

**Salisbury Planning Board  
Meeting Minutes**

**Date: Wednesday, July 22, 2020**

**Place: Remotely via Zoom**

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

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PB Members Present: Chair Don Egan (**DE**) , Vice Chair 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: Assistant Planner Michele Grenier (**MG**), 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. Announced, per opening meeting law, that the meeting was being recorded.

**1. New Business – 7:00 pm**

- a. Signing of plans and permits – Nothing to be signed
- b. Approval of inclusionary housing payment pursuant to section 300-79 of the Zoning Bylaws of the Town of Salisbury – 15 Forest Road (Map 20, Lot 5), SPL Development Corp.

**JMD** motioned to approve.

**GM** seconded.

**Vote: DR-Yes, LM-Yes, GM-Yes, JMD-Yes and DE-Yes – Motion passed.**

**2. Public Hearings—7:10 pm**

- a. Special Permit Filing - 124 Lafayette Road (Map 22, Lot 70) - Request made by Doreen Nicosia (Dog Daycare with Outside Play Area)

Doreen Nicosia (**DN**) explained that she has owned a pet care business for approximately 15 years. **DN** stated that the location that she just left in Groveland was residential and agricultural. **DN** went on to state that she is proud of her business and is excited to be part of the neighborhood. **DE** asked how it would further the purpose of the zoning district. **DN** replied that she would like to work with and support the other businesses in that area and **DN** stated that she plans to add landscaping to improve the side of the building she will occupy. **DE** asked if she owned the building. **DN** replied no the owner is Paul who runs the locksmith company. **JMD** asked where the entrance to the facility was. **DN** replied that it is off of the driveway in the front of the building. **JMD** asked what type of fence would be used in the back for the play yard. **DN** stated that she was not sure if she would use the white vinyl or black chain link with privacy screens but either style would be 6’ tall. **JMD** asked **DN** to explain the waste removal process. **DN** stated that she would rent a dumpster from G. Mello and have it picked up weekly or she

could share the cost of another dumpster on site. **JMD** asked if residences abutted 124 Lafayette. **DN** replied yes there is one above the locksmith and one above Mattress Depot. **LM** asked how many dogs would be coming to daycare and what is the maximum number of dogs that can be cared for at one time. **DN** stated that typically she cares from between 20 to 35 dogs and in the past the dog officer has determined the maximum number allowed. **GM** asked **DN** if she was moving from a prior location. **DN** stated that she was moving from Merrimac where she had conducted business for approximately seven years. **GM** asked why she left. **DN** stated that she also lived at her prior location and has since moved her residence. **GM** asked if she had received any complaints at her other location. **DN** replied that she did have an incident with someone that she fired who call the animal control officer who came out to her business and reported that everything was fine. **DN** went on to state that when she first opened up she had an issue with a neighbor who just didn't want her there and the Town was very supportive and approved that they could stay. **DR** asked if the dogs would be going in and out throughout the day. **DN** stated that they would and went on to state that she does not allow the dogs to be outside barking and if they do bark she would bring them in. **DR** asked what the hours of operation would be. **DN** stated that they pick up dogs between 8:00am and 8:30am and bring the dogs to the daycare and have playgroup between 10:00am and 2:00pm. **DN** stated that the dogs leave at 2:00pm but her staff may stay until 3:00pm to clean up. **DR** asked if dogs are boarded. **DN** replied no and after speaking with the Town it is not an option. John Pramberg (**JP**) stated that he was an attorney in Newburyport and is representing the Pastore family and the owner of the property located at 122 Lafayette road which is in a family trust and has Mattress Depot operating on the bottom floor with a residence above it. **JP** asked if the Board can specify hours of operation. **DE** replied yes. **JP** stated that 25-30 dogs seems like a lot of dogs and believes that the noise level and close proximity would be too much for Mrs. Pastore and went on to state that there appears to be a lot of cars that are unregistered at this site and asked if they could be moved to the back of the site. Devin Young stated that she was an abutter and is concerned with the number of dogs, the ratio of dogs to employees and how the hours will be enforced. **LM** asked who the unregistered cars have been reported to. **LP** replied that the Building Inspector is handling this. **DR** asked if there were other special permits for this purpose in the Lafayette and Main District. **LP** replied no. **LP** discussed needing more detail regarding the fence, dumpster, landscaping and input from the Animal Control Officer. **DE** asked if there were other dog daycare centers in town that are physically attached to residences. **LP** stated that she was not sure and could check into it. **DE** asked how many dog daycare centers there are in town. **LP** replied at least 4.

**DR** motioned to continue until 8/12/20 at 7:10pm.

**GM** seconded.

**Vote: DR-Yes, LM-Yes, GM-Yes, JMD-Yes and DE-Yes – Motion passed.**

- b. Special Permit and Major Site Plan Filing - 187 Lafayette Road (Map 19, Lot 296) - Request made by Root & Bloom (Recreational Marijuana Cultivation and Product Manufacturing Facility)

Attorney Adam Costa (**AC**) with Mead, Talerman & Costa stated that he was representing the applicant. **AC** introduced his team, discussed the project and the materials that were submitted to the Board. Chris York (**CY**) from Millennium Engineering reviewed the full set of site plans that were submitted to the Board. **CY** stated that there will be 63 parking spaces with the loading, dumpster areas and snow storage behind the building. **CY** stated that the applicant plans to tie into all utilities including sewer. **CY** stated that the lighting will be dark sky compliant. **AC**

discussed the two types of light fixtures that will be used and stated that there would be a total of 8 fixtures, 2 building mounted and 6 free standing. Kim Turner (**KT**) stated that she is a landscape architect from KD Turner Design and discussed that landscape plan she designed for the site. Adam Sitterly (**AS**) stated that he is an architect with Anderson Porter Design and he discussed the floor plan for the new steel building to be built on the site. **AS** also discussed the design of the outside of the building and described it as New England farm style. **AC** stated that they had a traffic assessment done by Vanasse & Associates for this project and discussed the memo the applicant received from them. **AC** stated that the next subject they want to discuss is the security and emergency preparedness. **AC** stated that the security plan was prepared by a security consultant and discussed the plan that was submitted. **AC** stated that they have also submitted an employee security and emergency procedure plan which he briefly explained. Mark Dufour (**MD**) stated that he works for ECI Systems and discussed the Physical Security Plan Supplement that his company designed. **MD** stated that the plan will meet and exceed the strict security guidelines set by the Cannabis Control Commission. Alex Odom (**AO**) with Acentec stated that they completed an ambient noise survey to establish what the baseline noise levels are in this area. **AO** stated that it was a weeklong survey conducted in January. Eric Gath (**EG**) stated that he was the mechanical engineer for Root & Bloom. **EG** stated that they have come up with a multifaceted approach for odor mitigation and discussed the 4 systems to be used to control odor. Derek Anneser (**DA**) is a manufacturer's representative and discussed the SecureAire model which will be used in this facility. **DA** discussed in depth how the SecureAire system will work to remove odor at this facility. **DE** thanked the applicant for submitting a complete application. **JMD** asked how many employees do they intend to have and referred to the large number of parking spaces on the plan. **AC** stated that they designed the parking to be in compliance with the bylaw. **AC** stated that there will be approximately 40 employees who will operate in 2 overlapping cultivation shifts running 7am to 7pm and one extraction shift that will run 7am to 4pm. **LM** asked if connecting to the sewer was not available when they planned to begin operation will a septic system be installed. Brad Kutcher (**BK**) stated that he spoke with the Health Inspector and that if sewer is not available at the time they gain occupancy they will install a compliant septic system. **CY** stated that test pits were done on the site and it can accommodate a septic system. **LM** asked if there was a way to add articulation to the side of the building facing Lafayette Road. **AS** stated that what they have done to address this was that they wrapped the porch around the corner of the building added landscaping. **LM** suggested adding false windows or dormers. **AS** replied that it is a pre-engineered metal building and adding false windows would compromise the energy efficiency. **DR** asked for information regarding pickups and deliveries. **AC** replied that they would be using box trucks (26 feet or less) or sprinter vans and the maximum number of trips during the week would be 18 to 20. **AC** stated that in the beginning there may be larger trucks bringing in soil. **DR** asked if it would be their own fleet of trucks. George Haseltine (**GH**) replied that they would have 1 to 2 sprinter vans that may be stored on site. Brian (**Brian**) and Amy Kealy stated that they lived at 9 Del Logan Drive and are abutters to this property. **Brian** stated that the biggest concern they have is odor. **Brian** stated that he has spoken with many of the abutters and most are against this project. **Brian** presented a slide show that he and his wife put together explaining the reasons they are against the project. **GM** asked if Root & Bloom operate any other facilities that he could visit to check on the odor issues. **AC** replied that the applicant does not own other facilities. **AC** went on to state that other facilities in the state and surrounding states do not have the 4-step odor mitigation process which the applicant is proposing. **AC** stated that he was not familiar with the articles presented in the slide show and may not be relevant to this type of facility. **AC** stated that it is an allowed use in this district and was approved by the Board of Selectmen. **GH** stated that he appreciates the

Kealy's concerns but feels that the state-of-the-art building will address any noise concerns and the 4-step odor mitigation process will address their odor concerns. **GH** suggested that the Board could add a condition to address odor.

**GM** motioned to continue the hearing until August 12, 2020 at 7:10pm.

**JMD** seconded.

**Vote: DR-Yes, LM-Yes, GM-Yes, JMD-Yes and DE-Yes – Motion passed.**

- c. Flexible Residential Development Special Permit and Definitive Subdivision Filing - 9 Gerrish Road (Map 22, Lot 19) - Request made by DeStefano Development LLC c/o Lisa Mead, Mead Talerman & Costa, LLC

Lisa Mead (**MTC**) stated that the site is currently 12.8 acres of which 9.29 acres would be deeded to the Town as open space. **MTC** stated that they are proposing 10 single dwelling units and the applicant will satisfy the inclusionary housing requirement by making a prescribed contribution to the Salisbury Affordable Housing Trust. Eric Botterman (**EB**) stated that there were seven lots which is the basis of the yield plan. **DE** asked where the frontage is on lots 1 & 2. **EB** stated that their frontage is on the town's right of way which used to be Gerrish Road until 1958 when the road was redesigned and straightened. **EB** stated that the proposed roadway into the development would be across from Trout Way. **KT** stated that she did a site analysis for the project and stated that there are a lot of wetlands on the property and there is a large piece of ledge along the front of the property. **KT** stated that the homes will all be facing the road coming into the development and there will be a sidewalk along one side of the street. **KT** discussed the different types of plant materials that will be used on the site and where they would be planted. **EB** briefly discussed the grading plan and drainage. **MTC** stated that they would like to get the Board's comments relative to this layout. **EB** discussed the open space land which would be deeded to the Town which abuts town land. **DE** asked how the public would access this land. **EB** replied that the public could access from the Town fields abutting the open space adjacent to the schools. **LP** shared her screen to show the Assessor's map of this area and discussed the proposed projects location and where it abuts Town owned land and its proximity to the rail trail. **LM** asked how the Town would access the open space. **MTC** stated that it would be accessible through abutting Town land. **LM** stated that there is very little area for snow storage on the plan and asked if this could be addressed at the next meeting. **JMD** asked how they come up with 10 houses for this property. **MTC** stated that it is related to the open space to be given to the Town. **MTC** referred to the zoning bylaw stated that they are providing 10% more open space to the Town than required to provide and they are providing an affordable housing unit. **DE** stated that he was concerned with the request of the reduction of unit # 8's lot size to 6,378sf. **EB** stated that the plan that he has shows that it is 8,378sf. **MTC** agreed with the lot size and stated that it may be a mistake on the waiver request. **EB** stated that they would update the waiver request prior to the next meeting. **LP** stated that the Board needs to confirm that the yield plan allows the number of lots established on the plan in accordance with the bylaw. **DE** stated that section of the bylaw is 300-55. **MTC** stated that section 300-52B gives the requirements for ratio of uplands to wetlands.

**JMD** motioned to continue until 8/12/20 at 7:10pm.

**LM** seconded.

Discussion: **LP** asked if the Board would be interested to do a site walk. **LM** stated that he would do a site walk. **LP** asked the applicant if it would be possible. **MTC** stated that a site visit could be arranged. **EB** stated that he would be there just let hm know the date and time. **LP** asked **EB** if there were any stakes in place to help orientate the Board. **EB** stated that they would stake the center line of the roadway. **DE** asked if they need to do a tree survey. **EB** stated that there are some nice trees in front of the property and ass you get into the property there are few mature trees. **EB** stated that he would be willing to discuss during the site walk.

**Vote: DR-Yes, LM-Yes, GM-Yes, JMD-Yes and DE-Yes – Motion passed.**

- d. Cont. minor site plan review – 139 Elm Street (Assessor Map 9, Lot 18) – Request made by Li Realty Trust.

**DE** stated that the applicant has requested a continuance until 8/26/20 at 7:10pm.

**GM** motioned to continue until 8/26/20 at 7:10pm.

**DR** seconded.

**Vote: DR-Yes, LM-Yes, GM-Yes, JMD-Yes and DE-Yes – Motion passed.**

3. **Other Business**

4. **Correspondence**

5. **Adjournment**

**LM** motioned to adjourn.

**JMD** seconded.

**Vote: DR-Yes, LM-Yes, GM-Yes, JMD-Yes and DE-Yes – Motion passed.**

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

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

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