

Salisbury Planning Board Meeting Minutes

Date: Wednesday, April 10, 2019

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

Time: 7:00 p.m.

PB Members Present: Chair Don Egan (**DE**), Gil Medeiros (**GM**), Clerk John “Marty” Doggett (**JMD**), Louis Masiello (**LM**) and Alternate Deb Rider (**DR**).

PB Members Absent: Vice Chair Gina Park (**GP**)

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

Don Egan brought the meeting to order at **7:12 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**

None.

b. **Minor site plan review**—147 Bridge Road—REM Central, LLC

George Delegas (**GD**), stated that he was the director of design and construction manager for a franchisee of Dunkin Donuts who is looking to build a new location at 147 Bridge Road. **GD** stated that Jim Clifford (**JC**) was also with him tonight who is the director of real estate for the franchisee who owns over 100 stores. **GD** asked **BMD** to show the slides on the screen. **GD** reviewed slides of the existing site and stated that the canopy over the drive through would be demolished and will be removing a curb that is behind the building to make room for a walk in cooler. **DE** stated that this site was formally Honey Dew Donuts. **GD** explained that this location is going to be Dunkin’ which is a new concept and not Dunkin’ Donuts. **GD** stated that the proposed changes include adding a walk in cooler, menu board and a 10’ height limit clearance bar in the back of the building. **GD** stated that on the side of the building where the cars will enter for the drive through window 2 signs will be added to direct customers which lane they should be in. **GD** stated that there is a drive thru lane where customers will order at the menu board and pick up at the first window and an on the go lane where a customer who ordered and paid online (mobile pick up) will go to pick up their order at the first window. **GD** stated that the second window will be used for customers to pick up large or complicated orders. **GD** stated that the two lanes merge into one before getting to the first window. **GD** stated that they are going to paint the lines for the lanes to the drive up windows and that each lane will be 9’6” wide. **BMD** asked if they had experienced in the past people using the wrong lane. **GD** replied that it should not be an issue for the lanes to merge because the order taker will advise them if they need to let a mobile pick up customer cut in. **GD** stated that they added a yield sign for the menu board customers so that they know that the mobile pick up customers have the right of way. **JMD** asked how deliveries would be handled. **GD** replied that deliveries are made first thing in the morning and they would use the drive through lane and asked Ahmad Arash (**AA**) the business owner if he could come up to explain how deliveries are handled. **AA** stated that when it was Honey Dew the deliveries arrived between 3-4am and the butcher shop receives deliveries early in the morning also and they park out by the dumpster. The Thai restaurant also receives deliveries but they do not open until noon and deliveries are made by a pickup truck between 3pm and 5pm. **DE** asked **GD** to discuss the signage that will be used on the site. **GD** replied that they would use the existing sign in the front and reface with Dunkin’ signage where the Honey Dew sign was. **GD** stated that the other existing signs are ENTER and DRIVE THRU. **GD** stated that the will

be refaced and remain in the same locations. **DE** asked if either of the signs would obstruct a customer's view. **GD** replied no, they are mounted low. **JMD** asked if a customer wants to go into Dunkin' and all of the parking spaces in the front are taken how a customer would get to the side spaces. **AA** stated that they would come in at the main entrance on Bridge Road and drive through the lot to the left to get to the spaces and when leaving exit through the exit driveway on Bridge Road. **AA** went on to state that it is one way around the building. **JMD** stated that the intersection where cars are coming out of the drive thru and where cars are going to park in the side spaces is a dangerous intersection. **AA** stated that there was plenty of room. **BMD** asked if there was any signage alerting cars coming in to park in the side spaces about the cars exiting from the drive thru window. **AA** stated that they could put up a sign. **AA** stated that his three tenants have different busy times and went on to state that the majority of the traffic for Dunkin' is done by 11am, the Butcher shop is mostly busy in the afternoon and the Thai restaurant is busy at night. **DE** asked to see the previous approved site plan to review the traffic flow. **BMD** stated that it was one way. **LM** asked if it is one way traffic in the parking lot how would customers access the side parking further back. **GD** stated that they could use the mobile pick up lane to get to those spaces. **AA** stated that the employees will also use the mobile pick up lane to get to the employee parking in the back of the building. **LM** suggested putting up signs stating caution 2-way traffic on the north side where the drive thru windows and back parking spots are. **GD** agreed that this made sense and added that maybe a stop sign after the second pick up window would also help. **DE** told the applicant that the Board is looking for highly visible caution signage to prevent any accidents from happening with the drive thru customers and the customers that are trying to park in the side parking spaces. **BMD** asked the applicant for a revised site plan showing the signage.

GM motioned to approve the minor site plan with the condition of the signage.

LM seconded.

Vote: 5-0, motion passed.

2. Public Hearings—7:10 pm

- a. **Continued minor site plan review—28 Rabbit Road—Zap Development, Inc.**

BMD stated that the applicant has requested a continuance until 4/24/2019 at 7:10pm.

- b. **Special permit—2 Joy Road—A1 Restaurant Ventilation, Inc.**

Brian Murray (**BM**) from Millennium Engineering stated that he had the applicant, John Eastwood (**JE**) of A1 Restaurant Ventilation, Inc. (**A1RV**) and the owner of the property, Steve Deorocki (**SD**). **BM** stated that they were there to request a change in use. **BM** stated that previously there was a packaging/shipping company on this site and there was a fair amount of traffic coming in and out. **BM** stated that the applicant is proposing to do light fabrication using stainless steel. **BM** stated that the work would entail creating fixtures for restaurant use such as stainless steel sinks, countertops and ventilation equipment. **BM** stated that **A1RV** expects to have 10 employees at the sight of which 2-3 would be off site doing installs of the product that was created at 2 Joy Rd. **BM** stated that 4-5 employees will be doing the steel fabrication and the remaining employees would work in the office. **BM** stated that **A1RV** expects to have 4-6 truck deliveries per week mostly 30' vehicles but occasionally there would be an 18 wheeler. **BM** stated that the current traffic flow is one way around the building with arrows directing the flow of the traffic. **BM** stated that recently the applicant and owner have met with the neighbors. **BM** went on to state that they specifically met with neighbor at 125 Main Street and at their request the applicant and the owner have agreed to change the configuration of the travel to move the loading dock to where the parking lot is and no longer make deliveries in the rear of the building. **BM** stated that **A1RV** does not expect a lot of visitors to this site. **BM** stated that **A1RV** is looking to be a good neighbor and keep the abutters happy. **BM** stated that they would like change the plan and remove the arrows in the back of the

building and if needed, they could submit a revised plan. **DE** asked **BMD** if the traffic flow shown on the plan was something that the Planning Department asked the applicant to provide. **BMD** replied yes, the applicant was asked to provide their expected flow of traffic for the site. **BM** stated that this is primarily related to the deliveries and the number of loading docks and went on to state the loading dock in the back will be used occasionally and the abutter is aware of this but the front docks will be the main delivery area. **BM** stated that there is not really any utility work to be done. **BM** stated that fire suppression is already built into it and there is a 6" water main which runs off of Joy Road and there is no need for increased flow to the site. **BM** stated that electrical and communications is all overhead and enters the site at a couple different locations. **BM** stated **SD** got approval for a new septic system and work is scheduled to begin in a few weeks. **LM** asked if the Health Department is aware that trucks & 18 wheelers will be driven over the septic system. **BM** stated that the Health Department is aware and the system is designed to handle that. **BM** stated that in regards to lighting there are 5 light fixtures on the building which are not dark sky compliant. **BM** stated that the applicant proposes to put shields on them or replace with dark sky compliant fixtures prior to occupation. **BMD** stated that there are floodlights on the telephone poles as well. **BM** replied that those fixtures would need to be changed to dark sky compliant as well. **DE** stated that he had an opportunity to look at the site and noticed that the building is in a little bit of disrepair and asked if it would be brought up to a standard level. **BM** replied that there is some damage to the siding and the applicant agreed to replace the material in the areas that are damaged. **DE** asked what about the overhead garage doors because one in particular looks as if it is beyond repair. **BM** replied that he would discuss repairing it with the applicant. **BM** stated that the site improvements that the applicant has committed to only have to do with the siding. **DE** asked if the fence on Joy Road would be repaired. **SD** replied that it would. **DE** asked about the tractor trailer containers on the site. **SD** stated that one of them was his and it will be removed from the site and the other 2 belong to the abutters in the front and are on their property. **LM** asked if there was room along the fence on Joy Road to add landscaping. **BM** stated that they could make room for it but the intention is not to provide landscaping at this point. Mike Wesson (**MW**), 11 Joy Road, stated that there is more than 1 abutter and the people he was sitting with in the audience were not contacted. **MW** stated that he was a sheet metal mechanic and is familiar with what the applicant will be doing on site and is concerned with the high decibel levels of the business. **MW** stated that his other concern is children getting onto the school bus at the corner and does not think that the entry on Joy Road should be there at all. **MW** stated that he believes this is manufacturing not light industrial work and should be in the industrial park. **BM** stated that to address the noise issue the applicant would keep the garage doors closed during operating hours and added that no work will be done on the outside. **BM** stated that relative to the machinery that will be put in place the applicant worked with a structural engineer to make sure that the floor can handle the weight of the machinery. **DE** asked where **AIRV's** current facility is located. **BM** stated it is currently located at 145 Broadway in Everett, MA. **DE** asked if there has been any analysis on the current noise level. **BM** stated that the applicant has not done any studies regarding noise and asked the co-owner, Manuel, if there have been any issues. Manuel (**M**) stated that where their shop is currently is residential and commercial area and next store is an apartment building and they have never had a complaint and have owned the business at this location for 16 years. **M** went on to state that they have 1 sheer and 1 brake and both are hydraulic. **DE** asked if they do anything to mitigate the noise. **M** replied that they always keep their door closed and begin sheering after 8am. **JMD** asked if the workers wear ear protection. **M** replied yes when they are grinding. **GM** asked if they used a punch. **M** replied no. **DE** asked if the Board were to restrict the hours of fabrication until 8am, how this would affect the business. **M** replied that the break is not loud and they could begin operating the sheer after 8am. Michael Chochrek (**MC**), 6 Joy Road, stated that he lived in the first house on Joy Road past the manufacturing business and went on to state that he had a bad experience with the prior tenants that were there. **MC** stated the prior tenants used to open the garage doors at all different times during the week and weekend when operating machinery and it was so loud it sounded like machine gun fire. **MC** is concerned that they will have the same issues with the new business. **MC** stated that

when trucks come into the business it is a dirt road and they kick up a lot of dust and make a lot of noise. **MC** asked if there are any plans to pave the parking lot to cut down on the dust and suggested putting a berm in the back of the parking lot with vegetation which would also help mitigate the noise and dust. **DE** asked when the previous tenants closed the garage doors did it help with the noise. **MC** stated yes it helped but there were still fork trucks driving around outside over an unpaved driveway. Maria Chochrek (**MC2**), 6 Joy Road, stated that they cannot open their bedroom window and bathroom window because of the dust. **MC2** stated that the along Joy Road is an eyesore and would like to see it repaired. **DE** asked **BM** if there is anything the applicant can do about the dust situation. **BM** stated that the intention now is not to pave and said that they could spray calcium chloride to help keep the dust down or use a water truck. **BM** stated that the amount of traffic coming in and out of **A1RV** versus the prior company will be much less. **MW** asked how it was determined that this is light fabrication. **DE** read the definition of light fabrication. **MW** said it could be considered manufacturing. **BMD** read the definition of light industry and went on to state that the Building Inspector determined that this was considered light fabrication. **MW** asked if motors would be installed on the units. **M** replied that they are installed at the installation site. **BMD** asked **M** to explain the business. **M** replied that they cut, bend, weld and polish 4'x10' sheets of stainless or galvanized steel then install the end product off site. **MC** stated the he understands that the area is mixed use and believes that it would go a long way if the owner of the property and the new tenant could, fix the fence, do some landscaping, pave the parking lot and put a berm across the back of the property. **MC** stated that he does not want chemicals to be sprayed to keep down the dust. **MC** asked what the hours of operation would be. **DE** replied that he made a note to address the hours of operation. **LM** asked if the applicant would be willing to install air conditioning. **BM** replied that it is not being proposed at this time. **LM** asked if they might consider it. **BM** stated that he would ask the applicant. Donna Bartlett (**DB**), 109 Main Street, stated that a business does not belong in a residential area. Jenn Roketenetz (**JR**), 125 Main Street, stated that her property abuts 3 sides of 2 Joy Road. **JR** stated that she shares that same concerns that her neighbors have. **JR** stated that she reached out to the owner and applicant and discussed the bus stop times and the traffic pattern and was told that there would be no deliveries during the bus stop times. **JR** believes that this business would be the best fit and will be good neighbors. **BM** stated that he would work with the applicant to address the neighbors' concerns. **JMD** asked what the hours of operations would be. **BM** stated 6:30am to 4:30pm and the light fabrication would not start until 7am and there is no work proposed for the weekend. **MW** asked if the applicant would consider moving the entrance from Joy Road to Main Street. **BM** stated that he didn't think that the grade in this area would work for 18 wheelers and at this time there is no intention of using Main Street for access and this was discussed with the owners of 125 Main Street. **GM** asked how many deliveries would be made during the week. **BM** replied 4-6. **LM** asked what material the current driveway was. **BM** replied compacted dirt. **LM** asked if crushed stone/gravel could be an option which would mitigate the dust. **BM** stated that he could discuss this with the applicant. **GM** suggested that the applicant meet with their neighbors to try to resolve some of these issues. **DE** stated that he heard significant concerns from the abutters regarding dust, noise, safety and esthetics. **DE** stated that the applicant should propose solutions to these issues. **DE** stated that he did view the site and it does seem that it could be a dust nightmare. **DE** stated that in terms of esthetics, the site is in disrepair and needs to be brought up to a common standard including the fencing. **DE** stated that in regards to noise the applicant will need to come up with a noise mitigation and add a condition that no manufacturing be done before 8am or after 8pm or on weekends. **DE** stated in regards to safety, the building is located near a bus stop and would like to see no deliveries during pick up and drop off times. **SD** stated that a lot of care and consideration went into deciding on who to sell the property to. **SD** stated that he believes **A1RV** seems to be a good fit for the space and believes that their business will be less intrusive to the neighborhood. **DE** asked **BM** if they could have responses ready in regards to the issues for the next meeting on 4/24/19. **BM** replied that they would.

JMD motioned to continue until 4/24/19 at 7:10pm.

GM seconded.

Vote: 5-0, motion passed.

- c. **Zoning amendment**— To see if the Town will vote to amend the Town of Salisbury Zoning Bylaw by modifying Article 1 General Provisions: §300-5: Definitions, or take any other action relative thereto.

DE listed the new definitions that will be added and stated that it is being reviewed by Town Council. **BMD** stated that the definitions will be posted online once approved by Town Council.

GM motioned to continue until 4/24/2019 at 7:10pm.

JMD seconded.

Vote: 5-0, motion passed.

- d. **Zoning amendment**— To see if the Town will vote to amend the Town of Salisbury Zoning Bylaw by modifying Article III Use Regulations, §300-12: Table of Uses, or take any other action relative thereto.

DE stated that the goal is to combine all the Table of Uses into one master Table of Uses. **DE** read the added uses. **BMD** stated that the Table of Uses will be posted online once approved by Town Council.

LM motioned to continue until 4/24/2019 at 7:10pm.

JMD seconded.

Vote: 5-0, motion passed.

- e. **Zoning amendment**— To see if the Town will vote to amend the Town of Salisbury Zoning Bylaw by modifying Article XXIV Lafayette-Main Commercial District, or take any other action relative thereto.

DE stated that the proposed changes are taking the definitions and Table of Uses from Lafayette and Main and combining with the master definitions and Table of Uses. **BMD** stated that they will be posted online once approved by Town Council.

JMD motioned to continue until 4/24/2019 at 7:10pm.

LM seconded.

Vote: 5-0, motion passed.

Zoning amendment— To see if the Town will vote to amend the Town of Salisbury Zoning Bylaw by modifying Article XIII A Special Provisions for Village Center District, or take any other action relative thereto.

DE stated that the proposed changes are taking the definitions from Village Center District and combining with the master definitions. **BMD** stated that the definitions will be posted online once approved by Town Council.

GM motioned to continue until 4/24/2019 at 7:10pm.

DR seconded.

Vote: 5-0, motion passed.

Zoning amendment— To see if the Town will vote to amend the Town of Salisbury Zoning Bylaw by creating a new zoning bylaw entitled Parking Regulations, or to take any other action relative thereto.

DE stated that the purpose of creating this bylaw is to clarify how many parking spaces are required for specific uses. **DE** stated that the current bylaw is very vague on the number of spaces needed and it creates a lot of confusion for an applicant. **DE** stated that this bylaw would not apply to the Village Center District, the Salisbury Beach Overlay District, the Village Residential Overlay District or the Lafayette Main Commercial District. **DE** stated that these districts already have parking regulations in their bylaws. **DE** stated that this would allow for authorization of valet parking in a separate valet parking lot, reduced parking space size for compact vehicles, there are regulations for tandem or stacked parking, and additional spaces needed for multi-family dwellings and visitor parking. **DE** stated that the Planning Department will make this available on the website. **BMD** read a letter from Mike Opre, 57 Railroad Ave, objecting to the visitor parking formula. **DE** stated that in one of the workshops there was discussion that the posed formula did result in too big of a requirement for visitor parking spaces and it may be prudent to entertain different language. **DE** read the posed formula.

LM motioned to continue until 4/24/2019 at 7:10pm.

JMD seconded.

Vote: 5-0, motion passed.

3. Other Business

- a. Discussion revolving around the progress of the zoning workshops.
DE stated that a workshop would be planned for 4/24/2019 at 6pm.

4. Correspondence

- a. **Minutes:** March 13, 2019

LM motioned to approve

JMD seconded.

Vote: 5-0, motion passed.

5. Executive Session

- a. Executive session under G.L. c.30A, §21(a)(3) to discuss strategy with respect to litigation: Big Block Development Group v. Town of Salisbury Planning Board.
DE stated that there was nothing new to discuss.

6. Adjournment

GM motioned to adjourn.

LM Seconded.

Vote: 5-0, motion passed.

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

Minutes approved by: _____

Date: _____