

Salisbury Conservation Commission
Meeting Minutes
December 6, 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**), Michael Lucas (**ML**), Mark Warcewicz (**MW**), Christine Maxim (**CM**), Michael Colburn (**MC**).

COMMISSION MEMBERS PRESENT REMOTELY: Christopher Leahy (**CL**)

COMMISSION MEMBERS ABSENT: Julie Doughman-Johnson (**JDJ**)

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 15, 2023

MC motioned to approve the minutes for November 15, 2023.

CM seconded.

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

6-0-0. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

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

Attorney Jeff Roelofs (**JR**) on behalf of the applicant, discusses the updates that have taken place since the October 13, 2023 package. Speaking of significant changes since that meeting and in his opinion have submitted a project that meets all of the regulations. **JW** states they received a letter from Chessia Consulting Services LLC on December 5, 2023 and asks if they are prepared to comment on that. **JR** states they are prepared to comment. **TJ** Melvin (**TJ**) from Millennium Engineering speaks about the major changes since that October 13, 2023 meeting in regards to the storm water. Then, speaks on the comments in regards to the letter that was submitted yesterday by Chessia Consulting. **TJ** states the letter from Joe Serwatka agrees with the stance for the submittal. **MW** asks for the sub surface chambers and the 12-inch pipes and 2-inch opening on the other end to be explained. **TJ** explains the drainage for the outlet structure and shows **MW** on the plans the visual. **ML** asks about the maintenance for the pipe if it clogs. **TJ** explains there is a man hole, for maintenance. This is not an infiltration system but detention. **MC** would like clarification on where the water is going. **TJ** shows on plans it will go down towards the wetlands to the east. **CL** is looking at the pond down to the left of the discharge pipe and asks who owns the abutting property. **TJ** states the water discharges approximately 14 feet from the property line. **CL** comments on his concerns for the point of discharge. **JW** asks if there was a flow rate calculation done for the discharge from the pipe. **TJ** answers yes. **JW** asks if there was a test pit. **TJ**

states there was a soil probe. **JW** has concern that no test pit or augur was done where the outfall is, the infiltration rate, and more water on the abutters property. **TJ** explains that the basin will slow down the storm water and slowly release in a controlled manner it so it doesn't run in every direction. Tom Hughes (**TH**) Hughes Environmental Consulting answers that the water naturally flows in that direction into a channel. Then shows on plans that the water is released past where the houses and abutters are, further away, impacts are down to .7%. **MC** disagrees with the placement of the outflow and ask about the possibility of freezing. **MW** asks for alternatives. **TJ** states there is an overflow for water to get out if it needs to in an emergency. **CM** states that the whole area has a high-water table and now you will be adding water. **TJ** explains the infiltration soils and the insignificant amount of run off. We cannot increase the amount of water. The change is not that significant. **JW** asks if the entire site is essentially D soil. **TJ** replies yes. **JW** speaks on the percentage of change and states that it is significant. **CL** is concerned about the pipe installation and not being level. **MW** talks on his experience excavating and leveling pipe. The applicant Steve Paquette (**SP**) reminds the Commission of past plans and that he has considered all concerns. These structures are designed to hold more than what the guidelines require. Attorney Elizabeth Pyle (**EP**) from Hill Law representing the abutters with John Chessia states she agrees with the commissions concerns for the discharge point onto the abutting property. John Chessia (**JC**) of Chessia Consulting LLC speaks on some of the standards that he outlined in his letter. He recommends some alternatives for infiltration and speaks on the pipe for the detention system maintenance being difficult. It will clog quickly and be hard to maintain. Lynn Welch (**LW**) of 50 Lafayette Road, did not hear discussion on the land being built up this meeting and asks how that impacts the abutting land and the water flow. Dan Welch (**DW**) of 50 Lafayette Road, presented maps on potential flooding. He brought photos and shows the Commission what a normal rainfall looks like on this property. **JR** would like to time to comment and thought for a final review.

MC motioned to continue the Notice of Intent for 6 Steve Paquette, 6 Forest Road, LLC, 6, 10 & 18 Forest Road to the January 3, 2023 meeting 7:10 PM.

CM seconded.

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

6-0-0. Motion Carried.

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

MC motioned to continue the Notice of Intent for Erin Ferrell-Talbot, 35 Atlantic Ave to our next scheduled meeting January 3, 2023 7:10 PM.

CM seconded.

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

6-0-0. Motion Carried.

C. NEW BUSINESS:

1. Request for Certificate of Compliance, 26 Gerrish Road.

The applicant Joseph Johnson of 26 Gerrish Road states they completed an addition and replicated wetlands. Seekamp Environmental Consulting Inc. confirms that wetland replacement is well established. **AM** agrees.

MC motioned to issue a Certificate of Compliance for 26 Gerrish Road.

CL seconded.

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

6-0-0. Motion Carried.

2. Request for Certificate of Compliance, 19 Sweet Apple Tree Ln.

Brad Lacey of 19 Sweet Apple Tree Lane explains the past project that has been completed. **JW** asks for the applicant to provide an as-built plan to be submitted.

MC motioned to continue the meeting until the December 20th meeting
CM seconded.

Roll Call Vote: MW-yes, ML-yes, MC-yes, CM-yes, CL-yes, JW-yes.
6-0-0. Motion Carried.

3. **Request for Certificate of Compliance, 220 North End Blvd.**

Russell Ahern (**RA**) of 220 North End Blvd provided an as built plan. **AM** visited the site and has some concern about survival of the grass and in the past has waited 2 growing seasons.

MC motioned for a partial COC with a condition that there be a two-year growing for survival of dune grass.

CM seconded.

Roll Call Vote: MW-yes, ML-yes, MC-yes, CM-yes, CL-yes, JW-yes.
6-0-0. Motion Carried.

4. **2024 Schedule of Meetings and Deadlines.**

MC motioned to accept the 2024 Schedule of Meeting Deadlines.

CL seconded.

Roll Call Vote: MW-yes, ML-yes, MC-yes, CM-yes, CL-yes, JW-yes.
6-0-0. Motion Carried.

D. OLD BUSINESS:

1. **Request for Certificate of Compliance, 187 Atlantic Avenue.**

JW states he likes the installation of the Moby mats, that the shrubs were moved back, and the stairs are open. **CM** asks about the snow fencing being buried. **MS** confirms and states that is a positive. Shannon Hass (**SH**) the Owner of 187 Atlantic Ave comments that the snow fence on the northern side was preexisting and buried, when trying to reinstall the fencing she could not get the old fence out and did not want to damage the dune. Commissioners discuss the growing season with the applicant.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 103 Lafayette Rd.
2. 35 Liberty Street
3. 44 Commonwealth Ave.
4. 546 North End Blvd.
5. 249 North End Blvd.
6. 2A, 12th St. W.
7. 14 Old County Rd.
8. 100 Main St
9. 10th St. W.
10. 36 Pike St.
11. 2 Baker Rd.

12. 565 North End Blvd.
13. 30 Main St.
14. 211 North End Blvd.
15. 16 Hayes St.
16. 11 Railroad Ave.
17. 95 Railroad Ave.
18. ACTIVE, PENDING COMPLETION:
19. 27 12th St. W.
20. 10 Ferry Lots Lane
21. 253 No End Blvd.
22. COMPLETE, PENDING APPROVAL:
23. 29 Lafayette Rd.
24. 6 Sycamore Ln.
25. 16 Commonwealth Ave.
26. 139 Elm St.
27. 4 Main St.

F. AGENT & COMMISSIONER COMMENTS:

MC states that there is a KP LAW workshop meeting tomorrow night 6:00 PM at the Town Hall.

G. ADJOURNMENT:

MC motioned to adjourn the December 6, 2023 Salisbury Conservation Commission Meeting at 9:50 PM.

CL seconded.

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

6-0-0. Motion Carried.