

**Salisbury Planning
Board Meeting Minutes**

Date: Wednesday, February 26, 2020

Place: Colchester Auditorium, Salisbury Town Hall, 5 Beach Road

Time: 7:00 p.m.

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

PB Members Absent: Lou Masiello (**LM**)

Also Present: Assistant Planner Bart McDonough (**BMD**) and Planning Board Secretary Sue Johnson (**SJ**). .

DE brought the meeting to order at 7:00 p.m. in the Colchester Auditorium, Salisbury Town Hall. Announced, per opening meeting law, that the meeting was being recorded.

1. Public Hearings—7:10 pm

- a. **Cont. special permit and major site plan review**—To consider an Order of Remand issued by the Massachusetts Land Court requesting a special permit and major site plan review to allow the use of the property at 8, 16 and 18 Broadway and 6-28 Oceanfront South as a mix-used redevelopment comprising 235 residential units and 7,187 square feet of commercial space pursuant to §300-67 of Article VII and §300-109 of Article XVII of the Zoning Bylaw of the Town of Salisbury and pursuant to M.G.L. c. 40A § 9

Wayne Capolupo (WC) stated that he is representing the project and asked the Board if they would like to start by reviewing the latest comments from the Town Engineer, Joe Serwatka (JS). DE stated that this is a good place to start. DE asked BMD if the 2/12/20 comments from JS were the most recent? BMD replied yes. WC proceeded to address each item in JS’s review comments with the Board.

JS Comment # 1

1. The narrative states that the “architectural elevation and section sheets” address the requirements of section B.(3) relative to signage. The Board should verify that these have been provided.

The response states that “a proposed project sign will be added to the architectural plans”. The engineer should reference a sheet number, as there are multiple architectural plans.

The response states that “all proposed signage is to be approved by the Building Department after submission of sign permits.”.

WC stated that JS had no additional comments and asked if the Board was comfortable with item # 1. DE replied that there were no outstanding issues with comment # 1.

JS Comment # 2

2. The narrative states that "landscape plans" and "architectural plans" address the requirements of section B.(4) relative to landscaping. The Board should verify that these have been provided.

The response states that "the landscape plan is included with the revised submittal". Section B.(4) requires landscaping to include the "locations and a description of buffer areas, screening, fencing, and a planting plan". The Planning Board may also require that a registered landscape architect prepare a planting plan. The submitted Landscape Plan, sheet L-1, appears to be a rendering only, and does not appear to contain adequate construction information including a plant list including species, size, number, etc. The Board may want to require that this information be submitted for review. The Board may also want the landscaped area along Ocean Front South to be included on the Landscape Plan.

The response states that the included landscape plan is for "conceptual purposes only", and that a finished plan will be submitted during the building permit process. The board may want to consider whether this is acceptable.

WC stated that their final landscape plan will be determined through the Conservation process and would like to leave the final landscape plan to be a submittal that will take place during the building permit process. DE stated that the Board could make this a requirement as one of the conditions in the decision.

JS Comment # 3

3. A Traffic Impact and Access Study has been submitted to address section B.(5) relative to traffic. The board may want to verify that their traffic consultant has provided review comments.

The response states that "we believe all comments have been addressed" relative to this issue.

WC stated that JS had no additional comments. DE stated that there no outstanding issues with comment # 3.

JS Comment # 4

4. The narrative states that "there is sufficient parking proposed to satisfy the requirements as put forth in the Beach Overlay Zoning requirements". The board may want to see a table of the various residential/commercial uses and the parking required/proposed for the site, as would be customary. Further, approximately 100 parking spaces are "stacked", one behind

the other. The board may want to get an interpretation from the Building Inspector as to whether this is allowed by zoning. Finally, the engineer should provide dimensions for the angled and parallel parking spaces, as would be typical.

The response states "a parking table is provided on architectural plan A-010". The table lists the total number of parking spaces for phases 1 and 2. The board may want to verify that the table addresses parking requirements for the site. The response also states that the building inspector filed a memo with the board relative to "stacked" parking spaces. Finally, sheet C-5 does not provide dimensions for the 11 parallel parking spaces, which include 6 visitor parking spaces. Given the total dimension, divided by 11 spaces, they are less than 17' long. These spaces need to be at least 20' long. The engineer/architect should address this issue.

The response letter states that the completed site "will provide 379 parking spaces (28 more spaces than required)".

The response does not directly address the parallel parking spaces, but states that "all parking spaces conform with zoning that dimensionally requires spaces to be 9 ft. wide by 18 ft. long". Architectural guidelines recommend parallel parking spaces to be a minimum length of 20 feet, and the engineer has previously designed parallel parking spaces 20' in length (see 4 Beach Road). The board may want to advise the engineer to revise the parallel parking space dimensions.

WC stated that they currently show 18' parallel parking spaces which is compliant with the parking bylaw and increasing them to 20' will decrease the number of spaces available. DE stated that it looks like they have more parking spaces than are dictated. WC confirmed that DE's statement was correct. DE asked what is the use/purpose of the excess spaces. WC replied guest parking. DE asked if any of the extra 28 space would be designated for visitor parking. WC stated that they do not want to make that a requirement. WC stated that for sales and marketing purposes there may be buyers that want an extra space. DE stated that the settlement agreement said 6 visitor parking spaces and an additional 25 spaces provided through mechanical lifts. DE suggested having 10 visitor spaces and taking out the requirement for mechanical lifts. WC stated that he believes the mechanical lifts will be a desirable option. WC stated if the Board felt more comfortable with 10 visitor spaces with the flexibility to employ or not employ the lifts they would be ok with the change. DE stated that the Board would need to discuss this possible change and WC stated that his team would discuss the proposed change and have a response before the next meeting.

JS Comment # 5

5. Relative to loading spaces, the narrative states that "the commercial loading areas will be located to the back of the commercial space(s) in the parking garage. Loading vehicles will be expected to park on the streets on Broadway, unload, and walk their deliveries through a controlled path to the back of the commercial units. Loading traffic will not interfere with the general public or residential activity". The board may want to verify that the traffic consultant has reviewed this issue, and whether off-site loading areas meet zoning requirements. The board may also want the designated off-site loading spaces depicted on the site plans. Further,

the board may want to verify that the site has been designed to address mail deliveries/drop-off, FedEx/UPS deliveries, and various commercial deliveries.

The response states the “we believe all comments have been addressed”.

WC stated that he feels this issue has been adequately addressed.

JS Comment # 6

6. The Board may want the issue of existing parking spaces along the north side of Ocean Street addressed, and whether they are to remain or be eliminated. The board may also want to discuss whether a sidewalk will be provided along Ocean Street and perhaps Ocean Front South connecting to Broadway and Railroad Avenue. Finally, the board may want to receive comments from the DPW as to whether the paved section in Ocean Street needs to be removed and replaced as part of the Big Block project.

The response, and plans, indicates that the existing parking spaces on Ocean Street will be eliminated, and a new sidewalk will be installed. The response/plans do not address whether the existing pavement in Ocean Street will be addressed.

The response states that “any damage to Ocean Street will be repaired or resurfaced”, which misses my point. The DPW may require that the Ocean Street pavement be replaced or topped as part of the project. I will defer to the DPW on this issue.

WC stated that in regard to the existing parking spaces along the north side of Ocean St. he said it is up to the Town to decide if they are to remain or be eliminated and does not feel either decision will impact their project. WC stated that in regards to potential street repair they plan to professionally repair any damage that takes place as a result of construction.

JS Comment # 7

7. The narrative states that the requirements of section B.(7) relative to public access are being discussed with the town manager.

The response states “no response required”.

DE asked for clarification of what section B (7) relates to. WC stated that this is about the ability of the general public to access the commercial areas of the boardwalk during hours of operation. WC stated that he would like the access to be closed after hours.

JS Comment # 8

8. The 8.5” X 11” photometric analysis provided to address the requirements of section B.(8) relative to lighting is not readable due to the scale. The board may want adequately sized plans submitted to address lighting requirements.

The response states that “the Board has been provided with 4 full size sets”. The lighting plans were not a part of my review package.

The submitted lighting plan addresses only the rear site drive abutting the existing condominiums.

DE stated that one of the requirements is to submit a lighting / photometric plan. WC stated that dark sky compliant lighting is part of their plan. DE stated that no light from this project should be emitted onto a public way. WC stated that they would look into the lighting and report back at the next meeting.

JS Comment # 9

9. Additional plans/details are required to address section B.(9) relative to topography. Detailed grading plans should be provided which demonstrate how the proposed projects ties into the existing pavement/sidewalk grade along Broadway, Ocean Front South, Ocean Street, and the existing developments to the west.

Sheet C-7 depicts a proposed berm along Ocean Front South with a top elevation of at least 18.0 feet.

The proposed grading along Ocean Street does not appear to account for access to the landing, entry and two doors depicted on sheet A-010 of the architectural plans. The engineer should review these areas.

The plan labels "proposed conc. curbing" along the westerly property, but no detail is provided. Assuming a 6" reveal, the proposed grading does not appear to tie in very well with the abutting topography that quick drops from elevation 12 to elevation 10 feet. The engineer should provide sections through this area to verify that 3:1 slope can be maintained.

Grading at the Ocean Street entry has been revised. The response states that the proposed grading along the westerly property line ties into an existing timber retaining wall. It is highly unlikely that the timber retaining wall can remain intact during site construction. The board may want the plans to require that it be replaced with a suitable block wall as needed.

DE asked if the plans have been revised to reflect the changes. WC stated that the grading plan has been modified to address the concerns that were raised. WC stated that if the timber retaining wall is damaged they would be responsible to repair or replace it.

JS Comment # 10

10. Additional information and details are required to address section B.(10) relative to utilities. Additional information should be provided relative to anticipated water/sewer demands, and the capacities of the existing infrastructure. Input from the DPW, sewer department, as well as Pennichuck Water should be requested. The Fire Department may also request fire flow tests in the area. The plans should also address how, or if, the utilities will be phased with the project.

The response states that the utility layout is based on a meeting with Don Levesque, but does not state that the current DPW Director has reviewed/approved the layout. The board may want correspondence from Lisa DeMeo relative to the project.

The current utility plan contains inadequate information to install the utilities depicted. No size, slope, or material is provided for the sewer service. Given the anticipated flow, it would be wise to show a proposed manhole at the connection to the existing main.

A proposed 12" watermain is depicted through the site, but it connects to a bold line in Ocean Street which is not the existing 6" watermain. The engineer should address this.

Also, the plan should address any existing utilities to the site, as well as utilities that may be impacted by the proposed building/boardwalk on Ocean Front South.

Finally, the utilities are depicted within the underground infiltration system. Nothing should be depicted within this proposed BMP. The engineer should revise the plans accordingly.

The response states that Lisa DeMeo has reviewed the plans. Utilities have been removed from within the underground infiltration system. The response also states that "all utilities on Ocean Front South will be discontinued as part of this project". Given this, the engineer should address what happens to runoff from the repaved section of Ocean Front South.

DE asked if an update was received from the DPW Director. BMD said no, but we should have comments for the next meeting. DE said that he does not think it will be an issue because one of the issues was that the utilities were in the underground infiltration system and the response states that they were removed and believes this to be resolved.

JS Comment # 11

11. The plans do not depict adequate information to verify compliance with section 465-13H relative to curbing, pavement, bollards, etc. A sloped granite curbing detail is provided, but the plans do not label any curbing. The board may want the plans revised accordingly, including adequate details.

As noted above, concrete curbing is proposed, but no detail has been provided.

Also, the type of curbing proposed in Ocean Street should be labeled and detailed.

These issues appear to be addressed.

WC believes this issue to be adequately addressed.

JS Comment # 12

12. The board may want the engineer to address whether the project creates a "shared driveway" with the exiting condominium development off Railroad Avenue, relative to section 465-13J.

The response states that this is a "private matter" between Big Block development and Ocean Echo condominium.

DE asked WC what they intend to use the easement for. WC replied that the easement will be used for access and egress for the residents of One Oceanfront that fall within the footprint of the building for which that easement was devised. DE asked if the plans show any signage or markings for safety. WC stated that he doesn't think there are any makings because it is a driveway not a roadway. WC stated that they would be happy to stripe it if the condo

association wanted it striped. WC stated that the easement is not for pedestrians. WC stated that it will be in the condo docs which units will be allowed to use the driveway. JMD asked if there would be any enforcement involved. WC stated that he did not think it was necessary but could be controlled through an access gate with a key card.

JS Comment # 13

13. The plans do not appear to contain adequate information to address the requirements of section 465-13P relative to erosion control. A silt sock appears to surround only a portion of the site. The board may want the plan to address any security fencing that will be required around the site. The board may want require detailed plans and narratives to address access and erosion control from site demolition to project completion.

A silt sock is shown around the site, and a stabilized construction entrance is shown off of Ocean Street. The response also states that "we anticipate security fencing will be provided along the perimeter of the site during construction". The board may want to make this a condition of approval.

The response states that "we are agreeable to that condition".

DE stated that the applicant has agreed to take the necessary steps to deal with erosion.

JS Comment # 14

14. The narrative discusses a two-phase project, and the plans depict a phase line, but additional detail is required as to how the phasing will impact parking, access, utilities, etc. The engineering and architectural don't entirely agree with the Gienapp narrative relative to phasing. It appears that the westerly access drive, and the ramp to 2nd level parking will be built during phase 1. This should be reflected on the plans. It may necessitate relocating the stabilized construction entrance, as well as installing the entire watermain to Ocean Street. The narrative also states that Ocean Front South will be surfaced with a 20' wide bituminous access way, but does not state in which phase.

The board may also want the engineer to revise the Demolition Plan so that it agrees with the architect's narrative. The narrative indicates that the building and pavement at the southeasterly corner of site will remain through phase 1, along with a 16,000s.f. concrete slab adjacent to it.

The response states that Ocean Front South will be repaved in two phases. As mentioned above, however, the engineer should address what happens with runoff from Ocean Front South. The demolition plan has also been revised.

WC stated that the final pavement width on Ocean Front South will be approximately 20 feet wide. WC stated that the existing pavement width is between 35-50 feet wide. WC stated by reducing the width of the paved area it will increase the area for the runoff area. DE asked the applicant to provide a narrative of what happens to the runoff on Ocean Front South. Chris York (CY) of Millennium Engineering stated that they would prepare a narrative.

DE stated that the next part of JS's site plan review comments address **stormwater**.

1. The plans depict a proposed underground infiltration system, but no test pits are shown within the system, as required. The engineer should provide test pit data demonstrating soils and estimated seasonal high groundwater (if applicable) within the proposed infiltration area. Three test pits are now shown in the southern half of the infiltration system, which is now over 210 feet long. Half of the proposed system has no soil/groundwater information provided for it. The board may want to require the engineer to conduct additional test pits in the northern half of the proposed system.

The response states that "additional test pits will be done soon and shown on the plans". The board may want the engineer to comment on the timing of this work.

WC stated that an additional test pit was dug and came up with the same results as the previous one's which showed beach sand. CY stated that there were 2 additional test pit done last weekend with a total of 5 done where their infiltration system will be.

2. Sheet C-5 labels a "proposed 6' wide stone strip" along the east side of the proposed development. The engineer should explain the purpose of the stone strip. No comment has been provided. The board may want the engineer to address this comment.

The response states that the stone strip serves as a separation between the dune and concrete parking area.

WC stated that this is just a demarcation line.

3. The proposed underground infiltration system does not appear to be suitably located or designed. The system is proposed to be covered by an on-grade concrete slab. This design does not appear to satisfy the requirements that the system be "accessible for routine maintenance". The proposed infiltration system is also inundated with structural tie beams as shown on the plans. Eventual replacement of the system will be impossible given the location and height restrictions. The Board may want to instruct the engineer to propose an infiltration BMP in an alternative location not encumbered by structural components.

It is worth noting that in 2017, DEP commented that "the underground infiltration system detail does not appear to be designed in accordance with MA Stormwater Handbook, Vol. 2, Ch. 2. Also, subsurface structures are used for small drainage areas less than 2 acres. This site has one watershed area and is approximately 3.14 acres in size. Therefore, the proponent should include additional stormwater treatment and explore LID techniques to minimize impervious areas. Access ports, man-way and observation well (at grade) must be included in the subsurface infiltration system design".

The Policy guidelines for the installation of subsurface infiltration states:

"Stabilize the site prior to installing the subsurface structure. Do not allow runoff from any disturbed area on the site to flow to the structure. Rope off the area where the subsurface structures area to be placed. Accomplish any excavation with equipment placed just outside of this area. If the size of the area intended for exfiltration is too large to accommodate this approach, use trucks with low pressure tires to minimize compaction. Do not allow any other vehicles within the area to be excavated. Keep the area above and immediately surrounding the subsurface structure roped off until the final top surface is installed (either paving or landscaping)." This does not appear possible for this site, but the engineer should address. The system also has structural tie beams and utilities running through it which would appear to compromise the integrity of the system, which the engineer should also address. Given the current layout, it would appear difficult to inspect, maintain, and eventually replace the system. The stone infiltration system has a number of 4" PVC ball valve inspection ports which, based on the detail, give no way of inspecting and/or maintaining the bottom of the system, where clogging is likely to occur. The maintenance narrative states that "any grit or sediment found within the system impacting infiltration shall be removed by manual or mechanical methods, such as a vacuum truck". The board may want the engineer to explain, in detail, how this will occur in a 42" deep crushed stone system. The narrative places the responsibility for maintenance on the owner, which is listed as Steve Paquette, but this may fall upon the condominium owners at some point.

The engineer has indicated that the system could be replaced in the future as needed. The board may want a narrative to be submitted describing how this would occur, with the structural tie beams, utilities, etc. in the way, along with an estimate of what it would cost. A minor issue, but the plans depict a drainpipe running through, or under, the stairway/elevator pit.

Relative to the system meeting DEP Policy requirements, the response states that "we respectfully disagreed with their comment about the system not being designed in accordance with the MA Stormwater Handbook".

The response states that the entire infiltration area will be roped off during construction and no vehicles will be allowed to drive over the top of the area. The system detail has been revised to show the 6 tie beams that cross through the system, but no comment has been provided as to how the tie beams will be installed. The engineer should address whether 95% compaction is required under the tie beams, whether they are precast or formed in place, how the geotextile fabric will remain in place, etc.

The engineer states that "an excavator with a minimum reach of 20' must be used to ensure the system can be built from all sides without having to drive over the top of the area", but then states that a "mini-excavator" would be used to remove and replace the system in the future. This does not make sense. The engineer should explain, in greater detail, how replacement of the system would occur given the equipment limitations, structural tie beam locations, and provide an estimated cost.

Much of the area above the system has a minimum clearance of only 10' as noted on the Gienapp plans. This would likely preclude even a 6-wheel dump truck from being loaded, or raising its dump to drop material. Given that over 1,000 cubic yards of material would need to be removed and replaced, the engineer should explain how this would occur.

Given the unconventional location of the infiltration system (i.e. under a 5-story building), and the fact that it handles 100 percent of the site runoff, the Board may want to require a letter from the design engineer and structural engineer for the project stating how the system would be replaced, along with an estimated cost. This would give future condominium owners, and the town, some idea as to what the project might entail.

DE stated that the proposed underground infiltration system will be under the building and covered in cement. DE stated that it would be difficult to repair and maintain should there be a failure. DE asked the applicant to explain how they would address repairs and maintenance. WC stated that the underground infiltration system will see nothing but clean rainwater runoff from the roof. WC stated that the likelihood of the infiltration system ever needing any sort of replacement is unlikely. WC stated that if repairs need to be made there is a 13 ½ foot height clearance which would give construction equipment ample room. WC stated that not knowing the cost of labor and materials in the future it would be almost impossible to provide an estimated cost to replace. The Board agreed with the response from WC and did not think a cost estimate would be necessary.

4. The Board may want to require that a mounding analysis be prepared for any proposed infiltration/recharge BMP given the proximity of adjacent structures and the volume of runoff to be infiltrated.

A mounding analysis has been provided.

DE stated that this issue has been closed out and WC agreed.

5. The narrative states that runoff from the roofs and paved areas will be directed to the infiltration system. The plan depicts a system to capture the pavement runoff, but no system is depicted to address how roof runoff would be collected and directed to the system. The Board may want the engineer to address this issue.

The response states that approximate locations of downspouts and roof drains have been added to the plans.

WC stated that downspouts and drains have been added to the plans.

6. The narrative states that the drainage system design results in "no runoff leaving the site", but the analysis only addresses the 10-year storm event. Runoff from less frequent storm events, or eventual failure of the infiltration system, would likely cause runoff to flow offsite. The Board may want the engineer to discuss this issue.

A previous response from the engineer states that "DEP has reviewed the project and had no concern with the sizing of the system".

The response states that the system has been re-sized to handle up to the 100-year storm.

CY stated that the system has been resized.

7. The engineer appears to have deducted the proposed courtyard areas from the impervious area when calculating required recharge volume. This should only be done if these areas have been designed to retain the required water quality volume. The engineer should address this issue by discussing, in detail, the design of the courtyard areas, including any applicable details.

The calculations have been revised to include the courtyard areas, but the plans do not depict how this runoff is collected and conveyed.

Additional downspout and roof drain locations have been added.

CY stated that additional downspouts were added to the plans.

8. The engineer should address where the required water quality volume of 9,589 c.f. is treated. The proposed infiltration area has only 6,120 c.f. of volume.

The infiltration system now appears to have a volume of 10,091 cf.

The Board was fine with the new volume of 10,091 cf.

9. The "conclusions" section of the narrative states that "the proposed development will not increase in the existing the runoff rate leaving the site". As noted previously, the calculations only address the 10-year design storm. Also, a pre and post development analysis has not been provided, as would be typical. The engineer has determined that compliance with Standard 2, relative to post-development peak discharge rates, is not required as the proposed site is located within Land Subject to Coastal Storm Flowage. The policy states that "where an area is within the 100-year coastal flood plain or land subject to coastal storm flowage, the control of peak discharge rates is usually unnecessary and may be waived". The Hydrology Handbook states that "if a development discharges to a watercourse subject to tidal action, the Stormwater Management Policy does not require the control of post-development peak discharge rates to pre-development levels". The Board may want the engineer to verify that any potential discharge of runoff to the surrounding developments is covered under these conditions.

No response has been provided.

The response states that the system has been re-sized to handle up to the 100-year storm.

CY confirmed that the system was re-sized to handle the 100-year storm.

10. On sheet 4 of 8 of the Checklist for Stormwater Report, the engineer has checked "Standard 2 waiver requested because the project is located in land subject to costal storm flowage and stormwater discharge is to a wetland subject to coastal flooding". The plans delineate zones VE, AO and AE on the site. The board may want the engineer to address whether potential runoff discharge to surrounding developments qualifies as "stormwater discharge to a wetland subject to coastal flooding".

No response has been provided.

The response states that the system has been re-sized to handle up to the 100-years storm.

CY replied that re-sizing the system also corrected this issue.

11. The checklist states that a soil analysis has been provided, however, as mentioned previously, soil and groundwater data has not been provided in the area of the proposed BMP. See response to comment 1.

CY stated that additional test pits were done.

12. The checklist states that calculations have been provided showing that the infiltration BMP will drain in 72 hours, but these calculations do not appear in the stormwater report. The calculations are provided.

CY stated that the calculations were added to the stormwater report.

13. The maintenance report lists "inspection ports" and "chambers" as part of the underground infiltration system, but these do not appear on the plan. The engineer should address this issue. Inspection ports are noted.

CY stated that inspection ports were added to the grading sheet.

14. The underground storage analysis utilizes an exfiltration rate of 30.00 in/hr over the surface area. That is nearly three times the maximum exfiltration rate of 8.27 in/hr for sand listed in the stormwater policy guidance. The engineer should justify the use of the exfiltration rate, or revise the calculations accordingly. The requested information has been submitted.

CY stated that infiltration test pits were dug in January of 2018 and the information was supplied to the Town Engineer.

15. Without additional detail on the plans, it can only be assumed that the calculated 10-year flow rate of 11.34 cf is carried through the 12" pipes depicted on the plans. This flow rate is much greater than what the pipe is capable of conveying. The engineer should address this and provide additional detail as to how proposed site runoff is conveyed. The plans now depict a 12" pipe at 0.50% slope to convey the calculated roof/courtyard runoff of 10.45cfs. The pipe has a capacity of just over 3cfs. The engineer should address this discrepancy. The response states that the calculations show that the drain system tying into the infiltration system is adequately sized to handle the flows from all impervious surfaces.

DE stated that JS did not have any comments and believes this item to be addressed.

16. The underground infiltration system is 170 feet long with a single 12" pipe shown connected to the end of the stone system in some manner. This single connection is not

adequate to ensure that runoff is distributed throughout the 30' by 170' surface area for exfiltration purposes. A manifold and perforated pipe distribution system would be needed to ensure that the entire surface area is utilized. The engineer should revise the plans accordingly.

The design has been modified to include a manifold system, but not a perforated pipe system, and no detail has been provided for the pipe to crushed stone connection, if one exists. It also appears that the roof drain system will conflict with other utilities, a stairwell/elevator, and likely the tie beams. The engineer should address these issues.

For some reason, the engineer has taken my comment about a perforated pipe system within the infiltration system, and converted all pipes to perforated. Perforated pipes in sandy soils are not recommended unless extra measures are taken to prevent clogging. My comment was that the design takes the 12" drainpipes and literally just sticks them into the edge of stone in a 21' by 40' system. A perforated pipe distribution system would provide better dispersion of the runoff and utilize the entire system.

The engineer has addressed conflicts with other utilities.

CY stated that the pipes were changed to non-perforated. CY stated that there is more than 1 pipe going into the basin and showed where they were on the plan. CY stated that he would try to make it clearer on the plans for JS.

17. The Gienapp plans label 26,300 sf. of "new sand" abutting Ocean Front South and Broadway. It appears that the new sand area will be inundated by dozens of pilings and structural tie beams supporting the buildings above. Further, it appears there will only be about 2.5' of clearance between the new sand and bottom of the structure, and this area will extend some 40-60 feet under the structure. The Board may want to question the functionality of the "new sand" area, and be concerned about whether the area will accumulate wind-blown trash, or perhaps become home to nuisance wildlife.

It appears the plan has been revised.

The Board agreed that this item has been addressed.

DE stated that the next part of JS's site plan review comments address **phasing**.

1. The plans depict a Phase 1/2 line which does not offer enough information as to how the phases will be built and fully functional.

The Gienapp memo address phasing but, as mentioned above, it appears the plans need to be revised to include the rear drive and parking ramp in phase 1.

The memo does not address adequate material, equipment, trailer and worker vehicles space on site during construction of phase 1, and especially phase 2 when it would appear everything will have to be stored off site. The board may want the engineer/architect to address these concerns.

The response states that "we believe we've addressed this issue", and references the Gienapp memo dated January 11, 2018.

Relative to phase 1, the memo states that “construction activities will be contained within the property”. The board may want some assurance that all material, equipment, stockpiles, trailers, workers vehicles, etc., will be contained within the perimeter of the site.

Relative to phase 2, the memo does not address the period between site demolition and completion of the parking garage. The board may want the architect to address material, equipment, stockpiles, trailers, workers vehicles, etc., while the piles and concrete work is under way.

The memo appears to state that once the garage is complete “construction staging can then be located on grade beneath parking structure”. The board may want some assurance that all of the items mentioned above can be contained beneath the parking structure, and not spill out onto surrounding roadways.

WC feels that this is an exercise that can't be done this far in advance because there are so many unanswered questions about the means and methods a general contractor will use. WC went on to state that they will need to plan and stage their work accordingly to keep the equipment and supplies within their site and not spill out onto surrounding roadways.

2. *The board may want to require that a Phase 1 plan be developed which depicts in suitable detail what portions of the building, garage, access drives, utilities, etc. are proposed under phase 1. The phase 1 building depicted on the current plans is designed about 10 feet off the property line abutting Broadway, 0 feet off the property line along Ocean Front South, and within 10 feet of the rear property line abutting the existing condominiums. It is very likely that construction vehicles (i.e. cranes, hulls) will need to occupy part(s) of Broadway and Ocean Front South in order to construct the multi-story building. The board may want the engineer to address how this will occur in a safe manner, without disrupting beach traffic/patrons.*

The board may also want the engineer to address where equipment, materials, trailers, and workers vehicles will be stored/parked on site during the construction of phase 1. Further, the board may want the engineer to demonstrate, and verify, that all semi-trailers associated with the project will be brought into the site to be loaded/unloaded, rather than occupying abutting town roadways.

The board may also want the engineer to demonstrate how phase one tenants will be accommodated as they move into an active construction site. This would include site vehicle access/egress, pedestrian access, trash storage/removal, mail/parcel delivery, site/security lighting, etc.

These issues do not appear to be satisfactorily addressed, in my opinion.

The response states that “we believe we’ve addressed this issue”, and refers to the Gienapp memo dated January 11, 2018.

WC stated that this could be addressed as the project progresses. The Board agreed.

3. *The board may also want to require that a phase 2 plan be developed which depicts in suitable detail how phase 2 will be constructed adjacent to a now-occupied phase 1. The same concerns mentioned above would appear to apply, with the difference being that under phase 2 construction there would appear to be negligible space on site for equipment, material,*

trailer and workers vehicle storage/parking. The engineer should address whether local streets will need to be occupied by these items. Further, phase 2 building construction appears to occur on, or in, the main site access/egress off Ocean Street. The engineer should address whether phase 1 traffic will need to be rerouted during phase 2 construction.

These issues do not appear to be satisfactorily addressed, in my opinion.

The response states that "we believe we've addressed this issue" and refers to the Gienapp memo.

WC stated that this could be addressed as the project progresses. The Board agreed.

DE stated that they have concluded the review of JS's comments.

DE stated that they received a memo from the Ocean Echo Trustees asking how the pilons that are to be used in the project will affect the Ocean Echo condominium structure. WC stated that with any project they would have to make sure this would not adversely affect any adjacent structures. WC stated that there would be a pre-pile driving survey will be done with permission of the abutters of all the adjacent structures and notes of any existing cracks would all be identified and if any damage occurs during the pile driving operation they would be legally required to repair. WC stated that in order to minimize that risk they have chosen minimal displacement piles.

James Lisauskas (JL), 15 Ocean St, asked about the sidewalks on Ocean St. DE stated that the applicant has committed to replacing the sidewalk on the northern side of the street. DE stated that it would be up to the Town to decide about sidewalks on the southern side of the street. JS asked how the condos would handle recycling. WC stated that they are advocates of recycling and sustainability and intend to have a recycling program and as long as they are managing the building there will be a recycling program. JL had concerns about dumpster location, access and if 4 dumpsters would be adequate for the site. WC stated that the dumpster location was chosen for easy access by the trash trucks. WC stated that they met with different trash hauling companies to discuss the number of dumpsters needed and 4 was the minimum number suggested. Sheila Albertelli (SA), Chair of the Salisbury Conservation Commission, stated that she wanted to pass along the Commissions concerns to the Board in regards to public safety. SA stated Salisbury does not have a hook and ladder truck tall enough to reach the top of the building. SA stated that there is no contingency plan to add an additional 500 to use an already overburdened roadway during storm/evacuation events. DE said that the Board will ask Town Council for guidance on this. JL does not agree with the dumpster placement and went on to state that they are asking their residents and commercial space tenants to haul their trash approximately 100 yards to the dumpsters. DE stated that the Board could ask the applicant for a more robust trash plan for the next meeting.

GM motioned to continue until March 11, 2020 at 7:10pm

JMD seconded.

Vote: 4-0, motion passed.

2. New Business

- a. **Updating the Registry of Deeds records on the current Planning Board member composition, pursuant to Massachusetts General Laws, Chapter 41**

- b. **Minor site plan modification—57 Railroad Avenue (Assessor Map 32, Lot 86)—Request made by Daly Group LLC**

Dave Daly (DD) stated that he was representing the project and is requesting a minor site plan modification to add decks to the units.

JMD motioned to approve the site plan modification for 57 Railroad Ave (Assessor Map 32, Lot 86) requested by Daly Group LLC as illustrated in a revised site plan dated, February 18, 2020, designed by Landplex Civil Engineering Surveying. All other conditions in the March 14, 2019 and May 31, 2019 decisions shall remain as approved.

GM seconded.

Vote: 4-0, motion passed.

- c. **Minor site plan modification and request for a certificate of completion—82 Lafayette Road (Assessor Map 22, 15)—Request made by Brenden Doherty**

Counselor Anthony Pesce (CAP) stated that he was representing Brendan Doherty (BD) and introduced Chris York (CY) from Millennium Engineering. CY stated that an on-site light study was done by Visible Light and the results were submitted to the Board. CY read through their responses to JS's 2/9/20 comments and discussed the \$60,000.00 bond estimate from JS to complete phase one, cleanup and stabilization of the rear of the site. The next item discussed was the sliding gate and chain link fence. CY stated that this would not be needed until phase II. DR suggested signage to stop people from going to the rear part of the site. CAP agreed that the applicant would put signage. CY stated that the dumpster would be installed as of 5/31/20. CY states that revisions to the constructed wetland, including installation of the vegetation, will occur no later than July 31st, 2020. CY stated that any debris piles will be removed from the site and the area will be cleaned and revegetated in the spring and that the area will be cleaned and stabilized no later than July 31st, 2020. CY stated that the replication areas have been built and are added to the plans. CY stated that the rip rap will be removed and the area loamed and seeded no later than May 31st, 2020. In regards to Fire Department being able to turn around in the rear of the site CY provided a copy of the building permit to the Board showing that the Fire Department signed off. DE would like a letter from the Fire Department stating that the current turn around is sufficient. BMD stated that he would reach out to them to clarify. The Board had a lengthy discussion about lighting. DE asked Jonathan Sweet (JS) if there have been any changes since his discussion with

the applicant and JS said that it is better but there is still a lot of glare and light coming from the site.

GM motioned to approve the minor site plan modification as presented.

DR seconded.

Vote: 5-0, motion passed.

JMD motioned to grant the partial certificate of completion with the following conditions:

1. Applicant shall file a Certificate of Completion to close out the project.
2. Prior to the issuance of a Certificate of Completion, the applicant shall satisfactorily complete the outstanding items as enumerated in Joe Serwatka's letter dated 1/20/20 and subsequently file a new Certificate of Completion application and updated as-built plan detailing work completed.
3. The applicant shall submit a bond in the amount of \$60,000.00 to complete the work in the 1/20/20 letter from Joe Serwatka. The bond will be released after the issuance of a Certificate of Completion.
4. The applicant shall submit a bond in the amount of \$10,000.00 for the remaining lighting work. The bond will be released after the issuance of a Certificate of Completion.
5. The applicant shall file with the Planning Department a letter from the Salisbury Fire Department confirming that the access road is adequate to use for fire and emergency responses.

JS seconded.

Vote: 5-0, motion passed.

- d. **Minor site plan modification**—106 Elm Street (Assessor Map 17 Lot 24)—Request made by Christopher Deluca

There was a discussion about the requested modification to incorporate stormwater infrastructure elements into DOT land.

GM motioned to move to approve the proposed site plan modification for 106 Elm Street (Assessor Map 17, Lot 24) requested by Chris Deluca as illustrated in a revised site plan dated, 8/18/2015. All other conditions in the February 11, 2015 shall remain as approved. In addition, the Applicant shall obtain a letter from MassDOT confirming approval for the swale design.

JMD seconded.

Vote: 5-0, motion passed.

3. Other Business

- a. **Follow up and discussion on 2-10 Sycamore Lane (20 Ferry Road) project**

DE read letter received on 2/26/20 from Brad Kutcher (BK). In the letter BK stated that he was not able to be at this meeting and requested that no public comments be heard. DE stated that it

would be put on the agenda for the next meeting pending BK confirmation that he would attend.
BMD would share the pictures received with BK and the engineer.

4. Correspondence

a. **None.**

5. Executive Session

a. Executive session under G.L. c. 30A, §21(a)(3) to discuss strategy with respect to litigation: Big Block Development Group v. Town of Salisbury Planning Board.

Nothing new to discuss.

6. Adjournment – 10:37pm

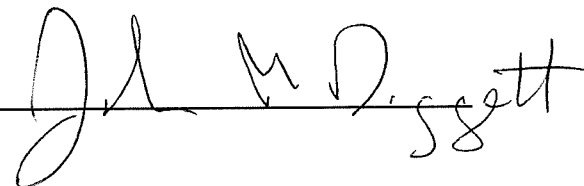
GM motioned to adjourn.

DR seconded.

Vote: 5-0, motion passed.

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

Minutes approved by: _____



Date: 11/16/21