



**Salisbury Conservation Commission
Meeting Minutes
September 7, 2016
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), David Arel (**DA**), Jessica Stucker (**JS**) and Walter Moquin (**WM**)

COMMISSIONER MEMBERS ABSENT: Jennifer Troisi (**JT**), Jane Purinton (**JKP**)

ALSO PRESENT: Conservation Agent, Michelle Rowden (**MR**), Conservation Secretary, Adriane Marchand (**AM**)

Sheila Albertelli opened the meeting at 7:11 p.m. under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

A. MINUTES:

1. August 17, 2016

WM motions to approve the minutes for August 17, 2016.

DA seconds.

Vote: 4-0 Unanimous. Motion Passed.

B. PUBLIC HEARINGS at 7:10pm:

1. NOI: Plum Island LLC, 121 Bridge Rd. (7/6/16)

Bill Decie (**BD**) representing the applicant. Updated the commission on concerns from the last meeting.

Buildings have since been demolished. Waiting on Conservation Commission approval to complete the project.

SA Are there any outstanding comments from Mary Rimmer? **BD** I believe the comments are all addressed. The only remaining issue is the seed mix to be used. Mary Rimmer recommends the wetland seed mix. I would prefer to use the habitat conservation seed mix. Explains his reasoning.

SA Is there going to be a maintenance schedule for the *Phragmites*? **BD** No.

WM motions to accept the Notice of Intent for Plum Island LLC, 121 Bridge Rd, with the order of conditions determined by Mary Rimmer's recommendations and revised plans dated August 17, 2016.

JS seconds.

Vote: 4-0 Unanimous. Motion Passed.

BD asks the commission for clarification on the seed mix to be used?

Discussion follows. Comes to the agreement to work it out with Mary Rimmer and the Conservation Agent or to come back for an amendment as the motion has already been passed.

2. NOI: Sterling Ventures Inc., Rear Ferry Rd/123 Bridge Rd (7/20/16)

DA motions to continue the NOI for Sterling Ventures Inc., Rear Ferry Rd/123 Bridge Rd to the September 21, 2016 at 7:10p.m.

WM seconds.

Vote: 4-0 Unanimous. Motion Passed.

3. NOI: Heidi Hovde, 26 Locust St (9/7/16)

Matt Steinel (**MS**) of Millennium Engineering representing the applicant. The project has received its DEP file number and received no comments. **MS** briefs to commission on the proposed plans.

SA The wetland was delineated and had shrunk from the prior delineation? **MS** explains that the drainage pipe in the road is at a higher elevation than the land on both sides of the road, therefore water cannot flow through the pipe, isolating the two small wetlands from the hydraulic system across the road. **DA** What is the required setback from state land? **MS** It is the same as the setbacks requirements for the property lines, which is 10 feet.

DA The land adjacent to the pipe that was once a wetland but is not now; could it become a wetland again in the future? **MS** Not unless the pipe's elevation is fixed or grading/ filling is done to change the elevation. Even if the land was to revert to the prior wetland delineation, the septic would still be 50 feet away. **SA** I would be more comfortable if we could see the area. I would like to request a site visit. **WM** The pipe had to be installed for a reason. **DA** Are there any abutters present. **MS** There are few abutters for this property. The applicant owns the adjacent lot. Offers to bring the old wetland delineation plan for the commission to review to the site visit or to the next meeting to offer further perspective.

DA motions to continue the NOI for Heidi Hovde, 26 Locust St, to September 21, 2016 at 7:10p.m to allow for a site visit for the commission.

WM seconds.

Vote: 4-0 Unanimous. Motion Passed.

4. NOI: David Daly, 50 True Rd (9/7/16)

Bob Grasso (**BG**) of Engineering Land Services, LLC, representing Dave Daly. The project has received their DEP file number and received no comments. **BG** briefs to commission on the proposed plans for the lot. It is adjacent to two lots that have already received approvals from the commission. The deck is 49 feet from the wetland, the house at its closest point is 59 feet from the wetland line. **WM** Will the existing garage remain?

BG Yes. **SA** Will you be keeping the existing septic? **BG** No, the existing tank is going to be pumped and crushed and the leach field will be dealt with as necessary. Shows where the new septic will be on his plans.

SA The closest you're building to the wetland is 49 feet? **BG** The deck is 49 feet the structure is 59 feet. **DA** asks **MR** is the DEP number confirmed? **MR** Yes.

DA motions to approve the Notice of Intent for Dave Daly, 50 True Road.

JS seconds.

DA amends motion to include the standard special conditions that apply.

JS seconds.

Vote: 4-0 Unanimous. Motion Passed.

5. NOI: James Bourque, 15 Friedenfels Rd. (9/7/16)

Thomas Hughes (**TH**) of Hughes Environmental representing the applicant. Briefs on the project which includes the demolition and reconstruction of a single family home. **SA** Are there any trees on this lot that National Heritage have marked to stay. **TH** This lot has an exemption for the Mass Endangered Species Act as the original property has been maintained as lawn since it was originally developed. The trees that are to be removed we have included on the notice of intent submitted to National Heritage to be sure they are not flagged for preservation. **DA** On page three (3) of the house construction narrative you mention blasting? **TH** That is correct, the site has a lot of ledge. Shows the area on the plans what will require blasting. States why blasting is

preferable to other methods of ledge removal. **MR** inputs that when the blasting was done to build Friedenfels subdivision it unintentionally killed trees in the area, a possibility to be aware of during the course of your work. **SA** I would like to hear what National Heritage has to say on the project. **DA** The previously approved garage, is that included on these plans? **TH** Yes, we came before the board in July for a ruling on significance of change for the garage. That is separate from this but the square footage for that project is accounted for in the overall square footage of the lot. **DA** The original garage was not a three bay? **TH** No, two bay. **DA** It looks like there is a dock in the aerial photo? **TH** Yes, it is a community dock for the subdivisions use.

WM continues the Notice of Intent for James Bourque, 15 Friedenfels Road to September 21, 2016 at 7:10p.m.
DA seconds.

Vote: 4-0 Unanimous. Motion Passed.

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 76 Atlantic Ave

WM motions approved the Certificate of Compliance for 76 Atlantic Ave, as the project was never started and the Order of Conditions has expired.

SA seconds.

Vote: 4-0 Unanimous. Motion Passed.

D. ENFORCEMENT ORDERS:

1. 100 Elm St.
2. 28 CCC Rd.
3. 126 N. End Blvd
4. 7 Elmwood St
5. 13 Commonwealth Ave
6. 457 N. End Blvd
7. 73 Mudnock Rd.
8. 63 Rabbit Rd.

Tyler Ferrick (**TF**) of Derosa Environmental representing the property. Gives a presentation regarding the return to compliance. Requests the enforcement order be lifted.

Would like to maintain the area as a wet meadow by doing two cuttings per year.

SA asks **MR** if she had the opportunity to visit the site? **MR** confirms the presentation based on her observations.

WM motions to lift the enforcement order for 63 Rabbit Road based on the presentation seen tonight (9/7/16) on the property's Return to Compliance.

SA seconds.

Vote: 4-0 Unanimous. Motion Passed.

9. 81 Railroad Ave.

E. COMMISSIONER COMMENTS:

MR In cooperation with the assessor's office, we have been preparing the easements for the Dune Nourishment Project which is set to begin next week (9/12/2016). We will be contacting property owners to come in and sign the easements this week and next week.

F. ADJOURNMENT:

WM motions to adjourn the September 7, 2016 Conservation Commission Meeting at 8:20p.m.

SA seconds.

Vote: 4-0 Unanimous. Motion Passed.