

**Salisbury Planning Board
Meeting Minutes**

Date: Thursday, December 9, 2020

Place: Remotely via Zoom

Time: 7:00 p.m.

PB Members Present: Chairperson, Don Egan (**DE**), Vice Chairperson, John “Marty” Doggett (**JMD**), Clerk, Gil Medeiros (**GM**), Louis Masiello (**LM**) and Deb Rider (**DR**) and Alternate, John Schillizzi (**JS**).

PB Members Absent: None

Also Present: Director of Planning Lisa Pearson (**LP**), Assistant Planner, Connie Brawders (**CB**) and Planning Board Secretary Sue Johnson (**SJ**).

DE brought the meeting to order at 7:00 p.m. remotely via zoom. Announced, per opening meeting law, that the meeting was being recorded.

1. New Business – 7:00 pm

No new business.

While waiting for the public hearing time of 7:10pm the Board discussed and voted on the following:

a. ANR - 11 Schoolhouse Lane & 15 Forest Road (Map 20, Lots 5 & 105) - Request made by Forest Salisbury, LLC.

This was a housekeeping matter on an affirmation of vote. The Board took corrective action to duly endorsed the ANR plan of land.

Motion and approved unanimously 5-0.

b. Minutes:

11/12/20

DR motioned to approve.

GM seconded.

Vote: JMD-Yes, DR-Yes, LM-Yes and GM-Yes – Motion passed (4-0).

DE did not vote on the minutes because he was not present at this meeting.

7/22/20

LM motioned to approve.

JMD seconded.

Vote: JMD-Yes, DR-Yes, LM-Yes, GM-Yes and DE-Yes – Motion passed (5-0).

2. Public Hearings—7:10 pm

a. **Special Permit Application - 148 Lafayette (Map 22, Lot 4) - Request made by Albanese Brothers Inc. for Temporary Construction Staging/Lay Down Area for the Lafayette Road Sewer Project**

Applicant Marcella Albanese (MA) presented the proposal to allow for additional area for staging of materials for construction of the proposed infrastructure improvements. That lot is located on a site across from the locus site which was previously approved by the Board under Special Permit. Applicant assured the Board that employees of Albanese Brothers, Inc would refrain from circulating between the two staging sites. Security would be maintained by the applicant. No illumination of the site is proposed.

GM motioned to approve the Special Permit, with conditions that:

- 1) mirror the previously approved Special Permit at 155 Lafayette,
- 2) the Special Permit be non-transferable,
- 3) would expire concurrently in two years from the date of the previous Special Permit.

LM seconded.

Vote: JMD-Yes, DR-Yes, LM-Yes, GM-Yes and DE-Yes – Motion passed (5-0)

3. **Other Business**

c. **10 Bartlett (Map 17, Lot 212)**

Applicant David Elgart (DE) (10 Bartlett Street, Salisbury) petitioned the Board for final approval of development of an ANR plan of land to construct a new, single-family structure on a back-lot subdivision.

The plan was endorsed under the stipulation that the applicant construct a permeable surface driveway for access to the proposed residence. That plan was modified when the applicant applied asphalt to pave the driveway.

Wetlands are adjacent. The Conservation Commission will not issue a Certificate of Compliance until certain conditions have met with the satisfaction of the Planning Board.

At a previous public meeting, the PB requested drainage calculations from the applicant for review by the Town's consulting engineer. Applicant has not complied. The PB also requested a letter of approval from the abutter for permission to host the [drainage] trench on abutter's private property. The applicant has not complied.

Discussion ensued at the 12/09/2020 meeting and the applicant was reminded by the Board of the outstanding deliverables. Because the applicant's financial institution requires approval from the Town's authoritative boards and commissions before the financing agreement may be met, a compromise was reached for Conditional Approval with the following contingencies:

- 1) That the applicant provides stormwater calculations for review and comment by the Town's Consulting Engineer;
- 2) That the applicant provides a letter [for the Planning Board] from the abutter giving permission for the use of the neighboring property for location of a drainage trench;
- 3) That the applicant provides a set of revised plans showing the location of the water shut off;

4) That the applicant provides a set of revised plans [for the Planning Board] showing the asphalt pavement.

GM motioned to approve the revised plan, subject to the above conditions.

LM seconded.

Vote: JMD-Yes, DR-Yes, LM-Yes, GM-Yes and DE-Yes – Motion passed (5-0)

d. Request for Certificate of Completion – 82 Lafayette Road (Map 22, Lot 15) – Request made by Brenden Doherty

Attorney for the applicant, Jill Mann (**JM**), and applicant Brendan Doherty (**BD**), were in attendance for discussion. It has been acknowledged that illumination at the site development may be unacceptable for dark sky compliance. The Planning department has been informed that site lighting may have created light trespass on an abutting residential property.

Discussion ensued regarding remedies that have been taken by the applicant to mitigate the light pollution. The Planning Board reviewed photos of the site taken by the abutter [Jonathan Sweet (**JS**), 79 Lafayette Road]. It was determined by the PB that a night site visit is necessary.

The PB proposed:

- That a site meeting be scheduled between Atty. Mann and Assistant Planning Director Connie Brawders for the Planning Board to meet on site. The meeting shall be duly posted 48 hours in advance.
- At the time of the meeting, all interior and exterior lights will be extinguished.
- Individually, interior lights will be turned on to observe the brightness gradients.
- As the parking lot lighting is under a single control, the parking lot lights will be introduced simultaneously and brightness comparisons made between interior and exterior lighting.

The applicant and his attorney agreed to:

- Schedule and attend a site visit with the PB;
- Obtain written comments for the PB from the Town of Salisbury Fire Chief stating the public safety's satisfaction for circulation of the site 1) as it currently is constructed, and 2) recommendations for anticipated Phase Two of development [to be submitted to the Planning Department no less than 10 days in advance of the January 13, 2021 PB meeting for distribution to parties of concern];
- Produce a current [as built] Lighting Photometric for the site [for discussion at the scheduled site visit];
- Provide a copy of the original approved plan for site development [for discussion at the scheduled site visit];
- Provide comments from the applicant's engineer for review by the Planning Board [to be submitted to the Planning Department no less than 10 days in advance of the January 13, 2021 PB meeting for distribution to parties of concern]

GM motioned to continue the hearing January 13, 2021 at 7:00pm.

JMD seconded.

Vote: JMD-Yes, DR-Yes, LM-Yes, GM-Yes and DE-Yes – Motion passed (5-0)

- e. **Review of the Comprehensive Permit Application (40B), Meadowview Condominiums (76 Units) at 6 Forest Road & Meadowview Lane (Map 20, Lots 43, 44, 45 & 91) – Applicant is 6 Forest Road, LLC.**

LP introduced the case proposal to the Board. LP recommended the Board observe the ZBA hearing on 12/17/2020 and asked the Board members to submit a list of recommendations to the Planning Department that would be compiled, then sent to the ZBA for consideration in shaping the plan for development.

4. Old Business

No old business

6. Adjournment

GM motioned to adjourn at 8:49pm.

DR seconded.

Vote: JMD-Yes, DR-Yes, LM-Yes, GM-Yes and DE-Yes – Motion passed (5-0)

*** Documents provided at the meeting are on file in the Planning Office**

Minutes approved by: _____

Date: _____