



January 7, 2015
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.

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

COMMISSIONER MEMBERS ABSENT: Jane Purinton (JPK)

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

S. Albertelli opened the meeting at 7:10 pm under the Wetlands Protection Act & Open Meeting Law and informed the public that the meeting is being recorded.

MINUTES:
December 17, 2014

MC motions to accept the minutes of the December 17, 2014 meeting. **SL** seconded the motion. 3-in favor. 2-abstain (JP and AN) **Motion Passed.**

PUBLIC HEARINGS at 7:15 pm:

NOI: Jay Davis, 12 Wyman Greely Street: Matt Steinel (SL) of Millennium Engineering addressed the board on behalf of the applicant. At the last meeting we were waiting for DEP comments. We had two comments 1. Dune standards need to be met. 2. Its a possibility that we may need to do some salinity test. Mark West spoke with Mike Abell at DEP. He stated to Mark West that you are all set and down the road they may ask for additional information. The commission had concerns relative to the safety of the first responders and people living in the house in case of flood. We reached out to the Fire Department and asked for an opinion. The applicant went down with the plan and reviewed it with him. He had no concern with what was proposed. The Fire Department submitted a letter and was not what he told us in the meeting. The letter states that he wants a turn-around at the end of the road. I went to speak to them and he said ideally we would want a turnaround but we are not going to ask for it. I did get to the site on the December 23, 2014 and took some pictures during a high tide. We are acknowledging that this site floods during big storms.

MC asked what the abutters house look like when you took the pictures. I didn't take any pictures of the abutter's house but he is a 1' higher. **AN** stated I have actually seen it flooded. **MS** stated the other abutter states he doesn't need a boat to get to his property.

SA stated the abutter came in the office and gave copies of flooding pictures from January 2, 2015. **MS** went over grading on the plan. **MC** asked if fill would be added? **MS** stated their intention is not to add fill. **AN** stated the first responders are not just fire, but also police, dpw. Did you contact those departments as well? **MS** stated we haven't because its not part of the Notice of Intent approval. I was advised by Michelle that DPW had a concern with this plan. **SA** asked who would be responsible for maintaining the roadway. **MS** stated the owner of the property would be responsible for maintaining the

utilities. **MC** asked about the dune performance standards and whether those would be met. Mary Rimmer (REC) of Rimmer Environmental Consulting addressed the board. She went over the dune performance standards. I think the limit of clearing shown on the plan is more generous than what it should be. The applicant is coming very close to the bordered vegetated wetland with the road construction. Erosion controls would be very important to mitigate the closeness. Questions to the installation of utilities and dewatering. I had concerns that this should be two separate filings. One for the road and one for the house. The Town getting a variance from the Massachusetts Wetlands Protection Act Regulation. Approval of a new dwelling on Wyman Greely Road that involves extending a public roadway and public infrastructure further into a known flood zone is contrary to the public interests the Town asserted in its request for a Variance. As far as the flooding on the property, the elevations are similar. Sea level rise is a fact. **AN** asked about the removal of the vegetation in the roadway and if that would increase the potential for flooding. **REC** stated the trees take up a fair amount of water in a growing season. They help to lower the ground water table. During the non-growing season there isn't much impact. **SL** stated we have been provided photos of an abutter's property. That gentleman has a stockade fence that goes around the entire property. It's a solid fence. Is he creating a problem on his own site by having that condition exist? I don't want my decision on someone else's property for someone who effectively has a moat. **REC** stated there maybe an inland component that is getting trapped. I don't have enough information to make a judgment on this. **SL** stated I see the photos from MS and there is no evidence of flooding. **MS** stated the abutter's property is higher than ours. I don't know about the grading in the back. **SA** stated the area seems to be a thickly settled area. **MS** stated it is not too thickly settled with trees. **REC** stated there shouldn't be any loam brought in. I don't think you need that 10' of trees being cut because they really can't have a yard there. **MS** stated we are not talking about bringing in loam we are talking about taking trees out so they are not banging on the house. **REC** stated you could prune the trees. **MR** stated as a point of clarification the fence is on this property. It's not on the neighbors. The water is on this property. Part of it maybe because he has a lawn that has been impacted by construction. The fence will have to be removed anyway. **MR** asked how wide is the road? **MS** stated it's proposed at 16'. **MR** stated I know the Fire Department said with everything extended off their truck it would be 18'. **MS** stated it's an existing right of way. **MS** stated if you need any additional information we can continue this and address the issues. **MR** stated I spoke with Don and he would like you to speak with him before finalizing these plans. **MS** stated it sounds like we need to revise the plan to move the utilities away from the wetlands. 2. Questions about safety with the Police and Fire Department 3. And hopefully to get DEP to clarify on their comments. **MR** stated also the road not being included officially as part of the NOI. That includes stormwater standards and also an additional fee. **MS** stated the stormwater standards only apply to the construction of a new road. This is an existing road. We are going to be removing trees and freshen it up but its existing. **REC** stated you would still have to apply the redevelopment standards. You still would have to comply with the stormwater standards but the less stringent redevelopment standards. You will need to address infiltration and water quality. **MS** stated we can talk with Mark West to see what needs to be done for that as well. **SL** asked if this becomes a separate filing. **MR** stated no it can be built into this one. **SA** stated I don't think 10' is needed around the house for the scope of work. **MS** stated its just the backyard. Any tree removal in the backyard could definitely be mitigated. We will try to minimize the clearing. Any clearing that does take place we could put low blueberry bushes, etc. that won't be up high hitting the house.

No abutters present.

MC motioned to continue the NOI for 12 Wyman Greely Street until the January 21, 2015 meeting at 7:10 pm. **SA** seconded the motion. All members present voted in favor. **Motion Passed.**

Brendan Doherty for 82 Lafayette Road: **SA** stated applicant requested a continuance until the next meeting on January 21, 2015.

SL motioned to continue the hearing for Brendan Doherty for 82 Lafayette Road until the January 21, 2015 meeting at 7:10 pm. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Certificate of Compliance, 84 Beach Road, AN stated she would do the site visit.

4th Season Monitor Report and Request for Bond Reduction, True North Solar, Rabbit Road SA stated the pictures depicted in the packet were not from the trees being cut down. **MR** stated I would recommend to reject the bond reduction until a favorable monitoring report is submitted.

JP motioned to reject the bond request and continue the request for a bond reduction until additional information is provided to a future date. **SL** seconded the motion. All members present voted in favor. **Motion Passed.**

AN motioned to move 20 Forest Road to the top of the list. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**

20 Forest Road- MR stated a complaint came in that there were wetland violations at this property. The building inspector and I went down to the property. It is right on small pox brook. This aerial is a year or so old. There are items in the wetland. He agreed to move them. We discussed a deadline by April 1st. We discussed to do as much work as possible while the ground is frozen. When the ground thaws he should not be doing anything with heavy equipment. **MC** stated is that a trailer truck? **MR** stated yes. **MR** asked are you aware of things that need to be removed. Derek Wallace addressed the board and stated yes he was aware. **AN** asked if any containments were in the soils. **MR** stated I did not see any evidence of contamination.

JP motioned to ratify the enforcement order for 20 Forest Road with the additional language about precautions and notifications if anything spills, or any containments are found. **AN** seconded the motion. All members present voted in favor. **Motion passed.**

20 Dock Lane-no action

Salisbury Woods-no action

2 Broadway-no action

44 Lafayette Road-no action

100 Elm Street-no action

106 Elm Street-no action

COMMISSIONERS COMMENT:

MACC conference on February 28, 2015.

ADJOURNMENT:

AN motioned to adjourn at 8:27 p.m. **MC** seconded the motion. All members present voted in favor. **Motion Passed.**