

**Salisbury Planning  
Board Meeting  
Minutes**

**Date: Wednesday, May 27, 2020**

**Place: Remotely via Zoom**

**Time: 7:00 p.m.**

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

PB Members Absent: Alternate Member John Schillizzi.

Also Present: Director of Planning Lisa Pearson (**LP**) and Planning Board Secretary Sue Johnson (**SJ**).

**DE** brought the meeting to order at 7:00 p.m. remotely via Zoom, under Executive Order of Governor Charlie Baker\*. Announced, per Opening Meeting Law, that the meeting was being recorded and streamed by Salisbury Cable TV.

**1. NEW BUSINESS– 7:00 pm**

Signing of plans and permits

- a. Modification (Amendment) of Minor Site Plan —57 Railroad Avenue (Assessor Map 32, Lot 86)—Request made by LandPlex, LLC (10 George Street, Lowell, MA) on behalf of 57 Railroad Ave, LLC c/o The Daly Group, LLC (229 Stedman Street, Lowell, MA).**

Materials provided for the Planning Board’s consideration:

- Exhibit Plan, for 57 Railroad Avenue, Salisbury, MA, dated May 04, 2020, for the Daly Group, 229 Steadman Street, Lowell, MA, prepared by LandPlex, LLC, 10 George Street, Ste. 208, Lowell, MA 01852 (consisting of one sheet);
- Letter of request for amendment to Site Plans for 57 Railroad Avenue dated May 22, 2020 submitted by Matthew Hamor, P.E., LandPlex, 10 George Street, Ste. 208, Lowell, MA 01852;
- Gravel Specifications dated 09/11/2018 for client, Lynch Materials (800 Salem Street, Wilmington, MA).

Atty. Lisa Mead (Mead Talerman & Costa, LLC, 30 Green Street, Newburyport, MA) introduced the request for modification of Minor Site Plan approval to the Planning Board on behalf of The Daly Group. Project Engineer Matthew Hamor (LandPlex) described the two proposed construction modifications for site development to the Board.

Previously, the approved site plan specified that the driveway be constructed of [sea] shells. Mr. Hamor stated his firm has found that shells have not held up well with vehicular traffic; turning pressure from tires press the shells and shells adhere to tires, as vehicles move on and off site. LandPlex, therefore, recommended a substitution and replacement of the previously approved driveway material, with washed 1/2-3/4-inch diameter, blue gravel, to be layered over a sand base. Mr. Hamor opined that the use of cleaned gravel would not impact the current drainage design and that the sand base under the gravel layer would allow permeability.

Project Engineer Hamor next described the second modification to the approved site plan, which would be to insert five (5) to seven (7) stepping stones of approximately one (1) to two (2) foot in size for a pathway along the slope of the rear embankment [located at the east property line]. These stepping stones would function and facilitate pedestrian access to the shoreline over the rip rap and preserve and protect the integrity of the rip rap.

A brief discussion ensued between the applicant, Planning Board, and Planning Director. Planning Director, Lisa Pearson, assured the Board that the Conservation Commission supported the use of gravel over sand base in the shoreline area. It was determined that the Planning Board desired that any stone tracked onto the streets would be cleaned up by the land owner.

Hearing no further questions, the Planning Board approved by roll call the request for site plan modification, as represented by the applicant, with conditions:

The association governing the condominiums at 57 Railroad Avenue shall adopt a provision to the Rules and Regulations of the Condominium Association stipulating that the Association is responsible for cleaning any stray gravel from the site premises that escapes, or is tracked, onto the street known as Railroad Avenue.

All other conditions as enumerated in the March 14, 2019 Site Plan Approval and May 29, 2019 Site Plan Modification Approval shall remain.

**Motion by L. Masiello, second by M. Doggett; Approved unanimously five (5) – zero (0).**

**b. Certificate of Completion - 57 Railroad Avenue (Assessor Map 32, Lot 86)— Request made by LandPlex, LLC (10 George Street, Lowell, MA) on behalf of 57 Railroad Ave, LLC c/o The Daly Group, LLC (229 Stedman Street, Lowell, MA).**

Materials provided for the Planning Board's consideration:

- Request for Certificate of Completion

After being granting the above request for Modification/Amendment to Minor Site Plan Approval, Atty. Lisa Mead and Project Engineer Matthew Hamor representing The Daley Group proceeded with the request for Certificate of Completion.

Atty. Lisa Mead noted outstanding issues of construction completion for this project development:

Sidewalk and apron; Lateral Tie-ins at the street; Reclamation and re-pavement of street; and Landscaping for Buildings A, B, C, and D.

The applicant's agents petitioned the Planning Board for partial release of completion for Buildings A, B, and C.

Discussion proceeded between the applicant's agent, Planning Board and Planning Director, Lisa Pearson, regarding method of performance guarantee. The Board concluded it would be in the best interest of the Town to hold the final duplex units in Building D as surety. Any outstanding work left to be completed could be revisited when the applicant appears before the Planning Board for final request for Certificate of Completion and release of Building D as performance guarantee.

Hearing no further discussion, the Planning Board voted by roll call to grant a **partial** certificate of completion for Buildings A, B, and C, as represented by the applicant, with conditions:

Building D, having two (2) dwelling units, shall be held as performance guarantee, until such time As-Built plans for Building D are delivered to the Planning Board for review and approval; and 2. the final two (2) Certificates of Occupancy are granted for the satisfactory completion of Building D.

**Motion by M. Medeiros, second by D. Rider; Approved unanimously five (5) – zero (0).**

## **2. PUBLIC HEARINGS — 7:10 pm**

### **a. Major Site Plan Review – 195 (Assessor Map 9, Lot 67) & 201 (Assessor Map 9, Lot 46) Elm Street – Request made by Arakelian Family, LLC.**

Request by applicant for Continuance to June 10, 2020.

Continuance granted.

**Motion by M. Medeiros; second by M. Doggett. Roll Call vote unanimous five (5) – zero (0).**

### **b. Case Continuance for Special Permit and Major Site Plan Review – 238 Lafayette Road (Assessor Map 23, Lot17) – Request made by Ganesh Wellness, LLC.**

Request by applicant for Continuance to June 10, 2020.

Continuance granted.

**Motion by D. Rider; second by L. Masiello. Roll Call vote unanimous five (5) – zero (0).**

**c. Case Continuance for Minor Site Plan Review – 139 Elm Street (Assessor Map 9, Lot 18) – Request made by Li Realty Trust.**

Request by applicant for Continuance to June 10, 2020.

Continuance granted.

**Motion by M. Doggett; second by M. Medeiros. Roll Call vote unanimous five (5) – zero (0).**

**3. OTHER BUSINESS** – No other business

**4. CORRESPONDENCE** – No correspondence

**5. EXECUTIVE SESSION** – No Executive Session

**6. ADJOURNMENT** – 7:37 p.m.

**Motion by G. Medeiros; second by M. Medeiros. Roll Call vote unanimous five (5) – zero (0).**

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

**Minutes approved by:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*\*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this public hearing of the Town of Salisbury's Planning Board is being conducted via remote participation.*

*No in-person attendance of members of the public will be permitted, but the public can listen to and view this meeting while in progress by tuning in to Salisbury Community Television (SCTV) Channel 12 or via Facebook Live through SCTVMC. Members of the public attending this meeting virtually will be allowed to make comments if they wish to do so, during the portion of the hearing designated for public comment, by joining the Zoom meeting at [www.zoom.us](http://www.zoom.us) or via telephone at 1-253-215-8782 (long distance charges may apply) The meeting ID is 870 7028 3564 TBD and the password is 782295*