

MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, APRIL 23, 2018 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM

PRESENT: Selectmen Chuck Takesian Chairman; Wilma McDonald, Henry Richenburg, Freeman J. Condon, and Ronalee Ray-Parrott

ALSO PRESENT: Neil J. Harrington, Town Manager and Janet Flannery, Secretary

I. Call to Order/Salute to the Flag

Chairman Takesian called the meeting to order at 7:00 PM in the Colchester Room, Salisbury Town Hall. He then announced, per the Open Meeting Law, that this meeting is being recorded and broadcast live.

II. Acceptance of Minutes

Minutes of April 9, 2018

Motion by Selectman Ray-Parrott, Second by Selectman Richenburg; voted to approve the Minutes of April 9, 2018 as written. VOTE: 4 yeas, Chairman Takesian - Present

III. Old Business

Vote on Modified LIP Application for 56 and 60 Beach Road

The Planning Director had provided a memo to the Board with her comments on the developer's proposal prior to the meeting. Selectman Richenburg asked the developer, Steven Paquette, if he had completed all the conditions required by the ZBA for his project at 54 Beach Road, and he said he has not closed out with them, but all the outstanding items have been taken care of. He also stated that Board approval of his new LIP application is the first step in the process and if the Selectmen vote in favor the complete process has to be followed as he did with the first application. He also noted that under the new application the proposed development would include two additional 3-bedroom units. Selectman McDonald said she feels there are so many Ch. 40B developments in town that the Board doesn't have to endorse any more. She also pointed out that as you travel down Beach Road most houses are single family homes and to put two 3-bedroom unit buildings in between them would not look right. Selectman Condon said he didn't see the project as being an advantage to the Town, but it isn't a disadvantage either, and he would support it.

Motion by Selectman McDonald, Second by Selectman Ray-Parrott; voted to approve the LIP Application for the proposed 56 and 60 Beach Road project. VOTE: 4 yeas – Selectman McDonald opposed. Motion carried.

IV. New Business

a. License Renewals:

Motion by Selectman Richenburg, Second by Selectman McDonald; unanimously voted to renew a **General** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Bob's Mobile RV Service – 78 Ferry Rd.

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to renew a **Parking Lot** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals for: Salisbury Beach Parking – 70 Railroad Ave.

b. New Licenses

Motion by Selectman Ray-Parrott, Second by Selectman Condon; unanimously voted to approve a **Special Event Permit** for the Granite State Wheelmen for their annual Seacoast Century Bicycle Ride

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, APRIL 23, 2018 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

c. License Amendments - none

d. Liquor License Renewals - none

e. New Liquor License - One Day All Alcoholic Permit

Motion by Selectman Ray-Parrott, Second by Selectman Richenburg; unanimously voted to approve a One-Day All Alcoholic Permit to Kristin Belsky for a wedding at the State Reservation on May 26, 2018

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to approve a One-Day All Alcoholic Permit to: Boys & Girls Club for their annual auction on May 5, 2018

f. Committee Appointments - none

g. Update/Presentations: Jack Morris, Board of Health Director

Mr. Morris said that when he addressed the Selectmen 6 months ago, he talked about “housekeeping” items and changing some regulations by the Board of Health, which was done in February. On May 1st the Board will be looking at marijuana regulations adopted by the State. They are also pursuing a new check list for property owners who are required to obtain certificates of habitability under with the Board’s policy re: inspection of rental properties. Since the program started the Town is receiving fewer complaints from seasonal and year-round renters. They have gone down from 5 weekly to about 1 every 8 weeks, so the program is working. Regarding 50 Elm Street, he informed the Board that he and the Building Inspector had sent an enforcement order which wasn’t signed for so another one was delivered today by the Police Dept. There are numerous violations on the property that need to be corrected. Finally, he reported that food inspections are on-going with no major problems. Also, seasonal inspections are now going to be starting and Title V inspections will be picking up.

h. Vote to Refer to the Planning Board a Zoning Amendment Creating a Recreational Marijuana Overlay District

The Town Manager reminded the Board that Mass. General Law requires any potential zoning changes to be referred to the Planning Board by the Board of Selectmen for a public hearing prior to a vote at Town Meeting. He asked that the Board refer the next 3 agenda items to the Planning Board.

Motion by Selectman Condon, Second by Selectman Richenburg; unanimously voted to refer to the Planning Board, in accordance with MGL 40A, Section 5, a Zoning Amendment creating a recreational marijuana overlay district.

i. Vote to Refer to the Planning Board a Zoning Amendment Changing the Zoning Designation of Assessor Map 6, Lot 38

Motion by Selectman McDonald, Second by Selectman Condon; unanimously voted to refer to the Planning Board, in accordance with MGL 40A, Section 5, a Zoning Amendment changing the zoning designation of Assessor Map 6, Lot 38.

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, APRIL 23, 2018 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

j. Vote to Refer to the Planning Board a Zoning Amendment Amending the Official Zoning Map of the Town

Motion by Selectman Ray-Parrott, Second by Selectman McDonald; unanimously voted to refer to the Planning Board, in accordance with MGL 40A, Section 5, a Zoning Amendment amending the Official Zoning Map of the Town.

V. Comments by Visitors

Prior to taking comments from the public, Chairman Takesian announced that the Selectmen's Policies & Procedures Handbook states comments are to be kept between 2 and 5 minutes per person and kept as brief as possible.

Several addressed the Board with comments pertaining to the "Big Block" project. The consensus of the speakers was that the Planning Board approved the project but the conditions set by them made the project inoperable. The Planning Board was scheduled to meet again on April 25th and the Selectmen were being asked to attend and request/urge the Planning Board to re-visit the list of conditions and eliminate the ones that cannot be accomplished by the developer, and to do what they can to make the project happen. Everyone who spoke felt that the conditions were unreasonable and that the Planning Board went beyond the parameters of their duties. Those who spoke were: Wayne Capolupo – 170 Beach Road, Tom Saab – 190 No. End Blvd., a resident of 42 Central Ave., Ron Tony Giordano – 44 Railroad Ave., a resident of 96 Atlantic Ave., and Brent Byers – 15 Ferry Lots Lane. At the conclusion of the comment period, Selectman McDonald stated that the Board of Selectmen may choose to attend other board meetings, but it is not appropriate for Selectmen to tell members of other boards how to vote or to urge them to change their minds on any matter.

VI. Sewer/Water

a. Vote to adopt amendments to Sewer Regulations re: number of EQRs assigned to seasonal camping facilities and method of payment for sewer access fees

Note: Discussion and vote on this issue occurred after the public hearing was held at 7:30 PM.

The Town Manager gave a brief explanation of the rationale behind the requested changes. He explained that, in the course of studying the Lafayette Road corridor sewer extension project, the committee felt strongly that all property owners who might have to pay a betterment if the project is approved should be treated equitably. Assessor Cheryl Gorniewicz and Jeff Ingalls of the Sewer Department had analyzed 10 years of flow data from campgrounds in town and believed that the existing EQR schedule as it pertains to camp sites was not fair and should be amended. The study committee supported their recommendation of changing the number of EQRS per camp site from .606 to .084. The committee also agreed that the two existing campsite classifications should be merged into one, and they agreed to make these recommendations to the Board of Selectmen.

The Manager also explained that since the adoption of access fees several years ago, the Town's Water and Sewer Regulations have required these fees to be paid "up front" and prior to the receipt of an occupancy permit or permit to make a new connection to town sewer. The Lafayette Road corridor sewer study committee noted that, considering the potential costs of betterments associated with the project, the current regulations might impose a burden on new sewer users should the project be

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, APRIL 23, 2018 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

approved, so the study committee recommended that the Board consider allowing sewer access fees to be paid in conjunction with betterments to be spread out over a period of time not to exceed five years.

Motion by Selectman McDonald, Second by Selectman Ray-Parrott; unanimously voted that the Board of Selectmen, acting as Sewer Commissioner, approve the adoption of the amendments to the Town's Sewer Regulations re: number of EQRs assigned to seasonal camping facilities and method of payment for sewer access fees, as presented by the Town Manager.

**b. Presentation and Recommendation from Study Committee re: Lafayette Road
Corridor Sewer Extension Plan**

Mr. Harrington spoke on behalf of the Study Committee and noted that he had provided a memorandum to the Board from Weston-Sampson, the engineering firm hired to do the engineering and technical research, as well as to provide cost estimates for the project. He noted that several public meetings have been held and were well attended and there are many people who want and need sewer service, although he acknowledged that there are some who don't. He then read the synopsis of the Memorandum, a copy of which is on file in the Selectmen's Office. Mr. Harrington thanked the committee members, specifically Henry Richenburg, Freeman Condon, DPW Directors Don Levesque (now retired) and Lisa DeMeo, Town Planner Lisa Pearson, Jeff Ingalls of the Sewer Department, Chief Assessor Cheryl Gorniewicz, and the consulting engineers at Weston-Sampson. In closing, he recommended proposing a warrant article at Town Meeting.

Michael Colburn, resident at Northpointe Village, asked if the sewer extension was requested by people living in this part of town, or whether this was an initiative of the Town. Mr. Harrington explained that it was the latter. As an example, he noted that there was a letter from the residents of Heritage Park several years ago asking what the Town was going to bring sewer to their part of town because they were, and still are, under an enforcement order from the DEP to replace their septic systems. Chairman Takesian asked what will happen to Heritage Park if the project does not move ahead. Mr. Harrington explained that the Town obtained a grant for a leaching field at Heritage Park and it is monitored monthly. However, if the project doesn't go through the leaching field will fail at some point and the residents will be on their own to pay for bringing sewer all the way up Lafayette Road or face the prospect of the Park being closed. Selectman Ray-Parrott reinforced the need for the sewer extension on Lafayette Road and urged people to get out and vote for it.

- c. Vote to Endorse Lafayette Road Corridor Sewer Extension Plan** – This item was placed on the agenda in error. There is no need for the Selectmen to take any vote or stand on this matter since it will be presented at Town Meeting.

VII. Correspondence

Notification from Xfinity Re: New bill design for their services from Comcast

VIII. Hearings

7:30 PM – Public Hearing Pertaining to Proposed Amendments to Sewer Regulations:

- a. Adoption of an amendment to the EQR Schedule – Sewer Betterments, Sewer & Water Access Fees and Sewer User Fees as it relates to the number of EQRs assigned to seasonal camping facilities**

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, APRIL 23, 2018 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

b. Adoption of an amendment to the “Method of Payment” of sewer access fees for new users in public sewer expansion projects

Chairman Takesian read the following notice into the record:

“In accordance with the provisions of M.G.L. Chapter 83, sec. 20 and Chapter 209 of the General Bylaws of the Town of Salisbury, the Salisbury Board of Selectmen, acting as the Sewer Commissioners of the town of Salisbury, will hold a public hearing at 7:30 PM on April 23, 2018, in the Colchester Room at Salisbury Town Hall, 5 Beach Road, Salisbury, MA 01952 on the following:

Adoption of an amendment to the “EQR Schedule – Sewer Betterments, Sewer and Water Access Fees and Sewer User Fees” as it relates to the number of EQRs assigned to Seasonal Camping Facilities; and

Adoption of an amendment to the “Method of Payment” of sewer access fees for New Users in public sewer expansion projects when a betterment is being paid.”

Motion by Selectman Condon, Second by Selectman Richenburg; unanimously voted to open the Public Hearing at 7:30 PM.

The Town Manager outlined the two proposed changes, which came up as a result of the continued discussions of the Lafayette Road Corridor Sewer Extension Project study committee. Selectman Condon stated that he participated in the study committee discussions and he would be in favor of the recommendations.

Motion by Selectman Condon, Second by Selectman Richenburg; unanimously voted to close the hearing at 7:40 PM.

IX. Town Manager’s Report

Mr. Harrington said that he did not have a written report tonight, but stated that the past two weeks has been spent on preparing both the Special and Annual Town Meeting Warrants, which have been sent to KP-Law for their approval, and that and the rest of the time has been spend on the Lafayette Road corridor sewer extension project.

X. Selectmen’s Report

a. Ratification of Signing of Weekly Warrants:

Motion by Selectman Richenburg, Second by Selectman Ray-Parrott; unanimously voted to ratify the signing of the following weekly warrants: W18-156 through W18-162.

b. Subcommittee Reports

Lafayette Corridor Sewer Extension: already discussed earlier tonight.

Selectman Richenburg announced that the PTA’s annual fund raiser is scheduled for April 28 & 29 from 10AM – 3PM at Pettengill Farm. This is their largest fund raiser and all proceeds go to the PTA.

Selectman Ray-Parrott announced that the ground breaking of the affordable housing at the Memorial School took place last Friday afternoon. The town’s inventory of affordable housing units is now at 15.4%.

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, APRIL 23, 2018 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

XI. Executive Session - none

XII. Adjournment

Motion by Selectman Ray-Parrott, Second by Selectman Richenburg; unanimously voted to adjourn at 8:35 PM.

Documents provided at the meeting and on file in the Selectmen's Office:

Minutes of April 9, 2018

Copies of licenses as listed

Informational material for Section VI

Town Manager's Report

Respectfully submitted:

Janet E. Flannery, Secretary

Approved: _____


Ronalee Ray-Parrott, Clerk