

**Salisbury Conservation Commission
Meeting Minutes
March 6, 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**), Christine Maxim (**CM**).

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

COMMISSION MEMBERS ABSENT: Michael Colburn (**MC**).

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. EMERGENCY CERTIFICATES:

JDJ motioned to add 150,168, 280, 338, and 340 North End Boulevard to the Agenda.

CM seconded.

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

6-0-0. Motion Carried.

1. 308 North End Blvd
2. 102 Central Ave.
3. 128 North End Blvd.
4. 256 North End Blvd
5. 136 Central Ave.
6. 522 North End Blvd.
7. 312 North End Blvd.
8. 254 North End Blvd.
9. 434 North End Blvd.
10. 160 /162 North End Blvd.
11. 306 North End Blvd.
12. 150 North End Blvd.
13. 168 North End Blvd.
14. 280 North End Blvd.
15. 338 North End Blvd.
16. 340 North End Blvd.

JDJ motioned to ratify the Emergency Certificates 1-16.

CM seconded.

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

6-0-0. Motion Carried.

B. MINUTES:

1. **February 21, 2024**

JDJ motioned to approve the minutes for February 21, 2024.

CM seconded.

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

6-0-0. Motion Carried.

C. PUBLIC HEARINGS at 7:10pm:

1. NOI: Town of Salisbury, DPW, Drainage Improvement, Dock Lane.

TJ Melvin (**TJ**) from Millennium Engineering, speaks on improvements needed on Dock Lane. The pipes are flat and the drainage is for day to day Stormwater drainage. **TJ** states the stormwater will drain past the pump station and out into the marsh. There will be a check valve at the end of the pipe discharge to prevent water from flowing back into the system and into the wetland. All of the proposed work is within the Dock Lane roadway with no large stock piling area. The intent of this project is for repaving of the road in April and the DPW would like some drainage installed before paving. **JW** asks if there is delineation. **TJ** shows a portion delineated by Mark West. **JW** states it might be useful to have a complete delineation to understand where the buffer zone is. **CL** asks if the DPW will have the ability to maintain this drainage system. **TJ** states they do not anticipate a lot of buildup. Abby Eaton (**AE**) abutter of 40, 42, 46, 48 Dock Lane expresses her concern for this project. She speaks on this project being proposed years ago and stopped. She suggests the army corps of engineers to dredge the creeks that are filled with hay. She would like to see silt fencing along the roadway, her concern is for a large pot hole at the top of the street as well that was not on this project. Malissa Lamontagne (**ML**) of 36 Dock Lane has a question to Millennium to suggest some grading and to request more information on the grading that they are proposing. **TJ** states they are not proposing any grading but a very slight amount. Daphne of 36 Dock Lane has concern for the water going out into the marsh, the drain sits in line with our property, is there a reason why it only goes so far. How is the water being dispersed? **TJ** states they are pushing the pipe back as far as they can. It is going to continue to drain as it does now. Ray Cote (**RC**) of the Department of Public Works and resident at 45 Baker Road states he is very familiar with Dock Lane and feels for the homeowners at 36 Dock Lane, where they are doing the drainage there is a swale. Without this drain there is nothing stopping the water from going into the swale. Water will still go into these areas as the tide flows. 42 Dock Lane was a natural swale back in the day and there was an old culvert that is now where a home exists. Martha Hars (**MH**) of 49 Dock Lane, states the pipe is dead ended on her property and is concerned about the 100-year events, when the water can't go out. She asks if there will be check valves for back flooding at every high tide. Jamie Tuccolo (**JT**) the Department of Public Works Director states the whole point of what they are doing is because they are planning to pave the whole road. It will not prevent 100-year storms but average rainstorms to prevent any undermining of the roads. They are looking at the entire street and addressing all of the issues. **JW** asks about the check valves, **JT** states there are two check valves for this project. **JW** suggests a site visit. **MW** asks where the water drains naturally. **AE** comments that she would like to see where the old pipe under the road is shown on a map. The pipes were put in the ground, can you show a map where that is shown. Mercedes McCarthy (**MM**) of 30 Dock Lane wants clarification on what is average for flooding. **TJ** explains how they do there sizing. **JDJ** asks about the drainage system and clarifies that it is basically just to protect the new road. **TJ** states that is correct.

JDJ motioned to continue the Dock Lane Drainage Improvement Project to the next scheduled meeting on March 20, 2024 7:10 PM with a site visit in the interim.

CM seconded.

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

6-0-0. Motion Carried.

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

JDJ motioned to continue the Notice of Intent for 77 & 79 North End Blvd Lots 1,2 & 3 to the March 20, 2024 meeting at 7:00 PM.

CM seconded.

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

6-0-0. Motion Carried.

3. **NOI: Arthur J. Broadhurst, Pensco Trust Company, LLC, 1 & 3 Sixth Street. (2/7/24)**

JDJ motioned to hear 1 and 3 Sixth Street as one presentation.

CM seconded.

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

6-0-0. Motion Carried.

Matthew Steinel (**MS**) from Millennium Engineering on behalf of the applicant explains the latest revised plan. He recapped from the last meeting and speaking with the homeowner. By making the stairs narrower they will not extend out.

ML motioned to approve the Notice of Intent for Arthur J. Broadhurst, Pensco Trust Company, LLC, 1 Sixth Street and 3 Sixth Street with the Standard Order of Conditions and the Special Order of Conditions with the Mean and High-Water Line be shown on the plans.

JDJ seconded.

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

6-0-0. Motion Carried.

4. **NOI: Richard Latorella, 51 Central Ave.**

Richard Latorella (**RL**) introduces himself and is attending on zoom, he speaks on his proposed project. **JW** speaks on the history of the work done on the property. **AM** speaks on the fence work done to make the fence compliant. **RL** states he would be willing to move the fencing spacing to what is needed to be compliant. **JW** asks about the concrete patio being installed on top of the asphalt and an approved stone. **JW** speaks on the existing 5 X 8 deck to enlarge to 12 x 12. He would like to extend if possible. **JW** asks if he has a more detailed plan and explains that they would usually like engineered stamped plans. **JDJ** asks if the concrete in the pictures were just poured. **RL** states he did not know that he could not do that. **JDJ** questions if they need to ratify an enforcement order. **ML** states concern for several parts of this project. **JW** discusses walkways with the property owner and what would need to be removed.

JDJ motioned to continue the Notice of Intent for Richard Latorella, 51 Central Ave to the March 20, 2024 meeting at 7:00 PM and in the interim check application to be received by DEP, have professionally prepared plans, abutter notification and a site visit.

CM seconded.

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

6-0-0. Motion Carried.

JDJ motioned to ratify an Enforcement Order to have the concrete pads removed and the site stabilized within 60 days.

CM seconded.

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

6-0-0. Motion Carried.

5. **NOI: Marsha V Kazarosian, Esq., 506 North End Blvd.**

Matt Steinel (**MS**) from Millennium Engineering is present and representing the applicant explains the project. **JW** asks why they can't put it on the concrete walkway side. **MS** states it would block the walkway. **JW** asks if they are doing work under the covered porch. **MS** says that is correct. **JW** is concerned for the amount of disturbance. **MS** states that all of the work is being done on the upper level and just a deck on the bottom up in the air. **MS** states that the footing will disturb but that it would not have much disturbance. **JW** asks how deep the trench would be. **MS** states it would be shallow approximately less than two feet. **JW** is not comfortable with the placement of the platform. **JDJ** asks about the concrete pad behind the covered porch. **MS** shares pictures. **CL** requests a site visit.

JDJ motioned to continue the Notice of Intent for Marsha V Kazarosian, Esq., 506 North End Blvd to the March 20, 2024 meeting at 7:00 PM with a site visit in the interim.

CM seconded.

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

6-0-0. Motion Carried.

6. NOI: Ruth Duncan, Jeffrey's Ledge Condo Association, 75 Atlantic Ave.

Matt Stienel (**MS**) from Millennium Engineering is present and representing the applicant. He explains this multi-story family structure. The applicant has issues with the deck being unsafe and a plan to replace the decks in the same footprints. **JW** asks about one of the decks partially on grade, can it be brought up at all? **MS** states that it is not possible. **JW** asks where the property line is. **CL** states when looking at the pictures the deck looks to be in good shape. **MS** states that it is a safety issue with boards.

JDJ motioned to continue the Notice of Intent for Ruth Duncan, Jeffrey's Ledge Condo Association, 75 Atlantic Ave to the March 20, 2024 meeting at 7:10 PM.

CM seconded.

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

6-0-0. Motion Carried.

7. RDA: Robert Soucy, 12 Atlantic Ave.

JDJ motioned to continue the Request for Determination of Applicability for Robert Soucy, 12 Atlantic Ave to the March 20, 2024 meeting at 7:10 PM.

CM seconded.

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

6-0-0. Motion Carried.

D. NEW BUSINESS:

1. Extension of Order of Conditions, 37 True Road.

Matt Steinel (**MS**) from Millennium Engineering is representing the applicants and explains the sale and purchase of this property to new homeowners. **AM** has concerns on the project with the erosion control not installed and the site being demolished without signage. New homeowners are willing to do the compliance and additional work. James Berry (**JB**) buyers at 37 True Road is very willing to start the process on this property. **JW** states that the goal is to clear out the barn and debris. **JDJ** asks if it will be the same plan that was existing. **AM** confirms that is the plan. **ML** clarifies that this is to vote for an extension on the plans already approved.

JDJ motioned to approve the extension of the Order of Conditions for 37 True Road.

CM seconded.

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

E. OLD BUSINESS:

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

CL motioned continue the Stormwater Bylaw: Article 12 Chapter 78, Rules and Regulations discussion to our next scheduled meeting March 20, 2024 at 7:10 PM.

JDJ seconded.

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

4-1-0. Motion Carried.

F. ENFORCEMENT ORDERS:

HOLD, PENDING UPDATE:

1. 105 Forest Road

AM updates the commissioners on this enforcement order.

CL motioned to lift the Enforecemnt Order for 105 Forest Road.

JDJ seconded.

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

6-0-0. Motion Carried.

2. 42 commonwealth Ave

AM updates that she is in contact with the owner and has ask for furthermore clean up of the site.

3. 20 Cable Ave

4. 103 Lafayette Rd.

5. 35 Liberty Street

6. 546 North End Blvd.

7. 249 North End Blvd.

8. 2A, 12th St. W.

9. 14 Old County Rd.

10. 100 Main St

11. 10th St. W.

12. 36 Pike St.

13. 2 Baker Rd.

14. 565 North End Blvd.

15. 30 Main St.

16. 211 North End Blvd.

17. 16 Hayes St.

18. 11 Railroad Ave.

19. 95 Railroad Ave.

20. **ACTIVE, PENDING COMPLETION:**

21. 27 12th St. W.

22. 10 Ferry Lots Lane

23. 253 No End Blvd.

24. **COMPLETE, PENDING APPROVAL:**

25. 29 Lafayette Rd.

26. 6 Sycamore Ln.

27. 16 Commonwealth Ave.

- 28. 139 Elm St.
- 29. 4 Main St.

G. AGENT & COMMISSIONER COMMENTS:

AM updates the public that the beach nourishment emergency project is finishing up in the next coming week to two weeks, everything is on schedule.

H. ADJOURNMENT:

CL motioned to adjourn the March 6, 2024 Salisbury Conservation Commission meeting at 9:34 PM.

CM seconded.

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

6-0-0. Motion Carried.