



**Salisbury Conservation Commission
Meeting Minutes
June 21, 2017
Colchester Auditorium, Town Hall
5 Beach Road
Salisbury, MA 01952
7:00 P.M.**

COMMISSIONER MEMBERS PRESENT: Chairman Sheila Albertelli (**SA**), David Arel (**DA**), Jane Purinton (**JKP**), and Alison Novello (**AN**).

COMMISSIONER MEMBERS ABSENT: Jessica Stucker (**JS**), Jennifer Troisi (**JT**).

ALSO PRESENT: Conservation Agent, Michelle Rowden (**MR**), Conservation Secretary, Adriane Marchand (**AM**).

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

A. MINUTES:

1. May 3, 2017
2. May 17, 2017
3. June 7, 2017

DA motioned to continue the minutes for May 3, 2017, May 17, 2017, and June 7, 2017 to the July 19th, 2017 meeting.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

B. PUBLIC HEARINGS at 7:10pm:

1. **NOI: Chris DeLuca, 100 Elm St. (3/15/17)**

JKP motioned to continue the Notice of Intent for Chris DeLuca at 100 Elm St to July 19, 2017 at 7:10p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

2. **RDA: Eliel DeOliveira, 128 Bridge Rd. (4/5/17)**

DA motioned to continue the RDA for Eliel Deoliveira at 128 Bridge Rd to July 19, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

3. **NOI: Habitat for Humanity, 22 Old County Rd. (6/7/17)**

Ken Staffier (**KS**) of Vanasse Hangen Brustlin (VHB) was present representing the applicant. The project proposed is to build seven (7) residential units. Three (3) duplexes and one (1) single family home. The majority of the site is wetland resource area. There is a strip of developable land at the front of the property. The parking will be to the front of the structures. The structures will be on slab foundation above the flood plain (9ft). Any slopes on the site will be as minimal as possible to keep the housing accessible. Roof runoff and the driveways will be channeled in to an infiltration system. No current utility access to site. Gas access is present but water

and sewer lines will need to be run from north of Michael's Road (located to the south), in the shoulder to minimize cost. Fill removed will be cast into trucks. There is a second option for installing water and sewer that is significantly shorter distance that they would like the Commission to weigh in on.

JKP asked for the location of snow storage on site. **KS** stated it will be cast to the sides by the home owners. George Kahler (**JK**) of Habitat for Humanity stated there will be a home owners association but there is no common driveway. **KS** offered to show the front yards as snow storage area on a revised plan.

SA asked if this is a no salt area. **KS** stated it is not.

MR requested the revised plans also show the location of the proposed construction stock piles.

JKP requested a silt sock and fence be installed around the site prior to construction. **DA** asked about the replication ratio. **KS** explained the ratio and stated it is about 2:1.

Meredith Avery (**MA**) of VBH explained the option of bringing sewer and water to the site from the north. The distance will be significantly shorter and therefore cheaper, but the shoulder is considered wetland as there is *Phragmites* growing to the edge of pavement. The effects of this work to the saltmarsh would be minor and temporary. They would appreciate the Commission's input on whether this option is worth pursuing in light of the impact on wetlands.

All the Commission members agreed that, provided more information, they would be amenable to the change.

JKP motioned to continue the Notice of Intent for Habitat for Humanity, 22 Old County Rd to July 19, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

4. NOI: James Zorbas, 32 Railroad Ave (LC Lot 480) (6/7/17)

Matt Steinel (**MS**) of Millennium Engineering represented the project. Provided an overlay image of what Public Hearing #4 and #5 look like together. Agreed to plant some native vegetation at prior meeting included in plan.

SA requested that the dune not be mulched.

DA asked if there is any proposed fencing. **MS** replied there is an existing fence but it is not under this property's ownership.

JKP asked where the snow storage will be on site and how many feet are along the front of the condos could possibly be used for snow storage. **MS** replied there is just over five (5) feet of land along the front and about seven (7 feet) on the sides of the buildings. Snow will need to be trucked offsite. **MR** suggested the plan should be redesigned to allow for more snow storage. **MS** disagreed, stated they will move forward with the plan as is. **MR** asked if the buildings only have one stairway. **MS** answered they do. The architect has not designed the building yet. They will amend the approval if they need to.

SA asked if pervious pavers are going to be used for the pathways instead of gravel. **MS** replied that is likely with gravel used under the buildings. **SA** asked that gravel under buildings be kept limited to the parking spaces.

DA expressed disapproval for the snow storage plan and that a profile of the structures showing elevation was not given. **MR** clarified also that when they were asked for a landscape plan, the intent was to improve the resource area not put in a garden bed. It is a coastal dune on a barrier beach and they would like to see sand and native plants on the plan.

DA motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 480, to July 19, 2017 at 7:10p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

5. NOI: James Zorbas, 32 Railroad Ave (LC Lots 478A, 479) (6/7/17)

DA motioned to continue the Notice of Intent for 32 Railroad Ave, Land Court Lot 478A and 479, to July 19, 2017 at 7:10p.m.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

6. NOI: Robert & Joyce Smith, 577 N. End Blvd. (6/7/17)

Michael Seekamp (**MSK**) was present to represent the Smith's. Proposed an addition on the first (1st) and second (2nd) floor of the property. They are in the A/E zone which is at elevation 9 (lowest structural member is to be 2 feet above). They currently sit at elevation 10.95. **JKP** asked **MR** if just under two feet above the flood zone is acceptable. **MR** replied that falls to the building inspector to decide as the flood regulations are enforced under zoning.

JKP requested the applicant remove the pavement under the proposed addition. **MSK** agreed it will be returned to sand. **JKP** reminded them that skirting is prohibited and the fence on site, if it ever falls down, needs to be replaced with a fifty percent (50%) flow through fence. That is not part of this project, just information for the future.

JKP motioned to approve the Notice of Intent for Robert & Joyce Smith at 577 N. End Blvd with the standard special conditions and the condition that the hot top under the addition is removed and returned to sand.

AN seconded.

JKP amended the motion to include the condition that no skirting is allowed

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

7. Amended NOI: John Gorman, 30 Elm St. (6/7/17)

Matt Steinel (**MS**) of Millennium Engineering represented the project. There was a site walk on Monday, June 26th to address the water issues on the abutting properties. Have provided stormwater calculations to the Town Engineer Joe Serwatka. Have not heard back yet. Applicant has agreed to replace stockade fence and planting *Arborvitae*s or similar bush on berm.

DA motioned to continue the amended Notice of intent for John Gorman, 30 Elm Street, to July 19th, 2017 at 7:10 p.m.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

8. NOI: James & Sarah Hajjar, 242 North End Blvd (6/21/17)

Sarah Hajjar (**SH**) was present to introduce the project. The project is located entirely on their own property. They are proposing to move fences and place a rollout walkway to protect the sand in the pathway from eroding. They will be placing a new fence on the south side of the path. They are working with the DCR on the angle of the opening to the beach.

DE motioned to continue the Notice of Intent for James & Sarah Hajjar, 242 North End Blvd.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

9. NOI: Vincent Brandolini, 64 Forest Rd. (6/21/17)

Bob Masys (**BM**) of RAM Engineering, was present to represent the applicant. Proposed to remove the existing building and build a new single family home. Plans to install drainage on both sides of the property. Will also be install a new septic system.

JKP requested they supply a narrative of the work to be performed. Also requested the addition of a silt fence to the plan.

SA asked what the situation with accessing utilities is. **BM** replied they will be accessing though the existing utilities and water connection on the site.

John Petryk (**JP**) abutter at 1 Wolpert Way was present to express concern about the drainage situation and flooding on his property. **BM** provided **JP** with an extra site plan and agreed not to fill in any trenches on site. Lee Witham (**LW**) abutter at 57 Forest Road also expressed concerns about the drainage. Water travels through culvert across the road to their back yard.

BM clarified only grade changes on site will be for the septic system. No disturbance will be on the culvert side. **BM** provided a copy of the plans to **LM** as well.

There is no DEP number issued for this project. Commission cannot vote on it tonight.

JKP motioned to continue the Notice of Intent for Vincent Brandolini, 64 Forest Rd to July 19, 2017 at 7:10 p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

10. NOI: Terrence Marengi Jr., 9 Garafalo Dr. (6/21/17)

There is no DEP number issued for this project. Commission cannot vote on it tonight.

Terrence Marengi Jr (**TM**) was present. Introduced the project to install an inground pool about forty (40) feet outside of the No Build Zone on their property. All fill removed will be used as back fill as needed and the surplus will be trucked off site. **SA** asked if there will be a fence around the pool. **TM** replied there will be a patio and a 4 foot fence around the pool. Showed the area on the plans provided.

AN motioned to continue the Notice of Intent for Terrence Marengi Jr. at 9 Garafalo Drive to July 19th, 2017 at 7:10 p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

11. NOI: Richard Farina, 16 Atlantic Ave. (6/21/17)

There is no DEP number issued for this project. Commission cannot vote on it tonight.

Matt Steinel (**MS**) of Millennium Engineering was present to represent the project. Introduced the site layout and the area of pavement that will be removed as well as the current three (3) dwellings. Proposing to build a two (2) story multifamily with front and back decks. All utilities will be accessed off of Atlantic ave with the exception of gas that has an existing access point off the back of the property. **JKP** asked if the back stair can be relocated. **MS** offered to place them mirror imaged on the other side of the back of the house. **MR** suggested under the house. **MS** replied that the stairs are second story deck access.

JKP asked if the fence was compliant with dune performance standards. **MS** stated the fence will be removed and if replaced, will be compliant. **DE** expressed concern about roof runoff and asked if it can be guttered and chambered. **MR** replied that chambers would not be allowed in the velocity zone. They could gutter to the four corners and discharge into stone trenches. **DE** asked if the elevation view was provided. **MS** stated no. **SA**

expressed concern about the parking space arrangement trapping residents. Asked for proof to be provided on the legality and safety of such an arrangement. **SA** also requested a profile rendering. **MS** replied he will try but it may not be accurate as there is no architect working on the project at this time.

DA motioned to continue the Notice of Intent for Richard Farina, 16 Atlantic Ave. to July 19th, 2017 at 7:10 p.m.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

12. NOI: Anthony Montisanti, 81 Atlantic Ave. (6/21/17)

There is no DEP number issued for this project. Commission cannot vote on it tonight.

Matt Steinel (**MS**) of Millennium Engineering was present to represent the project. Introduced the site where they are proposing to add a large deck (24 feet by 24 feet) which will allow them to utilize the yard. **SA** stated there is a vegetated dune under the deck. **JKP** suggested using an alternate deck material (like Thruflow decking) that will allow the dune to continue to grow under the decked area. Otherwise it is the preference of the Commission to avoid building over the grassed dune area.

Judy Minicucci (**JM**) abutter at 79 Atlantic Avenue objected the obstruction to her view and the proximity of the deck to her house violating her privacy. **SA** replied that these issues fall outside of the Commissions preview and should be discussed in a different venue.

Less Reardon (**LR**), legal representative for the Burba's, informed the Commission the Burba's have concerns but in light of the continuance they will reserve their objections until the next meeting.

JKP motioned to continue the Notice of Intent for Anthony Montisanti, 81 Atlantic Ave. to July 19th, 2017 at 7:10 p.m.

AN seconded.

Vote: 4-0, unanimous. Motion Carried.

13. NOI: Augustus & Susan Harrington, 22-24 First St. (6/21/17)

There is no DEP number issued for this project. Commission cannot vote on it tonight.

Tom Hughs (**TH**) of Hughs Environmental Consulting and Sarah Bellino of Mead, Talerma, and Costa, LLC represented the applicant. **TH** added that in addition to hearing back from DEP they are also waiting to hear back from Natural Heritage. The site has a current seasonal permit for a dock. It is a 50 foot ramp. Helical anchors are preferred for this use. They could possibly hit ledge in which case they will return before the Commission. Two deck structures currently exist on the water side. The existing pool also counts as impervious area. The pool and one deck will be removed, one deck will be rebuilt. The house will be moved back about 15 feet from its current placement and a patio will be added within the bounds of the existing pavement. The site will house 2 units. The impacts will be reduced from the current impacts. Showed commission figure on plans outlining the impacts. They will plant more vegetation on the water side and the lawn planted will be fescue lawn which requires less water and less maintenance. Will be submitting a *Phragmites* control plan and will consider reducing the size of the deck further. **DA** asked of the deck is pervious or impervious. **TH** replied that has not be decided yet but the calculations account for it being impervious. **TH** shows the drive way arrangement and the use of grass pavers in one area for overflow parking.

Abutter Dave Rooney (**DR**) requested a pervious driveway. **TH** replied they will consider it. The site does pitch slightly to the river so any runoff goes in that direction. There is also a drip edge along the driveways to direct the water. **DR** also expressed concern about blasting of ledge on site. Asked them to move the plan further from river. **TH** responded the footprint was approved though a long process though zoning leading to the current location. **DR** also made a complaint know that the abutters letters only came 5 days ago limiting the abutters preparation time. **DR** also expressed concerns about the length of the dock. **TH** clarified it is the same length as

the existing dock and has to be that long to prevent any boat anchored there from becoming grounded each low tide. The only difference is the last float because of the length of the ramp.
Abutter Donna Wadsworth (**DW**) at 28 First Street expressed her concerns about the blasting that could take place her home was built in 1892. Would also like to see a pervious driveway. **TH** addressed her concerns about blasting by reviewing the process.
JKP requested a site visit.

JKP motioned to continue the Notice of Intent for Augustus & Susan Harrington, 22-24 First St. to July 19th, 2017 at 7:10 p.m.

DA seconded.

Vote: 4-0, unanimous. Motion Carried.

C. OLD BUSINESS:

1. Request for Certificate of Compliance, 44 Railroad Ave.

DA motioned to continue the Request for Certificate of Compliance for 44 Railroad Ave to July 19, 2017.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

D. NEW BUSINESS:

1. Request for Extension, 8 Bartlett St.

AN motioned to grant an extension for 3 years for 8 Bartlett Street to February 24, 2019.

JKP seconded.

Vote: 4-0, unanimous. Motion Carried.

E. ENFORCEMENT ORDERS:

1. 100 Elm St.

2. 28 CCC Rd. - DA requested update. **MR** stated she will follow up on progress shortly. **DA** wished they took a more aggressive route to enforcement.

3. 13 Commonwealth Ave- MR stated they have worked on structure and removed offending walls satisfactorily, need to look at landscape plan. Making substantial progress, will see them soon.

4. 81 Railroad Ave.

5. 105 Rabbit Rd. - MR will be doing a site visit next week to check on growth.

6. 438 N. End Blvd

7. Pearson's Pit Access Rd

8. 128 Bridge Rd.

9. 26 Sweetapple Tree Ln. – MR informed the Commission they have hired Hughs Environmental Consulting to work on a plan. Will be following up shortly.

10. 91 Bridge Rd.

F. COMMISSIONER COMMENTS:

SA informed the Commission the Boardwalk Ribbon cutting will be on Friday the 23, 2017.

DA asked if any new members of the Conservation Commission were going to be added soon. Suggested adding incentive for serving.

JKP asked about horses defecating on the beach and not cleaning it up. **SA** explained that horse poop and dog poop are very different because of the different diets. Horse feces doesn't pose the health hazard that dog feces pose and it breaks down very quickly.

F. ADJOURNMENT:

AN motioned to adjourn the June 21, 2017 Conservation Commission Meeting at 10:22 p.m.

JKP seconded.

Vote: 4 -0, unanimous. Motion Carried.