



**Salisbury Conservation Commission  
Meeting Minutes  
April 17, 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**), Emily Round (**EGR**), Jane Purinton (**JKP**), Julie Doughman-Johnson (**JDJ**) Joanne Perreault (**JP**).

**COMMISSION MEMBERS ABSENT:** Vice Chair Jessica Stucker (**JS**) and Blake Leibert (**BL**).

**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.     March 20, 2019**
  - 2.     April 3, 2019**

**JDJ** motioned to approve the minutes for March 20, 2019 and April 3, 2019.

**EGR** seconded.

**Vote: 5-0, 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)**

**EGR** motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway to May 15, 2019 at 7:10p.m.

**JP** seconded.

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

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

**EGR** motioned to continue the Notice of Intent for C&R Realty Trust, 110 Elm St. to May 1, 2019 at 7:10p.m.

**JDJ** seconded.

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

- 3.     NOI: Zap Development, LLC, 28 Rabbit Rd. and rear lots (10/17/18)**

**JDJ** motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd. and rear lots to May 1, 2019 at 7:10p.m.

**EGR** seconded.

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

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

Matt Steinel (**MS**) of Millennium Engineering represented the project. Revised the location of the sign since last meeting. The foundation will be concrete poured about 4 feet thick. Due to the relocation of the sign, more excavation than originally proposed is required, which increases the wetland impacts. The sign uses LED light bulbs which require no cooling system, contain no mercury and will sustain no damage if hit by lightning.

**SA** asked who the manufacture would be. **MS** replied he did not know. **SA** requested the specification sheets for the sign. **JDJ** asked for a progress report on reaching compliance for the Order of Conditions. **SA** requested a luminaire plan. **MS** responded there is no regulations in Wetlands Protection Act to hold it against, so it would not benefit them in making their decision. **SA** disagreed and would like the plan before they determine it has no value.

The Commission discussed issuing an Enforcement Order for compliance to the open Order of Conditions; would like the Order closed out before they move on this application.

Donna Bartlett (**DB**), 103 Main Street, stated the best natural resource in the town is Bartlett Farm and it deserves the protection of the Act. She has the right to farm and the sign, if constructed, jeopardizes that right.

Jack Sanborn (**JAS**), 103 Main Street, compared the light of the billboard to a back yard lanterns in regards to the bugs it attracts to demonstrate the scope of the project. Believes it will cause massive loss to local populations of pollinating insects, endangering the success of their crops.

Jesse James (**JJ**), 40 Locust Street, agreed with **DB** that the farm should be protected as a natural resource. Also concerned about the effect of light pollution on his farm and family. Already suffers from light pollution, would not like it from all sides. Expressed distress at not having a vote on the sign, would like to see this taken to Town Meeting so he may cast his vote.

Margret Mary James (**MJ**), agreed with those who spoke before her. This effects their quality of life and is very distressed at the prospect this and further signs proposed in Town. Wants to preserve the area's rural character. Carroll Whittaker, 3 Congress St, expressed concern about the open Order of Conditions; shocked permitting can continue to move forward without it resolved.

Tim Whittaker, 3 Congress St, agreed with above comments. 20 years ago, the property was in healthy condition. A pond was filled in on site, feels the current owners are poor stewards of their property.

Cynthia Foster (**CF**), 15 Locust St, worried about the disturbance the additional light will cause to the circadian rhythms for all in the plains area and the effect it will have on children. Agreed the site was once very wet and has been filled.

Christopher Leahy, 1 Natowich Way, asked the application be continued until the open Order of Conditions is resolved. Asked DEP to consider light pollution in the next round of regulations.

**DB** stated the light will affect her property. This property should not have had 12 years with an open Order of Conditions.

**JAS** added his father had a farm where the highway is currently located. He can attest that the property was filled.

**CF** added at the DOT meeting they attended gave the website [oaa.information.gov](http://oaa.information.gov) to access information they provided. At the meeting, they said the Town had already made the decision. Concerned that they get money for the billboards erected which creates a conflict of interested.

**MJ** added Maine and Vermont have banned these types of billboards setting a precedence of the issues associated with these signs and banning them.

**MS** responded to the above comments that it is the heat from camp lanterns that kills insects which is not present in these LED bulbs. **MS** argued that there is no benchmark to hold the luminaire plan against. **SA** requested the study be done.

**JJ** stated they have owls on the property that would be effected by the light.

**JKP** asked **MR** to call DOT to inquire as to the progress of this application.

**EGR** asked what the outstanding issues in the open order are that need to be addressed. **MR** replied it expired with no Certificate of Compliance; the 25-foot buffer needs to be maintained. Some of the use is not permitted. The Commission asked to be provided with the OOC by the next meeting so they can review.

**EGR** motioned to continue the Notice of Intent for Outdoor Media Properties, Inc., 109 Rabbit Rd. to May 15, 2019 at 7:10pm with information requested to be provided, a luminaire plan created and a hard copy of the Order of Conditions provided.

**JKP** seconded.

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

**5. NOI: Richard Bourne, 412 North End Blvd. (3/20/19)**

John Hargraves (**JH**), GA Consultants, represented the applicant. A site-walk was conducted and updated plans were submitted as requested by the Commission. Believes mats are not necessary for protection of the dune. All materials brought onsite will be stored on the hardtop and they will use the exiting path for access and sit on the existing sand area with no vegetation. Any disturbed area will be re-vegetated.

**JKP** motioned to approve the Notice of Intent for Richard Bourne, 412 North End Blvd., with the standard conditions and additional conditions that the machinery will take one trip in and one trip out. It will stay on the existing path and park in the existing barren spot to the left. The stairs and landing will be removed immediately and disposed of properly off-site. All construction materials will be stored street side, on the hot top. The deck platform need to be at least 2 feet above the level of the dune and will meet all applicable MA state building code. Dune restoration will take place at a ratio at 1.5 to 1 for any damage done.

**JDJ** seconded.

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

**6. RDA: Gena Koulouras, 42 Old County Rd. (4/17/19)**

Matt Steinel (**MS**) of Millennium Engineering represented the project. Applicant would like to remove concrete pillar containing spiral stairs and put in squared-off stairs. All work will take place within the existing concrete pad. **JKP** asked how the footprint will be decreased by 50 feet. **MS** showed the reduction on the plan. Site is over 50 feet away from the wetland. Silt fence is in place.

**EGR** motioned to issue a negative determination for the Request for Determination of Applicability for 42 Old County Road with the condition the Agent will inspect the site after completion.

**JKP** seconded.

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

**7. NOI: DPW Realty, LLC., 98 Elm St. & 5 Bartlett St. (4/17/19)**

Matt Steinel (**MS**) of Millennium Engineering represented the project. No DEP number assigned. Expanding the lot by 19 parking spaces onto 5 Bartlett St. Trees will need to be removed to build lot. Planting plan proposed along the street to replace trees and provide screening, stair egress at rear of the property. Commission requested the certificate of compliance for the superseding order of conditions be provided. **JKP** requested trees to screen 7 Bartlett. Requested description of the dentition pond. **MS** replied it is a constructed wetland that will retain water. It is already pending review from the Town Engineer. **SA** asked if the grass will be mowed to the wetland line. **MS** showed what will be mowed on the plan. **EGR** asked if the grade would treat, the snow melt of if it will run directly into the wetland. **MS** replied it will melt and be absorbed into the ground. **SA** asked for a demo plan on how the house will be removed. **JKP** stated the narrative is quite detailed in that respect

**EGR** motioned to continue the Notice of Intent for DPW Realty, LLC., 98 Elm St. & 5 Bartlett St. to May 1, 2019 at 7:10pm to allow DEP to issue a number and the review by the town engineer to be completed.

**JP** seconded.

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

**C. NEW BUSINESS:**

**1. Request for Extension, 61 Elm St**

Patrick Seekamp of Seekamp Environmental represented Mark Christ. Requested extension as the property of pending sale and the purchaser is interested in keeping the Order valid. **SA** asked when the site was last delineated and if the flags were still in place. **PS** replied it has been done periodically, but it has been a while. Does not know if the flags are still on site but they would be in place before work begins. **EGR** asked how long the order of conditions has been extended. **MR** replied it was issued in 2006. **JKP** was concerned that she was not familiar with the project.

**JKP** motioned to issue the Extension for the Order of Conditions at 61 Elm Street for 1 year from the expiration date will expire 6/30/2020.

**JDJ** seconded.

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

**PS** updated on 127 Bridge Road, delineated the wetlands. Putting a plan together to show where the wetlands are onsite. There is no encroachment into the wetlands though the storage taking place is very close. Will address the project before the commission shortly, will likely file an NOI.

**SA** asked about the reparation by Jims auto, stated vegetation is doing well though they are battling phragmites. Will be filling the annual report this spring.

**D. 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 **MR** informed the Commission the materials were removed as requested. Recommended lifting.

**EGR** motioned to lift the Enforcement Order for 11 17<sup>th</sup> Street West.

**JDJ** seconded

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

12. 212 N. End Blvd.
13. 83 Atlantic Ave.
14. 9 Bayberry Ln. – Grading and seeding soon

15. 6 True Rd. – soil removed and planting shortly
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:**

**JKP** commented they received a letter from the Ocean River Institute regarding fertilizer impacts on wetlands and waterways. Would like to meet with the Commission about cleaning waters in Salisbury and she would like to do that. Commission agreed they were interested in learning more.

**H. ADJOURNMENT:**

**JP** motioned to adjourn the April 17, 2019 Conservation Commission Meeting at 9:35 pm  
**EGR** seconded.

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