



**Salisbury Conservation Commission
Meeting Minutes
September 18, 2019
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSION MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), Emily Round (**EGR**), Julie Doughman-Johnson (**JDJ**), Joanne Perreault (**JP**) and Blake Leibert (**BL**)

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

ALSO PRESENT: Director of Planning & Community Development Lisa Pearson (**LP**), Conservation Secretary Adriane Marchand.

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. EMERGENCY CERTIFICATE:

1. 199 Atlantic Ave-

SA Introduced the Emergency Certificate for demolition of a condemned structure for public safety reasons. Proposed the amendment to the Emergency Certificate to include the additional condition of receiving Natural Heritage Endangered Species Program approval before demolition. **MS** informed the Commission of the conversation he had with Natural Heritage representative on the work extending off property and how he will meet their requirements to receive approval.

EGR motioned to ratify the Emergency Certificate for 199 Atlantic Ave with the amendment that they will receive approval from Natural Heritage Endangered Species Program prior to commencement of work.

JP seconded.

Vote: 5-0, Motion Carried.

B. MINUTES:

1. August 21, 2019 –

EGR motioned to continue the minutes for August 21, 2019 to October 2, 2019.

JP seconded.

Vote: 5-0, Motion Carried.

2. September 4, 2019-

EGR motioned to continue the minutes for September 4, 2019 to October 2, 2019.

JP seconded.

Vote: 5-0, Motion Carried.

C. PUBLIC HEARINGS at 7:10pm:

1. NOI: Town of Salisbury, Liberty Street Road Improvements (9/4/19)-

Rick Frieberg (**RF**) of TEC, Inc represented the applicant. Introduced the project to repave and improve Liberty Street. There is considerable flooding on the street. Reviewed the three (3) alternative planning options that were assessed for the project. The reverse crown was the preferred method. Reviewed the resource areas around the street. Includes salt marsh, riverfront, and land subject to storm flowage. Two (2) catch basins in the center of the street that sump. Work will be completely in the existing roadway. Storm water standards need to be met to the greatest extent practicable. Standards two (2) and three (3) are the most challenging for the project to meet. Groundwater is less than one foot (1') from the surface; the open bottom outlet control structure helps the infiltration, though they cannot take credit for it.

SA asked them to address the DEP comments. **RF** explained the -.05 sump location in the outlet control system and how they will be meeting the storm water standards to the greatest extent practicable. **LP** requested they addressed the expected results when the road is improved. **RF** stated the water will collect in the center of the street, not the edges, that will allow pedestrians to pass. Standing water will flow down the street to the outlet control system where it will infiltrate or overflow. **EGR** requested the Town Engineer review the storm water calculations.

EGR motioned to continue the Notice of Intent for Town of Salisbury, Liberty Street Road Improvements to October 2, 2019 at 7:10 p.m. to allow Serwatka to comment on the plan.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

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

Applicant requested the Commission continue the public hearing to the November 20, 2019 meeting.

Commission denied the request and asked the applicant send a letter to update the Commission and a schedule for moving the public hearing forward for the next meeting.

EGR motioned to continue the Notice of Intent for Big Block Development Group, 6-28 Ocean Front South, 16-18 Broadway to October 2, 2019 at 7:10p.m.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

3. NOI: James Purtell, 536 North End Blvd. (8/21/19)

EGR motioned to continue the Notice of Intent for James Purtell, 536 North End Blvd. to October 2, 2019 at 7:10 p.m.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

4. NOI: McSmiley LLC, 86-88 Elm Street (8/21/19)

EGR motioned to continue the Notice of Intent for McSmiley LLC, 86-88 Elm Street to September 18, 2019.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

5. NOI: Joseph Gardner, 22 Forest Road (9/4/19)

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Commission reviewed the review letter from Mary Rimmer.

EGR motioned to approve the Notice of Intent for Joseph Gardner, 22 Forest Road with the standard special conditions and the following conditions:

They reestablish the flags on the plan that extend the A series

The grass clippings will be removed from the wetland, if located on their property. The Commission will work with neighbors if it is not on their property.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

6. NOI: Leo LoPiano, 199 Atlantic Ave (9/18/19)

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. NO DEP number has been issued for this project. Reviewed the project to remove the existing single-family structure and rebuild a new single-family structure. Natural Heritage has also been notified. **SA** questioned the ownership of the structure. **MS** replied the condominium association owns the land but the applicant owns the structure.

John Burk (**JB**), 197 Atlantic Ave asked what the side setbacks are to meet the requirements at 10 feet. **MS** replied that would be addressed though the Zoning Board, the Commission addresses environmental impacts. **JB** asked if there is any equipment that will be on the dune. **MS** replied that they would discuss with them, as they would like to blend the dune into the existing dune. **JB** stated he would like to maintain his access to his beach front, a schedule for completion, and the plan for construction fencing on his property. **MS** addressed the reason for the need to blend the sand to make a complete dune structure. **BL** asked for clarification on what will be vegetated verse current conditions.

Ron Trombley (**RT**), Condominium Association President, spoke in support of the dune nourishment and replanting. Requested to be notified individually as they own the land in common and would like to be kept up to date on developments.

Joseph Lagrass (**JL**), Unit 4, asked to be kept a part of the work planning and proposed the possibly of a meeting where the unit owners and abutters can discuss the project. **LP** stated the Conservation Commission cannot take part in that but the owners and abutters can do so and present their findings to the Commission, keeping in mind the Commission protects the interests of the resource area. **MS** addressed the schedule, which will be coordinated between the property owners of 199, 201 Atlantic Ave. 201 Atlantic Ave will be demolished first, then 199 Atlantic Ave will be accessed through 201 and demolished. The pile driver will then drive the piles for 199 Atlantic Ave and then for 201 Atlantic Ave., before the general contractors take over.

EGR motioned to continue the Notice of Intent 199 Atlantic Ave to October 2, 2019 at 7:10p.m., with a site visit in the interim.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

7. NOI: David and Laura Ledbury, 38 Pike Street (9/18/19)

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Presented the project for septic system replacement. Proposed a small retaining wall to keep back fill and allow them to maintain their access to the back yard from the driveway. The shed and raised bed garden will need to be relocated to either side of the fifty-foot (50') buffer line because of the filling. Project meets setback for new construction for the Board of Health.

EGR motioned to approve the Notice of Intent for David and Laura Ledbury, 38 Pike Street with the standard special conditions.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

C. OLD BUSINESS:

1. Request for Extension, 121 Bridge Road.

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. A site visit was conducted on 9/11/19 and a schedule has been submitted. **MS** confirmed the structures have been removed; the fill has not been completed and the restoration has not been completed. Applicant is prepared to move forward and requests the Commission give them a 1-year extension to complete the project. Commission discussed the how to proceed.

EGR motioned to issue the extension for 121 Bridge Road for 6 months to March 26, 2020 with the additional conditions that a replication bond to be placed before the extension will be issued, based on the cost of the replication. The silt socks will be repaired and inspected before work begins. If specified plant species are not available, the Conservation Commission will be notified and the Conservation Agent will approve comparable species.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

2. Request for Extension, 109 - 113 Bridge Road.

Matt Steinel (**MS**) of Millennium Engineering represented the applicant. Site visit was 9/11/19 and a schedule has been submitted. **MS** is not certain if the project will move forward but would like to keep the option open should they wish to proceed.

BL motioned to approve the Extension for 109 – 113 Bridge Road for 1 year.

JP seconded.

Vote: 5-0, unanimous. Motion Carried.

D. ENFORCEMENT ORDERS:

1. 81 Railroad Ave. **LP** informed the Commission the property owners are ready to request lifting the Enforcement Order. Commission agreed to do a site visit.

2. 438 N. End Blvd.

3. 565 North End Blvd.

4. 26 Sweet Apple Tree Ln. - **LP** informed the Commission they are preparing an update for the Commission.

5. 30 Main St.

6. 86/88 Elm St.

7. 212 N. End Blvd.

8. 83 Atlantic Ave.

9. 9 Bayberry Ln.

10. 211 N. End Blvd.

11. 279 N. End Blvd.

12. 82 Lafayette Rd.

13. 16 Hayes St.

14. 11 Railroad Ave.

E. COMMISSIONER COMMENTS:

LP informed the Commission of the Municipal Vulnerability Preparedness meeting will be held on September 30, 2019 at 7:00pm in the Colchester room to discuss the Rings Island Resiliency grant to replace culverts on Ferry Rd and March and First St. and raise the road. This is the early planning stages of the project and the Town is looking for as much community feedback as possible.

Salisbury Days will be September 27 through the 29th.

F. ADJOURNMENT:

JP motioned to adjourn the September 4, 2019 Conservation Commission Meeting at 8:58 pm

JDJ seconded.

Vote: 5-0, unanimous. Motion Carried.