

**Salisbury Conservation Commission
Meeting Minutes
November 15, 2023
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
Hybrid Meeting
7:00 P.M.**

COMMISSION MEMBERS PRESENT IN PERSON: Chairman Jeffrey Ward (**JW**), Julie Doughman-Johnson (**JDJ**), Michael Lucas (**ML**), Mark Warcewicz (**MW**), Christopher Leahy (**CL**), Christine Maxim (**CM**).

COMMISSION MEMBERS PRESENT REMOTELY: Michael Colburn (**MC**)

COMMISSION MEMBERS ABSENT:

ALSO PRESENT: Conservation Agent, Adriane Marchand (**AM**), Administrative Assistant, Alison Weaver (**AW**).

Chairman Jeffrey Ward (**JW**) 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. November 1, 2023

CL motioned to approve the minutes for November 1, 2023.

JDJ seconded.

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

7-0-0. 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 motioned to continue the Notice of Intent for 6 Steve Paquette, 6 Forest Road, LLC, 6, 10 & 18 Forest Road to the December 6, 2023 meeting 7:10 PM.

CL seconded.

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

7-0-0. Motion Carried.

2. **NOI: Erin Ferrell-Talbot, 35 Atlantic Ave. (11/1/23)**

CL motioned to continue the Notice of Intent for Erin Ferrell-Talbot, 35 Atlantic Ave to our next scheduled meeting December 6, 2023 7:10 PM.

JDJ seconded.

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

7-0-0. Motion Carried.

3. **NOI: Christopher Duggan, 129 Atlantic Ave. (11/1/23)**

Matt Steinel (**MS**) of Millennium Engineering is representing the applicant and presents the plans to reconstruct a new multi family structure on piles within the same footprint. The entire property is within the primary frontal dune. The deck on the ocean side is being pulled back 3 feet and flow through decking will be used. **JDJ** asks if you can put snow fencing up without the State's permission. **AM** answers that sand fencing needs property owner approval. **CL** asks about the site visit. **JDJ** is concerned about how narrow and tight the property is. **CL** has concerns on the primary frontal dune delineation. **AM** states she met with **MS** onsite and discussed the delineation and is comfortable with it. **MC** asks to put some time aside to write a letter to the Department of Conservation and Recreation about the Operation and Maintenance Plan. **JW** comments that he would like to see the location for construction equipment. **MS** shows the access point and where equipment would be. **JW** is concerned about how small of an area is being used for excavation. **MS** states they discussed using plywood to protect the concrete on the neighboring property as if it is damaged it may be difficult to get permission to replace it.

CL motioned to Approve the Notice of Intent for Christopher Duggan, 129 Atlantic Ave with the Standard Special Conditions.

JDJ seconded.

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

7-0-0. Motion Carried.

4. Amended NOI: Ronald & Diane Falite, 140-142 North End Blvd. (11/15/23)

Matt Steinel (**MS**) of Millennium Engineering is representing the applicant and explains that this project was approved in June of 2023. The Department of Environmental Protection appealed this project and have discussed with the owner their concerns. With the revised plan they would withdraw their appeal. The revisions include sieve analysis, additional plantings, and specific notes related to the beach grass and how it will be planted. **JW** discusses the email with the conditions and asks to clarify that all conditions have been addressed.

CL motioned to approve the Amended Notice of Intent for Ronald & Diane Falite, 140-142 North End Boulevard with the Standard Special Conditions.

JDJ seconded.

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

7-0-0. Motion Carried.

C. NEW BUSINESS:

1. Request for Significance of Change, Lions Park Trail Improvements.

AM gives a brief introduction to the amendment that would allow paving the stone dust trail for accessibility purposes. Millennium Engineering updated the stormwater report with the changes and the stormwater still works. **MC** comments that there is no significant change to the storm water or wetlands by paving the walkway.

CL motioned the proposed changes to the Lions Park Trail Improvements to be non-significant to the approved scope of the project and may proceed under the current approval.

JDJ seconded.

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

7-0-0. Motion Carried.

2. **Request for Significance of Change, 163 Elm Street.**

TJ Melvin (**TJ**) of Millennium Engineering explains the approval for this project happened in April of 2023. The structural design of the wall needed to be revised. **MC** agreed that this is a minor change and makes sense to better stabilize the wall to improve its structural integrity.

CL motioned the proposed changes for 163 Elm Street to be non-significant to the approved scope of the project.

JDJ seconded.

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

7-0-0. Motion Carried.

3. **Request for Certificate of Compliance, 10B Beach Road.**

CL motioned to request an Invalid Certificate of Compliance for 10B Beach Road.

JDJ seconded.

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

7-0-0. Motion Carried.

4. **Request for Certificate of Compliance, 187 Atlantic Ave.**

Matthew Steinel (**MS**) from Millennium Engineering explains the project. **JW** asks about the border plantings located on the abutting property. **AM** states she met and discussed the plantings with the property owner who asked to move the plantings because they were shaded on the other property line. **JDJ** asks about grass that should have been planted and that she does not see on the. **MS** states he will look into that when they check on the plantings on the abutter's property. **JDJ** asks for a site visit to confirm placement. **JDJ** requests distance of structure and measurement from the planting area.

CL motioned to continue the Request for Certificate of Compliance, 187 Atlantic Ave to our next meeting scheduled for December 6, 2023 and in the interim a site visit and additional details.

JDJ seconded.

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

7-0-0. Motion Carried.

5. **Discussion, Update to the Conservation Commission's Policy & Procedure.**

JW discusses the need to update the policies. **CL** would like the update to reflect some of the recommendations from the state. **JDJ** would like to study them more. **AM** suggests a public workshop to go through the policies.

D. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 103 Lafayette Rd.
2. 33 Liberty Street

Jeffrey Joaquim (**JJ**) of 33 Liberty Street is present. **JW** explains the enforcement order for alterations made to the property. **JJ** states the rocks were there when they purchased the property and the rocks were pre-existing, what he did bring in were shells off the embankment and nothing was brought in by truck. This activity explains the differences identified in the aerial photos that were believed to be

additional stone. **MC** asks for documentation to be filed to document this for the record.

CL motioned to lift the enforcement order for 33 Liberty Street.

JDJ seconded.

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

7-0-0. Motion Carried.

3. 35 Liberty Street

AM states she would like to make an amendment to the enforcement order to add additional properties that this order may affect. 37 Liberty Street and 275 North End Blvd.

CL motioned to amend the enforcement order to add additional properties that may be affected.

MC seconded.

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

7-0-0. Motion Carried.

4. 44 Commonwealth Ave.

AM states a solid fence that was not present in 2020 aerials, is present now in recently taken aerials, the property owner was notified and took immediate action to fix the fence.

Commissioners discuss the spacing and would like an additional slat taken out of the fencing to add more spacing and comply more with the 50 percent open guidelines. **AM** will speak with the property owner.

5. 546 North End Blvd.

AM states no response has been made and will reach out.

6. 249 North End Blvd.

AM states no response has been made and will reach out.

7. 2A, 12th St. W.

8. 14 Old County Rd.

9. 100 Main St

10. 10th St. W.

11. 36 Pike St.

12. 2 Baker Rd.

13. 565 North End Blvd.

14. 30 Main St.

15. 211 North End Blvd.

16. 16 Hayes St.

17. 11 Railroad Ave.

18. 95 Railroad Ave.

19. ACTIVE, PENDING COMPLETION:

20. 27 12th St. W.

21. 10 Ferry Lots Lane

22. 253 No End Blvd.

23. COMPLETE, PENDING APPROVAL:

- 24. 29 Lafayette Rd.
- 25. 6 Sycamore Ln.
- 26. 16 Commonwealth Ave.
- 27. 139 Elm St.
- 28. 4 Main St.

E. AGENT & COMMISSIONER COMMENTS:

AM comments that a public meeting will be held on Wednesday, November 22 at 6PM in the Colchester room for discussion on renewing the Open Space Plan. A survey is available online for residents' input. We will send email to remind to the Commission as well. **CL** would like to say Happy Thanksgiving to the residents of Salisbury. **MC** would like to see a public show of support for Mr. Boucinar for his 100th Birthday at the Senior Center. He has been a huge part of our community in the past and still presently.

F. ADJOURNMENT:

MC motioned to adjourn the November 15, 2023 Salisbury Conservation Commission Meeting at 9:00 PM.

JDJ seconded.

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

7-0-0. Motion Carried.