



**Salisbury Conservation Commission
Meeting Minutes
May 18, 2022
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Hybrid Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT IN PERSON: Michael Colburn (MC), Christopher Leahy (CL)

COMMISSION MEMBERS PRESENT REMOTELY: Chairwoman Sheila Albertelli (SA), Julie Doughman-Johnson (JDJ), Jane Purinton (JKP)

COMMISSION MEMBERS ABSENT: Jeffrey Ward (JW)

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

Chairwoman Sheila Albertelli 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. **December 15, 2021**
2. **January 5, 2022**
3. **January 19, 2022**
4. **January 21, 2022**
5. **February 2, 2022**
6. **February 16, 2022**
7. **March 2, 2022**
8. **March 16, 2022**
9. **April 6, 2022**
10. **April 20, 2022**
11. **May 4, 2022**

JDJ motioned to continue the minutes December 15, 2021 through May 4, 2022 to the June 1, 2022 meeting at 7:10 PM.

MC seconded.

Roll Call Vote: all

SA-yes, **JDJ**-yes, **JKP**-yes, **MC**-yes, **CL**-yes.

Vote: 5-0-0. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Brian Thibaut, ZJBV Investment Realty Trust, 191 Atlantic Ave. (10/6/21)**

MC motioned to continue the Notice of Intent for Brian Thibaut, ZJBV Investment Realty, 191 Atlantic Ave to the June 1, 2022 meeting at 7:10 PM.

CL seconded.

Roll Call Vote: **SA**-yes, **JDJ**-yes, **JKP**-yes, **MC**-yes, **CL**-yes.

Vote: 5-0-0. Motion Carried.

2. **NOI: Henry A. Richard, Jr., 247-249 North End Blvd. (1/5/22)**

MC motioned to continue the Notice of Intent for Henry A. Richard, Jr., 247-249 North End Blvd. to the June 1, 2022 meeting at 7:10 PM.

CL seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes.

Vote: 5-0-0. Motion Carried.

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

MC motioned to continue the Notice of Intent for Steven Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Road to the June 15, 2022 meeting at 7:10 PM.

CL seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes.

Vote: 5-0-0. Motion Carried.

4. NOI: Seacoast Canine, 156 Lafayette Road (3/2/22)

MC motioned to continue the Notice of Intent for Seacoast Canine, 156 Lafayette Road to the June 1, 2022 meeting at 7:10 PM.

CL seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes.

Vote: 5-0-0. Motion Carried.

5. NOI: Kathleen M. Amari, 130 North End Blvd. (4/20/22)

Ron Laffely (**RF**) of Fulcrum Architects representing the applicant noted an area to the east of the lot that is the NHESP area and clarified the house is being moved 8 ft back from the eastern property line. He reviewed planting areas and timeline. **RF** states they raised the building by 21 inches and also plan to take out the pavement to the west to replace with pervious pavers. **JKP** reviews the DEP comments. **RL** disagrees with the comments. **SA** advised he needs to include the sieve number for the sand. **AM** discussed the plans and suggested separating out what is existing and proposed on separate sheets. **RL** stated vegetation die off was due to increased sand. **SA** expressed concern that the contractors will have difficulty following the plan. **CL** asked if **RF** will be available when construction starts. **SA** states she would like to see how close the ocean is to the structure. **RL** stated it is on the plan. **JKP** reiterated the request to have proposed and existing separated on different sheets. **MC** commented that there is a lot of impervious surfaces being removed. The commissioners discuss pavers.

JKP motioned to continue the Notice of Intent for Kathleen M. Amari, 130 North End Blvd. to the June 1, 2022 meeting at 7:10 PM.

CL seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

6. NOI: City of Newburyport, North Jetty Dredging (5/4/22)

CL motioned to continue the Notice of Intent for City of Newburyport, North Jetty Dredging. to the June 1, 2022 meeting at 7:10 PM.

JKP seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

7. NOI: Matthew Sanders, 5 Patriot Way (5/4/22)

Matt Steinel (**MS**) of Millennium Engineering representing the applicant and suggested taking the COC out of order.

JKP motioned to take New Business, Certificate of Compliance for 5 Patriot way out of order and discuss in public hearing for Notice of Intent for 5 Patriot Way.

JDJ seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

1. Request for Certificate of Compliance, 5 Patriot Way.

MS explains that the house is placed close to what was permitted but the front porch was moved to the back and turned into a rear deck. **JDJ** questioned trees and possible removal or tree cutting. **SA** believes that some of the structures weren't permitted and aren't compliant. **JKP** asked if it would be faster to address with enforcement. **AM** noted that the backyard area, the B wetland series that wasn't shown on plan. **JKP** commented there's evidence of disturbance from tired ruts and recreation vehicles crossing the river.

CL motioned to Continue Certificate of Compliance for the June 1, 2022 meeting at 7:10 PM.

MC seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

JKP motioned to continue the Notice of Intent for Matthew Sanders, 5 Patriot Way to June 1, 2022 meeting at 7:10 PM.

JDJ seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

8. NOI: Atlantic Broadband Services, LLC, 51 Lafayette Road (5/18/22)

Nick Dewhurst (**ND**) of Bohler Engineering and Randy Miron also with Bohler Engineering are both representing the applicant. **ND** stated the site is undeveloped and the wetlands were flagged at the rear of the site. The plan is to build a 924 square foot building to house telecommunication equipment, some equipment pads, and some parking. **ND** reviews the work in the 50- and 100-foot buffers and that it meets the MA stormwater standards. **JKP** asks how many trees will be removed. **ND** is unsure at this time. **SA** asks if any can be preserved as screening? **ND** states he can make note of that and speak with the contractor about that. **SA** speaks on the edge of the clearing on the plan being 7 feet from wetland line, and asks if it can be pulled back? **ND** can look at narrowing stormwater basin. Lynne Welch (**LW**) of 50 Lafayette states she lives across the street and notes there's a large tree on the property line and if they can please preserve that tree and as many in that area as possible. How far back is building set? **ND** states the closest point is 39.5 to the property line. **LW** asks if that far of a setback is allowed? **ND** states it meets all set back requirements. Dan Welch (**DW**) also of 50 Lafayette Road states he thinks there's a minimum and maximum in the area. **JDJ** would like to recommend a site visit and a review by Joe Serwatka.

JKP motioned to continue the Notice of Intent for Atlantic Broadband Services, LLC, 51 Lafayette Road to the June 1, 2022 meeting at 7:10 PM, in interim a site visit and review by Joe Serwatka.

JKP amended to include discussion of saving mature trees.

CL seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

c. NEW BUSINESS

2. Request for Certificate of Compliance, 84 Rabbit Road.

JKP motioned to continue the Request for Certificate of Compliance, 84 Rabbit Road. to the June 1, 2022 meeting at 7:10 PM.

JDJ seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

3. Request for Significance of Change, 447 North End Blvd

Taylor Theriault (TT) of Bechtel Frank Erickson Architects is present and representing the applicant. He stated there was a miscommunication with the applicant and explains the proposed changes, removing additional impervious surfaces and replacing with pervious pavers. SA commented that it looks insignificant. JDJ notes there is a solid fence around and it needs to be fixed to be 50 percent open.

CL motioned to find the change insignificant for the Request for Significance of Change, 447 North End Blvd. JKP seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.

D. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 2A 12th St. West
2. 14 Old County Road
3. 100 Main St
4. 53 Railroad Ave
5. 14, 10th St. W.
6. 97 Atlantic Ave.
7. 114 Bridge Rd.
8. 36 Pike St.
9. 2 Baker Rd.
10. 565 North End Blvd.
11. 30 Main St.
12. 83 Atlantic Ave.
13. 211 N. End Blvd.
14. 16 Hayes St.
15. 11 Railroad Ave.

ACTIVE, PENDING COMPLETION:

16. Lafayette Rd. Sewer
17. **150 North End Blvd**

SA states everything looks good except there is an area that looks unhealthy but will likely grow in. AM is comfortable with lifting; more than 80% vegetation has come back. The part that didn't come back doesn't have high value, something will grow in over time.

CL motioned to lift the Enforcement Order for 150 North End Boulevard.

JDJ seconded.

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-abstained, CL-yes

Vote: 4-0-1. Motion Carried.

COMPLETE, PENDING APPROVAL:

18. 6 Sycamore Ln.
19. 16 Commonwealth Ave.
20. 61 Bridge Rd.
21. 139 Elm
22. 86/88 Elm St.
23. 4 Main Street

E. COMMISSIONER COMMENTS:

AM asks the public that if they are draining chlorinated pool water, do not discharge into storm drains or resource areas. Please infiltrate into the ground or dechlorinate before draining.

F. ADJOURNMENT:

CL motioned to adjourn the May 18, 2022 Salisbury Conservation Commission Meeting at 9:47 PM.

JDJ seconded.

Roll Call Vote:

Roll Call Vote: SA-yes, JDJ-yes, JKP-yes, MC-yes, CL-yes

Vote: 5-0-0. Motion Carried.