

October 15, 2014
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.

COMMISSIONER MEMBERS PRESENT: Sally Laffely (SL), Joanne Perreault (JP), Matt Carignan (MC) and Jane Purinton (Jpurinton), Andria Nemoda (AN)

COMMISSIONER MEMBERS ABSENT: Chairman Sheila Albertelli (SA)

ALSO PRESENT: Michelle Rowden, Conservation Agent

- A. Nemoda opened the meeting at 7:10 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

MINUTES:

October 1, 2014

JP motions to continue the minutes of the October 1, 2014 meeting to the November 5, 2014 meeting. **JPurinton** seconded the motion. All members present voted in favor 4 – 0. **Motion Passed.**

PUBLIC HEARINGS at 7:15 pm:

NOI: Jay Davis, 12 Wyman Greely Street: **AN** stated the applicant is looking for a continuance.

SL motioned to continue the NOI for 12 Wyman Greely Street to November 5, 2014 at 7:10 pm. **JP** seconded the motion. All members present voted in favor 4 -0. **Motion Passed.**

NOI: Brad Kutcher, 20 Ferry Road,
RDA: Brad Kutcher, 20 Ferry Road:

AN stated the applicant is looking for a continuance until the November 5th meeting.

JP motioned to continue the RDA and NOI for 20 Ferry Road until the November 5, 2015 meeting at 7:10 pm. **Jpurinton** seconded the motion. All members present voted in favor 4-0. **Motion passed.**

NOI: Joseph Hill, 16 Seabrook Road: **AN** stated the applicant is requesting a continuance until the November 5, 2014 meeting.

Jpurinton motioned to continue Joseph Hill, 16 Seabrook Road until November 5, 2014 at 7:10 pm. Seconded by **SL**. All members present voted in favor. **Motion Passed.**

MC showed up to the meeting.

RDA: Patrice Driscoll, 18 11th Street west: Patrice Driscoll (PD) addressed the board. My driveway in the front of my property needs to be repaved. It has been suffering from the abuses of flooding and plowing. I would like to beatify this and I think my neighbors would too. It has been hot-top for many years. **SL** asked if the pavement would go beyond the limits that is there now. **PD** stated no. **Jpurinton** asked if it would be hot-top over what is already existing. **PD** stated yes. **Jpurinton** stated I wish you could dig it up and put pavers. **PD** stated that is very expensive. **AN** asked what the size is. **PD** stated it is the length of my property line. **Jpurinton** asked if you have done a price comparisons. **PD** stated I have spoken to some of my neighbors. **AN** asked if the pavement is going to be pulled up. **PD** stated as far as I know it is not going to be pulled up.

No abutters present.

JP motioned to grant a negative determination for 18 11th Street west. **MC** seconded the motion. Vote on motion 4-1 (Jpurinton voted no). **Motion passed.**

Significance of Change, 12 Beach Road: Mr. Alan Roscoe (AR) of Cammett Engineering addressed the board. There has been several rounds of reviews between your review engineer Joe Serwatka and Cammett Engineering. I think we have addressed all the items that we can. We have agreed to a monitoring program to keep an eye on the drainage. From the comments from Joe Serwtaka he seems okay with that. **AN** asked about changes that took place that weren't brought before the commission. **MR** stated some of the things they have been asking for they already made those changes. **AR** stated you will have to forgive me I am a new hire. **AN** stated that there was some outstanding issues. **MR** stated Joe Serwatka's letter are reviews and continue on from the original letter. In one of the greenways it wasn't draining properly. It is stated in his letter dated, October 15, 2014 *"that the engineer has proposed area of river stone, in lieu of loam, which will interface directly with the underlying parent material. He states that this will allow the remaining infiltration basins to function as designed. The Commission may want to require that these basins to determine whether they are functioning as designed. The response states that monitoring is acceptable."* It also states *"The response states that the "river stone" is being installed in lieu of the drawdown trenches."* **AN** asked about stagnate water. How deep would it be? **AR** stated depending on the location about a foot. **MR** stated in Joe's letter it states *"during the inspection in mid-July, I noticed that someone had drilled multiple holes in the sides of the standpipe. These holes would likely cause runoff to flow directly out of the basin, rather than infiltrating."* **AN** stated this was done without coming before the board. **JP** stated we usually don't put these types of things in place without coming before the board. **AN** stated I have a problem with the comments from Joe stating *"These holes are not part of the approved plans/calculations, likely not allowed by the Policy, and apparently installed without consultation with the design engineer."* I have a problem with you not only not coming to this board but not have a design engineer review this. **MR** stated Joe is all set with the changes. **MC** asked what changes are being made to ensure it doesn't fail. **AR** stated we will monitor. **MC** asked if the Commission can monitor also. **AR** stated yes. **JP** stated Joe seems to be happy with the results as long as it is monitored.

JP motioned to grant an insignificance of change for 12 Beach Road. **Jpurinton** seconded the motion.

MC asked could we add the monitoring part in the motion.

JP amended the motion to grant the insignificance of change for 12 Beach Road with the following stipulation 1. The site continues to be monitored as discussed in a letter from Joe Serwatka dated, October 15th. **Jpurinton** seconded the motion. Vote on motion 4-1 (AN opposed). **Motion passed.**

Request for Cert. of Compliance, 99 Lafayette Road: Michael Wolpert (MW) was present. **AN** stated we need someone to volunteer for a sitewalk. **SL** stated she would like an asbuilt plan or letter from the Engineer stating compliance. **MW** stated yes. **Jpurinton** volunteered to do the site visit.

SL motioned to continue the certificate of compliance, 99 Lafayette Road until November 5, 2014 at 7:10 pm to allow for a site visit and letter/asbuilt from engineer stating compliance. **AN** seconded the motion. All members present voted in favor. **Motion passed.**

Request for Extension, 211 Beach Road: Michael Wolpert (MW) addressed the board. I would like to get an extension for 3 years. **AN** asked if the site was stable? **MW** stated it has 7 rental units on it.

MC motioned to approve the extension of 3 years for 211 Beach Road. **AN** seconded the motion. All members present voted in favor. **Motion passed.**

Request for Extension, 1 Samantha Way: **MR** stated I looked at the file and realized the applicant did not need an extension. Their permit is good until 2017. He withdrew his request.

JP motioned to accept the withdrawal for 1 Samantha Way. **Jpurinton** seconded the motion. All members present voted in favor. **Motion passed.**

SL stepped down for the next two.

Request for Significance of change, 160 North End Blvd: Ron Laffely (RL) of Fulcrum, Inc. Architects addressed the board on behalf of the applicant. The applicant received approval for a second floor deck from the commission in April. Near the location of the proposed post anchor a crack in the foundation was discovered. The new deck has been reduced to 1/3rd of the original size from 355 s/f to 112 s/f. The post anchor will be installed on

its own pier support abutting the foundation. **Jpurinton** asked would a shovel be used. **RL** stated yes. **MR** asked if it was vegetated with dune grass. **RL** stated a couple of pieces of dune grass. They are not taking it out.

No abutters present.

Jpurinton motioned to grant an insignificance of change for 160 North End Blvd. **JP** seconded the motion. Vote on motion 3-1 (AN opposed) **Motion passed.**

Request for Significance of Change, 111 Cable Avenue: Ron Laffely (RL) of Fulcrum, Inc., Architects addressed the board on behalf of the applicant. The applicant is requesting to replace columnar juniper for the Red Eastern Cedar due to the dryness and sand type of existing soil. We are also requesting to add 3 Bar Harbor creeping junipers to define the property line location and discourage foot traffic between the property line and new home. They are also requesting to install 2" layer of pea stone under the building to keep animals from using it as a litter box.

No abutters present.

JP motioned to issue an insignificance of change for 111 Cable Avenue. **Jpurinton** seconded the motion. All members present voted in favor. **Motion passed.**

SL came back to the meeting.

MC motioned to move E5 to the next item. **JP** seconded the motion. All members present voted in favor. **Motion passed.**

Enforcement Order, 44 Lafayette Road: Roy Parko (RP) addressed the board on behalf of the applicant. We attached a plan showing the limits of the BVW by Wetland Consulting Services. Also shown is the approximate location and species of the nine tree saplings proposed for plantings. The location of the fence would be constructed in the wetlands buffer zone. **MC** asked what type of fence it was. **RP** stated a privacy fence. We can get over it with Michelle to make sure she is okay with it. **SL** stated you did a good job on the property. **AN** stated I have a concern about the fence. I would like to see maybe a vegetative border.

No abutters present.

MC motioned to accept the plans for 44 Lafayette Road. **SL** seconded the motion. Vote on motion 4-1 (AN opposed). **Motion passed.**

AN motioned to take E7 out of order. **MC** seconded the motion. All members present voted in favor. **Motion passed.**

Enforcement Order, 106 Elm Street: Brian Knowles (BK) addressed the board on behalf of the applicant. Passed in Notice of Intent. Passed in building permit that he has been working off of. We have put in a request for gas about 4 months ago. They have since said they will be coming at the end of this month. **MC** asked where the gas line will be going in. **BK** stated on the right side of the building. **MR** stated the erosion control should be installed. **BK** stated they also wanted to put some conduit interior of the building. The gas line is closer to the wetland.

No abutters present.

MC motioned to allow the gas line installation under the enforcement order. Continue the enforcement order to November 5, 2014 under the enforcement order and the installation of the erosion controls. **Jpurinton** seconded the motion. All members present voted in favor. **Motion Passed.**

Enforcement Order, 28 CCC Road: **MR** stated there has been successive expansion of this campground. There have been no permits pulled. There may have been wetland filling. Work happening up to the salt marsh. I have been in contact with attorney and property owner. Aerials show the campsite expanding. About 35 permanent structures have been built with no permits whatsoever. Not all are in our jurisdiction but many are. I am not signing off on any building permit until the enforcement order has been dealt with in some manner.

No abutters present.

JP motioned to ratify the enforcement order for 28 CCC Road. **Jpurinton** seconded the motion. Vote on motion 4 -1 (MC abstained). **Motion passed.**

20 Dock Lane-no action

Salisbury Woods-no action

2 Broadway-no action

4 Fanaras Drive-MR stated that the enforcement order should be lifted. **MC** motioned to lift the enforcement order for 4 Fanaras Drive. **SL** seconded the motion. All members present voted in favor. **Motion Passed.**

44 Lafayette Road-plan accepted

100 Elm Street-no updates

106 Elm Street-allow gas line and filed NOI for Nov 5th.

COMMISSIONERS COMMENT:

MC asked about what type of fencing is allowed under houses at the beach. **MR** none is allowed now.

Jpurinton wondered if it was appropriate for the commission start to put out for people to consider different kinds of paving they can do. **MR** stated its perfectly acceptable. **Jpurinton** stated regrettably the bylaw of Conservation was voted out at Town meeting a few years ago.

ADJOURNMENT:

JP motioned to adjourn at 9:00 p.m. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**