



**Salisbury Conservation Commission
Meeting Minutes
September 21, 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: Chairwoman Sheila Albertelli (SA), Julie Doughman-Johnson (JDJ)

COMMISSION MEMBERS ABSENT: Katie Lewis (KL)

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

Chairwoman Sheila Albertelli opened the meeting at 7:00 pm

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 163 Elm St.

?? motioned to continue the Request for Certificate of Compliance, 163 Elm St. to October 5, 2022.

?? seconded

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

Vote is unanimous. Motion Carried.

D. OLD BUSINESS

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

CL motioned to continue the Request for Certificate of Compliance, 5 Patriot Way to October 5, 2022.

JW seconded.

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

Vote is unanimous. Motion Carried.

SA stated this meeting is open 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:

CL motioned to approve the minutes from February 2, 2022 and September 7, 2022

JW Seconded.

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

Vote is unanimous. Motion Carried.

CL motioned to continue the minutes from January 19 and 21, 2022 and February 16, 2022 – August 17, 2022 to October 5, 2022.

JW Seconded.

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

Vote is unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

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

CL motioned to continue the Notice of Intent for Henry A. Richard, Jr., 247-249 North End Blvd. to October 5, 2022 at 7:10 PM.

JW seconded

MC asked the reason for continuance. MS stated they are working on drafting the response to the peer review and are delayed but hope to provide the response soon.

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

Vote is unanimous. Motion Carried.

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

??motioned to continue the Notice of Intent for Steve Paquette, 6 Forest Road, LLC, 6, 10, & 18 Forest Rd. to October 5, 2022 at 7:10 PM.

CL seconded

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

Vote is unanimous. Motion Carried.

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

CL motioned to continue the Notice of Intent for 156 Lafayette Rd. to October 5, 2022 at 7:10 PM.

MC seconded.

MC requested the applicant provide an update to the Commission.

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

Vote is unanimous. Motion Carried.

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

CL motioned to continue the Notice of Intent for Matthew Sanders, 5 Patriot Way to October 5, 2022 at 7:10 PM.

JW seconded

MC asked for an update. MS replied the commission requested an impacts report from the wetland scientists and they are waiting on completion of that report.

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

Vote is unanimous. Motion Carried.

5. 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 October 5, 2022 at 7:10 PM.

?? seconded

MC asked for an update. MS replied similar to the above hearing the commission requested a impacts report from the wetland scientists and they are waiting on completion of that report.

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

Vote is unanimous. Motion Carried.

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

Matthew Steinel (MS) of Millennium Engineering represented the Applicant. Reviewed prior meeting.

Commission asked to see greater improvement to dune function. MS met with the contractor to find options to remove hardscape under the structure. Proposing to replace with gravel and extend a walkway of open cell pavers to the back entrance on the structure. The retaining wall in the corner of the lot, if removed would undermine the neighbor's structure so could not be removed. The solid fence also belongs to the neighbors. MC requested an impacts table be updated on the plan. JDJ stated the plan calls for piles or posts where will those posts be?

MS clarified the post reference was for the deck but they are actually proposing piers. The addition will be on piles.

CL motioned to approve the Notice of Intent for Maribeth Timony, 556 North End Blvd the condition an updated impacts table will be provided to the commission prior to issuance.

JW seconded.

CL amended the motion to include the standard order of conditions.

JW seconded.

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

Vote is unanimous. Motion Carried.

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

Tom Hughes (**TH**) of Hughes Environmental Consulting represented the applicant. Reviewed the updated made to the plan which included grade changes, additional dune restoration area and dune vegetation. Reviewed elevator specifications. **SA** reminded of the difference with FEMA and the Wetland Protection Act regulations. **JW** asked if the specific elevator installation specifications had been provided. **TH** confirmed. **JW** asked for clarification on “lawn”. **TH** explained the proposed coastal salt tolerant grass mix which are native and have a deeper root system than “lawn” grasses such as Kentucky blue. **SA** asked if this is still an improvement over existing given the addition of the proposed structure with elevator, piles and patios. **TH** reminded some pavement and concrete is being removed also and the restoration area is an improvement. **SA** asked if there will be long term maintenance of the pavers. **TH** replied long term maintenance of pavers traditionally includes vacuuming out the fines. Paves vs. restoration area discussed. Front planting area was agreed to be converted to restoration area instead of lawn. Limited width of driveways and added tire strips. **TH** marked up PDF as discussed in the meeting for the engineer to make revisions.

JW motioned to continue the Notice of Intent for Antoinette Burke, 49 Cable Ave to October 5, 2022 at 7:10 PM. With updated plans provided in the interim included revision as discussed.

CL seconded.

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

Vote is unanimous. Motion Carried.

8. RDA: David Burgess, Burgess Builders, 469 North End Blvd

CL motioned to issue a negative determination with the condition erosion controls are used and the foundation type is helical piles or diamond piers.

MC seconded.

Discussion: Should the A/C be raised? **CL** didn’t feel it could be required as it was not part of the scope of the project. **SA** would like to see the property owner’s investment protected and would like to take the opportunity to make improvements. **JW** suggested continued the application as neither the representative or the property owner are present and discuss with them in the interim.

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

Vote is unanimous. Motion Carried.

9. NOI: Grant J. Monahan, 444 North End Blvd. (9/7/22)- Matthew Steinel (MS) of Millennium

Engineering represented the applicant. **MS** reviewed the utility relocation project.

CL motioned to approve the Notice of Intent for Grant J. Monahan, 444 North End Blvd with the standard special conditions.

JW seconded.

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

Vote is unanimous. Motion Carried.

10. RDA: Frank & Penny McNeil, 144 Beach Rd. (9/21/22)
Frank McNeil reviewed the project history. JW asked the height of the deck.

CL motioned to issue a negative determination with the condition erosion controls are used and concrete and concrete washout shall not be disposed of within the resource area.

JW seconded.

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

Vote is unanimous. Motion Carried.

11. RDA: Timothy & Mona Johnson, 35 Dock Lane (9/21/22)
Tom Hughes (TH) of Hughes Environmental Consulting represented the applicant. Reviewed the project proposal for the commission.

CL motioned to continue the Request for Determination of Applicability for 35 Dock Lane to October 5, 2022 with a site visit in the interim.

JW seconded.

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

Vote is unanimous. Motion Carried.

E. ENFORCEMENT ORDERS:
HOLD, PENDING UPDATE:

1. 5 Patriot Way
2. 27 12th St. W.
3. 29 Lafayette Rd.
4. 2A, 12th St. W.
5. 14 Old County Rd.
6. 123 Railroad –

?? motioned to lift the Enforcement Order for 97 Atlantic Avenue

?? seconded

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

Vote is unanimous. Motion Carried.

7. 100 Main St.
8. 53 Railroad Ave.
9. 14 10th St. W.

10. 97 Atlantic Ave.

?? motioned to lift the Enforcement Order for 97 Atlantic Avenue

?? seconded

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

Motion Carried.

11. 36 Pike St.
12. 2 Baker Rd.
13. 565 North End Blvd.
14. 30 Main St.
15. 83 Atlantic Ave.
16. 211 N. End Blvd.
17. 16 Hayes St.
18. 11 Railroad Ave.

ACTIVE, PENDING COMPLETION:

19. 114 Bridge Rd.

20. Lafayette Rd. Sewer
COMPLETE, PENDING APPROVAL:
21. 6 Sycamore Ln.
22. 16 Commonwealth Ave.
23. 61 Bridge Rd.
24. 139 Elm
25. 86/88 Elm St.
26. 4 Main Street

H. COMMISSIONER COMMENTS

AM informed the public of a works on Wednesday, September 9, 2022 to discuss drafting a Natural Resource Bylaw

MC shared the Lions Club Memorial for 9/11.

MC Salisbury Days is the following weekend. The information is on the Parks and Rec website, the Lions website with the dates and times of different events.

F. ADJOURNMENT:

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

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

Motion Carried. Meeting Adjourned 8:19p.m.