



Date: March 8, 2023

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**), Clerk, John Schillizzi (**JS**), Gil Medeiros (**GM**), Warren Worth (**WW**), and Alternate, Angelica Medina (**AM**)

PB Members Absent: None

Also Present: Assistant Planner, and Planning Board Administrative Assistant, Ellie Cornoni

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. **22 Old County Road (Map 28, Lot 27)** – Partial Certificate of Completion – The applicant is requesting a Partial Release of Units A1 & A2. **Applicant:** Essex County Habitat For Humanity
- Keith Hartman, Director of Construction for Essex County Habitat for Humanity spoke about the project:
 - He stated he is here asking for the certificate of completion for two units so they can have people move in.
 - Once the D units are completed they will be coming back for those as well.
 - The board had no questions at this time.
 - **JMD** commended them for their work.
 - Keith Hartman said, thank you and that they take pride in their units they build.

GM motioned to approve the Partial Certificate of Completion for Units A1 and A2 of **22 Old County Road** with the condition that occupancy permits shall be held for units D1 and D2 as surety until all site work is complete. **JS** seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

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

- a. **163 Elm Street (Map 9, Lot 31)** – Site Plan Review Application – Construct 2 commercial buildings with an associated gravel storage area. **Applicant:** F&D Realty LLC (continued from 7/13/22, 9/14/22, 9/28/22, 10/12/22, 11/9/22, 12/14/22, 1/25/23, 2/22/23)
- TJ Melvin with Millennium Engineering, spoke on behalf of the applicant.
 - Since the last meeting they have submitted revised plans and responded to the comments from the Town Engineer with only one outstanding comment being a clerical error.
 - **WW** stated the stormwater has been addressed.
 - **JMD** asked if the lighting back in the gravel pit issue was resolved.

- TJ Melvin stated the applicant stated he is unsure what he is going to put back there, its not going to be an active site and most things back there would not require security cameras.
- **JMD** asked about landscaping plans.
 - TJ Melvin stated there is going to be landscaping along the west and north sides of the property.

DR motioned to close the Public Hearing for the Site Plan Review Application for 163 Elm Street. WW seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- **JMD** asked Danny Ruiz, Assistant Planning Director, to explain the conditions attached to closing a site plan application
 - He stated there were a few conditions that have been added to the general conditions that are currently bylaws, but to really have applicants abide by it he added it to the general conditions he read the condition into the record:
 - Condition #6: The applicant shall have five (5) years to complete full-build out for the project. If the applicant has not completed the project within the five (5) years, the applicant shall be required to request an extension from the Planning Board. The Planning Board may give an extension of up to two (2) years on the first request and one (1) year for subsequent requests. As part of the request, the applicant shall include a detailed update on the project's current state and a detailed construction schedule to finish full build out.
 - He stated this condition is similar to an order of conditions from the Conservation Commission. What this will do is keep projects on schedule to prevent lingering.
 - Condition # 14: Two weeks prior to getting a pre-construction meeting date scheduled, the applicant shall submit the following documents to the Planning Department and Joe Serwatka for review:
 - I. A Construction Sequence plan showing how the phases of the project will be constructed.
 - II. A construction schedule showing an estimated time frame from start of construction to full build out.
 - Condition # 33: The applicant shall submit to the Planning Department and Joe Serwatka a detailed estimate of cost associated with the remaining site work and a construction schedule showing estimated completion date. The construction schedule and cost estimate shall be reviewed by Joe Serwatka to determine the final amount for the bond prior to requesting any Certificate of Completion.
 - Condition # 34: No Certificate of Occupancy shall be issued until all required bonds are posted.
- **GM** asked about extensions.
 - Danny Ruiz stated that the first extension request after 5 years can be for 2 years then 1 year after that to keep them on schedule and make sure progress is being made.

JS motioned for approval of the Site Plan for 163 Elm Street pursuant to Article XVIII, Site Plan Review of Salisbury Zoning Bylaw, subject to the standard conditions numbered 1-35 in

this decision and the following conditions presented at the meeting. WW seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

DR motioned for approval of the Use Special Permit for the Motor Vehicle Service & Repair and Storage of Construction Equipment, Materials and Products for 163 Elm Street, pursuant to §300-35, Special Permit, subject to the standard conditions numbered 1-35 in this decision and the following conditions presented at the meeting. JS seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- b. 100 Forest Road (Map 26, Lot 5 & 7) – Flexible Residential Development Special Permit – Construct a 7 Flexible Residential Development with an associated Open Space in the back of the project. **Applicant:** Old Silver Estuary On Little River LLC (continued from 8/24/22, 9/28/22, 10/12/22, 11/9/22, 12/14/22, 1/25/23, 2/22/23)
- c. 100 Forest Road (Map 26, Lot 5 & 7) – Definitive Subdivision Application – Proposed construction of a 710 FT, 26 FT wide roadway servicing a 6-lot subdivision. **Applicant:** Old Silver Estuary On Little River LLC (continued from 8/24/22, 9/28/22, 10/12/22, 11/9/22, 12/14/22, 1/25/23, 2/22/23)
 - Danny Ruiz stated that the applicant has given an extension to the planning department for both the Flexible Residential Development Special Permit and Definitive Subdivision Application, their new deadline is June 30th.
 - JMD stated the applicant has requested a continuance for both the Flexible Residential Development Special Permit and Definitive Subdivision Application to the March 22, 2023 Planning Board meeting.

WW motioned to combine agenda items b and c and continue both the Flexible Residential Development Special Permit (b) and Definitive Subdivision Application (c) for 100 Forest Road to the March 22, 2023 Planning Board meeting. JS seconded this motion. Roll call was taken all members (5) voted in favor.

3. Other Business

- a. Minutes: 2/8/2023 and 2/22/2023

JS motioned to approve both February 8th and 22nd, 2023 sets of minutes. WW seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

4. Old Business

- None at this time

5. Correspondence

- None at this time

6. Adjournment

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

Meeting adjourned at 7:25 pm

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

Minutes approved by: _____

Date: _____

JL M D. Ssett
3/22/23