

June 4, 2014
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.

COMMISSIONER MEMBERS PRESENT: Chairperson Sheila Albertelli (SA), Matt Carignan (MC), Andria Nemoda (AN) and Sally Laffley (SL) and Joanne Perreault (JP)

COMMISSIONER MEMBERS ABSENT: None

ALSO PRESENT: Michelle Rowden, Conservation Agent and Lori Robertson, Secretary

S. Albertelli 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:
May 7, 2014

MC motions to accept the minutes of the May 7, 2014 meeting. **JP** seconded the motion. All members present voted in favor with the exception of **SL** who abstained. **Motion Passed.**

May 21, 2014:

MC motions to accept the minutes of the May 21, 2014 meeting. **SA** seconded the motion. All members present voted in favor with the exception of **JP** who abstained. **Motion Passed.**

PUBLIC HEARINGS at 7:10 pm:

NOI: Jay Davis, 12 Wyman Greely Street: **SA** stated the applicant is still gathering the required information. They requested a continuance.

MC motioned to continue to the June 18, 2014 meeting at 7:10 pm. **JP** seconded the motion. All members present voted in favor. **Motion Passed.**

JP motioned to move #3 to #2. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

RDA: Benjamin Gorniewicz, 14 Vermont Street: Cheryl Gorniewicz (CG) addressed the board on behalf of her husband. This is for units C and D (noted the owner of the other home-unit C was present). In the front of the property there is grass, shrubs, bricks and sand. The brick was destroyed when the water lines were put in. We would like to take that out and put peastone for parking. **MC** asked if there would be paving. **CG** stated it will be peastone. **SL** noted that it wasn't a big area. **JP** stated we have a list of approved native coastal vegetation. **SL** asked if the applicant thought about pavers. **CG** stated that would be okay. I would just like to run the cost and discuss it with my husband. **SL** asked if DPW was notified. **CG** stated I have spoken with DPW and Police Chief and they have no problem with the parking as long as it not impeding traffic on the street.

No abutters present.

JP motioned to issue a negative determination.

SA asked if the board wanted to condition either pavers or peastone with the agent's approval.

JP amended the motion to issue a negative determination with the condition that final approval of material used shall be given by the Conservation Agent prior to commencement of work. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

MC motioned to move 77 Rabbit Road to the end of the meeting when there is a quorum. **JP** seconded the motion. All members present voted in favor. **Motion Passed.**

SL left the meeting.

ANRAD: Myrna Davis, 77 Rabbit Road, Patrick Seekamp (PS) of Seekmap of Environmental addressed the board. (Steve Davis was present-husband of applicant). This application is for an ANRAD. We are here to get the

wetland lines approved from the Conservation Commission. (went over map-describing property). The site has some history with grading and filling. The site has an existing foundation on it. This area has a lot of wetland vegetation on it. When it rains the site is really tight and the water sits on the surface. There are wetland species and upland mix in the foundation. I have spoken to Michelle about the review consultant, Mary Rimmer. I have sent her information regarding this property with the thought that this would be the next step.

MC asked if the intent was for a single family home. **PS** stated yes.

AN stated she was confused with the mapping. I find it perplexing that the line goes straight along the foundation.

PS stated the line literally bumps up against the foundation. I looked at this area and looked for wetland species running rampant. The ponding occurred right up against the edge of the foundation. (points to map showing the only buildable area on the lot) **AN** stated but that is not 100' from the wetland.

Abutter, Ms. Marie Blais (MB) of 71 Rabbit Road addressed the board. I bought my house in 1983. A perk test was done in August that year. Sometime between September-November the owner clear-cut the whole lot. Back then, Morton Wheeler was on the Conservation Commission. He asked if he could take pictures of what Joe Fanaras was doing to the lot. He was bring in fill to raise the level of the lot. In 1985, he started filling the majority of the lot with stone dust. That is when Morton stepped in and got in touch with DEP. He had a public hearing in the late 80's to put the foundation in. The whole place was filled with water and seeping into Meaders Creek. The water table is significantly higher and now the water is coming back onto my property.

PS stated I think a lot of the concerns will happen after the wetland boundaries are confirmed by Mary Rimmer. He asked where Ms. Blais house was located. **MB** stated 3-4' higher than the lot. **PS** stated we cannot increase the peak rate of flow onto your land. You are okay because you are substantially higher than this lot. Your water is actually shedding off onto our property.

AN stated I have concerns about the wetland delineation line. I have never seen one so straight. I have concerns about the site was manipulated in the past. I am curious to see the soils.

SA stated at this time it's just flagging. We will have Mary Rimmer do a peer review. **MR** stated it's definitely an impacted site. There is a protocol for delineated wetlands.

MB stated when they built Route 95 that is all fill from there where my hill is. I wanted a determination from Conservation when I bought my property and it was not wetland in 1983.

Audience-the lot was known as 73 Rabbit Road.

AN stated so potentially the site could've been disturbed since the 1940s or 1950s. **PS** stated eventually this lot will be served by sewer and water.

MC motioned to continue to the June 18, 2014 meeting at 7:10 pm for the peer review of the wetland delineation.

AN seconded the motion. All members present voted in favor. **Motion Passed.**

OLD BUSINESS:

Request for Certificate of Compliance, 27 Liberty Street, Jennifer Kilroy was present at the meeting. **JP** stated she did the site walk and (supplied pictures) recommended approval.

No abutters present.

SL motioned to issue the Certificate of Compliance. **SA** seconded the motion. All members present voted in favor. Motion Passed.

ENFORCEMENT ORDERS:

20 Dock Lane-applicant working on improving the site

Salisbury Woods-no action

2 Broadway-no action

16 Hayes Street-no action

4 Fanaras Drive-no action

178 North End Blvd.-MR recommended burying the stairs

44 Lafayette Road-no action

COMMISSIONERS COMMENT:

- **MR** Dune nourishment will probably start next week.

ADJOURNMENT:

JP motioned to adjourn at 8:30 p.m. **AN** seconded the motion. All members present voted in favor. **Motion Passed.**

