



**Salisbury Conservation Commission  
Meeting Minutes  
December 5, 2018  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
7:00 P.M.**

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**COMMISSIONER MEMBERS PRESENT:** Chairman Sheila Albertelli (SA), Vice Chair Jessica Stucker (JS), Joanne Perreault (JP) and Julie Doughman-Johnson (JDJ).

**COMMISSIONER MEMBERS ABSENT:** Emily Round (EGR), Jane Purinton (JKP)

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

Chairman Sheila Albertelli opened the meeting at 7:09 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded.

**A. MINUTES:**  
**1. November 7, 2018**

JDJ motioned to approve the minutes for November 7, 2018.

JP seconded.

**Vote: 4-0, unanimous Motion Carried.**

**B. PUBLIC HEARINGS at 7:10pm:**  
**1. NOI: Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway (11/1/17)**

JS motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, and 16-18 Broadway to December 19, 2018 at 7:10pm.

JDJ seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**2. NOI: C&R Realty Trust, 110 Elm St. (7/18/18)**

JS motioned to continue the Notice of Intent for C&R Realty Trust, 110 Elm Street to December 19, 2018 at 7:10pm.

JP seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**3. Amended NOI: Arakelian Family LLC, 195 – 201 Elm St. (10/3/18)**

Patrick Seekamp (PS) of Seekamp Environmental Consulting and the applicant Bruce Arakelian were present. Received peer review comments from Engineer, Joe Serwatka. Their engineer and Seekamp Environmental Consulting have submitted response letters. Proposed to withdraw request for amendment but would like to keep the discussion on file in the event they decide to pursue it again in the future. Would like to continue with their request for extension.

**JS** motioned to move the Agenda number C. 1 Request for Extension: Arakelian Family LLC, 195 – 201 Elm St. to public hearing item number B 3.

**JP** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**JS** motioned to accept withdrawal of the Request to Amended the Notice of Intent for Arakelian Family LLC, 195 – 201 Elm St. with the condition they submit the request in writing to the Conservation Office.

**JDJ** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**C1. Request for Extension: Arakelian Family LLC, 195 – 201 Elm St.**

**SK** informed the Commission the project has begun but they would not be able to complete the project in the remaining time therefor would request a three-year extension.

**JS** motioned to grant the request for a three-year extension for Arakelian Family LLC, 195 – 201 Elm St. until June 26, 2022.

**JP** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**4. NOI: Zap Development, LLC, 28 Rabbit Rd., Rear Lots (10/17/18)**

**JDJ** motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd., Rear Lots, to December 19, 2018 at 7:10pm.

**JP** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**5. NOI: Erin Tortorella, 13 Bayberry Lane (12/5/18)**

Bob Grasso (**BG**) of Engineering Land Services represented the applicant. Proposing to repair a septic system. DEP issued no comments. Norse Environmental delineated the wetland line. The tank is to be crushed and replaced. Closest point to the wetland line is 19 feet. Finished grade of the leach field will be 2.5 feet above the current grade and greater than 25 feet from the wetland. Silt sock is proposed as a siltation barrier and to define limit of work. Board of Health has reviewed and approved the project.

**JS** asked when they would begin work. **GB** stated likely in the spring.

**JS** motioned to grant the Notice of Intent for Erin Tortorella, 13 Bayberry Lane, with the standard conditions and the condition that if work were to begin outside of the growing season a soil stabilization plan would be submitted to the Conservation Department.

**JP** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**6. RDA: Armando & Gloria Sangermano, 189 Atlantic Ave. (12/5/18)**

Mathew Steinel (**MS**) of Millennium Engineering represented the applicant. Proposed to replace and existing deck and stairs. Deck extrudes onto right of way by 0.4 feet. Will pull the deck onto the property by 0.4 feet, widening the stairs slightly. New footings are proposed.

Commission specified no stockpiling or work is allowed to disturbed the vegetated dunes on the property. The chain link fence appears to have boards leaning against it creating a solid structure. The boards need to be removed. **JDJ** asked how the footings would be installed. **MS** replied he did not have that information. **SA** added it would be the Commission's preference to have the footings hand-dug. No heavy

machinery on the dune. **SA** asked that the limit of work be marked. **MS** suggested a limit the Commission found acceptable. They request to see plans that include the footing information and if the Commissions Agent determines it necessary, they should return before the Commission.

**JP** motioned issue a negative determination for the Request for Determination for Armando & Gloria Sangermano, 189 Atlantic Ave., conditional on the Commissions Agent receiving updated plans that show the footing details, limit of work, to be marked onsite as well, and stock piling should be over paved area and not on the ocean side of the property.

**JDJ** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

### **C. NEW BUSINESS:**

#### **2. Request for Extension: 123 Bridge Road**

**JDJ** motioned to grant the request for a three-year extension for Brad Kutcher, 123 Bridge Road for the exiting Order of Conditions with a new expiration date of 12/17/2019

**JP** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

#### **3. Enforcement Order: 82 Lafayette Rd.**

Brendon Doherty (**BD**) and Tom Shank (**TS**) were present to represent 82 Lafayette Rd LLC.

**JS** motioned to ratify the Enforcement Order for 82 Lafayette Rd.

**JDJ** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**BD** stated they have updated the soil stabilization. Replicated the wetland and planted northern wetlands seed mix. Have replaced waddles and added additional siltation fence. Will meet with mark west next week to assess the situation and Millennium Engineering will reflag the wetland.

**SA** requested assessment from mark west and monthly monitoring reports by the environmental monitor and pursuant to the Enforcement order no work will commence until the site is stabilized. Asked them to remove all stockpiles from the wetland and those not removed need to be stabilized.

Discussed the stormwater plan. The infiltration basin was not properly constructed so it needed to be converted to a constructed wetland. **BH** added he put down sod and planted wildflower seed mix.

**JS** motioned amend the enforcement order to include the following:

1. Millennium Engineering will reflag the wetland line and the flags will remain in place until all work is completed.
2. The environmental monitor needs to do a site assessment, including onsite stockpiling and report to the Commission.
3. No stockpiling of any kind is allowed in the wetland, any stockpiles onsite will be stabilized with erosion control.
4. No site work will continue until the site is stabilized; only site work towards stabilization of the site is allowed.
5. The environmental monitor will submit monthly reports to the Commission for a period of 6 months after the site is stabilized before the Enforcement Order will be lifted.

**JDJ** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**D. OLD BUISNESS:**

**1. Request for Certificate of Compliance: 11 Railroad Ave**

**JP** motioned to continue the Certificate of Compliance for 11 Railroad Ave to January 16, 2019.

**JDJ** seconded.

**Vote: 4-0, unanimous. Motion Carried.**

**E. ENFORCEMENT ORDERS:**

1. 81 Railroad Ave.
2. 438 N. End Blvd.
3. 565 North End Blvd.
4. 128 Bridge Rd.
5. 26 Sweet Apple Tree Ln.
6. 91 Bridge Rd.
7. 2 Linda Ln. – **MR** had provided picture to the commission. Have removed illegal fill and placed it elsewhere on the property. Site is not yet stabilized. **SA** said she thinks that it looks acceptable. She would not have a problem with them putting down seed.
8. 157 Bridge Rd.
9. 30 Main St.
10. 86/88 Elm St.
11. 11 17<sup>th</sup> St. W – **MR** informed the Commission the owners, that had lifted the garage off the original slab and enclosed the area, have retrofitted the enclosed foundation to allow the flow of sand and water. Commission approved of the work but would like the site cleaned up before they lift the Enforcement Order.
12. 212 N. End Blvd.
13. 83 Atlantic Ave.
14. 9 Bayberry Ln.
15. 6 True Rd.
16. 211 N. End Blvd.
17. 279 N. End Blvd.
18. 146 Central Ave.

**F. COMMISSIONER COMMENTS:**

**MR** informed all the Community Resiliency Public Listening Session for the Municipal Vulnerability Preparedness Program will be in Town Hall on Monday, December 10, 2018 at 6:30pm. Plan will be available for review shortly and comments on the plans will be accepted until just after the New Year.

**JDJ** asked people to remember it is the holidays and to please be kind.

**G. ADJOURNMENT:**

**JS** motioned to adjourn the December 5, 2018 Conservation Commission Meeting at 8:27 pm

**JDJ** seconded.

**Vote: 4-0, unanimous. Motion Carried.**