

**Salisbury Conservation Commission  
Meeting Minutes  
December 20, 2023  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
Hybrid Meeting  
7:00 P.M.**

**COMMISSION MEMBERS PRESENT IN PERSON:** Chairman Jeffrey Ward (**JW**), Michael Lucas (**ML**), Christine Maxim (**CM**), Julie Doughman-Johnson (**JDJ**).

**COMMISSION MEMBERS PRESENT REMOTELY:**

**COMMISSION MEMBERS ABSENT:** Christopher Leahy (**CL**), Mark Warcewicz (**MW**), Michael Colburn (**MC**).

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

Chairman Jeffrey Ward (**JW**) opened the meeting at 7:09 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 6, 2023**

**JDJ** motioned to approve the minutes for December 6, 2023.

**CM** seconded.

**4-0-0. Motion Carried.**

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

**1. NOI: Martin & Pamela Rugg, 22 12<sup>th</sup> Street West (12/20/2023)**

The applicant Martin Rugg (**MR**) is present and explains the plans to replace a deck and existing concrete. Permeable paver. **JDJ** asks if it is open cell. Shane Leary (**SL**) from Frontier Landscaping, describes the paver they will be using as a non-open cell paver. **JW** comments that in the past the commission has not approved this non-open cell pavers and asks if they would be open to consider a different paver type? **SL** asks if there are exceptions to this where they are taking out the concrete and replacing with the paver. **JDJ** asks about under the concrete and if removed it needs to be layered properly. **SL** states they would remove the concrete and bring offsite and layer properly. **CM** asks about alternatives, like a turf paver. **SL** comments that it is similar to the permeable paver. **JW** asks when this is installed, is there space in between? **SL** explains the 7mm space on each side that comes with the paver. **ML** asks about the square footage of the pavers. **MR** answers 547 square feet. **JW** asks what is under the deck currently. **MR** states they assume dirt, but cannot see until removed. Commissioners discuss the 738 square footage of hardscape to come out and the pavers to go in gives roughly 200 square feet of improvement. **JDJ** asks what is being brought in to fill. **SL** answers they will put compatible sand. **AM** is concerned about spacers and the built-in pavers and would like that information in writing. **SL** states it's the Blue 80 to be used and will provide that. Jack Serrate (**JS**) on behalf of Cover Rite Siding & Window explains the deck and replacing with helical piles. **CM** asks if the deck is open. **JS** explains the decking to be used and the process.

**JDJ** motioned to approve the Notice of Intent for Martin & Pamela Rugg, 22 12<sup>th</sup> Street West with the Standard Order of Conditions and information on the pavers to the Agent with a reduction of the West side by five feet with a submitted revised plan.

**CM** seconded.

**3-0-1. Motion Carried.**

**C. OLD BUSINESS:**

**1. Request for Certificate of Compliance, 19 Sweet Apple Tree Ln.**

**AM** verified that the measurements on the as built are where they are supposed to be.

**ML** motioned to approve the Certificate of Compliance for 19 Sweet Apple Tree Ln.

**CM** seconded.

**4-0-0. Motion Carried.**

**D. NEW BUSINESS:**

**1. Conveyance of Open Space Parcel off Winterberry Circle.**

Open space as part of the FRD development. A trail to tie into the existing rail trail has not been completed.

**AM** states the site is not in a stabilized condition and she discussed the site with the Planning Director. The Town working with the applicant on there occupancy and does not recommend an acceptance of the conveyance for liability reasons and should table until the work is done. Attorney Ben Taylor (**BT**) of 30 Green Street in Newburyport is representing DeStefano Development states he has been in contact with the client and has plans to get that done soon. Stone dust layer, fencing to be added, and would like to proposed acceptance with approval from the Agent. **JW** asks how long will the project take to complete. Pat Donahue (**PD**) the perspective buyers of the last house on the development explains their frustration with trying to close on there house. They ask for a creative proposal so that they can get their occupancy permit. **JW** asks if the closing has been delayed because of the Rail Trail. **PD** states it is one of a few complications.

**JDJ** motioned to table.

**2. Enforcement Order, 20 Cable Avenue.**

**AM** states she will send a letter to the property owners and work out a solution with them. 50 percent fencing is allowed, lattice is too easy for people to back and make non-compliant. **ML** asks if lattice qualifies as 50 percent. **AM** comments it is not something that they permit any longer and discusses the reasons with the commissioners.

**JDJ** motioned to ratify the Enforcement Order for 20 Cable Avenue.

**CM** seconded.

**4-0-0. Motion Carried.**

**3. Commission Standard Special Condition.**

**AM** has not proposed changes but gave the Commissioners the Standard Order of Conditions broken into two types. General, and the other for Coastal Resource. Specific condition to the planting of dune grass. **JW** would like to get all of the commission members input. **AM** suggest the second meeting in January.

**JW** motioned to table discussion until the January 17, 2023 meeting.

**E. ENFORCEMENT ORDERS:**

**HOLD, PENDING UPDATE:**

1. 103 Lafayette Rd.

2. 35 Liberty Street
3. 44 Commonwealth Ave.  
**AM** has adjusted the fencing. The property owner has complied with the Commissioners request.  
**AM** recommends lifting the order.  
**JDJ** motioned to lift the enforcement order.  
**CM** seconded.  
**4-0-0. Motion Carried.**
4. 546 North End Blvd.
5. 249 North End Blvd.
6. 2A, 12<sup>th</sup> St. W.
7. 14 Old County Rd.
8. 100 Main St
9. 10<sup>th</sup> St. W.
10. 36 Pike St.
11. 2 Baker Rd.
12. 565 North End Blvd.
13. 30 Main St.
14. 211 North End Blvd.
15. 16 Hayes St.
16. 11 Railroad Ave.
17. 95 Railroad Ave.
18. ACTIVE, PENDING COMPLETION:
19. 27 12<sup>th</sup> St. W.
20. 10 Ferry Lots Lane
21. 253 No End Blvd.
22. COMPLETE, PENDING APPROVAL:
23. 29 Lafayette Rd.
24. 6 Sycamore Ln.
25. 16 Commonwealth Ave.
26. 139 Elm St.
27. 4 Main St.

**F. AGENT & COMMISSIONER COMMENTS:**

Commissioners wish everyone a Happy Holiday. Merry Christmas and Happy New Year. **ML** asks about the barges in the Hampton river, huge cranes on them that go on piles. **AM** states they are doing jetty work.

**G. ADJOURNMENT:**

**JDJ** motioned to adjourn the December 20, 2023 Salisbury Conservation Commission Meeting at 8:30 PM.

**CM** seconded.

**4-0-0. Motion Carried.**