

Salisbury Conservation Commission
Meeting Minutes
February 7, 2024
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**).

COMMISSION MEMBERS PRESENT REMOTELY: Christine Maxim (**CM**), Michael Colburn (**MC**),
COMMISSION MEMBERS ABSENT:

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

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. EMERGENCY CERTIFICATES:

- | | | |
|--------------------------|------------------------|-------------------------|
| 1. 112 Central Ave | 14. 278 North End Blvd | 28. 436 North End Blvd |
| 2. 130 Central Ave | 15. 412 North End Blvd | 29. 438 North End Blvd |
| 3. 148 North End Blvd | 16. 284 North End Blvd | 30. 440 North End Blvd |
| 4. 168 North End Blvd | 17. 304 North End Blvd | 31. 444 North End Blvd. |
| 5. 176 North End Blvd | 18. 332 North End Blvd | 32. 446 North End Blvd |
| 6. 178 North End Blvd | 19. 334 North End Blvd | 33. 448 North End Blvd |
| 7. 180 North End Blvd | 20. 408 North End Blvd | 34. 452 North End Blvd |
| 8. 188 North End Blvd | 21. 418 North End Blvd | 35. 454 North End Blvd |
| 9. 190 North End Blvd | 22. 420 North End Blvd | 36. 458 North End Blvd |
| 10. 214 North End Blvd 2 | 23. 424 North End Blvd | 37. 462 North End Blvd |
| 11. 224 North End Blvd | 24. 426 North End Blvd | 38. 464 North End Blvd |
| 12. 240 North End Blvd | 25. 428 North End Blvd | 39. 466 North End Blvd |
| 13. 268A North End Blvd | 26. 432 North End Blvd | 40. 488 North End Blvd |
| | 27. 434 North End Blvd | |

CL motioned to add the following additional emergency certificates to the agenda

JDJ seconded.

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

6-1-0. Motion Carried.

- | | | |
|----------------------|---------------------|---------------------|
| 41. 118 NO END BLVD | 50. 296 NO END BLVD | 59. 220 NO END BLVD |
| 42. 112 CENTRAL AVE | 51. 282 NO END BLVD | 60. 208 NO END BLVD |
| 43. 86 CENTRAL AVE | 52. 264 NO END BLVD | 61. 196 NO END BLVD |
| 44. 54 CENTRAL AVE | 53. 260 NO END BLVD | 62. 206 NO END BLVD |
| 45. 4 OCEAN FRONT NO | 54. 244 NO END BLVD | 63. 416 NO END BLVD |
| 46. 324 NO END BLVD | 55. 234 NO END BLVD | 64. 384 NO END BLVD |
| 47. 318 NO END BLVD | 56. 232 NO END BLVD | 65. 374 NO END BLVD |
| 48. 316 NO END BLVD | 57. 230 NO END BLVD | 66. 370 NO END BLVD |
| 49. 298 NO END BLVD | 58. 228 NO END BLVD | 67. 364 NO END BLVD |

68.	410 NO END BLVD	186 NO END BLVD 6	504 NO END BLVD B
69.	506 NO END BLVD	72. 50 CENTRAL AVE 1	504 NO END BLVD C
70.	478 NO END BLVD	50 CENTRAL AVE 2	504 NO END BLVD D
71.	186 NO END BLVD	73. 504 NO END BLVD	504 NO END BLVD E
	186 NO END BLVD 2	504 NO END BLVD A	504 NO END BLVD F
	186 NO END BLVD 3		504 NO END BLVD G
	186 NO END BLVD 4		504 NO END BLVD H
	186 NO END BLVD 5		504 NO END BLVD J

CL motioned to ratify the emergency certificates.

JDJ seconded.

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

6-1-0. Motion Carried.

B. MINUTES:

1. January 17, 2024.

CL motioned to continue the minutes for January 17, 2024.

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. PUBLIC HEARINGS at 7:10pm:

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

Matt Steinel (MS) from Millennium Engineering is representing the property owner and speaks about the property and the changes made to the plan. JW wants clarification on the parking area and the type of stone they are proposing. MS states it is a proposed clean wash processed gravel material. CL asks about the helical piles. MS states the homeowner will have a structural engineer design the piles. CL would like it contingent that they come back before the Conservation Commission if the structural engineering changes.

CL motioned to approved the Notice of Intent for Erin Ferrell-Talbot, 35 Atlantic Ave with the condition to come back for an amendment if the Structural Engineering Changes.

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. NOI: John Berglund, Berglund Homes, 77 & 79 North End Blvd Lots 1,2,3

CL motioned to open the public hearing for 77 and 79 North End Blvd and discuss lots 1,2, and 3 together.

JDJ seconded.

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

7-0-0. Motion Carried.

Matt Steinel (MS) from Millennium Engineering is representing the applicant and explains the project. MS speaks about being well above the flood zone. Being close to the wetlands, they proposed a post and rail fence running a foot off the wetland line the entire length of the property. He talks on the features

used during the utility installation. The commissioners are not comfortable with the two lots being made into three lots, they also would like to have a wetland scientist take a look at the delineation. **MS** states that this building is tightly developed and is part of the beach commercial district. **CL** would like clarification on where the silt socks are on the plans. **MS** states they are farther down the plans. **MC** asks if this plan have been before the Planning Board and would like some technical advice from the them. **MC** would like to work in conjunction with the other board. **JDJ** asks about the site impact table. **MS** explains the table according to the lots. Net reduction of approximately 200 SF. **AM** has increasing concern for increasing sea level rise. **CL** asks if they could have the wetland lines re-flagged for the peer reviewer looking at the wetland saltwater and fresh water delineation.

CL motioned to continue the Notice of Intent for 77 & 79 North End Blvd Lots 1,2 & 3 to the February 21, 2023 meeting at 7:00 PM and in the interim a wetland delineation by the peer reviewer.

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: Arthur J. Broadhurst, Pensco Trust Company, LLC, 1 Sixth Street. (2/7/24)

Matthew Steinel (**MS**) from Millennium Engineering on behalf of the applicant explains the two projects. **JDJ** asks if the cottage can be moved farther from Black Water River towards the center of the lot. **MS** explains pulling away from the property line would increase vegetative impacts. **CL** states he would like it to stay in the same footprint to prevent further disruption. **JDJ** asks for a site visit. Irene Murphy (**IS**) an abutter who wrote the letter on record has questions. **IM** states they own the marshland abutting 3 6th Street, it is lined with the rip rap, and asks if there are construction activities designed outside of the lot. Where would the silt fencing be installed on their property? Will the pile driving create any instability? **MS** speaks on the concerns from the abutters and has been speaking with the abutters this past week. They do test piles before the actual installation and use ultrasonic vibrations. The placement of the erosion control would be discussed with the Commission at the site visit. **MS** shows the possible placement on the plans. **IM** asks if there is any concern for left over foundations from a past bridge. Over the course of 25 years the Black Water River has taken the marshland and shows the changed over time. **CL** would like to know how the equipment will be transported on and off site. **MS** explains no equipment will be by the plantings and shrubbery. **ML** recommends moving the house 3 ft away from the property line to alleviate the concerns for the rip rap and for the shrubbery. **MC** would like to move the house 3 ft to the north and 1 or 2 from the property line. **MC** states that at the last Merrimac River Beach Association (MRBA) meeting the 286 bridge as discussed about negatively impacting this area.

CL motioned to continue the Notice of Intent for Arthur J. Broadhurst, Pensco Trust Company, LLC, 1 Sixth Street and 3 Sixth Street to the February 21, 2024 meeting at 7:00 PM and in the interim a site visit.

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. NOI: Arthur J. Broadhurst, Pensco Trust Company, LLC, 3 Sixth Street. (2/7/24)

CL motioned to continue the Notice of Intent for Arthur J. Broadhurst, Pensco Trust Company, LLC, 3 Sixth Street to the February 21, 2024 meeting and in the interim a site visit.

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. Stormwater Bylaw: Article 12 Chapter 78, Rules and Regulations.

JW states that at the May 15th Town Meeting the Town passed a Stormwater Bylaw and we have a series of regulations before us that we need to issue to supplement the Bylaw and the enforcement. **AM** asks that anyone that has comments for the rules and regulations can reach out with any feedback to us. **JW** recommends some time to look at the regulations and get feedback. **MC** wants to clarify that the Commission has to make recommendations to the selectman. **MC** states he will abstain due to his seat on the Board of Selectmen. **JW** agrees.

CL motioned to continue the discussion to our next scheduled meeting.

JDJ seconded.

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

6-1-0. Motion Carried.

D. NEW BUSINESS:

1. Request for Certificate of Compliance, 1 11th R street West.

JW states they received the existing conditions as well as supportive photographs. There has been some strong vegetation to the site.

AM updates the commission that she has been to the site during construction and worked together closely during the project in monitoring. The photographs show that it has taken well.

CL motioned to approve the Certificate of Compliance for 1 11th R street West.

JDJ seconded.

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

7-0-0. Motion Carried.

E. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 20 Cable Ave
2. 103 Lafayette Rd.
3. 35 Liberty Street
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.

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:

AM gives an update on the Conservation emergency permitting work. Work is going on at access 11 being dispersed at high priority properties working through access 11,7 and 5 depending on the properties going on for the next month. Please contact the conservation department with any questions or concerns.

G. ADJOURNMENT:

CL motioned to adjourn the February 7, 2024 Salisbury Conservation Commission meeting at 9:15 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.