



**Salisbury Conservation Commission
Meeting Minutes
May 3, 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**), Jessica Stucker (**JS**), and Alison Novello (**AN**).

COMMISSIONER MEMBERS ABSENT: Jane Purinton (**JKP**), and 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. May 3, 2017

AN motioned to continue the minutes for May 3, 2017 to the June 7, 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 June 7, 2017 meeting at 7:10pm.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

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

Ben Osgood (**BO**) of TTI Environmental was present representing the project. Updated the Commission that they had added pervious pavers. Will be built above the flood plain.

DA requested information on snow storage. **BO** replied this is a summer residence. If it is plowed it would just be piled to the side of the drive. Could also be pushed onto the pervious pavers by the garage.

Abutter Barbara Black, 3 10th Street, stated that the abutter across the street has job related storage he needs to access and she worries for his access. Also worried about her property getting blocked in, she is a year round resident. Additional concerns about dirt and gravel being pushed onto her lawn.

SA suggested a condition that his portion of the driveway, if it requires plowing, will be plowed onto his property. **BO** showed the intended snow storage area on the plan between the garage and the patio. Added that the plantings will be added from the native species list he was provided

by the agent. There is no skirting under the house and the stockade fence will be removed and replaced with a compliant fence. **DA** asked about the pavers that are to be used. **BO** replied they had not been chosen yet. **DA** stated in that case, the approval of the Conservation Agent on the type a paver will be a condition of the approval.

DA motioned to approve the Notice of Intent for James Sullivan at 447-449 North End Blvd., with the standard conditions and the condition that debris will be removed from the site. Snow from the right of way will be plowed on to the property, not blocking access. The spec sheet for the pavers will be provided to the Conservation Agent as well as the plantings that will be chosen. Fences on the property will be 50 percent open.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

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

JS motioned to continue the Notice of Intent for Chris DeLuca at 100 Elm St to June 7, 2017 at 7:10p.m

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

4. NOI: Kevin Karpenko, 20 Folly Mill Rd (5/3/17)

Thad Berry (**TB**), ASB Design Group, LLC, and Kevin Karpenko (**KK**) were present. Cement and trailer are to be removed. The area is to be cleared as marked on the plans. Bill Manuel did the wetland lines.

SA informed the Commission that there is no DEP number for this project so they will not be able to vote tonight. .

DA asked if there is a wetland report. **TB** replied there is not.

SA requested a site visit and a review by Rimmer Environmental. **TB** asked to be made aware of when the site visit is. Abutter also requested to be present.

AN motioned to continue the Request for a Notice of Intent for Kevin Karpenko, 20 Folly Mill Rd to June 7, 2017 at 7:10 p.m.

JS seconded.

Vote: 4-0, unanimous. Motion Carried.

5. RDA: Elite Builders Realty Trust, 20 Ferry Rd. (5/17/17)

SA stepped down as a direct abutter.

DA stated that there is no quorum, the RDA for Elite Builders Realty Trust, 20 Ferry Rd is automatically continued to the next meeting, June 7, 2017 at 7:10 p.m.

6. RDA: John Shea, 115 Beach Rd. (5/17/17)

Tome Hughes (**TH**) of Hughes Environmental Consulting represented the project, John Shea was also present. The property is located in the A/E flood zone (elevation 9). Introduced the site layout within the limit of work proposed and the wetland line. Provided Elevation Certificate for the property that shows it at elevation 9.9. Building a porch, stairs and second deck on sonotubes. **SA** asked if the project is about 30 feet from the wetland line. **TH** responded it is at least that far

away. It could be closer to 60 feet from the wetland line. The house is elevated. Discussion on the flood zone regulations followed.

DA motioned to issue a negative determination for the Request for Determination of Applicability for John Shea, 115 Beach Rd. Standard conditions apply.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

7. RDA: Grant Monahan, 444 No. End Blvd (5/17/17)

Tome Hughes (**TH**) of Hughes Environmental Consulting represented the project. The structure is beach front on the primary dune. Looking to replace an existing deck with a larger deck. Applied to use piles (3) but are hoping to use helical piles if possible. They will also remove a raised bed planter.

SA asked what machinery would be used to install the helical anchors. **TH** replied a bob cat sized machine that can drive around the concrete on the side of the house. Could also be lifted over the house. **MR** asked if the fence is solid. **TH** confirmed it is but not a part of the project. **TH** offered to plant additional dune grass outside of the fenced area.

AN motioned to issue a negative determination for the Request for Determination of Applicability for Grant Monahan, 444 No. End Blvd with the condition that dune grass will be planted to compensate for the disturbance with the Conservation Agents approval.

Amended to include that in addition to the grass planted inside the fence grass will also be added outside the fenced area as the Agent approves.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

8. NOI: Eric & Melissa Corkum, 304 N. End Blvd (5/3/17)

Tome Hughes (**TH**) of Hughes Environmental Consulting represented the project. Since the last Conservation Commission meeting they have received their DCR sign off and tied their measurements in to the datum so it reads from sea level. The entire structure except the stairs are above the flood zone. The stairs are removable; this has been noted on plan. They intend to heal the existing path and build the crossing over heathy dune that will continue to thrive under the Thruflow crossing.

AN motioned to approve the Notice of Intent for Eric & Melissa Corkum, 304 N. End Blvd for a beach access crossing as discussed under the condition that they are to allow the current path to revegetate and the standard special conditions.

DA seconded.

SA asked for amendment.

AN amended to motion to include that prior to receiving a Certificate of Compliance the existing path will need to be revegetated either naturally or with plantings.

DA seconded.

Vote: 4-0, unanimous. Motion Carried

C. OLD BUSINESS:

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

JS motioned to continue the Request for Certificate of Compliance for 44 Railroad Ave to June 7, 2017 at 7:10 p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

D. NEW BUSINESS:

1. Request for Significance of Change, 57 Central Ave.

Has an open Order of Conditions (OOC) to build a new house. The OOC specified either sand or gravel will be used under the house. Would like to put in pervious pavers. Provided the Conservation Agent with the cut sheet for the pavers.

DA expressed concern about access to the sewer line under the house. **SA** responded that pervious pavers will be removable if access is ever needed.

DA asked if underneath the house is enclosed. **MR** clarified nothing that nothing can be enclosed two feet above grade.

DA motioned to determine the change for 57 Central Ave. as insignificant to the original OOC and accepted as such.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

2. Request for Extension, 92 Forest Rd.

JS asked if this is the first extension for this project. **MR** confirmed.

JS motioned to approve the Extension for 92 Forest Rd. for three years from the Order of Conditions expiration date.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

3. Request for Certificate of Compliance, 170-180 Beach Rd.

MR stated this Notice of Intent was for *Phragmites* removal. She can confirm the *Phragmites* was removed.

JS motioned to grant the Certificate of Compliance for 170-180 Beach Rd. *Phragmites* treatment.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

4. Request for Certificate of Compliance, 50 True Rd.

SA requested a site visit to confirm the type of fill used.

JS motioned to continue the Certificate of Compliance for 50 True Rd to June 7, 2017 for a site visit.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

5. Enforcement Order, 26 Sweet Apple Tree Ln.

Stephen Battle (**SB**) and Tricia Allman (**TA**) were present. **MR** explained the conditions that have led to issuing the enforcement order.

DA motioned to issue the enforcement order for 26 Sweet Apple Tree Ln. for the clearing of the wetlands, requiring a restoration plan to be provided by the property owners.

JS seconded.

DA amended the motion to include that all work needs to cease until the restoration plan is in place.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

SB and **TA** inform the Commission of their plan to return the area to farm land. **MR** informed them they will be required to file a Notice of Intent if the work is within 100 feet of wetland. The enforcement order will need to be closed out before they file. **SA** requested they contact **MR** to work out a plan.

6. Enforcement Order, 91 Bridge Rd.

AN recused from the Commission due to conflict of interest. Resulted in no quorum.

JS continued the Enforcement Order for 91 Bridge Road to June 7, 2017.

DA seconded.

Vote: 3-0, unanimous. Motion Carried.

E. ENFORCEMENT ORDERS:

1. 100 Elm St.
2. 28 CCC Rd.
3. 126 N. End Blvd
4. 13 Commonwealth Ave
5. 73 Mudnock Rd.
6. 81 Railroad Ave.
7. 105 Rabbit Rd.
8. 438 N. End Blvd
9. Pearson's Pit Access Rd
10. 128 Bridge Rd. - **MR** informed the Commission they will be heard at the next meeting.

F. COMMISSIONER COMMENTS:

G. ADJOURNMENT:

JS motioned to adjourn the May 17, 2017 Conservation Commission Meeting at 8:50 p.m.

AN seconded.

Vote: 4 -0, unanimous. Motion Carried.