



**Salisbury Conservation Commission  
Meeting Minutes  
March 6, 2019  
Colchester Auditorium, Town Hall  
5 Beach Road  
Salisbury, MA 01952  
7:00 P.M.**

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

**COMMISSION MEMBERS ABSENT:** Jane Purinton (**JKP**).

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

Chairman Sheila Albertelli opened the meeting at 7:08 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded.

**A. MINUTES:**

**1. February 20, 2019**

**JDJ** motioned to approve the minutes for February 20, 2019

**EGR** seconded.

**Vote: 6-0, 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 March 20, 2019 at 7:10pm.

**JP** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

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

**JS** motioned to continue the Notice of Intent C&R Realty Trust, 110 Elm St. to March 20, 2019 at 7:10pm.

**JDJ** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

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

**JS** motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd., Rear Lots, to March 20, 2019 at 7:10pm.

**JP** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**4. NOI: Azar & Marian Korbey, 23 Commonwealth Ave. (1/16/19)**

**JS** motioned to continue the Notice of Intent for Azar & Marian Korbey, 23 Commonwealth Ave., to March 20, 2019 at 7:10pm.

**EGR** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**5. NOI: Erica Capolupo, 1 True Road (3/6/19)**

Daniel Ottenhimer (**DO**) of Mill River Consulting represented the applicant, also present. Presented the plan to remove existing deck and replace with new deck and addition and an additional addition by the garage. Closest point of work to the resource area is 57 feet. Limit of work will be marked by straw waddles.

**EGR** asked if any trees would be cut. **DO** stated the area is almost completely lawn. **EGR** asked if the lawn extends into the wetland. **DO** confirmed the lawn extended into the wetland some small ornamental trees will be removed. **MR** added some trees had already been removed. **EGR** asked if any fill would be brought in. **DO** replied the project would require excavation and the extra soil would be removed from the site. **JDJ** asked what the purpose additions would be. **DO** replied a sunroom and a workspace and extra living space. **EC** supplied it will be a bedroom. **JDJ** asked if the septic system was approved to support an additional bedroom. **EC** replied a bedroom in the house would be eliminated. **EGR** asked if any work is proposed where the back stairs end. **EC** replied the stairs would end in lawn; they are to access the backyard. Commission discussed doing a site visit and decided it was not necessary.

**JS** motioned to close the public hearing and approve the Notice of Intent for Erica Capolupo, 1 True Road, with the standard conditions.

**JP** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**6. NOI: Outdoor Media Properties, Inc., 109 Rabbit Rd. (3/6/19)**

Matt Steinel (**MS**) of Millennium Engineering represented the project. Described the site and the prior approval for a cell tower. This application is for an approximately 90 foot digital billboard. Will be visible to both sides of the highway. The piles of debris marked on plan are to be removed. Proposal includes improvements to a 20-foot wide gravel drive and a laydown area around the billboard area and a trench that will include electrical telephone line already approved for the cell tower. Includes about 10,000 feet of minor site grading and fill of an isolated vegetated wetland (120 feet). **SA** informed **MS** the site has a current open order of conditions that is not in compliance. **MS** replied the site will be leased and part of that will be cleaning up the piles that are in violation of the Order of Conditions.

**SA** asked what the method of instillation would be. **MS** replied it would have a 12 by 12 concrete pad as a footing with minor excavating to install the footing with grading around it to secure it. **JDJ** asked about the lighting of the board. **JS** reminded her that is outside of the purview of the Commission. **JS** asked if they would be removing any trees. **MS** replied there is an earthen berm has some small saplings that will be removed. **SA** asked for assurance the resource area under protection of the Wetland Protect Act would not be filled or disturbed. **MS** confirmed, only fill proposed is in the isolated vegetated wetland not protected by the act. **EGR** asked if the sign could be moved further than 11 feet from the wetland line. **MS** replied the land is leased and they wanted to position the sign optimality for visibility and minimize its space requirement. **EGR** asked for clarification on the current site conditions and the open order of conditions. **EGR** asked the depth of the trench proposed. **MS** replied it would be 3 to 4 feet. **EGR** asked if there would be additional anchors for the billboard. **MS** replied none is proposed. **SA** asked how long the Order of Conditions that is not in compliance has been open. **MR** replied about 10 years. The violations were addressed the fall before last. The owner is aware of what needs to be done. Commission discussed how to proceed. **MS** proposed the commission conditions the certificate of compliance of this project be contingent on the compliance of the other project.

**JS** motioned to continue the Notice of Intent for Outdoor Media Properties, Inc., 109 Rabbit Rd. to March 20, 2019 at 7:10pm with a site visit in the interim and a timeline from the property owner for his cleanup project. **JP** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**C. OLD BUSINESS:**

**1. Request for Certificate of Compliance, I-95 Whittier Bridge**

**EGR** motioned to continue the Request for Certificate of Compliance, I-95 Whittier Bridge to March 20, 2019 at 7:10pm

**JP** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**D. NEW BUSINESS:**

**1. Request for Minor Modification, 76 Central Ave.**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Before the Commission to request to amend the Order of Conditions for a proposed elevator on the coastal dune. Order of Conditions requires the lift be open 2 feet above grade. Regulations require a lift of this height to be enclosed. The Building Inspector agreed to allow the shaft to be enclosed. Other changes include a slightly larger footprint than shown on the plans. **JDJ** asked if there are any other alternatives to the enclosed shaft. **MS** replied there are no other alternatives and no other locations that would suite better. Other solutions, such as ramps, have also been ruled out. **EGR** asked if the lift could be put inside the house. **MS** replied they do not have rights to alter the inside of the house as it is a multifamily and they are on the top floor. **SA** asked if there is any possible alternative that would be compliant with the Wetland Protection Act. **MS** replied not that he is aware of. **SA** asked if the lift would still have the flood safety features that were originally proposed. **MS** replied the applicants are speaking with the suppliers to see if there is an enclosure that has flood venting on recommendation of the Building Inspector. **SA** mentioned a prior similar project that was superseded by DEP and not allowed to proceed. **MS** suggested he submit a copy of the plans to DEP to get their stance on the alterations. Commission agreed.

**JS** motioned to continue the Request for Minor Modification, 76 Central Ave.

**JDJ** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**1. Request for Certificate of Compliance, 29 Elm Street**

Matt Steinel of Millennium Engineering represented the applicant. Commission has received a peer review letter from the engineer that leads them to believe the request is premature. Commission is waiting on a response from the applicant.

**JS** motioned to continue the Request for Certificate of Compliance for 29 Elm Street.

**JDJ** seconded.

**Vote: 6-0, unanimous. Motion Carried.**

**2. Request for Certificate of Compliance, 52 Forest Road**

Commission requested a site visit.

**EGR** motioned to continue the Certificate of Compliance, 52 Forest Road to allow for a site visit.  
**JP** seconded.

**Vote: 6-0, 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.
8.     157 Bridge Rd.
9.     30 Main St.
10.    86/88 Elm St.
11.    11 17<sup>th</sup> St. W
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.
19.    82 Lafayette Rd.
20.    16 Hayes St.
21.    11 Railroad Ave.

**G.     COMMISSIONER COMMENTS:**

**MR** mentioned the training on Open Meeting Law that she would request they attend.

**H.     ADJOURNMENT:**

**JS** motioned to adjourn the March 6, 2019 Conservation Commission Meeting at 7:59 pm

**JDJ** seconded.

**Vote: 6-0, unanimous. Motion Carried.**