

Salisbury Planning Board Meeting Minutes

Date: Wednesday, April 25, 2018

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

Time: 6:45 p.m.

PB Members Present: Vice Chair Gina Park (**GP**), Don Egan (**DE**), John “Marty” Doggett (**JMD**), Louis Masiello (**LM**) and Gil Medeiros (**GM**).

PB Members Absent: Chair Helen “Trudi” Holder (**TH**)

Also Present: Assistant Planner Bart McDonough (**BMD**), Planning Board secretary Sue Johnson (**SJ**)

Vice Chair Gina Park brought the meeting to order at **6:45 p.m.** in the Colchester Auditorium, Salisbury Town Hall. Announced, per opening meeting law, that the meeting was being recorded.

1. New Business

a. **Signing of Plans / Permits**

Nothing to be signed

b. **Housing Production Plan for the Town of Salisbury** — Prepared by Merrimack Valley Planning Commission (MVPC)

Mike Parquette (**MP**) stated that the MVPC has developed the first Regional Housing Plan for the Merrimack Valley that identifies strategies for developing housing in the region. **MP** stated that the Town has identified areas that are suitable for development and growth which is a key element of the plan. **MP** stated that the process is that the Housing Plan has to be adopted by the Planning Board, Board of Selectmen and then it goes to the Department of Housing and Community Development (DHCD) for their approval then incorporate it into the final Merrimack Valley Regional Housing Plan.

MP stated that the following are common regional housing needs:

- * Support for seniors to age in place and age in their community need to be addressed
- * More rental housing
- * Greater diversity of housing options, including multi-family, congregate, transitional and accessible housing
- * Housing rehab for older housing stock
- * Affordable homeownership options

MP stated that the following are Salisbury housing themes:

- * Households are growing faster than the region
- * Composition of households has changed. There are less households with children and more single person households.
- * Households and family sizes are shrinking
- * Elderly population (65+) is estimated to double by 2035
- * \$26,000 affordability gap in single-family housing (2016)

* Median sales prices for condos is more than the median sales price
MP stated that based on the data collected and analyzed they have put together strategies to address those needs. **MP** stated that the following housing strategies were developed for Salisbury:

- * Better utilize the existing Affordable Housing Trust Fund
- * Partner with for and non-profit developers to create affordable housing on privately owned sites
- * Consider amending the existing Inclusionary Housing Bylaw
- * Investigate opportunities and models for shared living situations for seniors
- * Develop trainings for Board and Committee members to learn more about affordable housing processes and needs
- * Conduct ongoing community education
- * Encourage housing affordable for low and moderate income households
- * Investigate models to create starter homes
- * Encourage multifamily housing outside of the Beach Commercial District
- * Follow Sustainable Design Standards to create and renovate units
- * Inventory publicly owned land to determine suitability and availability for housing development
- * Develop a system to monitor subsidized housing inventory units
- * convert single family homes to multi-unit for supportive services, small scale or multi-family housing
- * Continue the Housing Rehabilitation program
- * Encourage deeper income targeting to meet local needs
- * Consider retrofitting municipally owned buildings for affordable housing

LM asked if the 42 units being built at the Spaulding School and 29 Elm St are part of their study. Lisa Pearson (**LP**) stated that the 42 units are included in the plan.

Neil Harrington (**NH**) stated that in regards to Big Block he understands that there are several people in attendance hoping to speak. **NH** stated that Big Block is not on the agenda and there has been some talk about a motion to reconsider the conditions of the approval and went on to state that the Town has researched whether or not this issue can be discussed at tonight's meeting and has advised the Chairperson that any motion to reconsider should be ruled out of order and would respectfully suggest that the Board not entertain any discussion relative to this matter.

c. Approval not required — 43-45 Folly Mill Road—George Filippone and H & M Industries. Inc.

Matt Steinel (**MS**), Millennium Engineering, stated that he is representing the applicant to do a lot line adjustment between the two properties and once the lot line has been adjusted both lots will have the same frontage that they started with and land area. **GP** asked **BMD** if there were any additional issues that need to be ironed out. **BMD** stated that there were questions with the deed language which needs to be figured out. **BMD** stated that the statute says that the Board has 21 days and is not sure it could be done in that time frame. **LP** stated that she was able to speak with **MS** and the 2 applicants outside and the problem is

that there is a closing next week on one of the parcels of land so they cannot give the Board a continuation until the next meeting but they are willing to sign a statement allowing us to vote to endorse the plan for the lot line adjustment until the Board actually receives the lot line adjustment plan which would be recorded at the same time the ANR plan would be recorded. **LP** asked **MS** and the applicants to sign the statement.

DE motioned to endorse the ANR with the acceptance of the lot line adjustment plan
JMD seconded

Vote: 4-0 motion passed

d. Request for Certificate Completion—9 Fanaras Drive—Andover Healthcare, Inc.

BMD stated that the applicant could not make it tonight and went on to state that what was left to do on the application was to remove the gravel for the temporary driveway the put loam and seed down. **BMD** stated that Joe Serwatka went out this week and notified **BMD** that the work had been completed for the minor site plan that was approved in March of 2017.

LM motioned to grant the Certificate of Completion

DE seconded

Vote: 5-0 motion passed

2. Old Business

a. Request for Certificate of Partial Completion—158 Elm Street—Wrangler Realty Trust

BMD stated that the lack of delineation of display and storage vehicles is ok and should not be there because it would be in violation of the zoning bylaw. **GP** asked if there could be a solid line showing where the display and storage would be. **BMD** said that is what the applicant is going to show the Planning Board along with signage stating do not access without proper assistance. **BMD** stated that the parking spaces that are delineated are undersized or oddly sized and will need to be fixed to be 10x20. **BMD** stated that delineation needs to be done to control pedestrian access. **GP** stated that the applicant has requested a continuance.

3. Public Hearing 7:10 pm

a. Cont. Public Hearing: A major site plan filing by Pensco Trust Company & Riverside Contracting INC Employee Pension Trust for property located on 70 Brissette Avenue Salisbury, MA. Proposed work is to redevelop the lot to construct 4 single family housing units.

Arthur Broadhurst (**AB**) stated that since the last meeting they have incorporated more landscaping into the plan along with landscaping between the driveways, mailboxes have been added and there will be 5 parking spaces for each unit. **DE** asked **AB** to explain where the 5 parking spaces are. **AB** replied that there will be 3 (2 stacked and 1 not stacked) underneath and 2 in front side by side. **DE** stated that Dark Sky lighting was not listed in the conditions. **BMD** stated that it could be added. **AB** thanked the Board for their help with the plan.

LM motioned to approve based on conditions

DE seconded

Vote: 5-0 motion passed

- b. **Cont. Public Hearing:** A special permit filing by Alternative Therapies Group Inc. for property located on 107 Elm Street Salisbury, MA. Proposed work is to renovate an existing structure for the purpose of accommodating a Registered Marijuana Dispensary.

BMD stated that the issues from the last meeting were the landscaping, traffic flow and signage. **AB** stated that ATG does not own the building but are working with the landlord and the Board to make the site look better. **AB** stated that they were not able to get a landscaping plan done before tonight's meeting but submitted a rough sketch to **BMD**. **AB** stated that he is asking to get approval with the conditions to provide an updated plan showing the landscaping, bollards, parking area and sign. **AB** stated in regards to the sign they can box the pole in and used the CVS sign as a comparison. **BMD** stated that the applicant submitted a sheet showing the ideas that the applicant is entertaining regarding the sign. **GP** asked **AB** if the yellow curbstones in the parking lot were going to be realigned and attached. **AB** stated that they would be realigned and spikes would be put in to keep them in place. **LM** asked if it was going to be a lighted sign. **AB** replied that the sign was not going to have any lights. **LM** asked if the applicant would be open in the evenings. **Chris Edwards (CE)** stated that they are proposing to close at 7 pm and does not feel that a lighted sign is necessary. **LM** asked if the rough sketch that was presented to **BMD** had low lying shrubs. **CE** replied that there is a state security related regulation that does not allow any landscaping that would allow a place for a person to hide. **CE** stated that he spoke with a few different nurseries to find out what the best type of low lying shrub would work in this area and was recommended to use a certain type of low lying Juniper bush. **DE** asked **BMD** if the Board being provided a revised landscaping plan would be a condition. **BMD** stated that a revised landscaping plan or revised site plan that shows landscaping it would be a condition along with the signage. **LM** stated that he would like to see a landscape maintenance plan added as a condition. **GP** asked if there could be planters in front of the building. **CE** stated that the State Regulators may have an issue with planters. **GM** stated that the State may have an issue with planters because they may block views from the security cameras. **LM** asked if the applicant was going to stripe the parking lot. **AB** stated that they were going to sit down with the Engineer and the planning department to figure a way to line between the liquor store parking lot and the applicant's parking lot. **LM** asked if there would be in and out arrows painted on the parking lot. **AB** stated that he thought it may be something that the applicant will have to adjust as they go depending on the amount of traffic and discussed meeting with the DPW and engineer regarding a pass through. **GM** stated the liquor store may have an issue with sharing an entrance or exit. **BMD** stated that he and the applicant will meet with DPW and Joe Serwatka to see what will work best. **GP** read aloud the special permit approval criteria pursuant to §300-35 of the Zoning By-Laws.

LM motioned to approve the special permit and read aloud the special permit approval criteria pursuant to §300-35 of the Zoning By-Laws.

JMD seconded

Roll Call Vote:

LM: Yes

GP: Yes

DE: Yes

JMD: Yes

LM: Yes

Vote: 5-0, motion passed

- c. **Public Hearing:** Creating a new zoning bylaw entitled Marijuana Overlay District and amending the Official Zoning Map by adding the new overlay district and to take any other action relative thereto.

d.

LP stated that they had workshops on this project and have met with Town Council to create a bylaw to be presented at Town Meeting. **LP** stated that they looked at different areas of Town where this would be appropriate. **LP** read from the Location and Dimensional Controls Section of the draft bylaw which states that the following cannot be located within 500' of a recreational marijuana facility:

- * School
- * Video Arcade
- * State-licensed Child Care Facility
- * Library
- * Playground
- * Public Park
- * Public Beach
- * Youth Center

LP stated that this distance is measured from property line to property line. **LP** stated that this bylaw allows the Planning Board to be the Special Permit Granting Authority and conduct Site Plan Review for an applicant for a Recreational Marijuana Establishment which will make it easier for the applicant. **LP** stated that the bylaw will give the Planning Board the ability to reduce the distance requirement by 25% or less if the applicant can demonstrate adequate security measures to prevent diversion of marijuana to minors. **JMD** asked if there were different licenses. **CE** stated that there are two regulatory agencies in the state, the DPH is regulating medical marijuana which must cultivate, manufacture and dispense controlling the whole seed to sale chain of custody of the product. The Cannabis Control Commission is regulating adult use laws which control the following licenses:

- * Cultivation
- * Product Manufacturing
- * Retail
- * Product Testing
- * Transporting

BMD stated that the Town of Salisbury would allow 2 retailer licenses and 1 cultivator license.

GM motioned to continue to May 9, 2018 at 7:10pm

JMD Seconded

Vote: 5-0, motion passed

- e. **Public Hearing:** Amending §300-26. Duties of Building Inspector., Paragraph E. and Paragraph F. or take other action relative thereto.

LP stated that this did not make it onto the Selectman's agenda and will need to be continued.

DE motioned to continue to May 9, 2018 at 7:10pm

LM Seconded

Vote: 5-0, motion passed

- f. **Public Hearing:** Amending the Official Zoning Map by changing the existing zoning of Lot 38 on Assessor's Map 6 from Medium Density Residential (R-2) and Commercial (C) Districts to Village Center District (VC) and to take any other action relative thereto.

LP stated if the building could be incorporated into the Village Center District it could be rented out for additional uses and the Town decided that any rent collected would be put towards maintaining the building. LP went on to state that by moving to the Village Center District it would make the building more conforming with the area.

LM motioned to continue to May 9, 2018 at 7:10pm

JMD Seconded

Vote: 5-0, motion passed

- g. **Public Hearing:** Modifying the Official Zoning Map to reflect the new zoning amendments as well as to update the zoning as it currently exists or take any other action relative thereto.

LM motions to modify the Official Zoning Map to reflect the new zoning amendments as well as to update the zoning as it currently exists.

DE seconded

Vote: 5-0, motion passed

4. Correspondence

- a. Minutes: February 28, 2018
- b. Minutes: March 14, 2018
- c. Minutes: March 22, 2018
- d. Minutes: March 28, 2018

GP asked to review the minutes at the next meeting on 5/9/2018

5. Adjournment

GM motioned to adjourn

DE seconded

Vote: 5-0, motion passed

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

Minutes approved by: 

Date: 6-27-2018

