

**Salisbury Conservation Commission
Meeting Minutes
March 20, 2024
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**), Julie Doughman-Johnson (**JDJ**), Michael Lucas (**ML**), Mark Warcewicz (**MW**), Michael Colburn (**MC**).

COMMISSION MEMBERS PRESENT REMOTELY: Christine Maxim (**CM**).

COMMISSION MEMBERS ABSENT: Christopher Leahy (**CL**).

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. EMERGENCY CERTIFICATES:

JDJ motioned to add to the Agenda 278, 280, 282 North End Blvd.

CM seconded.

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

5-1-0. Motion Carried.

JDJ motioned to ratify the Emergency Certificates for 278, 280, 282 North End Blvd.

CM seconded.

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

6-0-0. Motion Carried.

B. MINUTES:

1. March 6, 2024

MC motioned to approve the minutes for March 6, 2024.

JDJ seconded.

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

6-0-0. Motion Carried.

C. PUBLIC HEARINGS at 7:10pm:

1. NOI: Town of Salisbury, DPW, Drainage Improvement, Dock Lane.

TJ Melvin (**TJ**) from Millennium Engineering, speaks on the site visit that took place and a delineation done in the field since the last meeting. **JW** asks if a commissioner that was present for the site visit could summarize. **MW** comments that he was present and that everything is very flat and the water naturally moves across the road. He thinks this project is needed to help move the water. **JDJ** asks **TJ** about the outfall and how to keep it from cowering as it leaves. **TJ** states there will be rip rap by the salt marsh and another around 36 Dock Lane in close proximity to the wetland lines. They are not predicting

a ton of velocity. Julie Lang (**JL**) of 34 Dock Lane explains that when the surveying crew came out they surveyed on the property of 34. **JL** states she is curious as about the marking flags that are there and what is the purpose. **JW** states they are wetland flags to delineate the wetlands. **TJ** explains the delineation and installing the pipe with a minor tweak of grading. Fred Bishop (**FB**) of 51 Dock Lane asks the Department of Public Works (DPW) why he didn't go directly across the street where the existing pipe was clogged and asks if it would have been more cost effective to go across the street where there is an easement already. Jamie Tuccolo (**JT**) the Salisbury DPW Director states he does not physically own the land there so he has to go for what records the town actually has. We did it in the most cost-effective way. Arthur Haus at 49 Dock lane asks about the plans with more detail where the pipe is going out at the end of the street. **TJ** states the only changes made to the manhole location and the location as to where it is out letting. **FB** states that the road takes in drainage from Beach Road and floods out on his farmland. It used to go out into the street and is in dyer need of being fixed.

MC motioned to approve the Notice of Intent for the Dock Lane Drainage Improvement Project with the standard, special Order of Conditions.

MW seconded.

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

6-0-0. Motion Carried.

2. **NOI: John Berglund, Berglund Homes, 77 & 79 North End Blvd Lots 1,2,3.**

JDJ motioned to continue the Notice of Intent for 77 & 79 North End Blvd Lots 1,2 & 3 to the April 3, 2024 meeting at 7:00 PM.

MW seconded.

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

6-0-0. Motion Carried.

3. **NOI: Richard Latorella, 51 Central Ave.**

JDJ motioned to continue the Notice of Intent for Richard Latorella, 51 Central Ave to the April 3, 2024 meeting at 7:00 PM.

MW seconded.

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

6-0-0. Motion Carried.

4. **NOI: Marsha V Kazarosian, Esq., 506 North End Blvd.**

Matt Steinel (**MS**) from Millennium Engineering is present and representing the applicant and explains the project and the site walk that happened prior to this meeting. They agreed to move the generator and that was the only change to the plans based on the comments made at the site visit. **CM** asks that if its asbestos siding that they take care for the siding while replacing. **MS** states that can be a special condition put onto the Order of Conditions. **JDJ** comments that she would like to see plywood put down for that same reason. **MS** states that part of the work requires scaffolding and plywood or tarping down to protect the grass and then suggests that the grass can be monitored after removal and if any damage is taken by the grass it can be replaced. **CM** states that they do not want any debris whether it is asbestos or not. **MS** states that no contractor wants to be picking pieces out of the sand, they will make sure to catch it to make their lives easier. **MC** suggests tarps instead of heavy plywood.

ML motioned to approve the Notice of Intent for Marsha V Kazarosian, Esq., 506 North End Blvd with the standard Order of Conditions and a Special Condition to cover the dune with tarps for further protection of the dune.

MW seconded.

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

6-0-0. Motion Carried.

5. NOI: Ruth Duncan, Jeffrey's Ledge Condo Association, 75 Atlantic Ave.

Matt Steinel (**MS**) from Millennium Engineering is present and representing the applicant. He explains this multi-story family structure and the site visit that was done. **CM** comments that during the site walk there was debris in that yard and would like that all of the debris in the yard would be collected and disposed of properly. **MS** states that would be an acceptable term.

JDJ motioned to approve the Notice of Intent for Ruth Duncan, Jeffrey's Ledge Condo Association, 75 Atlantic Ave with the Special Condition of monitoring of existing vegetation and dune form for a minimum of 2 years.

CM seconded.

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

6-0-0. Motion Carried.

6. RDA: Robert Soucy, 12 Atlantic Ave.

JDJ motioned to continue the Request for Determination of Applicability for Robert Soucy, 12 Atlantic Ave to the April 3, 2024 meeting at 7:10 PM.

MW seconded.

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

6-0-0. Motion Carried.

7. NOI: Tom Patenaude, 32 Railroad Ave.

Matt Steinel (**MS**) from Millennium Engineering is present and representing the applicant and explains the project proposal. **JDJ** suggests a site visit.

ML motioned to continue the Notice of Intent for Tom Patenaude, 32 Railroad Ave to the April 3, 2024 meeting at 7:10 PM and in interim, a site visit.

MC seconded.

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

6-0-0. Motion Carried.

D. NEW BUSINESS:

1. Extension of Order of Conditions, 100 Elm Street.

Brian Knowles (**BK**) is present and representing the applicant and explains that the applicant is looking for a three-year extension. **JW** asks him what is taking so long for this project that a second extension is being requested. **BK** states they expect everything to be done within the next three years. **JDJ** ask for the agent's opinion, **AM** states that the project is moving slowly and just needs more time.

MC motioned to approve the extension of the Order of Conditions for 100 Elm Street.

JDJ seconded.

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

6-0-0. Motion Carried.

2. Enforcement Order, 512 North End Blvd.

AM states there is a retaining wall with added forces on the wall and a wall expansion is not approvable. The homeowner is in contact.

JDJ motioned to ratify the Enforcement Order 512 North End Blvd.

ML seconded.

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

5-1-0. Motion Carried.

3. Enforcement Order, 12 Atlantic Ave.

AM explained the Enforcement Order is within Libby Ave, work that was done without a permit. The agent states that the owner has the sediment onsite, rigged and filled in. **AM** would like to work with the commission on the following next steps. **ML** clarifies that it was a vegetated dune and now is not vegetated. **ML** asks if the volume was equal. **AM** states that she will have to look further into the volume. **JW** would like the dune to be restored fully and replanted.

JDJ motioned to ratify the Enforcement Order for 12 Atlantic Ave.

ML seconded.

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

5-1-0. Motion Carried.

4. Enforcement Order, 364/368 North End Blvd.

AM states that they are under an existing emergency certification to fill a channel to tie two dune sides together and added hay bales into the inclusion of those dunes and is currently working on the removal of those hay bales.

JDJ motioned to ratify the Enforcement Order for 364/368 North End Blvd.

ML seconded.

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

5-1-0. Motion Carried.

5. Enforcement Order, 388 North End Blvd.

AM explains that an existing wood wall structure on its own that has existed in aerials was rebuilt with new lumber and states the regulation that when an old structure comes down, what goes back needs to be compliant.

JDJ motioned to ratify the Enforcement Order for 388 North End Blvd.

MW seconded.

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

5-1-0. Motion Carried.

6. Enforcement Order, 416 North End Blvd.

AW states that there are stacks of hay bales with sand and this is for removal and remediation.

JDJ motioned to ratify the Enforcement Order for 416 North End Blvd.

MW seconded.

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

5-1-0. Motion Carried.

JDJ motioned to take 35 Liberty Street out of order from Enforcement and in front of Old Business.

MW seconded.

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

6-0-0. Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 42 Commonwealth Ave
AM updated the Commission that she has been in contact with the homeowner and have been working with him.
2. 20 Cable Ave
3. 103 Lafayette Rd.
4. 35 Liberty Street

Tom Hughes (**TH**) of Hughes Environmental is present and representing the homeowner. **TH** states there was stone on the bank at the time the Certificate of Compliance was issued and suggests for the eroding bank a core log to install in the eroding bank for a soft stabilization. The homeowner is willing to remove the stone. **JW** asks how that impacts the property of 37 Liberty Ave and how much time would be needed. **TH** states they would need to reach out to the neighbor next door and then asks to extend this discussion until May to put something together. **JDJ** asks to see pictures of before. **JW** suggests waiting to remove the stone until ready to replace with something that is to stabilize it and discusses continuing the meeting for May 15th and a site visit possibly the week of May 1st. **MC** suggest keeping the hardened surface where it is as to not disturb the embankment further and just help fix it to a point of compliance. **TH** suggests a fence and rope to keep people off the area further until the project commences. **JW** amends the Enforcement Order to extend the compliance to the May 15, 2024 meeting with a site visit in the week prior.

MC motioned to amend the Enforcement Order for 35 Liberty Street with an extension for compliance to the May 15, 2024 meeting.

MW seconded.

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

6-0-0. Motion Carried.

5. 546 North End Blvd.
6. 249 North End Blvd.
7. 2A, 12th St. W.
8. 14 Old County Rd.
9. 100 Main St
10. 10th St. W.
11. 36 Pike St.
12. 2 Baker Rd.
13. 565 North End Blvd.
14. 30 Main St.
15. 211 North End Blvd.
16. 16 Hayes St.
17. 11 Railroad Ave.
18. 95 Railroad Ave.
19. ACTIVE, PENDING COMPLETION:
20. 27 12th St. W.
21. 10 Ferry Lots Lane
22. 253 No End Blvd.
23. COMPLETE, PENDING APPROVAL:

- 24. 29 Lafayette Rd.
- 25. 6 Sycamore Ln.
- 26. 16 Commonwealth Ave.
- 27. 139 Elm St.
- 28. 4 Main St.

F. OLD BUSINESS:

1. Stormwater Bylaw: Article 12 Chapter 78, Rules and Regulations

AM provided a revised version of the regulations to consider the discussion they had a few weeks ago. The changes requested were minor, **AM** summarizes the changes.

JDJ motioned to adopt the Stormwater Bylaw: Article 12 Chapter 78, Rules and Regulations.

ML seconded.

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

5-1-0. Motion Carried.

G. AGENT & COMMISSIONER COMMENTS:

AM thoughts and attention on everyone dealing with flooding issues with a lot of activity going on through the end of the month. Alterations to the coastal dune need to be done through the conservation commission. Sand Fencing placement and aligning should also be checked in on through the conservation commission as well. **MC** do you think its proactive of the commission to send the dos and don'ts to a lot of these people. **AM** is working on the mailing to go out and preparing for that.

H. ADJOURNMENT:

CL motioned to adjourn the March 20, 2024 Salisbury Conservation Commission meeting at 9:24 PM.

CM seconded.

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

6-0-0. Motion Carried.