



**Salisbury Conservation Commission  
Meeting Minutes  
October 4<sup>th</sup>, 2017  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
7:00 P.M.**

**COMMISSIONER MEMBERS PRESENT:** Chairman Sheila Albertelli (**SA**), Jessica Stucker (**JS**), Alison Novello (**AN**), Emily Round (**EGR**), and Joanne Perreault (**JP**).

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

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

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

- A. MINUTES:**
- 1. August 2, 2017**
  - 2. September 6, 2017**
  - 3. September 20, 2017**

**JKP** motioned to continue the minutes from August 2<sup>nd</sup>, 2017, September 6<sup>th</sup> and 20<sup>th</sup>, 2017 to October 18<sup>th</sup>, 2017.

**JS** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

- B. PUBLIC HEARINGS at 7:10pm:**
- 1. NOI: Chris DeLuca, 100 Elm St. (3/15/17)**

**JKP** motioned to continue the Notice of Intent for Chris DeLuca at 100 Elm Street to November 1<sup>st</sup>, 2017.

**AN** seconded.

**Vote: 5-0. Motion Carried.**

- 2. RDA: Eliel DeOliveira, 128 Bridge Rd. (4/5/17)**

**JP** motioned to continue the Resource Determination of Applicability for Eliel Deoliveira at 128 Bridge Rd to November 1<sup>st</sup>, 2017.

**JKP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

- 3. NOI: James Zorbas, 32 Railroad Ave (LC Lot 480) (6/7/17)**

**JKP** motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 480, to October 18<sup>th</sup>, 2017 at 7:10p.m.

**JS** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

#### **4. NOI: James Zorbas, 32 Railroad Ave (LC Lots 478A, 479) (6/7/17)**

**JKP** motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 478A and 479, to October 18<sup>th</sup>, 2017 at 7:10p.m.

**EGR** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

#### **NOI: Thomas Patenaude, 71, 73, 75 N. End Blvd (8/16/17)**

Thomas Patenaude (**TP**) updated the Commission on the changes made since last meeting. Requested to add permeable pavers underneath the houses instead of gravel to the plans. **JKP** asked for clarification on the drive material. **TP** responded all gravel with containment. **JKP** asked if the paved apron and sidewalk could be made to be pavers. **TP** agreed. **MR** asked if it is Town property. **TP** stated he will discuss with DPW and if the answer is no, will default to original proposal. Requested a post and rail fence in the back. **SA** stated they would request something to demarcate the wetlands and that would be a good option; markers can be put on the fence. **SA** asked if they would be condos with one condo association or separate associations. **TP** responded one condo association for all the units. **SA** informed **TP** some language available from the Conservation Agent would be a required addition to the Condo Documents.

**JKP** motioned to approve the Notice of Intent for Thomas Patenaude, 71, 73, 75 N. End Blvd with the standard special conditions and the addition of a post and rail fence to demarcate the limit of no disturbance, no loam, filling or expansion of lawn or paving without Conservation Commission approval, which will be included in the condominium documents. Will consult with DPW director on the pavers and will report back to the Conservation agent. Hay bales, if used for erosion control, are required to be saltmarsh hay. Altering the pea stone to permeable blocks under the units in the parking area will be allowed. Open pilings, no skirting or any enclosure allowed below elevation 9.

**JP** seconded.

**Vote: 4-1, SA, JKP, JP, EGR in favor. JS opposed. Motion Carried.**

#### **11. NOI: Tim Anderson, 91 Bridge Rd. (9/6/17)**

**AN** recused herself from the Commission.

Matt Steinel (**MS**) of Millennium Engineering represented the applicant.

**JKP** stated during her site-walk she found the gravel to be more compacted than she believes it should be, does not appear to be permeable. **MS** refuted. **JKP** stated the area in her opinion is marsh, requested Rimmer investigate. **MS** replied it is filled marsh land, historically filled and used as a lawn. Predated the code requirements and the filled area will not displace more water. Discussion of the fill material and narrative followed. Resulted in motion.

**JS** motioned to continue the Notice of Intent for Tim Anderson, 91 Bridge Rd., to October 18, 2017 at 7:10p.m., to remove the fill material, and to have Mary Rimmer delineate the wetland on the impacted site.

**EGR** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

#### **12. NOI: Barry Noone, 79, 83, 85 Forest Rd. (10/4/17)**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. The proposal is for a drainage improvement project. Crosses three properties under different ownership. Agreements were signed among the property owners to allow this project.

**JKP** asked if the drainage pipes were put in by the Town. **MS** replied no one is sure but they are on private property.

**MS** clarified the pipe ends are exposed and will require very little soil removed.

**JKP** requested a site visit.

**SA** requested flagging be present. **MS** responded with the request to install the erosion control 2 feet off the pipe. As there is a very limited area of work that enters the wetland. **MR** asked if the area can be staked.

**JP** motioned to continue the Notice of Intent for Barry Noone, 79, 83, 85 Forest Rd, to allow time for a site visit to October 18, 2017 at 7:10 p.m.

**JKP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

## **C. NEW BUISNESS:**

### **1. Request for Extension, 211 Beach Rd**

**SA** stated original Order of Conditions was issued in 2005. Standards and regulations since then. Would ask them to submit updated plan to bring the plans to fit current regulations or they pursue a new Notice of Intent.

**JKP** motioned to continue the Request for Extension for 211 Beach Road to October 18, 2017 to allow the builder to amend the existing project to meet current standards and regulations or submit a new Notice of Intent. **EGR** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

### **2. Request for Certificate of Compliance, Lot 4, Corporal Patton Way.**

**JKP** motioned to issue the invalid Order of Conditions, hereby certified that the work regulated herein the referenced Order of Conditions never commenced for Lot 4, Corporal Patton Way. The Order of Conditions has lapsed and is therefore no longer valid. No future work subject to regulation under the Wetlands Protection Act can commence without a new Notice of Intent and a new Order of Conditions.

**JP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

### **3. Request for Certificate of Compliance, 30 Elm St**

**JKP** motioned to continue the Request for Certificate of Compliance for 30 Elm Street to allow for a site visit. WPA form 8A will need to be submitted.

**JP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

### **4. Request for Certificate of Compliance, 54 Beach Rd**

**JKP** motioned to continue the Request for Certificate of Compliance for 54 Beach Rd to allow for as-built and form WPA form 8A to be submitted and outstanding items to be addressed.

**JP** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**D. OLD BUSINESS:**

- 1. Request for Certificate of Compliance, 44 Railroad Ave.**
- 2. Request for Certificate of Compliance, 2 Denrael Dr.**
- 3. Request for Certificate of Compliance, 11-19 Fanaras Dr.**

**JP** motioned to continue the Requests for Certificate of Compliance for 44 Railroad Ave, 2 Denrael Drive, and 11-19 Fanaras Drive to October 18th, 2017.

**JS** seconded.

**Vote: 5-0, unanimous. Motion Carried.**

**E. ENFORCEMENT ORDERS:**

- 1. 100 Elm St.**
- 2. 28 CCC Rd.**
- 3. 13 Commonwealth Ave**
- 4. 81 Railroad Ave.**
- 5. 105 Rabbit Rd.**
- 6. 438 N. End Blvd**
- 7. Pearson's Pit Access Rd**
- 8. 128 Bridge Rd.**
- 9. 26 Sweet Apple Tree Ln.**
- 10. 91 Bridge Rd.**
- 11. 400 No. End Blvd**
- 12. 2 Linda Ln.**
- 13. 14 Jon St.**
- 14. 565 N. End Blvd**

**F. COMMISSIONER COMMENTS:**

**MR** will supply dune booklets to the Commission.

The Great Marsh Symposium is November 9<sup>th</sup>, 2017.

**G. ADJOURNMENT:**

**JKP** motioned to adjourn the October 4, 2017 Conservation Commission Meeting at 8:28p.m.

**JS** seconded.

**Vote: 5-0, unanimous. Motion Carried.**