

**Salisbury Planning Board  
Meeting Minutes  
Wednesday, January 13, 2016 7:00 p.m.**

**PB Members Present:** Chairman Don Egan (DE), Helen “Trudi” Holder (TH), Berenice H. McLaughlin (BHM), Brendan Burke (BB), Alternate Gina Park (GP)

**PB Members Absent:** Lou Masiello

**Also Present:** Leah Hill (LH) Assistant Planner, and Planning Board Secretary Lori A. Robertson

**Time:** 7:00 p.m.

Chairperson Egan called the meeting to order at 7:05 p.m. in the Colchester Room, Salisbury Town Hall. **DE** announced, per the Open Meeting Law, that this meeting was being recorded and broadcast live via [www.sctvmc.org/index](http://www.sctvmc.org/index).

**1. 7:00 Public Hearing:**

**1) Cont. 105 Rabbit Road-Ameresco, Inc. d/b/a MA Solar Highway LLC:**

Rob Bukowski (**RB**) AMEC Foster Wheeler proposing a new fence that runs along the south eastern side to create a separate area of the parcel. The trees requested by the planning board were added. **DE** and **TH** both looked at the site and agreed that the screening in the north section would not require additional comments. Joel Lindsey (**JL**) from Ameresco states that they will be working with the town on a structured tax agreement. They wish to leave as many trees as possible for the buffer zone around the site. **RB** mentioned that there is no fire suppression system proposed, but the nearest hydrant is shown on the plan. **DE** says to cross out the Fire suppression and replace it with the safety box. In draft decision **JL** expresses his concerns with the need for lighting on site being unnecessary. **DE** mentioned that the DPW director and the chief of police need to decide if lighting is necessary or not for security or maintenance purposes. **GP** asks the board that if they went through the trouble of making the access road should there not be lighting or reflectors on it for night/ hazardous conditions.

**TH** makes a motion to close the public hearing for 105 Rabbit Road-Ameresco, Inc. d/b/a MA Solar Highway LLC

**BHM** seconds vote on motion 5-0 Unanimous. **Motion Passed.**

BHM is utilizing the Mullin’s Rule as she was not at the meeting on September 9, 2015.

Conditions:

1. The emergency access road needs reflectors
2. Letter I of the conditions is the final lighting scheme is to be subject to approval by the department of public works director in coordination with the Chief of police.

**GP** motions to approve the site plan review of 105 Rabbit Road-Ameresco, Inc. d/b/a MA Solar Highway LLC based on the current conditions as well as the new conditions for reflectors and dependant on the final outcome of the lighting.

**BB** seconds vote on motion 5 - 0 Unanimous. **Motion Passed.**

## **2. Public Hearing 7:30pm**

**1) Cont. Definitive Subdivision 20 Ferry Road (Ferry Rd/Douglas Avenue)-Elite Builders:** Applicant requested a continuance.

**TH** motions to **continue the definitive subdivision 20 Ferry Road until February 10, 2016 at 7:30pm in Town Hall.**

**BB** seconds vote on motion 4 - 0 Unanimous. **Motion Passes.**

### **2) SPR 208 Elm Street & 23 Old Elm Street Panther Properties, LLC**

Wayne Morrill (WM) of Jones & Beach Engineers talked of the site walk with planning board members. There is a condition structure in need of exterminators before demolition. The proposed development is for an 8,310 sq.ft. Retail store with access as a right in right out on Elm Street and an access drive way onto old Elm Street. The proposal is to have 44 parking spaces, with entrance of building facing east towards parking lot. Loading and dumpster locations have been moved to the north rear side of the building. Tie in for water, sewer and natural gas are marked. Walls and fencing will separate properties of the site and abutting properties. Test pits and infiltration rates have been performed, and a couple Bio retention ponds are in the plans. The parking lot will contain a closed drainage system then will lead to the ponds themselves. To buffer the abutting properties Perennials, groundcovers as well as other plants will be placed. Shoe box style lights will be placed in the parking lot. Fire chief was content with access to the building.

**GP** asked what time of the year the traffic study was conducted? (F. Giles Ham (FGH) Vanasse & Associates) performed the study during September 2015. This contained weekly evening counts from 4-6pm Saturday mid-day counts 11-2pm. **GP** this was during September does this take into account summer traffic, is this significant? Which way would delivery trucks enter and leave. **WM** states that they would enter from Elm Street and then exit through the old Elm Street and go back out through Rabbit Road. **GP** how many times a week would this occur? **WM** there will be larger trucks for delivery purposes meaning fewer deliveries, but the actual amount per week is not yet known and will be given at a later date. **GP** has the larger turning radius of truck been taken into consideration? **WM** it was a part of the requirements to show this could be done without affecting abutting properties or traffic.

**BHM** asks how this will affect traffic on Elm Street, is there any? **FGH** says currently it is only a right in right out driveway so it should not affect traffic.

**BB** expresses his concerns with adding more signs for directions to location due to all the businesses already on that section on the street. The maintenance of the vegetation is also in need of continual maintenance and must include and O+M plan. **WM** explains how these concerns have already been taken into account. **BB** would like to have the building look more attractive as it is an entrance into the town. **WM** states how this could be situated with possibly fake windows.

**TH** asks of the current snow storage plan. **WM** mentions that on the site plan the location of snow storage is marked.

**DE** states that there should be a wider turning radius for the entrance of the property. The DPW director mentioned that the island at the exit that was to be painted would not be enough and should be curbed to prevent trying to take a left. **FGH** mention that the reasoning for this is to balance the size of the driveway for pedestrian crossing as well as for the turning in and out of the property. **DE** brings up the concern of the architect because this area is a primary gateway into the Salisbury community. When most people enter the town of Salisbury this building will be one the first things that see. Thus the board wants this property to look attractive as possible and reflects well on the community. **WM** mentions normally these would be stucco and block buildings and expresses hope of the planning department helping them to inform their tenant what is expected on that corner as well as what kind of architectural elevations are required.

### **Abutters Questions or comments:**

Gary Kitchen (GK) lives at 21 Old Elm Street and expresses he has no concerns as long as the promised fence is built along his property. Also he suggested the possibility of looking into the drainage for the area to prevent water running down his driveway. **DE** asked to make a note on it, believing it to have already been addressed in the engineer's plans. **WM** mentioned that they were making a detention area behind his yard to lessen the buildup of water which was from 1-2ft. **WM** and **GK** talked about possibly having a driveway on their property with a split in the fence to assist with the water issues on his property.

**BB** Motions to continue **SPR 208 Elm Street & 23 Old Elm Street Panther Properties, LLC to 1/27/16 @7:30PM**

**TH** seconds vote on motion 5-0 Unanimous. **Motion Passes.**

### **3) ANR-15 Second Street, Jerry Klima**

Jerry Klima (JK) lives on 18<sup>th</sup> Second Street. **JK** is planning on splitting the property of 15 Second Street into 2 lots: A-1, and A-2. Lot A-2 would have 150ft+ frontage on Second Street, containing the house and barn. Lot A-1 would not be buildable and would contain gardens and fields 400ft Frontage on March Road. **DE** Notes that **GP** cannot vote on this because it is a part of the subdivision control bylaw.

**BHM** Motions to endorse the plan for approval to not be required

**BB** seconds vote on motion 4-0 Unanimous. **Motion Passes.**

### **4) Request Bond Reduction, 191 Beach Road**

Joel Kahn (JKEA) of Equity Alliance gave an update on the project. Buildings A, B, and C are complete. Building D will be turned over with the last 50 units in 6 weeks.

Half the property needs to be finished coat paving, in spring check to see if landscaping was damaged, some curbing was left out intentionally to be finished later, silt fences will need to be removed, and then final cleanup of the property.

Looking for a reduction in the bond down to \$150,000

In reference to item 3, there is no specific area for dogs/pets they are welcome to use the grassy area as long as they pick up after themselves.

In reference to item 4 the cleaning of the area around the site and marsh area was done by hand except for one spot which was flooded. Once the area dries they shall resume the cleaning of the site. Due to the wind on the open marsh it is expected this shall continue and thus periodically people will be sent out to clean.

They are pedestrian friendly. Many people on the property did not like the idea of the Shuttle Bus. Ways they are working around the shuttle bus are:

1. Bike racks as needed, as well as purchasing ½ dozen bikes in spring for resident use.
2. Kayak racks
3. Beach carts

Found it impractical to have bus. Did approach a bus company and determined there would be no safe place for the bus to pull over safely.

**DE** what is the correct amount for the bond? What is the condition of providing transportation to the beach?

**JKEA** stated that the \$50,000 road bond needs to be eliminated. **DE** said if the DPW agrees it would be acceptable to deal with the bond with **JKEA** not needing to return. **JKEA** wants to decrease the bond from \$1,000,000 to \$150,000.

**BB** asked if there a proposal in writing for the bike racks, kayak racks, and beach carts? In regard to getting to the Reservation what are the plans for crossing Beach Road safely on foot from your property? Is there a crosswalk? **JKEA** said they would need to use the crosswalks to go to follow Beach Road to the center and then walk back up the other side of Beach Road to the Reservation. He would be happy to provide a document filled out that the planning board would be comfortable with to reduce the bond and could do so on a later date.

**DE** What you were asking for was a reduction in the bond. I feel this discussion of the shuttle bus needs a second meeting. One of the biggest things that changed is in the original proposal was for a condominium, so that the developer would occur no cost. The residents would have the entirety of the cost for the shuttle service, which now that you are a landlord would incur a cost as well. In the meeting when originally approved it was a significant discussion, and an important condition to alleviate the traffic. This means we need to come up with something to replace that, but in order to remove that condition you would need to request a site plan modification. We need a dollar amount for the bond, including a dollar amount to the solution that would be replacing the shuttle. **BB** for the \$50,000 Bond has Don given his ok? **DE** that is treated separately. **BB** states that he is in agreement with **JKEA** that \$150,000 for the bond should be adequate. **DE** mentions his concern with the lack of commentary from the DPW, that the board has never made a choice without them weighing in on the dollar amount. The Planning department is recommending \$500,000, the applicant is looking for \$150,000, which is separate from the \$50,000 Bond, as well as the outstanding issue of the shuttle. **TH** asked if they could vote on the \$500,000 now and come back to it in a later meeting. **DE** we can vote for \$250,000 which should be able to cover anything outstanding, then put this on the agenda pending feedback from the DPW for his cost estimates.

**DE** motions to reduce the bond to \$250,000, and work expeditiously with DPW and Joe Serwatka to come up with a more complete estimate for the next meeting.

**BB** seconds vote on motion 5-0 Unanimous, **Motion Passes**.

## 5) Minor SPR-179 Bridge Road

Adam Costa (**AC**) of Blatman, Bobrowski, Mead, & Talerman LLC states that the original goal was to rebuild the deck but due to the damages of the fire in the previous year the whole structure was demolished.

**DE** asked if the LSP would need to be onsite at all times, to which **AC** responded only when dealing with the soil under 12' in the ground. When we have to put the soil that is noted in the report back in as backfill the LSP will need to return for the entirety of the process. **DE** stated that the waivers for the landscaping be filled out as it is required for all such requests. **AC** accepted this and would be willing to get it by the end of the meeting. **BB** asked what will be the new footage of the structure being places since it will be bigger. **AC** the Pre-existing building was 1,612.7 sq.ft, 367.4 sq.ft. of roofed deck (1,980.1 sq.ft. total), while the new building itself within the 4 walls will be 2,262.4 sq.ft, and 1,516.1 sq.ft. of roofed deck (3,778.5 sq.ft. total). **BB** stated he is trying to understand what the capacity, what is the increase of danger to those who wish to park in other areas to get to this location. **AC** mentions that the parking of 60 spaces is the requirements for the structure and that many are in fact accounted for. There has also been Valet parking has been offered to get more cars into a lot across the street. Mark Audette (**MA**) mentions that he owns a lot on the other side of Route 1 for valet parking with easy access due to the Rail Trail. **BB** asked if the fire lane stays the full 40ft all the way down the road, and **MA** stated that it does narrow at the gate but there is still adequate space for them to get in and out unhindered. **TH** asked if the new structure will be a single floor building with a deck going off of it with roofing. **AC** states that originally there were two decks at different levels but now there will be one level of decks. **TH** asked if the spaces which are now 9 by 18

would need to come into compliance of 10 by 20. **LH** said she would need to check on it with the building inspector. **AC** mentions that it was like that before and that no modifications were intended for the parking just the structure itself. **MA** mentions parking spaces in addition to those that are lined as well as a side note that the addition to the structure is for a walk in cooler and additional bathrooms. **DE** asks how the owner of the structure plans to prevent vehicles towing boats from parking in the parking lot. **MA** states that they have cut the amount of boats allowed in the lot by half as well as limiting it to power boats. **DE** asks if **MA** would be amenable to a condition that there wouldn't be any boats stored on the area designated as a parking lot from Memorial Day to Labor Day. **MA** responded sure, that he would love that. **DE** asked if the lights that face the river for the deck will create light pollution on the river. **MA** responded they are 13volt florescent bulbs facing downward and should not create any light pollution on the river. **DE** asked how they calculated the total number of required parking spaces. **AC** in the planning board rules and regulations stating 1 space per 100ft of net usable or habitable area equaling out to 53 and due to there being 60 spots there is an excess of parking. **LH** asked about fire prevention and if it was a sprinkler system. **MA** mentioned he was talking with the fire department and they suggested building a fire hydrant, and thus he has been working with Pike industry to get started on it. It would require a 4 in. line for the hydrant and an additional 2 in. line to feed into the restaurant.

**TH** motions to grant the waivers for the Landscape plan and the lighting plan

**BB** seconds vote on motion 5-0 Unanimous. **Motion Passes.**

**TH** motions to approve the Minor SPR-179 Bridge Road condition upon town engineer's inspection and requirements of the applicant, no more boat storage between Memorial Day to Labor Day in areas designated for parking, the LSP being on site for any disturbance, as well as satisfaction of the Rings Island Water District and approval of all the other town departments.

**DE** brings up working with the building inspector to get the rest of the parking areas marked

**BB** seconds vote on motion 5-0 Unanimous. **Motion Passes.**

#### **6) 29 Elm St/18 Maple Street-Review to ZBA**

**GP** states her concerns:

1. 18 Maple Street Parking spaces that didn't add up to amount that lived there
2. Abutters said the street can't handle the rest of the parking on the street
3. Lighting and Landscaping would need more information for the abutters
4. Out of the two developments there would only be 4 handicap units on one property

**DE** suggested relaying this information to the planning board, typically we would require guest parking (around 5 spaces), a lighting plan (demonstrates no light pollution), we would require a landscaping plan (shows it is an attractive property as well as screening automobile that are parked on the property from adjacent properties in the street), we would also require offsetting open space

**GP** motions to send a letter to the ZBA regarding the 29 Elm St/18 Maple Street-Review to ZBA and will work with the town planner to help draft that.

**TH** seconds vote on motion 5-0 Unanimous. **Motion Passes.**

**BB** motions to sign the minutes of November 25, and December 29 2015

**GP** seconds vote on motion 5-0 Unanimous. **Motion Passes.**

**Correspondence:**

- 1 A letter from Amesbury Planning Board. A legal notice pursuant to MA general laws 48, section 5 advising the planning board there will be a public hearing on Monday January 25, 2016 amending their renewable energy development district at 7PM.

**Adjournment:**

**TH** Motions to Adjourn at 10:24 pm.

**BB** Seconds vote on motion 4 - 0 Unanimous. **Motion Passes.**

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Date

