



**Salisbury Conservation Commission
Meeting Minutes
May 6, 2020
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Virtual Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT: Chairman Sheila Albertelli (SA), Jane Purinton (JKP), Julie Doughman-Johnson (JDJ), and Blake Leibert (BL).

COMMISSION MEMBERS ABSENT: Joanne Perreault (JP), Emily Round (EGR)

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

Chairman Sheila Albertelli opened the meeting at 7:16 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded and being held remotely.

A. MINUTES:

1. **March 4, 2020**
2. **April 1, 2020**

JDJ motioned to approve the minutes for March 4, 2020

JKP seconded.

Vote: 4-0, unanimous. Motion Carried. One member was not present for the vote.

JDJ motioned to continue the minutes for April 1, 2020 until May 20, 2020

BL seconded.

Vote: 4-0, unanimous. Motion Carried. One member was not present for the vote.

B. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Li Family Trust, 139 Elm St. (10/2/19)**

JKP motioned to continue the Notice of Intent for Li Family Trust, 139 Elm Street to May 20, 2020 at 7:10pm

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried. One member was not present for the vote.

2. **NOI: Jessica White, 35 Old County Rd. (11/6/19)**

BL motioned to continue Notice of Intent for Jessica White, 35 Old County Road to May 20, 2020 at 7:10pm

JDJ seconded.

Vote: 4-0, unanimous. Motion Carried. One member was not present for the vote.

3. **NOI: Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway (11/1/17)**

Present were Tom Hughes (TH) of Hughes Environmental, Dwight Dunk (DD) of Epsilon Associates, Chris York of Millennium Engineering, Dale Gienapp and Mike Nee of Gienapp Architecture, Attorney Chip Nylen (CN), and members of the development team Wayne Capolupo, Brian Mulcahy, Steve Pacquette. TH reviewed

the previous meeting and reiterated that the project has no adverse effect to the dune function and is a slight improvement. He added that there is room for additional sand storage in the amount of approximately 110,000 cubic feet. **DD** discussed the dune conditions and the regulation, and stated that improvement was not required in the regulation. **TH** added they are providing stormwater management where there is none, adding pervious dune sand surface, and improving the floodplain and dune function. **CN** reviewed the standard to determine adverse effects, and cited a similar case out of Cape Cod. He stated the project meets the performance standards and has met the requirements to move forward. **SA** questioned whether those cases were on the barrier beach and/or velocity zone. **CN** stated he believed so. Town Manager Neil Harrington referred to an opinion letter from the town attorney stating the project met the performance standards.

JKP motioned to close the public hearing for the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway and continue the vote to May 20, 2020 at 7:10p.m for review.

BL seconded.

Vote: 4-0, unanimous. Motion Carried. One member was not present for the vote.

4. NOI: Raymond & Dona Champagne, 552 North End Blvd. (3/4/20)

JDJ motioned to continue the Notice of Intent for Raymond & Dona Champagne, 552 North End Blvd. to May 20, 2020 at 7:10p.m.

BL seconded.

Vote: 4-0, unanimous. Motion Carried. One member was not present for the vote.

5. NOI: MA DOT, Storm Drain Replacement on Lewis Ave. (3/18/20)

Jack Vaccaro of Epsilon Associates (**JV**) and Sandra Sprague from Mass DOT (**SS**) were present to discuss the project. **JV** reviewed the previous meetings. Abutter Stephen Rosetti of 13 Lewis Ave presented photographs of street flooding. **SS** noted the date on the photos and stated that they were taken before the wall went in and that the manhole shown is a town manhole. Mr. Rosetti suggested that a system was needed that would stop backflow. **SS** noted their system is designed to mitigate some of those issues, and has been approved by DEP.

JKP motioned to approve the Notice of Intent for MA DOT, Storm Drain Replacement on Lewis Ave. t

JDJ seconded

SA recused herself

Vote: 4-0, Motion Carried.

6. NOI: Rodger Perlstein, 12 Wyman Greeley's Realty Trust, LLC, 12 Wyman Greeley St. (3/18/20)

JDJ motioned to continue the Notice of Intent for Rodger Perlstein, 12 Wyman Greeley's Realty Trust, LLC, 12 Wyman Greeley Street to May 20, 2020 at 7:10 pm.

JP seconded

Vote: 5-0. Unanimous. Motion Carried.

7. RDA: Steve Paquette, Forest Salisbury, LLC, 15 Forest Rd., Lots 1 & 2 (3/18/20)

BL motioned to continue the Request for Determination for Steve Paquette, Forest Salisbury, LLC, 15 Forest Rd., Lots 1 & 2 to May 20, 2020 at 7:10 pm

JDJ seconded

Vote: 5-0, unanimous. Motion Carried.

8. NOI: Steve Paquette, Forest Salisbury, LLC, 15 Forest Rd., Lot 3 (3/18/20)

JKP motioned to continue the Notice of Intent for Steve Paquette, Forest Salisbury, LLC, 15 Forest Rd., Lot 3 to May 20, 2020 at 7:10 pm

JP seconded

Vote: 5-0, unanimous. Motion Carried.

9. NOI: Steve Paquette, Forest Salisbury, LLC, 15 Forest Rd., Lot 4 (3/18/20)

BL motioned to continue the Notice of Intent for Steve Paquette, Forest Salisbury, LLC, 15 Forest Rd., Lot 4 to May 20, 2020 at 7:10 pm

JKP seconded

Vote: 5-0, unanimous. Motion Carried.

10. NOI: Gregg E. & Julia A. Ristuben, 27 11th St. (4/1/20)

Matt Steinel of Millennium Engineering (**MS**) represented the applicants. The application is for the demolition of the existing structure, and reconstruction on piles. **MS** noted they have a DEP file number, and they have no comments. He shared photos of the site, and the proposed plan.

JKP motioned to approve the Notice of Intent for Gregg E. & Julia A. Ristuben, 27 11th St.

JDJ Seconded

Vote: 5-0, unanimous. Motion Carried.

11. RDA: MA Department of Conservation & Recreation, State Beach Reservation Parking Areas 1, 2 & 3 (5/6/20)

Andy Backman (**AB**) and Alex Migliani (**AM**), both of the Department of Conservation and Recreation presented. **AB** explained the project is to repave the beach lots at the southern end of the Reservation. They will use the existing footprint and there will be no changes to the elevation or stormwater capacity. Shore bird monitors will assess nests and erosion control will be left up to the Commission. **AM** explained the repaving process, which was to remove existing pavement, put down a natural base course, and repave on top. **JKP** recommended 12-inch wattles and that the Agent will meet them on site to discuss erosion control. **SA** recommended conditioning plover monitoring.

BL motioned to issue a negative determination for the MA Department of Conservation & Recreation, State Beach Reservation Parking Areas 1, 2 & 3, with the following conditions: the use of 12-inch wattles in areas to be determined by the Agent, and plover monitoring before and throughout as needed.

JDJ Seconded

Vote: 5-0, unanimous. Motion Carried.

12. NOI: Charlene Morin, Morin Family Revocable Trust, 89 Folly Mill Rd. (5/6/20)

Bob Grasso (**BG**) of Engineering Land Services represented the applicant. The existing septic system is in failure and needs to be repaired. **BG** reviewed the repairs.

JDJ motioned to approve the Notice of Intent for Charlene Morin, Morin Family Revocable Trust, 89 Folly Mill Rd.

JKP seconded.

Vote: 5-0, unanimous. Motion Carried.

C. NEW BUSINESS:

1. Request for Significance of Change, 1 True Road

Erica Capolupo explained that they wish to shrink the garage from 26 x 64 to 26 x 30. **AM** asked whether they had started building yet, **EC** replied that hadn't.

JKP motioned to find the change insignificant for 1 True Road.

BL seconded.

Vote: 5-0, unanimous. Motion Carried.

2. Request for Certificate of Compliance, 15 Learned Lane

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. **SA** noted that this property is in violation as a trail has been installed through BVW and contains a beaver dam crossing; the environmental police are involved. It was her recommendation that the Certificate not be issued until the property is in compliance, and that the Commission should have a restoration plan by June 1. **MS** stated he was unaware of the violation. He reviewed the project and described some minor variations from what was approved.

JDJ motioned to issue an enforcement order for 15 Learned Lane

BL seconded.

Vote: 5-0, unanimous. Motion Carried.

JDJ motioned to table the Certificate of Compliance for 15 Learned Lane

BL seconded

Vote: 5-0, unanimous. Motion Carried.

D. OLD BUSINESS:

1. Request for Certificate of Compliance, 585 North End Blvd.

Matt Steinel of Millennium Engineering (**MS**) represented the applicant. He requested a continuance, stating the owner was working towards removing the mesh, but it was slow-going due to COVID-19.

BL motioned to continue the Request for Certificate of Compliance for 585 North End Boulevard

JKP seconded

Vote: 5-0, unanimous. Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 438 N. End Blvd.
2. 565 North End Blvd.
3. 30 Main St.
4. 212 N. End Blvd.
5. 83 Atlantic Ave.
6. 211 N. End Blvd.
7. 279 N. End Blvd.
8. 16 Hayes St.
9. 11 Railroad Ave.
10. 61 Bridge Rd.
11. 139 Elm St -

ACTIVE, PENDING COMPLETION:

12. 86/88 Elm St.
13. 4 Main Street
14. 37 Atlantic Ave.

COMPLETE, PENDING APPROVAL:

15. 9 Bayberry Ln.
16. 82 Lafayette Rd

17. 44 Old County Rd.
18. 128 Bridge Rd

D. COMMISSIONER COMMENTS:

Planning Director, Lisa Pearson informed the Commission that an RFP had come up for a property owned by the Conservation Commission.

E. ADJOURNMENT:

JDJ motioned to adjourn the May 6, 2020 Conservation Commission Meeting at 9:21 p.m.

JKP seconded.

Vote: 5-0, unanimous. Motion Carried.