



**Salisbury Conservation Commission
Meeting Minutes
August 1, 2018
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), Vice Chair Jessica Stucker (**JS**), Emily Round (**EGR**), Jane Purinton (**JKP**), and Julie Doughman-Johnson (**JDJ**)

COMMISSIONER MEMBERS ABSENT: Joanne Perreault (**JP**).

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

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

A. MINUTES:
1. July 18, 2018

JKP motioned to approve the minutes for July 18, 2018.

JDJ seconded.

Vote: 5-0. 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 August 15, 2018 at 7:10p.m.

EGR seconded

Vote: 5-0, unanimous. Motion Carried.

2. NOI: David & Nicole George, 5 10th St. (7/18/18)

JS motioned to continue the Notice of Intent for David & Nicole George, 5 10th Street, to August 15, 2018 at 7:10p.m.

JDJ seconded.

Vote: 5-0, unanimous. Motion Carried.

3. NOI: James Purtell, 534 North End Blvd. (7/18/18)

Gregory Hochmuth (**GH**) with Williams & Sparages, LLC, represented the applicant.

Proposed to construct a second floor deck on the ocean side of the house. Commission conducted a site visit and project received their DEP Number.

The vinyl fence on the property was requested to be removed by the Commission at the last meeting. The fence was on the property in 2014 when the house was purchased. The applicant is willing to comply with the Commission's request to make the fence 50 percent open. **GH** believes the fence is beneficial to the dune and

prevents the patio from being undermined; requests to keep it. **SA** replied the fence prevents sand migration which has wider effect than just on this property but a fence compliant with dune performance standards would be allowed. **JKP** and **JS** agreed with **SA** in asking for the fence being removed and replaced with a 50 percent open fence or every other slat in the existing fence be removed. **JKP** thanked Mr. Purtell for his cooperation in this matter.

JS motioned to close the public hearing and approve the Notice of Intent for James Purtell, 534 North End Blvd., with the standard conditions and the condition that the fence on the property be retrofitted to comply with the dune performance standards or be replaced with a fence that is 50 percent open, the Commission's Agent will be consulted on the replacement fence to confirm that it is 50 percent open before installation.

JKP seconded.

Vote: 5-0, unanimous. Motion Carried.

4. NOI: Thomas Smart, 175 Atlantic Ave. (7/18/18)

Cathy Smart (**CS**) and Mike McLaughlin (**MM**), were in attendance. A site visit was conducted and their DEP number was issued.

JDJ asked for clarification on the remaining side foundation pieces. **MM** answered he needed to verify but believes they will be cut, removed and filled. **MM** added they have their demolition permit for the deck; will be reusing the undamaged decking. **JKP** asked about the support beam that will be used, a steel eye beam? **MM** stated they are not sure but it would likely be a support beam. **JKP** asked how they will get machinery on site to perform the work. **CS** stated there is an access path they were granted permission to use. **JKP** clarified if the dune is damaged it will be required to be restored.

JKP motioned to close the public hearing and approve the Notice of Intent for Thomas Smart, 175 Atlantic Ave., with the standard special conditions and the condition that if DCR property will be needed for access they will contact DCR for permission and if any dune is damaged during construction it will be restored.

JS seconded.

Vote: 5-0, unanimous. Motion Carried.

5. NOI: Daniel Locapo, 115 Railroad Ave. (7/18/18)

Matt Steinel (**MS**) of Millennium Engineering represented the project. There continues to be no issued DEP number. DEP has issued comments but they don't match the plans submitted so they are continuing to work with DEP to resolve the issues. **JKP** expressed concern with the dirt parking area. Asked for clarification on where permeable pavers will be. **MS** referred to the area marked on the plan. **JKP** asked if the vegetated area in the back will be cut. **MS** replied yes, they would like to use it as a yard. **SA** asked what type of permeable paver is to be used. **MS** replied he did not have that information yet but it will be permeable. **JDJ** asked if the area is going to be turned into lawn. **MS** replied he is trying to maintain his parking but would be willing to plant native salt tolerant species if required. Will just mow in the back. Commission asked he do native plantings in the front to offer some kind of dune improvement.

JKP motioned to continue the Notice of Intent for Daniel Locapo, 115 Railroad Ave., to August 15, 2018 at 7:10p.m. to receive DEP number, provide paver spec sheet and submit a dune improvement plan.

EGR seconded.

Vote: 5-0, unanimous. Motion Carried.

6. NOI: Kathy & John Williams, 369 North End Blvd. (7/18/18)

Matt Steinel (**MS**) of Millennium Engineering represented the project. Commission conducted a site visit and DEP has issued a DEP number. Proposing to remove deck and construct a carport with a deck above. **JKP**

asked for confirmation that the footings would be placed through the pavement. **MS** confirmed. **SA** asked if permeable pavers would be installed anywhere. **MS** replied they will be limiting the disruption to the pavement as much as possible. No new pavers are proposed.

JKP motioned to approve the Notice of Intent for Kathy & John Williams, 369 North End Blvd., with the standard special conditions and the condition that no enclosures will be below flood elevation or 2 feet above grade whichever is higher. **MS** clarified 1 foot above grade. **JKP** agreed.

JDJ seconded.

Vote: 5-0, unanimous. Motion Carried.

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

Brian Knowles (**BK**) represented the application. Chris Deluca (**CDL**) was also present. Commission conducted site visit.

JDJ asked if the catch basin drains directly into the wetland. **BK** confirmed. **JDJ** asked if the boats are winterized before they arrive on site or are stored with oil and other materials that could leak and run into the wetland. **BK** replied the ground is permeable. This is an old basin with no sump. They could install a sump and trap to improve its performance. **CDL** replied he has to have a license for storage and they don't do maintenance work on site. It's just boat storage.

JKP asked why they want to remove the saplings and vegetation in the back corner. **BK** replied for aesthetics and access to the area where they want to extend the fence.

Commission agreed they would like to see a wetland review done in this area.

JKP stated there was once a swale leading from the wetland into the catch basin. Would like to see maintenance on the basin. **JKP** asked the agent to clarify the history of the project.

MR explained there was a stream that was once on the property and was piped under the lot and was eventually filled in. The water backed up onto the neighbor's property causing issues.

CDL stated he just wanted to clean the area up but could leave that piece of the project off. **SA** asked to do a project review to see if there is flowage through the stream that runs under the lot.

JS motioned to continue the Notice of Intent for C&R Realty Trust, 110 Elm Street to August 15, 2018 at 7:10p.m., with a review of the wetland line and project by Rimmer Environmental in the interim.

JKP seconded.

Vote: 5 -0, unanimous. Motion Carried.

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 26 Locust St

MR recommended issuing as the site is in compliance with the Order of Conditions

JS motioned to issue for Certificate of Compliance for 26 Locust St.

JDJ seconded.

Vote: 5-0, unanimous. Motion Carried.

2. Request for Certificate of Compliance, 402 North End Blvd.

SA stated the work was never stated. Recommended issuing as administrative action to close the Order of Conditions.

JKP motioned to issue a Certificate of Compliance for 402 North End Blvd.

JS seconded.

Vote: 5-0, unanimous. Motion Carried.

3. Request for Certificate of Compliance, 208 North End Blvd.

MR recommended issuing as the site is in compliance with its Order of Conditions.

JS motioned to issue for Certificate of Compliance for 208 North End Blvd.

JKP seconded.

Vote: 5-0, unanimous. Motion Carried.

D. ENFORCEMENT ORDERS:

- 1. 81 Railroad Ave.**
- 2. 438 N. End Blvd**
- 3. 128 Bridge Rd.**
- 4. 26 Sweet Apple Tree Ln.**
- 5. 91 Bridge Rd.**
- 6. 2 Linda Ln.**
- 7. 565 N. End Blvd**
- 8. 157 Bridge Rd.**
- 9. 30 Main St**
- 10. 86/88 Elm St**
- 11. 11 17th St W**
- 12. 212 N. End Blvd**
- 13. 83 Atlantic Ave.**
- 14. 9 Bayberry Ln**
- 15. 6 True Rd.**

JDJ recused herself from the commission as an abutter.

JS motioned to ratify the Enforcement Order for 6 True Road.

EGR seconded.

Vote: 5-0, unanimous. Motion Carried.

Donald Pearson (**DP**) was present to represent the property.

JKP stated a number of trees were cut and instead of removing the stumps the area was filled over to create a flat yard.

MR added the area in question is a wetland that leads into Smallpox Brook.

Commission discussed how to return the site to compliance. Fill will need to be removed and the wetland restored to its pre-existing condition. The number of trees to be replaced will be determined after the fill is removed as all were not in the wetland area.

JS motioned to amend the enforcement order for 6 True Road to include the addition of the trees removed from the wetland to the restoration plan. The owner and the agent will review the underlying wetland in the filled area before the restoration plan is submitted.

SA seconded.

Vote: 5-0, unanimous. Motion Carried

MR stated she has been in contact with many of the above listed Enforcement Order's and has set up some visits in the coming weeks.

E. COMMISSIONER COMMENTS:

Commission discussed the importance educational materials that were provided in their packets especially in regards to fertilizers and pesticides

F. ADJOURNMENT:

JDJ motioned to adjourn the August 1, 2018 Conservation Commission Meeting at 8:42 pm

EGR seconded.

Vote: 5-0, unanimous. Motion Carried.