



**Salisbury Conservation Commission  
Meeting Minutes  
May 15, 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**), Jane Purinton (**JKP**), Julie Doughman-Johnson (**JDJ**) Emily Round (**EGR**), Joanne Perreault (**JP**) and Blake Leibert (**BL**).

**COMMISSION MEMBERS ABSENT:** Vice Chair Jessica Stucker (**JS**).

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

Chairman Sheila Albertelli opened the meeting at 7:09 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded.

**A.     MINUTES:**  
**1.     April 17, 2019**

**JDJ** motioned to approve the minutes for April 17, 2019

**EGR** seconded.

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

**2.     May 1, 2019**

**JKP** motioned to continue the minutes for May 1, 2019 to June 5, 2019 at 7:10pm.

**JDJ** 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)**

**EGR** motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway to June 5, 2019 at 7:10p.m.

**JP** seconded.

**Vote: 6-0, 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 June 5, 2019 at 7:10p.m.

**JP** seconded.

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

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

**EGR** motioned to continue the Notice of Intent for Zap Development, LLC, 28 Rabbit Rd. and rear lots to June 5, 2019 at 7:10p.m.

**JP** seconded.

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

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

Matt Steinel (**MS**) of Millennium Engineering represented the project. Provided the information requested at the last meeting to the Commission. The Commission wanted to know the lag time between ads. Informed them there will be 10 seconds between ads. MA DOT did not find a traffic study to be necessary. The Commission requested they identify the materials to be used in the sign; **MS** provided construction details and the materials list. All materials are ROHS, indicating there are no hazardous materials used. Small fans are used for cooling, no larger unit will be used. Provided a luminaire plan. **MS** updated the Commission on the status of the site clean up required to close out an open order of conditions. The first large pile has been completely removed; there are still piles to be removed but progress has been made.

**EGR** motioned to issue the Enforcement Order for 109 Rabbit Rd., KLS Management Group LLC, for the alteration of the buffer zone to the bordering vegetated wetland not included on their approved plans or in their Order of Conditions. No further work shall be performed until a public hearing has been held and an Order of Conditions has been issued to regulate said work. The property owner shall take the following actions: putting down erosion/sedimentation controls to prevent further violations of the Act, immediately remove all asphalt, crushed concrete, and other piles from the areas not previously permitted and in jurisdictional areas as specified by the Commission, remove debris from the areas designated as "no-disturb" areas on the approved plans. A restoration plan will need to be filed by June 7, 2019.

**JDJ** seconded.

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

**SA** did not find the luminaire plan helpful in determining the impact on the wetland. Cites several reasonable sources that have conducted studies that show clear impacts by light pollution on the bordering vegetated wetland. Requested the applicant preform a study to prove this billboard will not alter the resource area.

Donna Bartlett (**DB**) 103 Main Street, was concerned the night sky is not being protected as a natural resource and the detrimental effect the light will have on wildlife, which contributes to her farm. **SA** responded the night sky is not a protected resource under the Wetlands Protection Act; it falls under the regulations of the Planning Board.

Andrea True, 98 Main Street. Also presented research on the effects of artificial light in human health at nighttime, of artificial light on plants, herbivores, moths and pollinators and a study on light pollution. Found facts on the effects of light on the human eye and potential safety hazard created from the night time exposure to light. Provided copies to the Commission.

Jesse James, 40 Locust Street, provided studies to the Commission prior to the meeting. Quoted one of those studies in opposition to the billboard.

Jack Stanborn also spoke in opposition.

**JKP** encouraged the Town's citizens to participate in local government.

**EGR** motioned to continue the Notice of Intent for Outdoor Media Properties, Inc., 109 Rabbit Rd. to June 5, 2019 at 7:10pm with a wetland luminosity study on wetland impacts to be conducted in the interim.

**JP** seconded.

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

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

**JKP** motioned to continue the Notice of Intent for DPW Realty, LLC., 98 Elm St. & 5 Bartlett St. to June 5, 2019 at 7:10pm.

**JDJ** seconded.

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

**6. NOI: Joseph Higgins, JFH Contracting, 35 Gardner St. (5/15/19)**

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Lot has an existing single-family house in the village district. Has been through the Planning Board for an ANR. Wetlands were delineated by West Environmental. Proposed driveway and utility easement with most if the site work in the 50 to 100 foot buffer zone. Some aspects of the site plan intrude into the 0 to 50 foot buffer zone, not closer than 45 feet from the wetland line. **JKP** asked if there are erosion controls on the plan. **MS** showed them on the plan.

**JKP** motioned to continue the Notice for Intent for Joseph Higgins, JFH Contracting, 35 Gardner St. to June 5, 2019 at 7:10pm. Requested the wetland flags be reviewed by Mary Rimmer and a site visit be conducted in the interim.

**JDJ** seconded.

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

**7. NOI: Kathleen Colwell, 179 Atlantic Ave. (5/15/19)**

Ann Mcenemy of Hancock Associates represented the applicant. Proposing to replace a deck that was damaged by a storm in 2018, in the same footprint as the prior deck. The deck will have removable stairs, sit on the sand and have a 2-foot clearance above the dune. The property is located on the coastal dune, barrier beach and in the velocity zone. The seaside of the property is heavily planted with dune grass. Plans have been submitted to Natural Heritage for review. Commission requested a site visit.

Mr. Colwell added they will remove the upper deck so they can raise the proposed deck 2 feet above dune. Intent is to to drive on the deck to drive the piles but they have access from the road if it is needed. They will revegetate the dune as necessary. **JKP** asked if there would be any erosion controls. **AM** replied there is not as it would serve no purpose. **JKP** asked them to demark the work zone so it is clear to the construction crew.

**EGR** motioned to continue the Notice for Intent for Kathleen Colwell, 179 Atlantic Ave. to June 19, 2019 at 7:10pm with a site visit in the interim while they wait for Natural Heritage to review.

**JDJ** seconded.

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

**C. NEW BUSINESS:**

**1. Request for Extension, Salisbury Beach Reservation Road Improvements**

**JKP** motioned to approve the request for extension for Salisbury Beach State Reservation, Road Improvements for two years with the new expiration date of May 10, 2021.

**JDJ** seconded.

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

**2. Request for Significance of Change, 71, 73, 75 North End Blvd.**

Discussed the split rail fence in the Order of Conditions, the maintenance of which is included in the condominium documents.

**JKP** motioned to find the request for significance of change for 71, 73, 75 North End Blvd as insignificant.

**JDJ** seconded.

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

**1. Request for Certificate of Compliance, 167 Beach Rd.**

Commission would like to conduct a site visit.

**2. Enforcement Order, 37 Gardner St.**

**EGR** motioned to ratify the Enforcement Order for 37 Gardner St.

**JP** seconded.

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

**D. ENFORCEMENT ORDERS:**

1. 81 Railroad Ave. - **MR** updated the Commission on the growth progress of the plantings. The Commission did not find the vegetation that survived sufficient to lift the Enforcement Order.

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. 212 N. End Blvd.
12. 83 Atlantic Ave.
13. 9 Bayberry Ln.
14. 6 True Rd.
15. 211 N. End Blvd.
16. 279 N. End Blvd.
17. 146 Central Ave.
18. 82 Lafayette Rd.
19. 16 Hayes St.
20. 11 Railroad Ave.

**G. COMMISSIONER COMMENTS:**

**H. ADJOURNMENT:**

**EGR** motioned to adjourn the May 15, 2019 Conservation Commission Meeting at 8:39 pm

**JP** seconded.

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