



**Salisbury Conservation Commission
Meeting Minutes
July 20, 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), Mark Warcewicz (MW)

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

COMMISSION MEMBERS ABSENT: Jeffrey Ward (JW)

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

Chairwoman Sheila Albertelli opened the meeting at 7:09 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**

JDJ motioned to continue the remaining minutes January 5, 2022, through July 6, 2022 until our next scheduled meeting August 3, 2022 at 7:10 PM.

CL seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

B. PUBLIC HEARINGS at 7:10 pm:

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

JDJ motioned to continue the Notice of Intent for Henry A. Richard, Jr., 247-249 North End Blvd. to August 3, 2022 at 7:10 PM.

MC seconded.

Roll Call Vote:

SA-yes, JDJ-yes, JKP-yes, MC-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 our next scheduled meeting August 3, 2022 at 7:10 PM.

JKP seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

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

JKP motioned to continue the Notice of Intent for Seacoast Canine, 156 Lafayette Road to August 3, 2022 at 7:10 PM.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

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

JDJ motioned to continue the Notice of Intent for Matthew Sanders, 5 Patriot Way to our next scheduled meeting on August 3, 2022 at 7:10 PM.

MC seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

5. NOI: Brian Knowles, 1 Corporal Patten Way, f/k/a 114 Forest Road. (7/6/22)

The applicant, Brian Knowles (**BK**) updated the Commission on the project. He addressed the comments from the Commission from last meeting and the boulder and rock wall between driveway and wetlands. **BK** shows the two locations for stockpile for soils and updated the 100- and 200-foot riparian zones, moved proposed well to closer to existing well.

CL motioned to approve the Notice of Intent for Brian Knowles, 1 Corporal Patten Way, f/k/a 114 Forest Road with the standard conditions and erosion control conditions / clearing (staff report) incorporate mean high water & delineation report.

MC seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

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

SA stated that no DEP number has been issued yet, so the public hearing cannot be closed. Ron Laffely (**RL**) of Fulcrum Architects presented the project to the Commission and reviewed the site plan. The applicant is

proposing to remove the structure. **JDJ** stated she'd like a site visit and noted pavers aren't usually allowed. **RL** clarifies that this project is not in the velocity zone. **JKP** asks if pavers will be in what is currently a vegetated area. **RL** states that it's lawn and gets mowed. Commission agree for a site visit. **RL** explains that under the building, they are proposing crushed stone to keep animals out. **JDJ** suggests crushed shell. **RL** states the crushed stone is better for spaces such as this where it will dry easier. **AJ Pappas (AP)** of 7 12th Street West loves the plan, looks great, and supports. **Joe MacManus** of 4 Lewis Ave. states he is worried about the disturbance and change to water flows. **RL** explains that high tide is elevation 4 barrier around area, and the house sits above the flood plain. **SA** asks if there are any grade changes? **RL** answers no, it will flood, but this work will not make it worse, it may improve. **CL** asks if the existing building is a solid foundation. **RL** states there is a crawl space. **SA** agrees that gravel underneath will help.

JKP motioned to continue the Notice of Intent for Isaac & Robin Kittle, 4 Carter Ave. to August 3, 2022 at 7:10 PM, and in the interim there will be a site visit.

CL seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

7. NOI: Kevin Grasso of Benchmark Executives, Inc., 33 Folly Mill Rd. (7/20/22)

SA stated that no DEP number has been issued yet, so the public hearing cannot be closed. **Bob Grasso (BG)** of Engineering Land Services presented the project to the Commission. This project is for a septic system replacement. He shows on the plan the 50-foot buffer. They will be taking the old tank out and replacing with a 2500-gallon combination tank. Finished grade will be about 3 feet, structure will be a rehab. **JKP** states that this project also need a Board of Health approval.

JKP motioned to approve the Notice of Intent for Kevin Grasso of Benchmark Executives, Inc., 33 Folly Mill Rd. with the standard order of conditions and contingent on Board of Health approval letter.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

C. NEW BUSINESS

1. Request for Significance of Change, 187 Atlantic Ave.

Matthew Steinel (MS) of Millennium Engineering discussed the proposed changes with the Commission and reviewed the procedural history. The new proposed structure is slightly shorter and further away from the ocean. The applicant would like to remove wooden walkway and replace by extending Mobi-mat. **MC** asks if the walkway to the beach is straight? **MS** answers yes, there's an easement and needs to stay within that. The homeowner can change pathway once they leave the property, but would need Department of Conservation and Recreation's permission for sand fencing etc.

CL motioned to find the proposed changes insignificant.

JKP seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

2. Request for Certificate of Compliance, 147 Cable Ave.

Steven & Jean Miller (**SM**)(**JM**), owners are present. **SA** states they are missing as-built plan. **SM** comments that he provided existing steel frame location, home on pilings. **SA** states that for compliance the Commission need as-built plans along with a letter from a registered professional. Commission discusses waiver. **JDJ** thinks they should get an as-built. It can cause problems without. **JKP** and **SA** agree, applicant should go back to engineering firm for as-built, especially since home is relatively new. **JDJ** asked if what was approved was built. **SM** answers yes. **CL** explains that the framing plan doesn't show wetlands, which is what we need.

CL motioned to continue the Certificate of Compliance for 147 Cable Ave.

JKP seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

D. OLD BUSINESS

1. Request for Certificate of Compliance, 32 Beach Road. f/k/a Sacks Way Lot 1

JDJ motioned to approve the Request for Certificate of Compliance, 32 Beach Road. f/k/a Sacks Way Lot 1.

CL seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

2. Request for Certificate of Compliance, 30 Elm St.

Matthew Steinel (**MS**) of Millennium Engineering reviewed procedural history. They contacted the original contractor and he was cooperative. They reviewed the as-built with some inconsistencies, but were relatively the same. **JKP** asks if the agent has been there. **AM** states that she went when the first request was filed.

CL motioned to approve the Request for Certificate of Compliance, 30 Elm St.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

3. Request for Certificate of Compliance, 32 Elm St.

Matthew Steinel (**MS**) of Millennium Engineering states it is similar conditions.

CL motioned to approve the Request for Certificate of Compliance, 32 Elm St.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

4. Request for Certificate of Compliance, 34 Elm St.

Matthew Steinel (**MS**) of Millennium Engineering states it is similar conditions.

CL motioned to continue/approve the Request for Certificate of Compliance, 34 Elm St.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

5. Request for Certificate of Compliance, 36 Elm St.

Matthew Steinel (**MS**) of Millennium Engineering states it is similar conditions.

CL motioned to continue/approve the Request for Certificate of Compliance, 36 Elm St.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

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

SA stated the applicant requested a continuance and will table until our August 3, 2022 meeting at 7:10 PM.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. **29 Lafayette Road** - **SA** noted a site visit occurred on 7/11 with the DPW and Parks and Rec. Patrick Seekamp of Seekamp (**PS**) Environmental Consulting discussed a restoration plan and spoke in the site walk with the Commission. The issue is a small triangular area of fill, approximately 108 square feet. **CL** states that he is satisfied with site visit and restoration plan. The Town will allow the grading impacts and is in favor of approving. **MC** feels the same.

CL motioned to approve restoration plan for EO for 29 Lafayette Road.

JDJ seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.

2. 2A 12th St. West
3. 14 Old County Road
4. 100 Main St.
5. 53 Railroad Ave
6. 14, 10th St. W.
7. 97 Atlantic Ave.
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. 114 Bridge Rd.
17. Lafayette Rd. Sewer

COMPLETE, PENDING APPROVAL:

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

F. COMMISSIONER COMMENTS:

JDJ states she has a question about someone watering the concrete containers at beach, but not the new landscaping at facilities. Is there a different person for that? **AM** is unsure, but it might still be under contract with someone else, will check into it.

F. ADJOURNMENT:

JKP motioned to adjourn the July 20, 2022 Salisbury Conservation Commission Meeting at 8:37 PM.

CL seconded.

Roll Call Vote:

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

Vote: 6-0-0. Motion Carried.