



**Salisbury Conservation Commission  
Meeting Minutes  
February 17, 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**), Julie Doughman-Johnson (**JDJ**)

**COMMISSION MEMBERS ABSENT:** Mark Hatem (**MH**), Daniel Richard (**DR**)

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

Chairwoman Sheila Albertelli opened the meeting at 7:05 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded and being held remotely.

**A. EMERGENCY CERTIFICATES:**

**1. 232, 234, 238, 240 North End Blvd.**

**SA** stated the Emergency Certificate was issued for the removal of storm and deck debris which included portions of an abandoned sidewalk. They will import Salisbury Beach compatible sand to protect building foundations and construct egress stairs as required by the Building Inspector.

**JDJ** motioned to grant the Emergency Certificate for 232, 234, 238, 240 North End Blvd.  
**MC** seconded

**Roll call vote:**

**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes  
**SA** – Yes

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

**2. 244 North End Blvd.**

**SA** stated the Emergency Certificate was issued to bring in Salisbury Beach compatible sand to protect foundations, and that an NOI has been filed for the next meeting for dune restoration and walkover stairs

**JDJ** motioned to approve the Emergency Certificate for 244 North End Blvd.  
**MC** seconded

**Roll call vote:**

**MC** – Yes  
**JKP** – Yes

**JDJ** – Yes  
**BL** – Yes  
**SA** – Yes

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

**3. 260 North End Blvd.**

**SA** stated the Emergency Certificate was issued for the use of sandbags to mitigate additional storm damage. **JKP** requested clarification regarding what the channel referred to in the Emergency Certificate is, **AM** replied that there is a cut in the dune that is allowing flood waters to head straight for the house.

**JDJ** motioned to approve the Emergency Certificate for 260 North End Blvd.  
**MC** seconded

**Roll call vote:**

**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes  
**SA** – Yes

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

**4. 140 North End Blvd.**

**SA** stated the Emergency Certificate was issued for the use of lightweight machinery to remove sand from the driveway, walkways, and patio, and return the sand to the dune.

**JDJ** motioned to approve the Emergency Certificate for 140 North End Blvd.  
**MC** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**B. MINUTES:**

**1. December 2, 2020**

**JDJ** motioned to approve the minutes dated December 2, 2020.  
**BC** seconded

**Roll call vote:**

**SA** – Yes

MC – Yes  
JKP – Yes  
JDJ – Yes  
BL – Yes

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

**2. December 16, 2020**

**JDJ** motioned to approve the minutes dated December 16, 2020.  
**MC** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

- 3. January 6, 2021**
- 4. January 20, 2021**
- 5. February 3, 2021**

**JKP** motioned to continue the minutes for January 6, 2021, January 20, 2021, and February 3, 2021 to the March 3, 2021 meeting.  
**MC** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**C. PUBLIC HEARINGS at 7:10pm:**

**1. NOI: Town of Salisbury, Jak-Len Drive Pump Station (2/17/21)**

**SA** noted that no DEP number had been issued yet. John Sykora of Weston and Sampson (**JS**) explained that the NOI for the overall sewer project was filed in December of 2019, but at that time the Town didn't own a piece of property for the pump station. He reviewed the location at the end of Jack-Len Drive, and noted that they would need to cross wetlands for access to the pump station with an access road. The station will be mostly below grade and not a large building. Stormwater will shed to one side to an existing deep sump catch basin, on which the DPW will install a hood. Devin Batchelder of Weston and Sampson (**DB**) discussed impacts, noting a they had completed a delineation and there will be about 1100 square feet of permanent impacts to the BVW to install the access road, a small wetland pocket of 1,150 square feet will be cut off because of the access road,

and a culvert will be installed. The combined total is 2,250 potential impacts. They plan a 2:1 replication ratio, resulting in 4,500 square feet of replication including 20 trees, 30 shrubs, and 200 ferns in addition to a wetland seed mix. **JKP** questioned whether that much replication was needed. **MC** commented that more is always better. **SA** stated she thought it was excessive and it would be better to preserve the mature upland and cut back on the proposed replication to 2350 square feet. **MC** asked about snow removal and noted there was no snow storage on the plan. **JS** stated the area is fenced in and they can't push the snow anywhere. **MC** expressed concern that the snow will go into the wetland, which can't happen. Snow storage will be needed. **JKP** and **SA** agreed. **SA** added that the snow would have to be removed if storage is not possible. **JS** stated he would look into. **BL** asked what would happen if the generator fails. **JS** replied there is an alarm that would send a signal to wastewater staff, and there are portable generators available. **SA** advised that the hearing should be continued until a DEP number is issued, and so they can resolve the snow storage issue.

**JKP** motioned to continue the Notice of Intent for Town of Salisbury, Jak-Len Drive Pump Station until March 3, 2021.

**JDJ** seconded

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

**2. 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 March 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 March 3, 2021 at 7:10 pm.

**JKP** seconded

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

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

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

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

**MC** seconded

**Roll call vote:**

**SA** – Yes

**MC** – Yes

**JKP** – Yes

**JDJ** – Yes

**BL** – Yes

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

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

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

**JDJ** motioned to continue the Notice of Intent for Thomas Underwood, 86 Cable Ave., until February 17, 2021 at 7:10 pm,  
**MC** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

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

**SA** stated the applicant had requested a continuance to March 3, 2021 in order to address peer review comments

**JKP** motioned to continue the Notice of Intent for Christopher DeLuca, 112 Elm St. until March 3, 2021 at 7:10 pm.

**JDJ** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**6. RDA: Mark Cardillo, 163 Elm St. (2/3/21)**

Matt Steinel of Millennium Engineering (**MS**) stated the applicant was requesting a continuance in order to have an opportunity to look into the old open Order of Conditions, and to give the Commission an opportunity to conduct a site visit once the snow melts. **SA** replied that the new project can't be permitted until the old Order is cleared up, and pushing out the hearing won't change that. **MS** agreed and stated that the site visit will help give direction, and they will file a new Notice of Intent. **JKP** stated they were not pleased that the old Order of Conditions was not followed. **MS** replied he did not think there were any violations. **MC** stated he had concerns about the vegetation on the lot being wiped out.

**JKP** motioned to continue the RDA for Mark Cardillo, 162 Elm St.. until March 3, 2021.

**JDJ** seconded.

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**7. NOI: David Daly, North End Boulevard, LLC, 504 North End Blvd. (2/3/21)**

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

**JDJ** motioned to continue the Notice of Intent for David Daly, North End Boulevard, LLC, 504 North End Blvd until March 3, 2021 at 7:10 pm.

**BL** seconded

**Roll call vote:**

**SA** – Yes

**MC** – Yes

**JKP** – Yes

**JDJ** – Yes

**BL** – Yes

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

**8. ANRAD: Steven Paquette, 6 Forest Road, LLC, 6, 10, 18 Forest Rd. (2/3/21)**

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

**BL** motioned to continue the ANRAD for Steven Paquette, 6 Forest Road, LLC, 6, 10, 18 Forest Road until March 3, 2021,

**JDJ** seconded

**Roll call vote:**

**SA** – Yes

**MC** – Yes

**JKP** – Yes

**JDJ** – Yes

**BL** – Yes

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

**9. NOI: John Bruneau, 7 Learned Lane (2/17/21)**

Bob Grasso of Engineering Land Services (**BG**) discussed the project, which was for a septic system repair. He noted that DEP comments stated local Board of Health approval was needed, and he has since received that approval. **BG** reviewed the plans with the Commission, and reviewed the wetland setbacks. He stated the existing private well for the property, as well as a neighbor's well, are within 100 feet of the proposed system, for which they obtained a waiver from the Board of Health. They will remove the existing system and replace with Title 5 sand. The new system will be elevated two feet above the existing grade. **JDJ** questioned about the system being that close to an existing well, and **BG** replied that it can't go anywhere else.

**BL** motioned to approve the NOI for John Bruneau, 7 Learned Lane.

**MC** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**D. NEW BUSINESS:**

**1. Request for Certificate of Compliance, 22 Forest Road**

The Agent reviewed the project, which was to install a pool, and showed a video and photograph of the site and pool, stating the work was done in substantial compliance.

**JDJ** motioned to grant the Certificate of Compliance for 22 Forest Road  
**JKP** seconded.

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**2. Request for Certificate of Compliance, 2 Linda Lane (065-0459)**

Matt Steinel of Millennium Engineering (**MS**) explained that the Order had expired and it was for the construction of a single-family home. The Order expired before work commenced and recommended it be closed out as invalid. The second order was filed for the same work and supersedes it.

**JDJ** motioned to issue the invalid Certificate of Compliance for 2 Linda Lane (065-0459).  
**JKP** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**3. Request for Certificate of Compliance, 2 Linda Lane (065-0722)**

Matt Steinel of Millennium Engineering (**MS**) noted that an Enforcement Order had been issued or considered for trees that were cut down in the wetland, and the disturbance of some low-lying shrubs in the area. **MS** is proposing three new trees in the wetland area and four shrubs along the wetland line. He reviewed the deviations from the plan, including some stairs, a walkway, the driveway is a little larger, and a shed, but noted there had been 20 years of active use of the property since the project was completed. **SA** noted that the Agent felt the project was completed in substantial compliance, but the wetland violations need to be worked out. They can amend the existing enforcement order and issue the Certificate of Compliance. **SA** advised a condition that the buyer submit something in writing to the Commission allowing the restoration work be completed. **MS** agreed and noted that the bank was also planning on holding additional funds in escrow to ensure the work is completed.

**JKP** motioned to take the enforcement order for 2 Linda Lane out of order  
**JDJ** seconded.

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**4. Enforcement Order, 2 Linda Lane**

**JKP** motioned to amend the enforcement order for 2 Linda Lane to include removal of vegetated buffer within an area regulated by the act and accept the restoration plan dated 2/11/2021, with the condition that before the sale of the property consent will be submitted in writing to the Commission from the buyer to allow the restoration plan to be complete. Work is to be completed by June 23, 2021.

**MC** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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

**JKP** motioned to return to the Request for Certificate of Compliance, 2 Linda Lane (065-0722).  
**BL** seconded

**Roll call vote:**

**SA** – Yes  
**MC** – Yes  
**JKP** – Yes  
**JDJ** – Yes  
**BL** – Yes

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



**3. Request for Certificate of Compliance, 2 Linda Lane (065-0722).**

SA stated the Agent felt the site was in substantial compliance.

BL motioned to grant the Certificate of Compliance for 2 Linda Lane (065-0722).

MC seconded

**Roll call vote:**

SA – Yes

MC – Yes

JKP – Yes

JDJ – Yes

BL – Yes

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

**4. Request for Extension, 100 Elm St**

SA stated the applicant has requested a three-year extension. The current expiration date is March 22, 2021. Paul Alunni noted it was approved in 2018 and included a 2000 square foot shop with some storm water improvements for the parking area and off-site improvements along Old Elm St., The off-site improvements have been completed, the remaining site work needs the extension.

JKP motioned to grant the extension for 100 Elm Street to March 22, 2024

MC seconded

**Roll call vote:**

SA – Yes

MC – Yes

JKP – Yes

JDJ – Yes

BL – Yes

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

**E. 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
12. 2 Linda Ln.  
ACTIVE, PENDING COMPLETION:
13. 139 Elm St
14. 61 Bridge Rd.  
COMPLETE, PENDING APPROVAL:
15. 86/88 Elm St.
16. 4 Main Street
17. 9 Bayberry Ln.
18. 82 Lafayette Rd

**F. COMMISSIONER COMMENTS:**

**JDJ** advised the Commission that a dead Snowy Owl was discovered at the Reservation. It appears to have starved to death and requested that people don't chase the owls.

**JKP** stated Salisbury needs roadside trees and the upcoming improvements to the Route 1 Corridor would provide a good opportunity to plant appropriate species of trees.

**SA** cautioned viewers regarding global warming and that people should learn from Venice, Italy.

**MC** complemented Ms. Albertelli on her presentation to the Board of Selectmen.

**F. ADJOURNMENT:**

**JDJ** motioned to adjourn the February 17, 2021 Conservation Commission Meeting at 8:52 p.m.

**JKP** seconded.

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