-yes.

Vote: 6-0-0. Motion Carried.

Tom Hughes (**TH**) of Hughes Environmental reviewed changes with the floats and the proposed parking area. **CL** asked if original application had subsurface utilities connecting the house to the dock. **TH** confirms that it did. **MC** states that he is not comfortable with a blanket approval for pervious pavers and wants to make sure that the pavers have all the details. **MW** asks why there is no walkway from the parking area to the dock. **TH** replies that it is a walkable lawn. **MW** asks if the vegetation would die from repeated walking? **TH** answers that the lawn will not be walked on every day. **JKP** asks about a letter from Natural Heritage Endangered Species Program for this amendment? **TH** clarifies they do not need one because the habitat area is just water. The shed and parking area are not within a habitat. However, in the event Natural Heritage Endangered Species Program is not ok, we will be back. **AM** states that it is already conditioned in the original approval. **JDJ** asks about abutter concerned with parking. **TH** clarifies the concern and the location worked out with the neighbor.

MC motioned to approve the Amended Notice of Intent for Joseph Leone, 20 Friedenfels Road with a special condition to add erosion control to the parking area.

JW seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**-yes.

Vote: 6-0-0. Motion Carried.

C. NEW BUSINESS

1. Request for Extension, 195-201 Elm St.

JW motioned grant the Request for Extension, 195-201 Elm St. to June 26, 2025.

JDJ seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**-yes.

Vote: 6-0-0. Motion Carried.

2. Request for Extension, 187 Atlantic Ave.

JW motioned to grant the Request for Extension, 187 Atlantic Ave. to August 8, 2025.

CL seconded.

Roll Call Vote:

JDJ-yes, **JKP**-yes, **MC**-yes, **JW**-yes, **CL**-yes, **MW**-yes.

Vote: 6-0-0. Motion Carried.

3. Request for COC: 32 Beach Rd. f/k/a Sacks Way Lot 1

JKP states it was permitted in 2000 and was never closed out. It came up in title search. Noted difficulty in obtaining as-built due to age. **JDJ** suggested site visit. **JKP** suggested continuing for site visit.

JW motioned to continue the Request for Certificate of Compliance for 32 Beach Road, f/k/a Sacks Way Lot 1 to July 20, 2022 7:10 PM with a site visit in the interim.

JDJ seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW-yes.

Vote: 6-0-0. Motion Carried.

4. Enforcement Order: 29 Lafayette Road

JKP noted they need to issue the Enforcement Order and approve the restoration plans. Patrick Seekamp (**PS**) of Seekamp Environmental discussed the Enforcement Order and the existing house. He reviewed the location of the wetland that was recently filled. It is an estimated 108 square feet of fill and we identified the replication area, creating an additional 350 square feet of wetland, a 3:1 ratio. **PS** discusses the restoration plan, proposed plantings and stabilization plan. **JDJ** suggests a clover lawn. **CL** comments that the plans are old and asks if the line on them is still valid. **PS** thinks they may have expanded. **MC** asks what the grade changes are. **PS** answers that it will be a field adjustment using biological benchmarks and that portion of lawn will be dropped about a foot. **MC** states he is not comfortable approving not knowing what the water will do. **PS** clarifies they are allowing water from another property on to this property, not vice versa. **MC** adds that the Commission has nothing proving the filling is not more extensive. Commission discussion regarding plans, old vegetation. **JKP** comments that this is what we know. We're working with what we know.

CL motioned to issue the Enforcement Order for 29 Lafayette Road with the amendment that restoration be presented at the next scheduled meeting July 20, 2022 at 7:10 PM, and in the interim a site visit.

JW seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW-yes.

Vote: 6-0-0. Motion Carried.

D. OLD BUSINESS

1. Request for Bond Release: 245 No. End Blvd.

Matthew Steinel (**MS**) representing this project and reviewed photos showing 2 years of growth. **JDJ** stated she'd like to do a site visit. **MS** states that it is vegetated and stabilized, but not growing in well. The applicant feels he's met requirements. **MC** asked if 50% came in. **AM** states she doesn't have an estimate, but that sounds accurate. **MC** adds that he doesn't think he met standards. **JDJ** agrees. **JKP** agrees and states they ask for 80% and it doesn't look like the required 80%. **JW** asks if it is possible to get the Notice of Intent to review the plan from that.

JDJ motioned to continue the request for Bond Release and hold the bond for 245 North End Blvd for the next scheduled meeting July 20, 2022 at 7:10 PM, and in the interim have a site visit to view plantings.

JW seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW-yes.

Vote: 6-0-0. Motion Carried.

2. Request for Certificate of Compliance, 5 Patriot Way.

CL motioned to continue the Request for Certificate of Compliance, 5 Patriot Way to our next scheduled meeting July 20, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW-yes.

Vote: 6-0-0. Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 2A 12th St. West
2. 14 Old County Road
3. 100 Main St.
4. 53 Railroad Ave.
5. 14, 10th St. W.
6. 97 Atlantic Ave.
7. 114 Bridge Rd.
8. 36 Pike St.
9. 2 Baker Rd.
10. 565 North End Blvd.
11. 30 Main St.
12. 83 Atlantic Ave.
13. 211 N. End Blvd.
14. 16 Hayes St.
15. 11 Railroad Ave.

ACTIVE, PENDING COMPLETION:

16. Lafayette Rd. Sewer
17. 150 North End Blvd

COMPLETE, PENDING APPROVAL:

18. 6 Sycamore Ln.
19. 16 Commonwealth Ave.
20. 61 Bridge Rd.
21. 139 Elm
22. 86/88 Elm St.
23. 4 Main St.

F. COMMISSIONER COMMENTS:

JDJ talks about the recent drownings on the Merrimack, lifejackets.

MC thanks the beach attendants for controlling trash at the center, advised visitors to stay off the dunes.

F. ADJOURNMENT:

CL motioned to adjourn the July 6, 2022 Salisbury Conservation Commission Meeting at 9:09 PM.

JW seconded.

Roll Call Vote:

JDJ-yes, JKP-yes, MC-yes, JW-yes, CL-yes, MW-yes.

Vote: 6-0-0. Motion Carried.