



**Salisbury Conservation Commission
Meeting Minutes
April 19, 2017
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (SA), David Arel (DA), Jane Purinton (JKP), and Alison Novello (AN).

COMMISSIONER MEMBERS ABSENT: Jessica Stucker (JS), Jennifer Troisi (JT).

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

Sheila Albertelli opened the meeting at 7:10 p.m. under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

A. MINUTES:

1. April 5, 2017-

JKP motioned to continue the minutes for April 5, 2017 to the May 3, 2017 meeting.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. NOI: Mark Wojcicki, 170 Bridge Rd (11/2/16)

DA motioned to continue the Notice of Intent for Mark Wojcicki, 170 Bridge Road to the May 3, 2017 meeting at 7:10pm.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

2. NOI: James Sullivan, 447-449 N. End Blvd (3/1/17)

JKP motioned to continue Notice of Intent for James Sullivan at 447-449 North End Blvd to May 3, 2017 meeting at 7:10p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

3. NOI: David Daly, 81 Baker Rd. (3/15/17)

Matt Steinel (MS) of Millennium Engineering was present to represent the project. MS updated the Commission on the changes that have taken place since the last meeting. The changes included upgrades to the erosion control which now shows a combination of silt fence and hay bales. Added riprap to the driveway side

slope near the drainage area. Also added a plant list to the narrative for plants that suite the conditions on site supplied New England Inc. A DEP file number was issued but the project is still listed as under review. Have contacted them on the status but have not received a response.

MR requested they send the updated narrative and plans to the DEP.

SA asked why they are using a supplier from Amherst for the plants. **MS** replied the supplier has the variety and resources required for large projects.

SA stated the main change is the switch from the sock to hay bales and slit fence. **MS** clarified the change is only in the environmentally sensitive area shown on the plan, the rest of the property still has a silt sock.

JKP motioned to approve the Notice of Intent as revised for David Daly at 81 Baker Rd with the standard conditions.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

4. NOI: Chris DeLuca, 100 Elm St. (3/15/17)

Continued the Notice of Intent for Chris DeLuca at 100 Elm St to May 3, 2017 at 7:10p.m at the April 5, 2017 meeting.

5. NOI: Tracy Scott Grab, 286 No. End Blvd (4/5/17)

AN motioned to continue the Notice of Intent for Tracy Scott Grab at 286 No. End Blvd to May 3, 2017 at 7:10p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

6. RDA: Eliel Deoliveira, 128 Bridge Rd. (4/5/17)

SA informed the Commission that wetlands had been filled on the property. The enforcement order needs to be issued so they can begin cleaning up.

AN motioned to issue the enforcement order for Eliel Deoliveira at 128 Bridge Rd for marsh filling, to remove any vehicles, gravel, and containers from the area and restore the vegetation.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

JKP motioned to continue the RDA for Eliel Deoliveira at 128 Bridge Rd to May 3, 2017 at 7:10p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

7. NOI: Li Realty Trust, 139 Elm St. (4/19/17)

Chris York (CY) of Millennium Engineering was present to represent the project. **Matt Steinel (MS)** was also present. **CY** introduced the project that includes and 900 square foot addition to the existing restaurant. The addition will be located in the front of the existing structure and will be built where pavement currently exists. They will be adding 1,235 square feet of impervious area. That total includes the addition of 11 parking spaces. They will be removing the 80 foot impervious curb cut at the front of the property and replacing it with grass.

Also building a constructed wetland at the rear of the property that can handle 7500 sq. feet of runoff. The water will be treated before it is discharged into the wetland.

SA informed the applicant that they received a letter from the Town Engineer but they have not had the chance to review the letter. **CY** would like to review the comments if possible. **SA** recommended waiting until they have had a chance to review the comments before discussing them.

JKP asked why they are building such a large wetland when it is not required. **CY** replied it's not overly large and it fits the lay of the land. **DA** expressed concern about runoff running to an abutter's property. **CY** describes the lay of the land that includes a naturally occurring drainage ditch that runs down the property line preventing that from happening. Adds there is 600 square feet less impervious pavement on the east side thanks to the grass that is being added at the front. **DA** asked about granite curbing. **CY** showed where there is an existing concrete wall that will be replaced with a new granite curbing and a concrete block retaining wall. **DA** requested a site visit. **CY** replied he will clear it with the owners.

Abutter Larry Cuddirie (**LC**) of 145 Elm Street and 141 Elm Street provided site photographs to the Commission. One of the photographs shows a post and rail fence on his property that is continually damaged and knocked down by the patrons of the restaurant and the snow plows for the lot.

LC asked that bollards or a fence be added to the site to protect his property from its continued destruction. Also asked for vegetated or other type of screening to separate the properties. Highlights the danger the proposed one way opening to the lot creates for vehicles pulling in off Elm Street. Asked to see Serwatka's report as he is concerned with the drainage as well.

Discussion on if **LC**'s requests fall under the Commission's preview followed. Resulted in agreement to bring the issues to the owner. The fence is also in the buffer zone which is the Commission's jurisdiction.

JKP recommended the granite curbing already proposed on the east side being extended to include the west side to create a barrier between the properties.

CY asked to further review the comments from Serwatka's letter.

Started with the second comment under storm water report. Explained the USDA maps that label the site with a type A soil. Their soil test pits showed soils that are C and D which are better suited for a constructed wetland than an infiltration basin. This is the reason they decided to go in that direction. There is no location for a recharge area.

CY claimed the grassed front is an infiltration area. **MR** asked if the area is raised or landscaped. **CY** replied it will be grassed with the possibility of some landscaping. **MR** asked if MADOT needs to approve that. **CY** replied they have applied for the changes. **MR** asked if MADOT will comment on the turning radius that concerns **LC**. **CY** stated they had not commented on that but did comment on other small issues. Added there is no room for underground infiltration in that area. **MR** suggested creating a depression in the space. Requested they investigate it further as it seems like an opportunity to reduce runoff. **JKP** asked how the water flows. **CY** replied it flows from west to east.

MR asked if the entrance can be widened a little to make it safer for cars turning in. **CY** responded he can't make it wider. Twenty (20) feet is the MADOT standard.

DA asked that snow storage areas be shown on the plans. **CY** agreed.

DA also expressed confusion about the topography of the wall as he is getting conflicting information. Asked the engineers to continue to correspond to clear these issues up and then a site visit might not even be needed. Discussion on soils and the water table followed.

CY quotes from Joe Serwatka's letter, number one in the storm water report that states a CN value of 89. **CY** makes his disagreement with this value known.

CY referenced item number 3 that discussed the edge of pavement on the property line. Joe Serwatka (Town Engineer) suggested a swale. Stated there is only about 5 feet there and a naturally occurring swale. Asked the Commission if they could weigh in on whether a swale is necessary or not. Commission agreed they do not

have enough information to make such a decision, suggested further discussion between the engineers and a site visit.

DA motioned to continue the Notice of Intent for Li Realty Trust, 139 Elm St for the purpose of further review and a site visit to May 3, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

C. OLD BUSINESS:

1. Request for Certificate of Compliance, 44 Railroad Ave.

JKP motioned to continue the Request for Certificate of Compliance for 44 Railroad Ave to May 3, 2017.

AN seconded.

Vote: 4-0, unanimous. Motion Carried

2. Request for Certificate of Compliance, 47 Commonwealth Ave.

DA motioned to continue the Request for Certificate of Compliance for 47 Commonwealth Ave to May 3, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried

D. ENFORCEMENT ORDERS:

9. **Pearson's Pit Access Rd** – **MR** stated one of the issued enforcement orders for this property has been picked up. Anticipating being contacted soon. The other is still pending.

DA asked **MR** to review the timeframe for the existing Enforcement Orders. **MR** provided the following summary.

1. **100 Elm St.** – This is currently being worked on through a Notice of Intent filed with the Commission.
2. **28 CCC Rd.** - Recently spoke with the Owner about scheduling another site visit. He does not wish to relocate all the signs and would like to discuss it further.
3. **126 N. End Blvd** – is currently being worked on
4. **13 Commonwealth Ave** – Is being worked on.
5. **73 Mudnock Rd.** - May be completed or very close to done.
6. **81 Railroad Ave.** – Is being worked on.
7. **105 Rabbit Rd.** – Waiting on growing season.
8. **438 N. End Blvd** – Will be planting this spring.

E. COMMISSIONER COMMENTS:

F. ADJOURNMENT:

JKP motioned to adjourn the April 19, 2017 Conservation Commission Meeting at 8:22 p.m.

DA seconded.

Vote: 4 -0, unanimous. Motion Carried.