

**Salisbury Planning Board
Meeting Minutes
Wednesday, September 10, 2014 7:00 p.m.**

PB Members Present: Don Egan (DE), Lou Masiello (LM), Brendan Burke (BB), Robert Straubel (RS)

PB Members Absent: Helen "Trudi" Holder, Berenice McLaughlin (BHM)

Also Present: Leah Hill, Asst. Planner

Time: 7:00 p.m.

Chairman Egan called the meeting to order at 7:08 p.m. in the Colchester Room, Salisbury Town Hall. **DE** announced, per the Open Meeting Law, that this meeting was being recorded and broadcast live via www.sctvmc.org/index.

DE stated he would like to thank **RS** for his service as the Chairman.

1. New Business:

DE stated there are two streets in town, Park and Main Street when these streets were constructed they aren't where the legal description is. Tonight we are going to talk about having the legal description and location of those streets match.

- a. **Discontinuance of a Portion of Main Street as a Public Way-Town of Salisbury:** **LH** stated this is a portion of Main Street in front of the Plain School. Main Street was constructed and then Main Street actually shifted. The part which was the old legal roadway never got discontinued. **RS** stated this is the area in front of the Plain School. There is an asphalt strip there (which looks like a parking lot). We have come before with a unified plan that encompasses the lots involved. **LH** stated yes. **RS** asked if the town had to pay anything for this. **LH** stated I'm not sure. **RS** asked what the Board of Selectmen provided. **LH** stated the plan and the letters that refer it to the Planning Board.

BB motioned that after reviewing the information provided to us by the Salisbury Board of Selectmen, the Planning Board votes to approve the discontinuance of a portion of Main Street as a public way pursuant to G.L.c.41, §81I. The area to be discontinued is located between the Northerly side of the paved portion of Main Street and the Southerly side of Assessors' Map 12, Lots 47, 48, and 49, and is shown as "Area of Discontinuance" on a plan of land entitled "Street Alteration Plan, Main Street, Salisbury, MA" prepared for the Town of Salisbury, Donahoe and Parkhurst, Inc., dated Oct. 10, 2010, (the "Street Alteration Plan") bounded and described as follows:

Beginning at the Northeasterly corner thereof at a point North 28° 00' 38" East 0.21 feet from a drill hole in a Massachusetts Highway stone bound by the Southeasterly boundary of land now or formerly of Albert J. Johnson, thence running South 30° 49' 19" East 55 feet to an iron rod thence turning and running Southwesterly in four (4) courses; South 65° 37' 35" West 142.61 feet to an iron rod, thence South 63° 28' 37" West 146.53 feet to a spike, thence South 61° 57' 14" West 82.60 feet to an iron rod, thence South 60° 19' 36" West 149.67 feet to an iron rod at the Southwest corner thereof, then turning and running North 30° 49' 19" West 21 feet to a pin in an Essex County stone bound, thence turning and running North 59° 10' 41" East 519.97 feet to the point of beginning, containing 17,065 sq. ft. more or less all as shown on said plan.

LM Seconds – Vote on motion 4 – 0 unanimous.

- b. **ANR-Main Street (12-150)-Town of Salisbury:** **DE** stated this is related to the same project. This was done previously but we would like to have it on the same plan. This is a parceling of land to be discontinued on Main Street. **LH** stated this ANR was done as separate plans

previously. The attorney wants this done as one piece. This is parceling the land to be discontinued on Main Street and combining with the existing pieces of land. **LM** asked if 12-150 have to do with the addresses. **LH** stated 12-150 is the land that is being discontinued. **RS** stated there were a number of previous ANRs that were endorsed and now we are combining them into one. **LH** stated yes. **LM** asked about signing the ANR plans in the office. **LH** stated we did vote on that but since these all came in together we bundled all together. **DE** stated the signing of this ANR will supersede the other signed ANRs.

LM motioned to endorse the ANR plan for Main Street (12-150)-Town of Salisbury.

BB-Seconds-Vote on motion 3 – 0 unanimous.

- c. **Discontinuance of a Portion of Park Street as Public Way-Town of Salisbury:** **LH** stated Park Street is on the plan that goes from Elm Street to Maple. When this was created there was a conflict. Now we have road going through the building. We wish to discontinue the portion of Park Street that a building is on top of. **DE** stated the legal description and plan today has a street going through the building. **BB** asked how this was brought to the surface. **LH** stated the project that is happening at the school.

LM motioned that after reviewing the information provided to us by the Salisbury Board of Selectmen, the Planning Board votes to approve the discontinuance of a portion of Park Street as a public way pursuant to G.L.c.41, §81I. The area to be discontinued is partially located under a section of the Memorial School and extends west to where it intersects with Maple Street, and is shown as "Portion of Park Street to be Discontinued" on a plan of land entitled "A Portion of Park Street to be Discontinued, Salisbury, MA" prepared for the Town of Salisbury, Millennium Engineering, Inc., dated September 8, 2014, (the "Street Discontinuance Plan") bounded and described as follows:

Beginning at a point on the Easterly line of Maple Street at the Northwesterly corner of the portion of Park Street to be discontinued thence running South 76° 10' 22" East 104.84 feet thence turning and running South 39° 37' 22" East 35.74 feet, thence South 13° 16' 50" West 45.13 feet along the face of the building, thence North 39° 37' 22" West 51.08 feet, thence North 76° 10' 22" West 92.95 feet to a point on the Easterly line of said Maple Street, thence turning and running North 13° 49' 38" East along the Easterly line of Maple Street 36.00 feet to the point of beginning, containing 5,123 sq. ft. more or less all as shown on said plan.

BB Seconds

Isa Cann (IC) of 22 Ferry Road addressed the board. I am wondering the impetus the approvals for varying responsibilities for roads. The impetus seems to be every time for a subdivisions. Can we count on that for protocol that every time there is a subdivision there is going to be an investment of town money into changing the roads? **DE** stated I understand what you are saying. These are not in preparation for a subdivision. The Park Street existing plan actually shows the public way going right through the middle of the building. Since the building is under development plans, the developer of that school wants to make sure that the street does not go through the building. The Main Street item, the street is in a slightly different place than where the legal description and plan shows. This is more housekeeping. It has nothing to do with future development plans, other than perhaps it is related to the school. **IC** stated I hope it's not a trend. Abutters in my area of town, also have a road issue that is not a town road and never was a town road. I am just afraid that this is what drives the town's interest in roads for someone's desire to develop things which doesn't seem quite fair to me. **DE** stated this is not creating any new public ways.

Vote on motion 4 – 0 unanimous.

- 2. **7:30 Public Hearing:** N/a
- 3. **Old Business:** N/a
- 4. **Other Business:** N/a

5. Correspondence:

a. Minutes from August 27, 2014.

BB motions to accept and sign the minutes from August 27, 2014

LM Seconds – Vote on motion 4 – 0 unanimous.

6. Reports of Committees:

IC questioned the board about the process of the Planning Board. **DE** and **RS** stated that currently the Planning Board doesn't have a filing or application before the board.

Adjournment

RS motions to adjourn at 7:40 pm

LM Seconds – Vote on motion 4 – 0 unanimous.

Chairman

Date