



**Salisbury Conservation Commission
Meeting Minutes
January 20, 2021
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Virtual Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT: Chairwoman Sheila Albertelli (**SA**), Blake Leibert (**BL**), Jane Purinton (**JKP**), Michael Colburn (**MC**), Mark Hatem (**MH**), Julie Doughman-Johnson (**JDJ**), Daniel Richard (**DR**)

COMMISSION MEMBERS ABSENT:

ALSO PRESENT: Conservation Agent, Adriane Marchand (**AM**).

Chairwoman Sheila Albertelli opened the meeting at 7:10 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded and being held remotely.

A. REORGANIZATION

JDJ motioned to nominate Sheila Albertelli for the position of Chair of the Salisbury Conservation Commission
BL seconded

Vote: 7-0, unanimous. Motion Carried

JDJ nominated Jane Purinton for the position of Vice Chair of the Salisbury Conservation Commission.

BL seconded

JKP accepted the nomination

Vote: 7-0, unanimous. Motion Carried

JKP nominated Julie Doughman-Johnson for the position of Clerk of the Salisbury Conservation Commission.

SA seconded

Vote: 7-0, unanimous. Motion Carried

B. EMERGENCY CERTIFICATE

1. Eric Lamprey, Et al, 232, 234, 238, 240 North End Boulevard

SA explained that they had to bring in sand to construct a sacrificial dune because the dune was breached during a storm and there was little protection left for the homes. **JDJ** asked what type of sand are they required to use. **SA** replied they are required to use beach compatible sand, and it should be a specific sieve number. **BL** asked when the work would start, and **SA** confirmed with the Agent that the work had already started.

JDJ motioned to ratify the Emergency Certificate for Eric Lamprey, Et al, 232, 234, 238, 240 North End Boulevard

BL seconded

Vote: 6-0-1. Motion Carried

C. MINUTES:

1. **November 4, 2020**
2. **November 18, 2020**
3. **December 2, 2020**
4. **December 16, 2020**
5. **January 6, 2021**

JDJ motioned to approve the minutes for November 4, 2020.

BL seconded

Vote: 6-0-1. Motion Carried

BL motioned to continue the minutes for November 18 2020, until February 3, 2021.

JDJ seconded

Vote: 6-0-1. Motion Carried.

BL motioned to continue the minutes for December 2, 2020, December 16, 2020, and January 6, 2020.

MC seconded

Vote: 6-0-1. Motion Carried.

D. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Rodger Perlstein, 12 Wyman Greeley's Realty Trust, LLC, 12 Wyman Greeley St. (3/18/20)**

SA stated the applicant had requested a continuance to February 3, 2021.

JDJ motioned to continue the Notice of Intent for Rodger Perlstein, 12 Wyman Greeley's Realty Trust, LLC, 12 Wyman Greeley Street to February 3, 2021 at 7:10 pm.

MC seconded

Vote: 7-0. Unanimous. Motion Carried.

2. **RDA: Susan Leger Ferraro, 16 Commonwealth Ave (12/2/20)**

SA stated the Agent and Jeff Willis (**JW**), the applicant, had met and the applicant is proposing a half open cell and half permeable pavers. The concrete in the driveway will come up and the open celled pavers will be installed up to the drainage area, and the permeable pavers will be installed in the back. **JDJ** asked who the drainage pipe belonged to, since it hooks into a town pipe. **AM** replied it was not a town-owned pipe and it was either the homeowner's or the state's. **BL** asked what the extent of the open celled pavers would be. **JW** indicated on the photo the area they would be installed. **JW** also clarified that the open cells would stop about four feet from the drain. **BL** asked what type he was considering, and **JW** replied that they would be octagon in shape, similar to the neighbor's. **SA** asked if he had decided on a pervious paver type. **JW** indicated that he was planning on using ones that the Agent had suggested. **AM** replied that she had sent documentation regarding Unilock pavers and Techo Bloc pavers and advised that he should be specific on which one he plans to use. **SA** advised that he would need to make sure the Agent has the specs for the pavers he plans to use, and recommended ongoing maintenance to prevent clogging and maintain optimal drainage. She also noted that maintenance instructions are also included in the specs for the pavers. **JKP** confirmed with the Chair that the Determination will have conditions, and **SA** replied that it would.

BL motioned to issue a negative determination for Susan Leger Ferraro, 16 Commonwealth Ave. with the conditions that the applicant will specify to the agent the exact pavers to be installed, and would provide the spec sheets, and installation and maintenance instructions for the chosen pavers.

MC seconded

Vote: 7-0, unanimous. Motion Carried.

3. NOI: Thomas Underwood, 80 Cable Ave. (1/6/21)

SA stated the applicant had requested a continuance to February 3 so the wetlands consultant could review the sites.

JDJ motioned to continue the Notice of Intent for Thomas Underwood, 80 Cable Ave., until February 3, 2021 at 7:10 pm.

JKP seconded

Vote: 7-0, unanimous. Motion Carried.

4. NOI: Thomas Underwood, 86 Cable Ave. (1/6/21)

JKP motioned to continue the Notice of Intent for Thomas Underwood, 86 Cable Ave., until February 3, 2021 at 7:10 pm,

JDJ seconded

Vote: 7-0, unanimous. Motion Carried.

5. NOI: Christopher DeLuca, 112 Elm St. (1/20/21)

SA stated that Commissioner Colburn has filed a disclosure of an appearance of conflict of interest, but can perform his duties as a Commissioner fairly. Engineer Paul Alunni (**PA**) represented the applicant and discussed the site and location, explaining that the existing use is a single-family residence, with lawn area and paved driveway. There is a wetland area to the north of the site, and the parcel is about half an acre. They propose a 2500 square foot commercial building for a car rental business, with eight parking spaces. They plan to raise the back portion of the lot two feet to accommodate the stormwater system, and to limit disturbance they will install a retaining wall around the perimeter of the property, which will be 4-6 feet high in the rear, and 1-2 feet along the sides. There will be a wetland disturbance area of about 308 square feet, which is necessary to allow for snow storage and space for emergency vehicles to maneuver. **PA** identified an area for proposed wetland replication of 466 square feet. He reviewed the proposed stormwater management system, identifying the locations of two treatment drains and stated over 70% of the property will drain into catch basins with deep sumps and hoods which will discharge into an infiltration basin. A proposed water quality swale along the side of the property will catch additional run-off. Both storm water systems are located on abutting properties currently owned by the applicant, but easements will be filed for them. **MH** asked if they would be working on or washing cars. **PA** replied they won't be fixing cars, but they would vacuum out the inside of the cars in the building once they're returned. There are floor drains in the building, which are tied into the sewer. **JDJ** noted the locations of the swale an infiltration and expressed concern should the owner ever sell the abutting properties. **PA** stated they would secure an easement to run with the deeds. **JKP** noted that the Commission has visited the nearby properties owned by the applicant numerous times for other filings, and that nearby wetlands have caused concern for other projects and that she would like a site visit. She requested the 50 foot and 25 foot buffer zones be marked on the site plan, and asked whether Mary Rimmer should review the site. **SA** said she

thought so, and Joe Serwatka should also review. **JKP** suggested Mary Rimmer review for wetland delineation. **BL** agrees with having Joe review, but questioned the need to have Mary review as she has been out there numerous times before for the adjacent properties. **JKP** stated Mary has not checked behind this specific property. Brian Knowles (**BK**) stated Mary had reviewed for the catch basin at 110 Elm. **JKP** said she'd still like Mary to review for this particular project. **SA** agreed that the wetland flags should be cross-checked. She also offered that the Commission could conduct a site visit then determine if it's necessary for Mary to review. **JKP** agreed with that option. **JDJ** confirmed that Joe would still review the stormwater. **BL** asked **PA** if they were ok with the potential delay should they determine Mary needs to review. **BK** replied yes. **PA** noted he had incorrectly quoted a figure of 2500 square feet for the proposed building and it should be 1500 instead.

JDJ motioned to continue the Notice of Intent for Christopher DeLuca, 112 Elm St. until February 3, 2021 at 7:10 pm and in the interim Joe Serwatka will review, and the Commission will conduct a site walk. **DR** seconded

Vote: 7-0, unanimous. Motion Carried.

E. NEW BUSINESS:

1. Request for Certificate of Compliance, 44 Old County Road

SA stated that the Agent recommends issuing the Certificate. The applicant has requested to be relieved from having a wetland scientist do a final monitoring report, which was a part of the Order of Conditions, due to the financial burden. The Agent has gone out to this property numerous times, and the original Order was for minimal disturbance. The Agent also verified the planting plan for the restoration area was executed and the survival was good as of this fall. The homeowner is also willing for the Commission to do a site visit in lieu of the review. **SA** stated she is fine with the waiver, but will leave it open to the Commission. **MC** asked whether it was normal to waive the requirement. **SA** stated it wasn't, and also noted that it isn't normal to have such a small infraction either. She added that the homeowner has been working to remove phragmites and Japanese Knotweed from the property. Matt Steinel of Millennium Engineering (**MS**) was present to represent the applicant. He reviewed the NOI plan and noted that there were no significant deviations from what was approved. **SA** suggested a perpetual condition to manage invasive plant species.

JKP motioned to issue the Certificate of Compliance for 44 Old County Road, with the condition that the homeowner will continue to control the invasive plant species on the property.

MC seconded.

Vote: 7-0, unanimous. Motion Carried.

F. OLD BUSINESS:

1. Request for Certificate of Compliance, 86 & 88 Elm Street

SA noted there was an updated as-built submitted, and that Mary Rimmer's review has not been completed yet, but she is comfortable with the issuance of a partial certificate. **MC** stated he was happy with the updated as-built. **SA** noted that they did not update the wetland line on the as-built. Tyler Ferrick from DeRosa Environmental (**TF**) stated they were planning on reflagging for the final sign-off. **SA** noted that there is a wall that needs to be completed and should be noted if a partial certificate is issued. **TF** reviewed the post and rail fence around the site that ties into the pre-cast concrete wall, as well as some temporary storage bins, which will be utilized by the new owner. All the plants have put in. Some additional storage bins may be installed, and they need to wait two growing seasons for the plants, and reflag the wetlands. **SA** advised that they want to

make sure the concrete wall is complete. **JKP** questioned why they would issue a partial if the property is sold already. **TF** replied that the new owner wants some kind of assurance that the completed work was done correctly.

JDJ motioned to issue a partial Certificate of Compliance for 86 & 88 Elm Street, with the conditions noted on the as-built stamped with the date 12-7-2020.

JKP seconded

Vote: 7-0, unanimous. Motion Carried.

G. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 15 Learned Ln.
2. 438 N. End Blvd.
3. 565 North End Blvd.
4. 30 Main St.
5. 212 N. End Blvd.
6. 83 Atlantic Ave.
7. 211 N. End Blvd.
8. 16 Hayes St.
9. 11 Railroad Ave.
10. 37 Atlantic Ave.
11. 6 Sycamore Lane

ACTIVE, PENDING COMPLETION:

12. **139 Elm St** – **JDJ** asked whether there were any updates regarding this project. **AM** stated they haven't started work on the site yet.

13. 61 Bridge Rd.

COMPLETE, PENDING APPROVAL:

14. 86/88 Elm St.
15. 4 Main Street
16. 9 Bayberry Ln.
17. 82 Lafayette Rd
18. **44 Old County Rd.** – **AM** recommending lifting the Enforcement Order since the Certificate of Compliance has been issued.

JDJ motioned to lift the Enforcement Order for 44 Old County Road

JKP seconded

Vote: 7-0, unanimous. Motion Carried.

19. 2 Linda Lane

H. COMMISSIONER COMMENTS:

SA advised boaters that the right whales were still in the Vinyard area and boaters should still exercise caution.

F. ADJOURNMENT:

JKP motioned to adjourn the January 20, 2021 Conservation Commission Meeting at 9:00 p.m.

BL seconded.

Vote: 7-0, unanimous. Motion Carried