



Salisbury Conservation Commission
October 7, 2015
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) Jennifer Troisi (JT) and Joanne Perreault (JP)

COMMISSIONER MEMBERS ABSENT: Andria Nemoda and Matt Carignan

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:

September 2, 2015

DA motions to accept the minutes of the September 2, 2015 meeting. **SA** seconded the motion. Vote on motion 3 – 0 (2 abstained). **Motion Passed.**

PUBLIC HEARINGS at 7:15 pm:

NOI: Ameresco d/b/a Mass Solar Highway LLC, 105 Rabbit Road: **MR** noted that the applicant requested a continuance until the October 21, 2015 meeting.

DA motions to continue the NOI Ameresco d/b/a Mass Solar Highway LLC, 105 Rabbit Road until the October 21, 2015 meeting at 7:10 pm. **JP** seconded the motion. All members present voted in favor. **Motion Passed.**

RDA: Thomas Sarasin, 430 North End Blvd: Thomas Sarasin (TS) addressed the board. I am looking to replace an existing porch. There will be a roof deck on top of it. Most of the footings are standard 12" tube. I need to lower the deck height. I get snow build-up. **JKP** stated what are the footings now? **TS** stated not sure. My guess is cinder block. **JKP** asked will the holes be dug by hand? **TS** stated my hand or a power auger. **SA** asked about debris removal. **TS** stated I plan on getting a dumpster.

No abutters present.

JT motioned to issue a negative determination for 430 North End Blvd. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

NOI: Jodi and Daniel Marks, 21 True Road: Ben Osgood (BO) addressed the board on behalf of the applicant. They are proposing to raze existing house and construct a new one. Also, they are requesting to replace an existing septic system. The one there now, just failed. Did six test pit locations. The construction of the new septic system will require the crossing of two grassed wetlands channels. The wetland disturbance will amount to 470 s/f and will be reestablished in place. **SA** stated this will be done within 30 days of work being completed. **BO** stated yes. **MR** and **DA** did a site visit. A

DEP number was received. It was noted to give them time to review it. SA asked about stormwater swales in front of the property were illegally altered prior to filing. **BO** stated we have no problem with removing that and let it vegetate naturally. **SA** stated the conditions we talked about would be the crossings are temporary. The area will be returned to its original condition within 30 days of completion of the septic work. The swales in the front of the property will be returned to the original condition (fabric and stone removed, seeding with a wetland mix). **DA** asked what would happen to the existing septic? **BO** stated it will be abandoned in place.

JP motioned to approve the NOI for Jodi and Daniel Marks, 21 True Road.
DA seconded the motion.

SA stated she would like the conditions added into the motion.

JP motion to withdraw motion.

JKP motioned to approve the NOI for Jodi and Daniel Marks, 21 True Road with the following conditions: 1. Within 30 days of completion of the septic work it will be returned to its original condition. 2. The swales in the front of the property will be returned to the original condition (fabric and stone removed, seeding with a wetland mix). **JP** seconded the motion. All members present voted in favor. **Motion passed.**

NOI: Ira Furlong, 62 Cable Avenue:

JT motioned to move this to the end of new business.

SA seconded the motion. All members present voted in favor. **Motion Passed.**

Request for Certificate of Compliance, 73 Cable Avenue: **MR** stated I did a site visit. It is for a garage. The boards that were taken down cannot be put back up. I recommend a Certificate of Compliance.

JT motioned to issue a Certificate of Compliance for 73 Cable Avenue with the stipulation the boards that were removed cannot be replaced. **JKP** seconded the motion. All members present voted in favor. **Motion passed.**

Request for Certificate of Compliance, 24 First Street: **MR** stated she did the site visit. It is for a dock from 1980. I recommend a Certificate of Compliance.

JT motioned to issue a Certificate of Compliance for 21 First Street. **JKP** seconded the motion. All members present voted in favor. **Motion passed.**

Significance of Change, 14 Friedenfels Road: Shane Foley (SF) addressed the board. I am requesting to change the grade of the back of the property. Currently at the foundation point there is a slope that goes down. I would like to extend that out 15' to the no-disturb line and then take the slope down to the flat surface. I will install native plants on the banking I have put in. I will have to bring in fill for the grass. **SA** stated I recommend working closely with the agent on this. **MR** stated we ask for compatible soils.

JT motioned to grant an insignificance of change for 14 Friedenfels Road that the topsoil bringing brought in for fill is approved by the commission working with the agent. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

2 Broadway-No action

44 Lafayette Road-no action

100 Elm Street-no action

28 CCC Road-no action

20 Forest Road-

126 N. End Blvd.-no action

7 Elmwood Street-no action

13 Commonwealth Avenue-no action

95R Lafayette Road-no action

457 North End Blvd.-no action

73 Mudnock Road- JT motioned to ratify the enforcement order for 73 Mudnock Road. **JKP** seconded the motion. All members present voted in favor. **Motion Passed.**

73 Mudnock Road-Town of Salisbury DPW: JT motions to ratify the enforcement order for 73 Mudnock Road-DPW. **JKP** seconded the motion. All members present voted in favor. **Motion passed. SA** stated commission did a site visit. For the Steven's Christmas Tree Farm: remove logs from a wetland behind the sewer pump station. There is a note that states the wetland is dominated by phragmites and may be mowed 1 to 2 times per year to re-establish. The second one would be cleaning out the culverts under the sewer access road done by DPW. The third issue is a cease and desist of clearing of vegetation adjacent to the Chapman residence. Did the commission consider any plantings. **JKP** asked MR what she thought would be appropriate. **MR** stated if you allow it to grow back naturally to see what you get. **JKP** stated there is a huge beaver issue out there.

Abutter, Paul Theophilopoulos (PT), my parents Petros and Anastasia Theophilopoulos (AT) and we own 91 Elm Street. Is DPW going to be reconstructing the clam shell road? The clam shell road is damming up a lot of water. We were never made aware of this clam shell road. **SA** stated there is no one here from DPW. My understanding is they are going to clean up the culverts and ongoing maintenance. **MR** stated his only plan is to clean out the two culverts. I can ask if there are any other plans to maintain the roads. **PT** stated no water is going to move through with a small 8-10" culvert. When the road went in that is when our issue began multiplying. Went over how much money was spent for the property and taxes and how much money they have lost to the problem with the water. The situation needs to have a remedy. Discussion of when the clam shell road was put in. **JP** asked if the clam shell road is owned by the town. **MR** stated the town only has an easement to pass over it. **AT** stated for many years the shells remained flat. Now its 4-5' high. When we were trying to get a mortgage for the property the bank sent out an investigator, there was no water there. The property was in very good condition when we purchased it and now it is not. **JKP** asked where did the clam shells come from?

Heidi Stevens Tatro addressed the board. My late husband let people dump the clam shells on the road. Eddie Hunt was responsible for dumping the clam shells. After my husband passed away Ed called and said if there is anything I can do to help. We have since approached him and asked him to help to clean up the mess. The pipe that runs under the road is too small. **JP** stated that Don Levesque should be contacted to help with this matter. **MR** stated to remove the beaver dams you need to start with the board of health. You can call me and we can talk about the process in the office.

Tom Tatro addressed the board. I believe there is a broken water line under the street on Elm Street that needs to be looked at. All of the ditches in Town need to be looked at. **JKP** stated these discussions happen at Town Meeting frequently and there is a budget issue. **MR** noted she will inform Don Levesque of the issues.

Ira Furlong, 62 Cable Avenue: Tom Hughes (TH) of Hughes Environmental Consulting addressed the board. Describes the property. We are proposing a fairly small two family. It would have 2 parking spaces underneath and 2 spaces in the front on an aggregate driveway. Elevated mechanical room with a 4x4 utility chase. Access both under and up through the deck. This is a conceptual building. I provided a list of native plants. Prior to construction a landscape plan should be submitted to you. I would recommend a condition regarding the open pilings and no footings. Shows photographs of the neighborhood. **SA** asked since its close to the salt marsh is there any intent to do demarcation? **TH** stated you can if you want. We aren't disturbing anything back there. I would just ask for a condition to provide a plan on how we are going to demarcate the area.

SA stated the conditions: A planting plan prior to the building permit. What material will be used for the driveway. Structure must be open and no skirting up to flood elevation or at least 2' up from grade. Plan for demarcating with a 10' offset from the wetland flags.

JT motioned to approve the NOI for Ira Furlong, 62 Cable Avenue with the following conditions conditions: a planting plan will be submitted prior to the building permit being signed. The type of material that will be used for the driveway will be approved prior to Building permit being signed. Structure must be open and no skirting shall be at least 2' above grade and or to flood elevation whichever is more. Plan for demarcating with a 10' offset from the wetland flags. No footings. Seconded by **JP**. All members present voted in favor. **Motion passed.**

COMMISSIONERS COMMENT:

- **MR** stated I will be attending a pre-permitting meeting this week to discuss the near shore placement off of Salisbury Beach and Plum Island. This is still an idea the MRBA is still working on. Piscataqua River will be dredged and the MRBA will be taken half of the spoils of that for near shore displacement. **SA** asked if you knew the amounts that were coming to Salisbury and split with Plum Island. **MR** stated I don't have the exact number in front of me but it will result in approximately 750,000 cubic yards of material. Half will be going to Wells Maine and the rest will be coming to Salisbury Beach and Plum Island potentially.

SA motioned to go to adjourn at 9:00 pm. **JPK** seconded the motion. All members present voted in favor. **Motion Passed.**