

Salisbury Planning Board Meeting Minutes

Date: Monday, October 24, 2016

Place: Salisbury Elementary School, 100 Lafayette Rd, Salisbury, MA

Time: 6:00 p.m.

PB Members Present: Chairman Don Egan (**DE**), Gina Park (**GP**), Louis Masiello (**LM**), Helen “Trudi” Holder (**TH**)

PB Members Absent: John “Marty” Doggett (**JMD**),

Also Present: Lisa Pearson (**LP**) Planning Director, Bart McDonough (**BMD**), Assistant Planner,

Chairman Don Egan called the meeting to order at 6:00 p.m. in the Salisbury Elementary School Art Room. **DE** announced, per opening meeting law, that this meeting was being recorded and broadcast live via www.sctvmc.org.

1. Public Hearing 6:00pm

- a. Article 16 (Proposed by Town Manager)- Public Hearing to amend the Zoning By-law of the Town of Salisbury: To see if the Town will vote to amend the zoning bylaws in accordance with the changes attached hereto with regard to Ch. 300 Article XII, Salisbury Beach Overlay District,**

DE outlined the key differences in the Town Manager’s Article from the Planning Board’s Article 14:

1. Language Changed from “Shadow Impact” to “Adverse Shadow Impact”.
2. The dates the adverse shadow impact on beach will be measured changed from “July 1 to August 31” to “July 1 to August 10”.
3. Under Design Guidelines. The categories and designations of mandatory and optional were left out of the Planning Board’s article and were re-inserted into the Town Managers article.

DE introduced a brief history of the changes being made resulting in the articles and amendments the Board will be voting on tonight.

GP outlined her three (3) major concerns:

1. Expressed concerns about the compromise on dates for 300 § 64 Adverse Shadow Impact from August 31 to August 10. Believes August 15th would be a better compromise.
2. Concerned the language in 300 § 64 Adverse Shadow Impact is too vague, 100 foot measurement needs language stipulating measurement must be from the Eastern most property line, not any property line.

3. The purpose of raising the height of the buildings is to allow for additional parking. Two (2) additional floors are to accommodate this purpose. Quotes 300 §67 as stating “7 stories of habitable space” when the language should state “5 stories of habitable space and 2 stories of non-habitable” for the parking.

DE commented that the reason for the language is the removal of the parking bonus and requiring two spaces onsite for 2 bedrooms or more.

GP held issue with the language, would like net neutral language included for the density.

LM motioned to continue the Public Hearing for Article 16 (Town Manager’s) to November 9, 2016 at 7:10p.m.

TH seconded.

Vote: 4-0 Unanimous. Motion Carried.

- a. **Cont. Article 17 (Citizens Petition)- Public Hearing to see if the Town will vote to amend the zoning bylaws in accordance with the changes attached hereto with regard to Ch. 300 Article XII, Salisbury Beach Overlay District, and Ch. 300 Article XIII, Inclusionary Housing Requirements.**

TH motioned to continue the Public Hearing for Article 17 (Citizens Petition), to November 9, 2016 at 7:10p.m.

LM seconded.

Vote: 4-0 Unanimous. Motion Carried.

- b. **Cont. Article 14 (Proposed by Planning Board) Public Hearing to amend the Zoning By-law of the Town of Salisbury: To see if the Town will vote to amend the zoning bylaws in accordance with the changes attached hereto with regard to Ch. 300 Article XII, Salisbury Beach Overlay District,**

LP introduced the room to the handouts available that outline the proposed changes.

DE listed the changes to the proposal:

1. Changing maximum building height from 65 feet to 89 feet by special permit. A list of special permit criteria is included.
2. Any buildings over 35 feet on the beach side cannot create adverse shadow impact on the beach between July 1 and August 10.
3. Removing the parking bonus and adding that two parking spaces are required onsite for units with 2 or more bedrooms.
4. Removing the Design Review Committee and replacing it with a professional consultant appointed by the Town, paid for by the applicant.
5. Mixed commercial use requirement will not be waived.

LM added that language was also added to make building a large stretch that is 89 feet tall straight across prohibited, it requires height be staggered with varying roof heights.

Wayne Capolupo (**WC**) thanked the Board and the public for the tremendous effort that went into getting the changes to this point. Believes this will be an excellent change for the Beach Overlay District.

A citizen asked if there are 250 condo units proposed. **DE** responded that there is no proposed development at this point but if the entire area was fully developed to its maximum there could be as many as 500 units. The citizen asked if the raised height will allow additional units to be developed. **DE** responded that the varied roof height is to prevent it from being overwhelming to the beach. Each project would be evaluated by special permit, would not allow additional units.

Further discussion on the adverse shadow impact language specifying the eastern property line followed. **DE** concluded it was implied but worst case scenario it could be included in the Rules and Regulations.

LM motioned to recommend approval of Article 14, as amended, to Town Meeting.

TH seconded.

Vote- In Favor: DE, TH, LM, Opposed: GP. 3-1, Motion Carried.

2. Adjournment

LM motioned to adjourn the October 24, 2016 Planning Board meeting at 6:31 p.m.

TH seconded.

Vote: 4-0 Unanimous. Motion Carried.

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

Minutes Approved By:_____ **Date:**_____