

Salisbury Conservation Commission
February 19, 2014
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.

COMMISSIONER MEMBERS PRESENT: Chairperson Sheila Albertelli (SA), Sally Laffely (SL), Matt Carignan (MC), Joanne Perreault (JP) and Andria Nemoda (AN)

COMMISSIONER MEMBERS ABSENT: None

ALSO PRESENT: Michelle Rowden, Conservation Agent and Lori Robertson, Secretary

S. Albertelli opened the meeting at 7:15 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

MINUTES:

January 15, 2014

MC motions to accept the minutes from 1/15/14. **SL** seconded the motion. All members present voted in favor. **Motion Passed.**

PUBLIC HEARINGS at 7:15 p.m.

NOI: Michael Larkin, 44 Railroad Avenue: Mr. Jack Sullivan (JS), of the Sullivan Engineering Group addressed the board on behalf of the applicant. The lot presently is a paved lot. The reason we are before you is because 90% is in the 100 year flood plain. There will be eight single family house units constructed on piles. We will be making improvements to Railroad Avenue. We are extending the sewer line within Railroad Avenue. There will be a sidewalk. There will be no fencing just planters. Trash will be the responsibility of the owners. There will be no dumpsters. **SL** asked why the drywells were not located towards the back. **JS** stated I would have put additional drywells towards the back but to meet the DEP performance standards I needed that 2' separation from the water table. The front is the highest elevation.

MC asked about the sewer line. **JS** stated DPW usually likes you to go down about 5' to protect from frost. I ran into an existing invert and pitch back into the site. I need it to drain out to Railroad Avenue. I have 3' of cover. We put a 2" foam board to protect the pipe. **MC** asked is the parking underneath? **JS** stated yes. No abutters present.

JP motioned to approve the NOI for 44 Railroad Avenue. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Daaboul and Sons Auto Repair, 76-78 Elm Street: Dennis Hamel (DH) of Cammett Engineering addressed the board on behalf of the applicant. This project has been reviewed by Joe Serwatka. We did storm water calculation. We added a sediment forbay. We proposed to plant a row of arborvitae to buffer the wetland. There is an existing sewer line that serviced the building. The new building will have floor drains. We will have a gas trap which will connect to the sewer line. No abutters present.

SL motioned to approve the NOI for 76-78 Elm Street. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Harold Nabhan, 402 North End Blvd.: Dennis Hamel (DH) of Cammett Engineering addressed the board on behalf of the applicant. DEP stated they do not want any walls on the ground. We have removed all the walls and slabs on the ground. The only thing that will be touching the ground will be the piles and stairways. The parking area will be underneath the deck in front with gravel. There will be no screening or fencing around the building. **SA** stated everything else has been addressed beside the house not moving back. **JP** questioned whether or not Conservation could approve the plan without pushing the house back. **SA** questioned whether it has to do with the dune performance standards or a public safety issue. **MR** stated the entire beach front is experiencing erosion. I think it's a good idea to retreat. This house is elevated significantly. **DH** stated the highest point is elevation 17.

SL asked why the applicant wants it so close. **DH** stated the original house was built in that area. He just wanted to go in line with the other neighbors in the area. **MC** asked about the easement. **SA** stated I would like to add to the order of conditions stating that access way to the beach wouldn't get infringed upon. No abutters present.

MC motioned to approve the NOI for 402 North End Blvd. with the following condition 1. The access is to be maintained along the northerly side. Plans as revised. **JP** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Seth & Belinda Traub, 438 North End Blvd. **SA** noted there were many DEP comments which are:

1. A plan showing the following information should be prepared: existing and proposed elevations; an open pile foundation (pilings should not have footings) and location and dimension of utility chase.
2. A narrative should be prepared that describes the method of installation of pilings.
3. The plan should note that any and all existing solid structures such as foundations, retaining walls and footings are to be removed prior to construction.
4. A plan profile should be prepared perpendicular to the shoreline showing: the elevation of existing and proposed grades; and elevation of the lowest horizontal structural member two feet above the velocity zone.
5. Any proposed fill must be compatible sand
6. Extent of primary frontal dune (PFD) does not appear to have been delineated properly, please revisit and include methodology for determining the extent of the PFD

Seth Traub (ST) addressed the board along with his contractor Ed Captor (EC) stated I believe in the NOI he addressed every one of the issues. **SL** asked if a pile plan was given to DEP. A pile plan is important. **EC** stated no. I have a floor plan. **SA** stated I would make sure the items that are needed on the plan are put on the plans.

JP motioned to continue to March 5, 2014 at 7:00 pm. **SL** seconded the motion. All members present voted in favor. **Motion Passed.**

RDA: Christine Frary, 5 Samantha Way: **MR** stated the applicant wanted to continue to the March 5th meeting.

SL motioned to continue to the March 5, 2014 at 7:00 pm. **JP** seconded the motion. All members present voted in favor. **Motion Passed.**

SL stepped down.

NOI: Myrna Davis, 83 Rabbit Road: Mr. Patrick Seekamp (PS) of Seekamp Environmental addressed the board on behalf of the applicant. This is a single family house lot. It is currently a wooded lot. This lot will be sewer and water served. There is no proposed filling. We are in river front area of Meader Brook. The lot falls outside of the first 100' of river front area. The house is located outside of the riverfront area. The grading for the driveway and utilities are in it. There is a proposed small trailer lot that falls on the south. There is an entire lot that is being developed. There will be a buffer screening between the two lots. A portion of the riverfront has been previously disturbed through unauthorized encroachment by the activities of the abutting lot. The gravel that was left from the abutting property will be removed.

AN asked how far Meader Brook is from the proposed house? **PS** stated 100' and 200' resource area. This area has already been disturbed with the other lot. **AN** asked if mitigation had to be done for the disturbed area? **MR** stated yes, an enforcement order was sent. They went through DEP. **AN** asked if Meaders Brook floods? **PS** stated we are not within the 100' flood plain. When the beavers are in there, there is flooding. **AN** asked if there was a survey for any endangered species in that area? **PS** stated it does not fall under the rare species. This is a fairly busy highway corridor. **AN** asked about the area that is already disturbed and planting for privacy. **PS** stated I had discussion about what plants they would like in there. I suggested an arborvitae screening. **AN** asked is there any need for monitoring/mitigation. **MR** stated it was not on this parcel. **PS** stated DEP had no comments.

MC motioned to accept the NOI for 83 Rabbit Road. **AN** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Amanda & David Schiappa, 39 True Road: Mr. Matt Steinnel of Millennium Engineering addressed the board on behalf of the applicant. The project is for a single family home. In November we did soil testing. We did five test pits. We did a wetland delineation. We are proposing the installation of silt fence around the entire extent of the fill. The majority of the impact is going to take place in the outer buffer of the wetland. DEP had no

comments.

SA asked about excavated organic material will be stock piled. **MS** stated yes. We have silt fence but if the commission wants haybales that is not a problem. **SA** stated I just would like salt hay. **MC** asked about the impact to the buffer zone. Is that the septic system and the corner of the house? **MS** stated its any change within the 100' buffer. **AN** asked about the phragmites. It's my understanding if you destroy the soil it spreads the phragmites. Do you have any control measures? **MS** stated the area that we are disturbing is not phragmites. **AN** asked if there was any way we could put it in writing about the phragmites. **MS** stated like a standard condition. We would be fine with that. **MR** stated my concern is the wetland line. Typically we would ask for a demarcation of vegetation or signage that says no disturbance conservation land. **MS** stated I don't think there will be an issue with a sign. I can get an answer and add it to the plan. **AN** stated maybe a natural fence. **SL** stated just from personal experience signs seem to walk away.

No abutters present.

JP motioned to approve the NOI for 39 True Road with the following conditions 1. Demarcation of the wetland boundary at the discretion of the applicant but preferred by the commission a natural barrier. 2. Salt hay around the perimeter. 3. Containment of the phragmites. **SL** seconded the motion. All members present voted in favor. **Motion Passed.**

True North Solar Farm, compliance, **AN** stated I did a site-walk and the site seems to be in compliance. I suggest they receive the 20% of the remaining bond. The site is regenerating. **MC** stated was there supposed to be a certain percent of growth. **MR** stated for the third review we didn't get that specific.

AN motioned to return 20% of the remaining bond to True North Solar Farm. **JP** seconded the motion. All members present voted in favor. **Motion Passed.**

JP motioned to move #1 under new business to #2 old business. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**

SL stepped down.

Request for Certificate of Compliance, 6 Garafalo Drive. Mr. Charles Neos addressed the board. **MR** stated I did the site walk. They previously had a partial certificate of compliance for the plantings. This is for the house itself. The house is moved further away from the wetland. The certificate should be issued.

MC motioned to issue a Certificate of Compliance for 6 Garafalo Drive. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

SL came back.

Request for Certificate of Compliance, 77 Baker Road. **JP** stated Michelle and I went on the site visit. The edge of driveway, nearest to the wetlands, does not appear to have been completed. It is still rough and will probably be graded in the spring. Since this is not what the commission would consider stabilized I would recommend waiting until the area is graded, seeded and germination has begun before issuing the Certificate of Compliance.

JP motioned to continue to the spring to give the owner a chance to regrade and seed. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**

SL stepped down

Request for Certificate of Compliance, 6 11th Street: Mr. Ron Laffely addressed the board on behalf of the applicant. I don't believe a site visit is needed for this property. The grade hasn't changed you may want to verify that. A stone driveway has been put in. **AN** stated she would do the site visit.

JP motioned to continue to the March 5, 2014 after the site walk. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Certificate of Compliance, 160 North End Blvd. Mr. Ron Laffely addressed the board. This building was never built. It was suggested that we close out everything and start fresh.

MC motioned to issue a Certificate of Compliance for 160 North End Blvd. **AN** seconded the motion. All members present voted in favor. **Motion Passed.**

SL came back.

Open Space Plan update, **AN** volunteered to be on the committee with potentially **JP** after reviewing her schedule.

ENFORCEMENT ORDERS:

- - 20 Dock Lane-no action
 - Salisbury Woods-still in negotiations
 - 2 Broadway-no action
 - 16 Hayes Street-no action
 - 4 Fanaras Drive-no action
 - 178 North End Blvd.-no action
 - 44 Lafayette Road-no action

COMMISSIONERS COMMENTS:

- MACC March 1, 2014 - **MR** signed up

ADJOURNMENT:

JP motioned to adjourn at 9:20 p.m. **SL** seconded the motion. All members present voted in favor. **Motion Passed.**