

Salisbury Planning Board Meeting Minutes

Date: Wednesday, January 11, 2017

Place: Colchester Auditorium, Salisbury Town Hall, 5 Beach Road

Time: 7:00 p.m.

PB Members Present: Chairman Don Egan (**DE**), Helen “Trudi” Holder (**TH**), Gina Park (**GP**), John “Marty” Doggett (**JMD**), Gil Medeiros (**GM**).

PB Members Absent: Louis Masiello (**LM**).

Also Present: Assistant Planner Bart McDonough (**BMD**), Planning Secretary Adriane Marchand (**AM**).

Chairman Don Egan called the meeting to order at 7:03 p.m. in the Colchester Auditorium, Salisbury Town Hall. Announced, per opening meeting law, that this meeting was being recorded and broadcasted live via www.sctvmc.org.

1. New Business

a. Signing of Plans / Permits

b. Request of Bond Release - 44 Railroad Ave, Mark Wojcicki

BMD briefed the Board on his meeting with the applicant earlier in the day and the progress the site had made since they received their Partial Certificate of Compliance. They have completed the items that were bonded and would like to request the release of the \$7,500.00 bond.

DE asked if a report from the Town Engineer had been provided. **BMD** responded that an official report was not provided but the Town Engineer did confirm through e-mail and verbal communication that the project was complete. **DE** asked if an as-built had been provided. **BMD** responded they have not been provided with this request as the work completed would not be shown on the as-built. It included the top coating of the pavement and some landscaping. **DE** asked if a Condo Association had been formed. **BMD** responded that the Condo Association had not yet been formed. The applicant reported it is in the process of being formed and would be complete within the next 100 days. **DE** requested that Planning Department speak to the condo owners and make sure they are aware of this request and have the opportunity to come forward. **BMD** responded it would be done.

GP motioned to continue the Request for Release of Bond, 44 Railroad Ave, Mark Wojcicki to the January 25, 2017 to allow as-built to be submitted to the Planning Department, abutters to be informed and the Town Engineer to submit review.

GM seconded.

Vote: 5-0, unanimous. Motion Carried.

2. Old Business

3. Public Hearing 7:00pm

a. Public Hearing, 158 Elm Street, Wrangler Realty Trust.

DE briefed the Board on the results from the Zoning Board of Appeals meeting which was held the previous night. They neither approved nor denied the application for variance.

John Spencer (**JS**) of Makenzie Engineering was present to represent the applicant. Turned in the stormwater and lighting plan to the Planning Department on Monday, January 9, 2017. Have not received feedback from the Town Engineer as of the meeting.

GP asked for clarification on there being no stormwater management plan onsite. **JS** replied that there is was no stormwater management plan and they do not plan to start a management plan. They returned the report to the Board as requested at the December 14, 2016 meeting. **DE** explained why the stormwater management plan and the lighting plan were requested. Asked when he prepared the analysis did he find any areas of concern? **JS** responded he did not. **DE** asked where the water on the site flows to. **JS** responded that it varies depending on the location on the site. Suggested waiting to hear the Town Engineer's comments. **DE** agreed and suggested the same should apply to the lighting plan.

DE asked for the location of the snow storage area. **JS** directed the Boards attention to the marked area on the plan. Snow from the site would be stored there and any excess would be removed from the site.

DE reviewed the Zoning Boards decision for the parking variance and the issue it created for the approval the Planning Board voted on at the last meeting. The Planning Boards approval assumed the approval or denial of the variance. Instead the Zoning Board did not issue a decision and rejected the application. This may require a new plan be submitted and approved. **JS** added they have a new plan prepared, which removes the striping for the parking area and replaced it with a display and storage area for the cars. Showed the Board the modified plan that they believe meets the requirements of the bylaw. **DE** asked if there was a defined use for vehicles on storage and display in the bylaw. **JS, DE, BMD** agreed it is not defined.

Allen Hopkin (**AH**) with AHP Architects, Inc. spoke to the Board on the applicant's behalf about the zoning bylaw and the intended use of the space. **DE** commented that the concern is also for the future use of the lot. If a restaurant was to purchase the lot they would try to use the marked spaces. **AH** agreed, that is why they removed the striping from the area so that it will not be mistaken for parking.

Paul Bertoli (**PB**) added that the Zoning Board had the same concern and removing the striping was the suggested solution to insuring any future use of the property would not have 8 foot by 18 foot spaces. Any new use would need to stripe the lot with the required 10 foot by 20 foot spaces. **DE** points this issue out a flaw in the Zoning Bylaw and suggested fixing it for the spring Town Meeting. Explained the conflict this will create for the Building Inspector and requested the applicant meet with the Building Inspector and the Planning Department to solve this parking issue.

TH motioned to close the public hearing on 158 Elm Street, Wrangler Realty Trust.

JMD seconded.

Vote: 5-0, unanimous. Motion Carried.

The Planning Board signs the Decision.

b. Cont. 45 Toll Road, Chirag Realty LLC.

TH motioned to continue the Public Hearing for 45 Toll Road, Chirag Realty, LLC, to January 25, 2017 at 7:00p.m.

GP seconded.

Vote: 3-0. GM, JMD abstained. Motion Carried.

4. Other Business

a. Cont. Discussion to update the Planning Board's Rules and Regulations

TH informed the Board that **GP** and **BMD** and herself had met on Monday, January 9, 2017 and discussed changes to the Salisbury Zoning Bylaw. **TH** is planning to have a draft of changes done by January 25, 2017. **BMD** invited the other Board members to submit any suggested changes. **DE** suggested sending them to **BMD** by January 18th, 2017. **TH** highlighted some of the changes they were planning to make. **GP** added that further changes can be made after the draft is completed. **BMD** suggested they also look through the Rules and Regulations for additional changes they would like to see.

5. Correspondence

a. Minutes from October 24, 2016 - **TH** asked to continue.

b. Minutes from November 9, 2016 – **DE** asked to continue.

6. Reports of Committees

TH updated the Board on the annual report she gave to the Board of Selectmen.
JMD and **DE** discussed appeals.

7. Adjournment

TH motioned to adjourn the January 11, 2017 Planning Board meeting at 8:00 p.m.

JMD seconded.

Vote: 5-0, unanimous. Motion Carried.

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

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