

Salisbury Conservation Commission
Meeting Minutes
October 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**), Michael Colburn (**MC**), Michael Lucas (**ML**), Mark Warcewicz (**MW**), Christine Maxim (**CM**).

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

COMMISSION MEMBERS ABSENT: Chairman Jeffrey Ward (**JW**)

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

Julie Doughman-Johnson (**JDJ**) 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. MINUTES:

1. June 15, 2022
2. July 6, 2022
3. July 20, 2022
4. June 7, 2023
5. June 13, 2023
6. June 21, 2023
7. August 16, 2023
8. September 6, 2023
9. September 20, 2023
10. October 4, 2023

MC motioned to approve the minutes from June 15, 2022, July 6, 2022, July 20, 2022, June 7, 2023, June 13, 2023, June 21, 2023, August 16, 2023, September 6, 2023, September 20, 2023, and October 4, 2023.

CL seconded.

Roll Call Vote: **MW**-yes, **ML**-yes, **CM**- yes, **MC**-yes, **CL**-yes, **JDJ**-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 Notice of Intent for 6 Steve Paquette, 6 Forest Road, LLC, 6, 10 & 18 Forest Road to the October 4, 2023 meeting 7:10 PM.

CL seconded.

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

6-0-0. Motion Carried.

2. **RDA: Michael Elmer, 370 North End Blvd. (10/18/23)**

Michael Elmer (**ME**), the applicant is here to represent himself. He explains they are seeking to extend a gas line with National Grid.

CL motioned to grant a negative Determination of Applicability for Michael Elmer, 370 North End Blvd with the Special Condition that no sand be removed from the site, no loam imported to the site, and native non-invasive species shall be planted and our Standard Order of Conditions.

MC seconded.

Roll Call Vote: MW-yes, ML-yes, CM- yes, MC-yes, JDJ-yes.

6-0-0. Motion Carried.

3. **RDA: Ryan Voltera, 54 Mudnock Rd. (10/18/23)**

Jay Smith (**JS**) representing the applicant explains they would like to install a pool within the back yard with the Commission's approval. **JS** explains the distance between the wetlands and where they plan to install the pool and filter. Electric line to run from the house to the filter. **JDJ** would like to see a delineation of the wetlands and recommends a site visit. **JS** discusses with the commission the delineation plan. **CL** recommends showing more details about the wetlands on the plan. **MC** explains the types of details they would like to see and reiterates the recommendation of the site visit.

CL motioned to continue the Request for Determination of Applicability for: Ryan Voltera, 54 Mudnock Rd. to our next meeting on November 1, 2023 at 7:10 PM and in the interim a site visit.

MC seconded.

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

6-0-0. Motion Carried.

C. **NEW BUSINESS:**

1. **Request for Certificate of Compliance, 14,16 &18 North End Blvd. & 5 Shea Street.**

CL motioned to issue an invalid Certificate of Compliance for 14,16 &18 North End Blvd. & 5 Shea Street.

MC seconded.

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

6-0-0. Motion Carried.

2. **Request for Certificate of Compliance, Michael Terminiello, M.T.I. Properties, LLC, 26 Cushing Street.**

Matt Steinel (**MS**) from Millennium Engineering is representing the applicant and introduces the request. There is a demarcation fence by the wetland area with signs but does not extend as far on the plan. It is in reasonable compliance to what was on the original plan. **MS** shows the finished project photographs. **CM** suggests to extend the fence in sections continually down the property. **MS** suggests closing the gap between the fencing and posts to continue all the way down with signage. **CL** agrees that this would be a good compromise.

CL motioned to approve the request for Certificate of Compliance, Michael Terminiello, M.T.I. Properties, LLC, 26 Cushing Street with the condition to remove erosion control and extend posting with signing and the Conservation to hold the Certificate of Compliance until the Conservation Agent verifies and approves the release of the Certificate of Compliance with perpetual Order of Conditions to

stand.

CM seconded.

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

6-0-0. Motion Carried.

3. **Enforcement Order, 249 No End Blvd.**

JDJ states they need to ratify the enforcement order as part of the administrative process but the applicant requested a continuance for discussion.

CL motion to ratify the enforcement order at 249 North End Blvd.

MC seconded.

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

6-0-0. Motion Carried.

4. **Enforcement Order, 51 Central Ave.**

JDJ states the property owner has resolved the issue on the fencing. **MC** states he recommends that they take no action.

D. OLD BUSINESS

1. **Request to Release Bond- 245,247,251,253,255 North End Blvd.**

JDJ asks for the commissioners who went on the site visit to discuss what they saw. **CM** states that when she visited the site it was sparsely grown in. It seems like it will fill in but has not yet. To the right and left of the building it is filled in. **AM** explains this bond is for a specific area on the property for the survival of certain plants. They did not survive well, about 50 percent. **AM** states her recommendation is to release the bond for the reason that phragmites is taking over and the bond would not help the specific plantings survive. **MC** agrees that the phragmites is taking over and there would be no gain for trying to replant and disrupt what is already there. **CM** agrees to release the bond and would like the phragmites issue to be separate and on the current owners. **ML** asks if there is already an enforcement order on the property. **AM** explains the enforcement orders issued presently, and that they would not affect this one.

MC motioned to release the bond for 245,247,251,253,255 North End Blvd.

CL seconded.

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

6-0-0. Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 2A, 12th St. W.
2. 14 Old County Rd.
3. 100 Main St.
4. 14 10th St. W.
5. 36 Pike St.
6. 2 Baker Rd.
7. 565 North End Blvd.
8. 30 Main St.
9. 211 N. End Blvd.

10. 16 Hayes St.
11. 11 Railroad Ave.
12. 95 Railroad Ave.
13. 48 Commonwealth Ave.

AM updated the commissioners on the work done. **AM** states she discussed with the property owner the feedback heard from the site visit with the commissioners. The property owner removed the pavers and installed an infiltration trench. **AM** states she provided the commissioners with photos of the work done. **JDJ** asks about the fence on the property. **AM** comments that is on another property that they can issue an enforcement order if the commissioners feel it is warranted.

CL motioned to lift the enforcement order at 48 Commonwealth Ave.

MW seconded.

Roll Call Vote All: MW-yes, ML-yes, CM- yes, MC-yes, CL-yes, JDJ-yes.

6-0-0. Motion Carried.

ACTIVE, PENDING COMPLETION:

14. 5 Patriot Way
15. Lafayette Rd. Sewer
16. 27 12th St. W.
17. 253 North End Blvd.
18. 375 North End Blvd.

COMPLETE, PENDING APPROVAL:

19. 29 Lafayette Rd.
20. 114 Bridge Rd.
21. 6 Sycamore Ln.
22. 16 Commonwealth Ave.
23. 139 Elm
24. 4 Main Street

F. AGENT & COMMISSIONER COMMENTS:

AM states the Fall Town Meeting is October 23, 2023 7:00 PM at the elementary school and will also be holding a town wide food drive. **JDJ** also suggests toiletries. **MW** comments that he would like continuances be handled differently as it is hard to prepare for a meeting and then have it continued and possibly not address an issue because of that delay. **AM** recommends taking notes. **MC** also agrees with **MW** and would like a regulation as a board that suggests a two-day stance for continuances. **AM** comments that she will look into that. **CL** comments that Halloween and Trick or Treating will take place before the next conservation meeting and hopes everyone has a safe and Happy Halloween.

G. ADJOURNMENT:

MC motioned to adjourn the October 18, 2023 Salisbury Conservation Commission Meeting at 8:00 PM.

JDJ seconded.

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

6-0-0. Motion Carried.