



**Salisbury Conservation Commission
Meeting Minutes
February 1, 2023
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Hybrid Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT IN PERSON: Julie Doughman-Johnson (**JDJ**), Chairman Sheila Albertelli (**SA**), Michael Colburn (**MC**), Mark Warcewicz (**MW**), Jeffrey Ward (**JW**), Christopher Leahy (**CL**)

COMMISSION MEMBERS PRESENT REMOTELY :

COMMISSION MEMBERS ABSENT: Katie Lewis (**KL**)

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

Chairwoman Sheila Albertelli (**SA**) opened the meeting at 7:10 PM under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting was being recorded and being held both remotely and in person.

A. MINUTES:

1. March 2, 2022
2. April 6, 2022
3. April 20, 2022
4. May 5, 2022
5. May 18, 2022
6. June 1, 2022
7. June 15, 2022
8. July 6, 2022
9. July, 20, 2022
10. August 3, 2022
11. August 17, 2022
12. September 21, 2022
13. October 5, 2022
14. October 19, 2022
15. November 2, 2022
16. December 7, 2022
17. December 21, 2022
18. January 4, 2023
19. January 18, 2023

JW motioned to approve the minutes March 2, 2022 - April 20, 2022.

MC seconded.

6-0-0. Motion Carried.

JW motioned to continue the minutes May 5, 2022 through January 18, 2023 to our next meeting February 15, 2023 at 7:10 PM.

MC seconded.

6-0-0. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. NOI: Steve Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Rd. (1/19/22)

MC motion to continue the NOI Steve Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Rd. (1/19/22) to the February 15, 2023 meeting 7:10 PM.

CL seconded.

6-0-0. Motion Carried.

2. NOI: Mark Cardillo, F & D Realty LLC, 163 Elm St. (8/3/22)

MC motion to continue the NOI: Mark Cardillo, F & D Realty LLC, 163 Elm St. (8/3/22) to the February 15, 2023 meeting 7:10 PM.

CL seconded.

6-0-0. Motion Carried.

1. NOI Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road (10/5/22)

Tom Hughes of Hughes Environmental (TH) is representing the applicant and is present to give an update. He said since the last meeting they had a site visit and peer review. He confirmed the wetland flags and is still working on the coastal bank delineation. Reviewed his plans and went over Rimmer Environmental's letter. He said there is a small intermittent stream under Forest Road that comes in and takes a right-angle turn flowing through the salt marsh. He states the impact of this would be a yard in the 200 buffer that they will be filing a NOI for. There is one other spot they will have to trim to stay out of river front area. Mark West of West Environmental will be flagging and we will be responding to Rimmer Environmental. He adds that there is no invasive species plan. He ends stating that they will be providing plan updates with an NOI and file and a RDA to show no necessary permit. The commissioners are waiting until the next meeting for questions.

CL motion to continue the NOI: Nancy Reap, Old Silver Estuary on Little River LLC, 100 Forest Road (10/5/22) for the February 15, 2023 meeting 7:10 PM.

MC seconded.

6-0-0. Motion Carried.

2. NOI: Christopher DeLuca, 108 Elm Street. (11/16/22)

MC motion to continue the NOI: Christopher DeLuca, 108 Elm Street. (11/16/22) for the February 1, 2023 meeting 7:10 PM.

MC seconded.

6-0-0. Motion Carried.

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 17 & 19 North End Blvd.

SA states that the agent did site visit and no planting was completed and erosion controls were still in place. **SA** suggests tabling until those items are completed. **JW** comments that it might be helpful to get the original plans and then compare. **AM** will note that. **SA** suggest putting on table so when it is completed they will come back. Then no action is needed until outstanding items are completed.

CL motioned to table the Request for Certificate of Compliance until compliant.

6-0-0. Motion Carried.

2. Discussion 128 NO END BLVD>

David Daly (**DD**) of Daly General Contracting Inc. is present remotely, developer of a 3 unit condo project. **AM** reached out about concerns she had and met her at the site last week. One concern was for a set of stairs to be installed on the dune accessing the beach from the property. He stated with the last storm was some wash out there, it was a good thing stairs were not put in. He added they will use that application along the beach with a Moby Mat instead. With approval of the board we would like to change the plan to be the Moby Mat instead of the stairs. Dunes do tend to change with the storms, in the spring they plan to do the plantings and the Moby Mat with the approval of the Commission. The other issue was some walkways put in. Adriane had concerns with break away. Those are not physically connected to the building according to FEMA guidelines. **AM** interjects and clarifies that what we were discussing with the removable walk way, you are supposed to pick it up during a storm and store it so that it will not wash away during a storm. **DD** says that they could discuss shorter sections, remove a piece of the decking and put a juncture at that point to disconnect the walkway. It is removable. **AM** asks if he could submit some documentation for filing. **DD** states the third issue was the pervious pavers. He states they just sent an email to the Conservation Agent tonight with all of the specifications and it meets the guidelines. He adds that it is the same type of washed stone that is in the same type of pervious paver used in other beachfront applications. **SA** replies that she would like to see documentation such as a receipt identifying that because the soil sample taken from the site is highly concerning and looks like stone dust. Johnathan Miller (**JM**) of Daly Group replies and states that they can provide that and a representative from WJ GRAVES can provide a sample analysis. **SA** asks about the technical specifications and wants to clarify that the paver itself is permeable for the specifications from the manufacturers. That the soil sample taken on site looks like stone dust. The commission approved open cell permeable pavers with pea stone, it would not have been permitted with this wash stone. **DD** adds that he believes it must be from a storm surge that came across it. The Commission disagrees. **CL** states that looks like a processed sub-based material. **JDJ** asks Adriane where that sample came from on the property. **AM** shows on the picture where she scooped the sample from. **JDJ** states she does not believe that they got washed stone. **DD** says it was a longstanding contractor that did the work for them and he is not trying to mislead anyone. They will provide all information needed. **JW** comments about how the actual paver looks like plastic or rubber and already breaking up. **SA** agrees that this is another issue we have. The pavers cannot withstand the wave action and start to break. **DD** brings to the commissions attention that if they are already breaking up they are not serving their purpose. **JDJ** states that usually before having them installed they are supposed to bring this to town hall for approval. **JDJ** asks the agent if they have brought this to her for approval. **AM** no. **MC** recalls that the commission didn't start discussing that until after this was already approved. **DD** says their subcontractor thought this was the best fit and by no means the cheapest option. **JM** states there wasn't a specification on the plan and they followed the guidelines. **SA** comments that she is concerned about how hard the driveway is, that a DEP fine is a possibility for Daly Group. **CL** asks how deep/thick is the driveway? **DD** answers that the subbase below is 6-8 inches and the pervious paver are an inch thick and rolled out with that gravel. **SA** recommends a site visit. **CL** adds he doesn't think it was intentional and an unfortunate misunderstanding. **AM** asks for them to bring a shovel so they can see how the base layer was done. **DD** comments he will get the plan to show the walkway as removable walkway as well. **SA** asks to have a beach management plan that contains the instruction for the walkover and the specifications for compliance. **JM** tells the commission that the agent now is recommended to go with the Moby mat instead of the stairs for the dunes. **SA** says the Commission will need a plan and specifications for the Moby mat as well. **MC** talks about how all walkways over dunes should be with a stairway over them and it's not in place yet. **SA** asks were the stairs not compliant with what we had. **AM** replies that the original plan would be constructed with our specifications. Significant grade change there, so they need to do something for the dunes. It has undergone significant erosion. They would like to amend the plan to meet the current circumstances. **MC** reminds commission about the emergency task force making major restoration to the beach in the future. Whatever they put in they will have to take out and put something else in for the future. Mobymats probably are the best action for now. **SA** says they need to come up with a plan and give us a break down of the layers and have it documented, in the interim we will do a site visit.

JW motioned to continue our discussion for 128 NEB to our next visit and in the interim our applicant will provide us with the requested information.

6-0-0. Motion Carried.

D. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 2A, 12th St. W.
2. 14 Old County Rd.
3. 100 Main St.
4. 14 10th St. W.
5. 36 Pike St.
6. 2 Baker Rd.
7. 565 North End Blvd.
8. 30 Main St.
9. 83 Atlantic Ave.
10. 211 N. End Blvd.
11. 16 Hayes St.
12. 11 Railroad Ave.
13. 338 North End Blvd

ACTIVE, PENDING COMPLETION:

14. Lafayette Rd. Sewer
15. 27 12th St. W.
16. 338 North End Blvd

COMPLETE, PENDING APPROVAL:

17. 29 Lafayette Rd.
18. 114 Bridge Rd.
19. 6 Sycamore Ln.
20. 16 Commonwealth Ave.
21. 139 Elm
22. 4 Main Street

E. COMMISSIONER COMMENTS

JDJ asks about the Lafayette Road sewer, they installed a pump and if they are still supposed to do restoration there? **AM** says they are awaiting approval to do the final restoration plan. **AM** states as mentioned she is working with DEP on workshop for paver installation on the coastal dunes. The second workshop for do's and don'ts with your spring projects. **CL** states it is very cold the next few days, watch your water and pipes, stay warm. **MC** says a final thank you to Dave Doyle who retired from Salisbury Fire Department, Mike Merit as well, both 33 years of service. You are Salisbury hero's.

F. ADJOURNMENT:

CL motioned to adjourn the January 4, 2023 Salisbury Conservation Commission Meeting at 8:05 PM.
MC seconded.

6-0-0. Motion Carried.