



Date: March 9, 2022

Place: Salisbury Town Hall, 5 Beach Road & Remotely Via Zoom

Time: 7:00 pm

PB Members Present in Person: Chairperson, John “Marty” Doggett (**JMD**), Vice Chairperson, Deb Rider (**DR**), Gil Medeiros (**GM**)

PB Members Present via Zoom: Lou Masiello (**LM**) , Don Egan (**DE**), Alternate, John Schillizzi

PB Members Absent: None

Also Present: Planning Director, Lisa Pearson, Assistant Planner, Danny Ruiz and Planning Board Secretary, Sue Johnson

JMD 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. Minor modification of Site Plan Review for 504 North End Blvd. (Map 36, Lot 138)

- Attorney Lisa Mead of Mead, Talerman & Costa presented on behalf of the applicant.
 - She stated the proposal is to extend the deck and change the windows into a slider on the water side of the last unit.
 - She stated it is the applicant’s opinion that under the criteria this alteration is considered a minor modification and requests the board approves it as such.

DE motioned to accept the application as a minor modification of the SPR for 504 North End Boulevard. GM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

DE motioned to approve the minor modification of the SPR for 504 North End Boulevard. DR seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

b. Review of the Maximum Housing Contribution Payment for the Inclusionary Zoning Bylaw

- Moved down the agenda to accommodate 7:10pm public hearings.

2. **Public Hearing - 7:10 pm**

a. Request for Site Plan Approval for a six (6) residential condominium building at **30-32 Cable Ave** (Map 32, Lots 46 & 48) on a .16 +/- acre site in the Beach Commercial Overlay Zoning District. Applicant: Damon Amato. (Cont. 11-10-21, 12-8-21, 1-12-22, 1-26-22, 2-9-22)

- Ben Legare, Damon Amato’s business partner, presented on the project.
 - He stated since the last time they were before the Planning Board, they have gone before the Conservation Commission and had a traffic analysis done.

- He said one of the big things coming from the Conservation Commission was they would like the houses to be buffered through vegetation.
- Dennis Hammel from GM2 Associates spoke on behalf of the project.
 - He gave an overview of the responses to the peer reviewers comments.
- Lisa Pearson asked what the height of the shrubbery is.
 - Dennis Hammel replied that the mature height is 7 to 10 feet. They are generally bought at 3 feet high.
- Ben Legare stated that the plans show a handicap lift but they are going to go before the architectural review board of MA to see if there is one needed since the building will be on pilings. They are showing it just in case it is required but will take it off if it is not.
 - **JMD** asked if the lift would be accessible to the two end units.
 - Ben Legare responded that if you have a building over x amount of units one units has to be ADA accessible or adaptable.
- **LM** asked if these units are going to be available for rental even though they are going to be sold as condos.
 - Ben Legare responded that the condo associate is going to dictate themselves.
 - **LM** asked what would be in the condo document now.
 - Ben Legare said there is just no restriction to renting in the documents. It will be left up to the homeowners.
- Lisa Pearson asked how someone would access the handicap lift if the path to it is gravel.
 - Ben Legare reiterated that showing the lift is just incase it needs to be ADA and to have the unit be adaptable.
- Ben Legare stated they do not have a lighting plan but explained how the lights are dark sky compliant and are positioned so they do not face the neighbors.
 - **DR** stated she would like to see a lighting plan.
 - Ben Legare agreed to this request.
 - Lisa Pearson stated that floodlights are not to be installed should be included in the condo docs.
- **LM** asked about second means of egress for each unit.
 - Ben Legare responded, yes.
- **GM** asked about snow storage.
 - Ben Legare responded that there is a small section for smaller storms but snow will be trucked out for larger storms.
- Dennis Hammel went over the landscape plan.
- **DE** asked if the applicant would be willing to reduce the number of units.
 - Ben Legare responded no.
- Lisa Pearson recommended requesting a snow management plan that can be added in the condo docs.
- Ben Legare said he will play with the buffer along the road, he will look into increasing the turn radius and he will get a snow management plan.
- **DR** said she is concerned about how tight the parking is under the building, there does not seem to be any room for storage.
 - Ben Legare said there is 4 feet at the end of the parking spaces. He said this was thought of for storage although the Conservation Commission does not want storage under the buildings.
- Lisa Pearson asked where are the trash cans going.
 - Ben Legare responded the trash cans have a place on the back under the decks.
 - **JMD** asked if the garbage would be taken out through the garage to the front.

- Ben Legare said no they will be taken around the side walk way. He said most likely the management company will be taking the trash cans out.
- Lisa Pearson asked if they are going to use any of the existing pavement.
 - Ben Legare answered, no. He said he can specify in the plans that they are going to use smaller stones which compact nice.
- Danny Ruiz asked whether the applicants had received a review letter from the Town Engineer dated March 7, 2022 because there are a couple of comments that will need to be responded to.
 - Dennis Hammel said the latest response to the Town Engineer they have done was on March 2, 2022.
- Lisa Pearson noted the new comments about the parking and the driveway are from the Building Inspector as well as the Board. There have been projects with similar parking that have had issues with the buyers. She said this is where she believes the concerns are coming from.
- **JS** commented he would like to see the unit number decreased.
 - Ben Legare replied saying it sounds like the whole Board does not like the zoning.
 - Lisa Pearson said that the Board is looking at multiple factors about the building. Especially in regards to parking with the tandem parking underneath the units. She said the Building Inspector who is the zoning enforcement officer is concerned because these spaces do not seem like multiple different types of cars can fit in the parking spots.
 - Ben Legare stated that he has been involved in projects where the parking was smaller and matched the requirements of zoning. He gave the example of 57 Railroad Avenue.
 - Lisa Pearson stated that 57 Railroad is the reason the Building Inspector changed his view on future projects because it does not work there.
 - **JMD** stated the Board would like to learn from past mistakes so they do not happen again.
- John Marchese, part of the development team, stated he believes the parking situation is comfortable for the site.
- Lisa Pearson stated the Board discussed, receiving the luminaire plan, a snow management plan, in regards to the pathway specifying the type of gravel and condo docs and responding to outstanding comments.

GM motioned to continue the Site Plan Review for 30-32 Cable Avenue to the March 23, 2022 Planning Board meeting. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- b. Request for Site Plan Approval at **207 Beach Road** (Map 28, Lot 10). Proposed use: 14 Residential units are proposed (6 duplexes & 2 single family dwellings) along a proposed 24ft wide paved driveway and 2 additional duplexes along Old County Road in the Beach Commercial Zoning District. Applicant: Tom Patenaude. (Cont. 2-9-22)
 - Chris York, Millenium Engineering, gave a presentation on behalf of the project.
 - He stated they went before Conservation Commission last week with revised plans and received comments back from their wetland's consultant. They have revised plans in regards to wetland layout.

- He stated that they had replaced the duplex on the northly side of the property with a single family. That pushed the house back 10 feet further away from the wetlands.
- The duplex closest to the wetlands was moved over 10 feet and combined with the triplex next to it to create a quadplex.
- The driveways are now stone.
- There was signage added along the curb of the road stating no dumping snow. The removal of snow will be worked in to the condo documents.
- **LM** asked if there were going to be concrete slabs in the garage.
 - Chris York responded, yes.
 - **LM** replied would it not be better to have crushed stone in the garages in case of standing water.
 - Chris York said the driveways are pitched and he does not anticipate any standing water under the units.
 - Tom Patenaude stated the garage is pitched and if there was flood water that got onto the garage floor, it would flow into the driveway and into the storm water system. He said the site is raised by 9 feet and does not think crushed stone in an enclosed garage is necessary. He requested to the Board to leave it as concrete.
- **DR** asked on the new quadplex if the sizes of the units changed.
 - Chris York responded, no, they are the same size.
- **JMD** asked about guest parking.
 - Chris York stated there are two spaces in the garage and one in the driveway per unit. There is no designated guest parking but there is one more space than is required per unit.
- **JMD** asked about sidewalks for Old County Road.
 - Tom Patenaude asked if the Board was thinking sidewalks from the entrance of the development on Old County Road down to Beach Road
 - Chris York stated they put the rain garden near there to stop water from the road coming onto the project, if they put a sidewalk there it will ultimately pond on Old County Road, it will not have an outlet.
 - Lisa Pearson said it is something worth looking at.
 - **JMD** said they should look at the feasibility of the sidewalks.
- There was deliberation about the Building Inspector's comments.
- Lisa Pearson stated there are comments needed from the DPW.

GM motioned to continue the Site Plan Approval for 207 Beach Road to the March 23, 2022 Planning Board Meeting and to have Planning Staff draft conditions of approval. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- c. Request for Site Plan Approval at **156 Bridge Road** (Map 14, Lot 4). Proposed use: Service garage with second floor apartment in the Commercial Zoning District. Applicant: Jamil Jouraij. (Cont. 2-9-22)
 - **JMD** stated the applicant has asked for a continuance to the March 23, 2022 Planning Board meeting.

GM motioned to continue the Site Plan Approval for 156 Bridge Road to the March 23, 2022 Planning Board meeting. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- d. Request for Special Permit Approval at **41 Gardner Street** (Map 6, Lot 133). Proposed use: A residential duplex with driveway access via an easement through the adjacent property at 39 Gardner Street in the Village Residential Overlay District. Applicant: Brad Kutcher. (Cont. 2-9-22)

- **JMD** stated the applicant has asked for a continuance to the March 23, 2022 Planning Board meeting.

LM motioned to continue the Special Permit Approval for 41 Gardner Street to the March 23, 2022 Planning Board meeting. DR seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

1. New Business – 7:00 pm (...Continued)

- a. Review of the Maximum Housing Contribution Payment for the Inclusionary Zoning Bylaw
- **DE** explained the bylaw for the affordable housing contribution requires the Planning Board adjust the maximum contribution based on median home prices. He said towards the end of last year, he was talking with the previous Assistant Planner, getting ready to do the annual presentation to the Board of Selectmen and his opinion became that the interpretation from the Planning Board is incorrect. He believes the Planning Board is supposed to be adjusting the number set forth in the bylaw [\$21,000.00].
 - Lisa Pearson stated that the Planning Board cannot change the bylaw. The only way to change the \$21,000.00 is to go to Town Meeting.
 - **DE** said the problem was it never got up to \$21,000 until two years ago.
 - **JMD** stated he tends to agree with DE. He said the maximum should be raised.
 - **DE** suggested having Town Counsel look at it.

3. Other Business

- a. Minutes
- None at this time.
- b. 158 Beach Rd. aka 1 Washington St. – Bond Expiration
- Lisa Pearson stated the outstanding issue with project are the fencing and the landscaping, there is a \$5,000.00 bond for the fence and a \$10,000.00 bond for the landscaping. Sue sent an email to the developer and has not heard back from them yet. The next step is to send a second letter adding the owner's and condo association as well. The developer's have not closed the project out.
- c. Master Plan
- They have been conducting interviews. There is going to be a public forum and want to have one over Zoom so everyone can be included.
- d. Lafayette & Main Zoning
- Lisa Pearson gave an update about the Lafayette & Main Zoning.

4. Old Business

5. Correspondence

6. Adjournment

GM motioned to adjourn. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

Meeting adjourned at 9:30 pm

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

Minutes approved by: J. M. D. Scott

Date: 12/27/23