



Salisbury Conservation Commission
May 6, 2015
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (SA), Matt Carignan (MC), Joanne Perreault (JP) and Jane Purinton (JKP), David Arel (DA),

COMMISSIONER MEMBERS ABSENT: Andria Nemoda and Jennifer Troisi

ALSO PRESENT: Michelle Rowden, Conservation Agent, 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:
April 1, 2015

MC motions to accept the minutes of the April 1, 2015 meeting. **DA** seconded the motion. Vote on motion 5 - 0. **Motion Passed.**

PUBLIC HEARINGS at 7:15 pm:

RDA: 345 North End Blvd. Realty Trust, 345 North End Blvd. Eric Botterman (EB) of Millennium Engineering addressed the board on behalf of the applicant. There is an old trailer on the site and we want to pull it forward and demolish the trailer. There are wetlands that go right up to the back of the trailer. The owner and Michelle will walk the site to put the silt fence up. **MC** asked are there utilities? **EB** stated yes, gas, electric and sewer. We need to get a demolition permit and the building permit will look into that. No foundation, just skirting. **DA** asked if there would be any fill. **EB** stated no.

No abutters present.

MC motioned to issue a negative determination for 345 North End Blvd. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Significance of change, 54 Beach Road: Eric Botterman (EB), Millennium Engineering addressed the board on behalf of the applicant. The applicant is looking to temporarily have a stream diversion and de-watering activities. This submission also included a request to perform stream restoration at two locations within the project site. A 24" diameter, 8 foot long perforated pipe installed vertically to act as a temporary wet well. The wet well will be surrounded in clean stone to facilitate groundwater entering the wet well. Steel sheeting installed across the stream bed to redirect stream flow to the 24-inch diameter wet well. Plastic piping (6 inch diameter) providing gravity flow from the wet well to the stream outlet at Beach Road. There is an area where there were beavers is a mess and the contractor would like to clean that up. **SA** asked the stream seems dry now and it will be diverting about 100'. **EB** stated 50'. **SA** asked MR if Army Corps needs to come in. **MR** stated they have jurisdiction with streams. **JKP** asked when the pictures in the packet taken? **EB** stated 1 week ago. **JKP** questioned whether this was necessary. **EB** stated it may dry up but there will be groundwater. **SA** stated I would feel more comfortable if Mary Rimmer reviewed it. That would be an expense of the applicant. **EB** stated I don't have a problem with Mary Rimmer reviewing this site. The applicant

wouldn't have any opposition to paying for the site visit for Mary. **MC** asked what is proposed to be built out there. **EB** stated 32 condominiums.

Bonnie Jean Toner of 8 Glenwood Avenue addressed the board. I want to know how this will impact my house. At one point it looked like a pond to us. **EB** stated the diversion will take the water into that culvert and pipe it out to Beach Road. After construction it will go back to normal. **MC** asked why would it have to be removed. **EB** stated we don't have permission to permanently diverting the stream. **MC** stated can't we leave it like that if it clears up the water. **MR** stated you would be drying up a wetland. **JKP** asked if the culverts are functioning? **EB** stated yes. The state owns that culvert.

JP motioned to continue the significance of change, 54 Beach Road to the May 20, 2015 at 7:10 pm. In order for Mary Rimmer to inspect the property and report back to the commission. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

MC motioned to move #4 to #2 on the agenda. **JP** seconded the motion. All members present voted in favor. **Motion passed.**

Enforcement Order, 13 Commonwealth Avenue: Eric Botterman (EB) of Millennium Engineering addressed the board on behalf of the applicant. This house is built and the owner is living in it. FEMA did a review of town records and found the house is not high enough. There is state building code that requires the lowest horizontal structural member to be 2' above the velocity zone. He has filed with the state building board to allow that beam to stay there. The board has 90 days to set up a hearing. The second issue is there are structures below that can't stay there. **SA** stated there is solid skirting, non-breakaway wall and solid fence. Those will need to come down. **EB** stated they understand it's an enforcement order and they want it corrected but it's not going to happen quickly. During the summer I will send Michelle and update.

MC motioned to ratify the enforcement order for 13 Commonwealth Avenue. **JKP** seconded the motion. All members present voted in favor. **Motion passed.**

Enforcement Order, 126 North End Blvd: Michael Lopiano (ML) addressed the board. I'm sorry the work was not being done with malice. I am just trying to protect my house. I will work with the commission to fix the situation. **SA** asked where did the sand come from. **ML** stated it collects in my yard and I shoveled it into the dune. I hired someone to shovel the sand back onto the dune. **MR** stated we met and has agreed to file a Notice of Intent or have the dune engineer so its more appropriate with slope and plantings. **JKP** stated is this structure still there? **MR** stated yes. **JP** asked about the fencing. **MR** stated the fence needs to be adjusted at the toe and top of the dune in order to trap sign. **MC** asked if there was footings poured for the fencing. **ML** stated no. **ML** asked when should the fence come out? The first step is to have a plan drawn up. We need to build a Passover for my brother to get over. My brother is handicapped, I would like him to get to the beach. **MR** stated if we took out the fence now all the sand will collapse. My opinion would be to submit a restoration plan and get that approved. **DA** asked where the state property begins. **MR** pointed out on plan. **ML** asked about the timing? **JKP** stated I would like to see it gone sooner than later.

JP motioned to ratify the enforcement order for 126 North End Blvd. **MC** seconded the motion. All members present voted in favor. **Motion passed.**

Enforcement Order, 7 Elmwood Street: Michael Seekamp (MS) of Seekamp Environmental addressed the board on behalf of the applicant. The applicant had mostly white pine trees cut in the buffer zone of bordering vegetated wetlands. As compensation for the eleven trees that were removed we propose to plant either spruce or balsams. Additionally, eleven arbor vitae trees already existing on landscaped section of their property that will be moved to the affected area. There will be a 2:1 replacement ratio. Ruttled areas would be graded and smooth and seeded with a conservation mix as

necessary to replace herbaceous vegetation. There is also a section of bittersweet prevalent in the southwest section of the wooded area and will be routinely cut. Also, Japanese knotweed which is highly invasive and this will be cut also. A completion report with photos will be submitted upon completion of the restoration effort.

Wayne Barbaro of 7 Elmwood Street addressed the board. We had a tree fall on our garage. I am trying to eliminate trees close to my home.

JP motioned to ratify the enforcement order for 7 Elmwood Street. **JKP** seconded the motion. All members present voted in favor. **Motion passed.**

DA asked if contractors, etc. are aware that they may need to file with the different boards in the town before doing work. Discussion took place regarding this subject.

Enforcement Order, 6 18th St W: **MR** stated the applicant couldn't make this meeting. They are looking for a continuance until the next meeting on May 20, 2015 to discuss.

JKP motioned to ratify the enforcement order for 6 18th St W. **MC** seconded the motion. All members present voted in favor. **Motion passed.**

JP motioned to continue the enforcement order for 6 18th St W until the May 20, 2015 at 7:10 pm. **JKP** seconded the motion. All members present voted in favor. **Motion passed.**

Salisbury Woods-no action

2 Broadway-DA asked what the enforcement order was for. **MR** stated they need to get a certificate of compliance.

44 Lafayette Road-no action

100 Elm Street-no action

28 CCC Road: working on filing a NOI. Need to set up site visit with the commissioners to decide if building permits should be filed individually.

20 Forest Road-no action

COMMISSIONERS COMMENT:

15 CCC Road, MR stated DEP issued a superseding order of condition.

ADJOURNMENT:

JP motioned to go to adjourn at 8:53 pm. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**