



**Salisbury Conservation Commission
Meeting Minutes
August 17, 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), Mark Warcewicz (MW), Jeffrey Ward (JW), Christopher Leahy (CL)

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

COMMISSION MEMBERS ABSENT:

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

Chairwoman 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 and being held both remotely and in person.

A. MINUTES:

1. **January 5, 2022**
2. **January 19, 2022**
3. **January 21, 2022**
4. **February 2, 2022**
5. **February 16, 2022**
6. **March 2, 2022**
7. **March 16, 2022**
8. **April 6, 2022**
9. **April 20, 2022**
10. **May 4, 2022**
11. **May 18, 2022**
12. **June 1, 2022**
13. **June 15, 2022**
14. **August 3, 2022**

JDJ motioned to approve the minutes dated January 5, 2022.

JW seconded.

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

Vote: 6-0-0. Motion Carried.

JDJ motioned to continue the minutes January 19, 2022 through August 3, 2022 until September 7, 2022.

JW seconded.

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

Vote: 6-0-0. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. 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 September 7, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote: SA=yes, JDJ=yes, MC=yes, JW=yes, CL=yes, MW=yes.

Vote: 6-0-0. Motion Carried.

2. 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 September 21, 2022 at 7:10 PM.

CL seconded.

Roll Call Vote: SA=yes, JDJ=yes, MC=yes, JW=yes, CL=yes, MW=yes.

Vote: 6-0-0. Motion Carried.

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

MC motioned to continue the Notice of Intent for Seacoast Canine, 156 Lafayette Road to September 21, 2022 at 7:10 PM.

JW seconded.

Roll Call Vote: SA=yes, JDJ=yes, MC=yes, JW=yes, CL=yes, MW=yes.

Vote: 6-0-0. Motion Carried.

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

MC motioned to continue/approve the Notice of Intent for Matthew Sanders, 5 Patriot Way to August 17, 2022 at 7:10 PM.

CL seconded.

Roll Call Vote: SA=yes, JDJ=yes, MC=yes, JW=yes, CL=yes, MW=yes.

Vote: 6-0-0. Motion Carried.

3. NOI: Isaac & Robin Kittle, 4 Carter Ave. (7/20/22)

Ron Laffely (**RL**) of Fulcrum Architects summarized the project with the Commission noting there was a site visit and a DEP number had been issued. They are taking down an existing on-grade structure and constructing a new structure on piles. **JDJ** asked Commissioner Ward to weigh in as he was on the site visit. **JW** discussed the site and noted the project doesn't expand the footprint of what's already there, and the new structure will be raised. The landscaping won't be significantly changed. **JDJ** asks does it improve the site? has concerns about the use of pervious pavers. **JW** feels it would take a substantial event to flood, and even so the structure would handle it better, and it's not in the velocity zone. **RL** noted the pavers help control erosion, and water to perk straight down.

JW motioned to approve the Notice of Intent for Isaac & Robin Kittle, 4 Carter Ave with the standard order of conditions.

CL seconded.

Roll Call Vote: SA=yes, JDJ=yes, MC=yes, JW=yes, CL=yes, MW=yes.

Vote: 6-0-0. Motion Carried.

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

CL motioned to continue the Notice of Intent for Mark Cardillo, F & D Realty, LLC, 163 Elm St to September 7, 2022 at 7:10 PM.

MC seconded.

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

Vote: 6-0-0. Motion Carried.

5. NOI: Maribeth Timony, 556 North End Blvd. (8/17/22)

MS presented the project to the Commission. reviewed the existing conditions and structure. Propose to remove existing deck on left hand side and construct an addition on piles and new deck on that same side. 100 square feet of pavement to be removed and replaces with open cell pavers. The majority of the property is in flood zone x. Commissioners discussed proposed plantings of shrubs. JDJ asked if the Commission's Order of Conditions include information about installing pavers. AM replied it should be added as a special condition if desired. CL asks if the building is on a solid foundation? MS comments yes, it is not in a flood zone so it doesn't need to comply with substantial compliance. MC asks how does this project improve the site? MS comments that they are replacing within the footprint and replacing a portion of the pavement with pavers, it's a small lot with not a lot of room for improvement. SA cautioned that even when installed correctly, pavers need to be maintained to remain pervious. CL requested a cut sheet for the pavers before the site visit. MC advised that you can take classes on paver installation and maintenance.

CL motioned to continue the Notice of Intent for Maribeth Timony, 556 North End Blvd to September 7, 2022 at 7:10 PM. and in the interim conduct a site visit.

JW seconded.

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

Vote: 6-0-0. Motion Carried.

6. NOI: Antoinette Burke, 49 Cable Ave. (8/17/22)

Tom Hughes (TH) of Hughes Environmental Consulting presented the project to the Commission. TH reviewed the property stating it's in the AE 9 zone and had a building about 10 years ago. There is some pavement on site, and has turf lawn. They intend to construct a new single-family home with native plantings. The home will be elevated on piles, and pervious pavers installed. The specifications will be approved before purchase and installation and they will be maintained in perpetuity. JDJ stated she'd like a site visit. and asked where the elevator would be located. TH states that it will be a bottom elevation of 13.93. The elevator will be pit-less and comply with applicable FEMA technical bulletin. They are allowable under the Wetland Protection Act. SA suggested noting the improvements on the plan that would justify the solid structure of the elevator. JDJ noted there is a stockade fence on the plans and asked if it could be 50% open. MS noted the fences around the property are 50% open already. CL asked about an easement, MS replied that it's not an easement, just a smaller lot also owned by the applicant. MC requested the Agent contact DEP to get guidance RE elevators. Lynne Welch of 50 Lafayette Road asked how the Commission would enforce maintaining the pavers. SA replied it's a good question, and right now with staffing it's not feasible to ensure proper drainage. TH stated that it would be a perpetual condition, some towns require an annual report from the homeowners. People do get caught eventually. AM advised there is not currently a requirement. MC noted the warranty would be voided with the manufacturer if they're not maintained.

CL motioned to continue the Notice of Intent for Antoinette Burke, 49 Cable Ave to September 7, 2022 at 7:10 PM and in the interim there will be a site visit.

MC seconded.

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

Vote: 6-0-0. Motion Carried.

9. RDA: David Burgess, Burgess Builders, 469 North End Blvd. (8/17/22)

David Burgess (**DB**) of Burgess Builders discussed the project with the Commission, constructing a second-floor deck. **JDJ** asks if it would be on helical piles or diamond piers as opposed to concrete columns? **DB** is waiting to hear from Building Inspector. **JDJ** suggests a site visit. **JDJ** would prefer helical piles or diamond piers. **SA** adds that concrete columns aren't great for the sand. **JDJ** asks how high the deck is. **DB** states he does not have that information currently but it is a second floor deck.

JDJ motioned to continue the Request for Determination for David Burgess, Burgess Builders, 469 North End Blvd to September 7, 2022 at 7:10 PM and in the interim a site visit.

CL seconded.

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

Vote: 6-0-0. Motion Carried.

c. OLD BUSINESS

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

JW motioned to continue the Request for Certificate of Compliance, 5 Patriot Way to the September 7, 2022 meeting at 7:00 PM.

MC seconded.

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

Vote: 6-0-0. Motion Carried.

d. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 27 12th Street West, Wayne Arlique.

Tom Hughes (**TH**) of Hughes Environmental discussed the plans and commented that the site visit went well. He displayed a photo of the patio showing they are designed to be pervious and have proper aggregate underneath. Tests with dumping water showed the water ran down rather than out the sides, and drained quickly. The project was stopped before complete and still needs rice stone between the pavers. There is a lawn area to the east of the patio with a curb. They'd like to remove the sod and replace with a walkable stone area. The Owner would like an amendment to allow the work to continue. **SA** states it can be approve without an amendment. **TH** asks if they would need to lift the stop work order. **AM** clarifies that the write up didn't include work on the wall and we can use meeting audio as record, or have a more extensive write-up. **TH** noted it was included partially in an email but can provide more information.

JW motioned to lift the stop work portion of the Enforcement Order for 27 12th Street West, with condition that all requirements for scope of work and details of work to be performed are provided to Agent and meet with her approval.

CL seconded.

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

Vote: 6-0-0. Motion Carried.

2. 29 Lafayette Road -
3. 2A 12th St. West
4. 14 Old County Road
5. 100 Main St
6. 53 Railroad Ave

7. 14, 10th St. W.
8. 97 Atlantic Ave.
9. 36 Pike St.
10. 2 Baker Rd.
11. 565 North End Blvd.
12. 30 Main St.
13. 83 Atlantic Ave.
14. 211 N. End Blvd.
15. 16 Hayes St.
16. 11 Railroad Ave.
ACTIVE, PENDING COMPLETION:
17. 114 Bridge Rd.
18. Lafayette Rd. Sewer
COMPLETE, PENDING APPROVAL:
19. 6 Sycamore Ln.
20. 16 Commonwealth Ave.
21. 61 Bridge Rd.
22. 139 Elm
23. 86/88 Elm St.
24. 4 Main Street

E. COMMISSIONER COMMENTS:

MC states the public are invited to Lions Park Saturday for Boston renegades vs. Salisbury firefighters baseball game. Also comments commending and thanking former commissioner Jane Purinton. **JDJ** states the same. **CL** also thanks Jane and states this is the last meeting before school starts, good luck.

F. ADJOURNMENT:

MC motioned to adjourn the August 17, 2022 Salisbury Conservation Commission Meeting at 9:04 PM.
JW seconded.

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

Vote: 6-0-0. Motion Carried.