

Salisbury Planning Board  
Meeting Minutes  
Wednesday, July 22, 2015 7:00 p.m.

**PB Members Present:** Don Egan (DE), Chairman, Brendan Burke (BB), Helen “Trudi” Holder (TH) and Lou Masiello

**PB Members Absent:** Berenice McLaughlin

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

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

Chairman Egan called the meeting to order at 7:04 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. New Business:**

- a. **Signing of Plans and Permits: N/a**
- b. **Reorganization:**

**Chairperson- BB** motioned to nominate **DE** for Chairperson. Seconded by **LM**. Vote on motion 4 – 0 unanimous.

**Vice Chairperson- LM** motioned to nominate **TH** for Vice Chairperson. Seconded by **BB**. Vote on motion 4 – 0 unanimous.

**Clerk-LM** motions to nominate **BB** for clerk. Seconded by **DE**. Vote on motion 4 – 0 unanimous.

**Request for Modification, 18 Fanaras Drive-Keith Harnum:** Matt Steinnel (MS) from Millennium Engineering addressed the board on behalf of the applicant. **Granite Bounds-** completed. **Landscaping-**The applicant would like to leave as is. He has concerns about rainwater coming off the building, will hinder snow removal efforts and impact parking areas. Joe Serwatka’s (JS) letter discussed that the landscaping approved for the front of building be relocated to the front of the site. We will move some plantings to the front and the applicant agrees to that. **LH** stated they are requesting less landscaping at the building and also didn’t provide the amount of landscaping that was proposed in the roadway island. The roadway island needs the amount originally planned for and depending on the decision of the board, the extra landscaping from the building.

**Dumpster-** the applicant wishes to keep the dumpster out of an enclosure in the rear of the building. **JS** stated in his letter if the board approves of this change, they may wish to eliminate a bond amount for this item. **Swales-** the swales along the north and eastern sides of the project are in reasonable conformance. We do agree that there is inadequate grading along the southern driveway. The applicant is requesting a modification to the original site plan approval and proposes to install shallow swale along the southern property line starting at the end of the driveway speed bump and extending to the constructed wetland. **JS** comments are once this modification is done, it could be tested by heavy thunderstorm or running a fire hose onto the site. If the modifications are judged to work adequately, the board may then want to consider elimination of this bond item. **LM** asked how wide and deep is the swale? **MS** stated 3’ wide and 6” deep. **MS** stated I wouldn’t recommend releasing the whole bond. **TH** asked if the speedbump ran the entire width of the driveway? **MS** stated yes. **LH** stated maintenance of the speedbump is imperative to the drainage working. **MS** stated yes. **DE** asked if any neighbors complained about the flooding. **LH** stated I haven’t, but regardless can’t put water into the street. I’m not sure if DPW has had any complaints.

**Retaining Wall-** The applicant is requesting to modify the original site plan approval which showed a 28’ long retaining wall on both sides of the loading dock ramp. The walls are in. They are just 8’ shorter than proposed. **As-Built Plans-** we believe this shows that this grading is adequate and meets the intent of the original approval. **As-built details-** we believe the elevations provided show that they were constructed in compliance with original approval.

**DE** also brought up the further storage on the site that needs blockage. Are we saying the landscaping out front will cover that? **MS** stated I don’t think there is a way to block that completely. **LM** stated any tall growing shrubs? **MS**

stated yes. **LH** stated I would like it as vegetated as possible. **LM** stated I think it should be something like an abrovitae. **DE** stated just run it by Leah.

**LM** motioned to accept this as a minor site plan modification.

**TH** Seconds – Vote on motion 4 – 0 unanimous.

**LM** motioned to accept the modified site plan as conditioned by the debate.

**BB** Seconds – Vote on motion 4 – 0 unanimous.

**Bond-DE** asked do you have a number in mind. The bond is currently \$45,000.00. **MS** stated I think my client would be happy \$10,000.00 to \$15,000.00. **LH** stated I think it should be at least half.

**LM** motioned to reduce the bond from \$45,000.00 to \$22,500.00.

**BB** Seconds – Vote on motion 4 – 0 unanimous.

## Old Business

a. **Request for minor modification for SPR-233 Beach Road LLC**, Mr. Stephen Paquette (SP) addressed the board. A member of the Beach Design Review Committee was willing to take a look at the plans. He submitted a letter that stated the project did fit the intent of the bylaw. He did suggest some changes and I submitted revised plans with those changes. We included deeper projecting bays on the ends at all floors rather than just the upper two as shown. He also suggested including the widow's walk. We added that also. **LM** asked if the overall square footage of the building changed. **SP** stated yes. The units are about 1,700 s/f. **LM** asked where the air conditioning units would be located. **SP** stated we haven't planned that out yet. They won't be on the roof. **LM** stated I think this a reasonable compromise, if you do put the air conditioners outside on the ground around the building that will change the appearance of the building. Then you would need to come back. **SP** stated if they were on the ground we would make sure they were put in an area that nobody could see them. **TH** and **BB** stated they agree with **LM**. **DE** asked what the scale of the widows walk was? **SP** stated this widow's walk would be smaller. The height is exactly the same.

Resident, William Vandeventer (WV) of 233 Beach Road-Unit 9A addressed the board. I spoke at last meeting and wrote a letter also. My concern is water in the southwest corner sometimes 1-2' deep. I was wondering if the concerns were submitted to Joe Serwatka and I wondered if he responded to them. **LH** stated I submitted them to Joe. This is going before Conservation also. **DE** asked if a drainage plan has been submitted? **LH** stated the original plan. **SP** stated there are grading issues at the section of Beatrice Street. There is a water quality swale that is to be built along the backside. Conservation asked for JS to review the proposed changes. **DE** asked if a new drainage plan was submitted to Conservation. **SP** stated yes. **DE** stated drainage plans need to be approved by the PB also. **LM** asked if anything was being done with the current building's problem with drainage. **SP** stated we have had a number of meetings about this. Since the site is not completed there are still issues that will be resolved with regards to drainage. **WV** asked is the floor of the new building equal to the elevation of the existing building. We have issues with the center strip with regards to plowing. The center strip is narrow and wondering where the snow will be plowed to. Also drainage into the marsh. **BB** asked what happens if a project is done and things aren't working properly. **DE** stated once project is approved an as-built plan is submitted, if everything conforms to design the town engineer recommends granting the a Certificate of Completion. **SP** stated the Town Engineer was asked to look at the new drainage plan by Conservation. **BB** asked the Conservation Commission is aware the drainage is not working now. **LH** stated I'm not sure what happened at Conservation. **SP** stated the back of the project is not graded well. **DE** asked if a bond was in place for 233 Beach Road. **LH** stated I can look into that. I don't believe so. Discussion about drainage plan, who should review, procedure for completion of project. **SP** asked could you subject the approval of the PB to the Town Engineers review of the revised drainage plan. Discussion about what the site plan is supposed to show. **SP** stated it shows all of that. **DE** stated we usually have review fees. I am assuming we don't have that. **LH** stated we do. **LH** stated we could have the Town Engineer review per Conservation and Planning.

Resident, Paul Knowland of 233 Beach Road-Unit #4 addressed the board. Drainage is a huge problem over there right now. We would like some assurance that there will be proper drainage. We just don't want to be held with this

problem after SP is done with the project. We have not as a group or individuals been before Conservation to address this matter. **DE** stated I think we should treat it as a new development. Alternatively from a bond to a covenant. **SP** stated when construction is underway the town engineer comes on site and those changes are made and by the end of the job its done right. **DE** stated I think the drainage needs to come back before the Planning Board. **LM** states if we approve the design subject to updating the drainage plan.

Discussion about the procedure.

**WV** stated we have missing roof tiles, leaks. How much of this is the owners or developers responsibility. **DE** stated once the building inspector issues the occupancy permit that's the town signing off on the project. **WV** stated some of the issues we have on the building could potentially happen to the new building because of the faux chimneys and widow's walk. **DE** stated I would remind the developer all due care should be taken to make sure there are no roof leaks.

**DE** stated I would like to entertain a motion to approve the site plan modification and application dated...as a minor contingent upon submission of a new drainage plan for the entire site and no building permit will be issued unless there is a new drainage plan submitted and approved by the Planning Board.

**LH** asked about the draft letter. Discussion about what should be left in and taken out. **DE** stated the interior of the building is not relevant. I think it should say exactly what was on their application. **LH** stated there is no application for a modification. It was in their letter dated May 5, 2015. **DE** stated what I am saying is not relevant.

**DE** stated I will entertain a motion to approve the site plan modification and application dated...as a minor contingent upon the applicant will submit a revised drainage plan to the Planning Board. The Planning Board will go through the normal process which includes having the Town Engineer review and provide us with written comments and then as a Planning board we will vote on the approval of the drainage plan. If it is approved, the building inspector can issue a building permit.

**LM** motions to accept the modifications for 233 Beach Road as a minor modification and that a new drainage plan is submitted or the previous drainage plan is updated and submitted for Planning Board approval prior to issuance of a Building Permit for Building B.

**TH** Seconds-

**DE** stated we need to add and amendment.

**LM** motions to amend the motion to include the date of the newest submitted plans, dated 7/22/15.

**TH** Seconds – Vote on motion 4- 0 unanimous.

Vote on original motion 4 – 0. Unanimous.

### **7:30 Public Hearing**

#### **a. Cont. Definitive Subdivision – 20 Ferry Road/Douglas Avenue-Elite Builders:**

**LH** stated the applicant is requesting a continuance until the August 12, 2015. One of the abutters cannot be there that night and asked to continue to the August 26, 2015 meeting. I think that is a reasonable request.

**TH** motions to continue the definitive subdivision – 20 Ferry Road/Douglas Avenue-Elite Builders until the August 26, 2015 meeting at 7:30 pm.

**BB** Seconds – Vote on motion 4 – 0 unanimous.

#### **4. Other Business:**

**DE** stated there is going to be a committee for zoning on Lafayette/Main. There will be a member from the Planning Board, Board of Selectmen, Zoning Board and four other residents.

#### **5. Correspondence:**

**6. Minutes from June 24, 2015**

**BB** motions to accept the minutes from June 24, 2015

**TH** Seconds- vote on motion 3 – 0 (LM abstained).

**7. Reports of Committees:** Thank you to Robert Straubel for his time on the Planning Board.

**8. Adjournment:**

**LM** motions to adjourn at 9:30 pm

**TH** Seconds – Vote on motion 4 – 0 unanimous.

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**Chairman**

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**Date**

