



TOWN OF SALISBURY
Office of the BOARD OF APPEALS
5 BEACH ROAD
SALISBURY, MASSACHUSETTS 01952
978-462-7839
November 3rd, 2015

7:00 P.M.

MINUTES

Members Present:

Susan Pawlisheck, Derek DePetrillo, Linda Tremblay, Kevin Henderson

Old Business

**Case No. 15-16 Mark and Stacie Warcewicz
2 Red Ridge Road (Map 10 Lot 42)**

Request for a Special Permit to determine if use of a farm for both agritourism and the hosting of weddings is allowed in this residential/agricultural district.

Chairperson Susan Pawlisheck reminds everyone that the Board continued the meeting to do background work. The Board contacted the town attorney for clarification. John Goldrosen, the town attorney, looked for information on agritourism, agricultural exemptions, and guidance on the right of way/right to use the drift way issue. He also helped them to explore conditions possible on this case. The Board also received an email from Mr. Mick McGuire about his review of the laws and agritourism as he understands it. Susan also received the financial wherewithal from the Warcewicz, which is not public record, but has answered her question about the percentage of income from weddings. All of this information was reviewed directly by town counsel.

QUESTIONS FROM THE BOARD

Linda asks about the Building Inspector being responsible for enforcing the conditions. Susan explains they have the right to apply reasonable rights and conditions. If there were noise on the evening, the police may be the ones to respond, but it would be Scott's job to fine as necessary. Scott explains that there has been a discussion between the police and fire departments with the town about this issue.

Derek makes a motion to overturn the Building Inspector's decision that this farm is not considered agritourism with the conditions set forth in the memorandum in regards to the requirements set by the Fire Department, Police Department, Building Inspector, Board of Health as well as onsite parking, a ban on street parking, limit in time of operation as well as time of year, days of the week, and number of weekends, limit in number of attendees, and limits for public health and safety at the discretion of the Police Department and the Building Inspector as well as proof of insurance and the abutters as named insured with

copies to the Zoning Office. Music is off by 10pm, and guests begin to leave by then and are gone by 10:30pm. Complete shut down and removal of equipment will occur by 11pm. No more than 150 guests at a time. They must make sure that parking is clear. They will occur only on a Saturday or Sunday per week and mid-May through mid-October. The Police must be notified when events will be held. This Board takes no stance on the issue of use of the right of way as this does not fall under the purview of this Board. Linda seconds. Kevin, Susan vote to approve. 4 in favor, 0 opposed. Motion passes.

Adjourn

Kevin makes a motion to adjourn. Derek seconds. Linda, Susan vote to approve. 4 in favor, 0 opposed. Motion passes.

Date: _____

Susan Pawlisheck—Chairperson

Derek DePetrillo – Clerk

Kevin Henderson

Beth Gandelman

Linda Tremblay

Joseph Stucker

Respectfully submitted by Catherine Scott

Catherine Scott

Date