

TOWN OF SALISBURY
Zoning Board of Appeals
5 Beach Road
SALISBURY, MASSACHUSETTS 01952
978-462-7839

May 28, 2013

MINUTES

Members Present:

Susan Pawlisheck, Derek DePetrillo, Charlie Mabardy, Tim Lamprey

Old Business:

Case No. 13-03
C&L Homes, LLC
15 CCC Rd (Map 24 Lot 160)
Request for a variance for construction of a single-family dwelling

At the previous meeting the proposed plan had the home being built on the left side of the lot. Concerns from the abutters in regards to parking and maintaining the character of the neighborhood. The applicant has a new proposed plan – the new plan has the house being located on the right side of the lot. This is a 200’ move, now in the back right corner, approximately 500’ away from the nearest abutter. There is no need for the side setback variance now, 25’ away from the lot line. The applicant will run sewer and water down to the house. New plan limits detriment to the site.

Abutters:

Jim Crooks, 14 CCC Rd: States that it is a bid improvement from the last time but still feels that the setbacks need to be dealt with. Feels the lot may be better without a home on it. Does not feel it keeps with the character of the neighborhood.

Ben Tang, 16 CCC Rd: Still not in favor, not happy with the setbacks.

Discussion from the Board: Question asked, why the 40’ setback cannot be achieved? Due to Conservation restrictions with the wetlands, it is easier to seek Zoning relief rather than ConCom relief. Better for the Town – detriment to the wetlands vs. visual appeal of the lot.

Motion to grant the variance based on soil, topography, and hardship created, as per plan 4/29/13, from Derek.

Second from Tim.

Vote, 4 in favor, 0 opposed.

Case No. 13-08
Outdoor Media Properties, Inc
100 Elm St (Map 17 Lot 178)

Request for a special permit to relocate and rebuild an existing free-standing sign

The sign has been down for over two years. After those two years the sign no longer exists according to the zoning bylaws. The company that owned the original sign did not step up and remove the sign in a timely fashion, then left the applicant hanging. The property owner was not able to deal with the sign because of issues with the company as well as economic hardship. The sign could be used for things like Amber Alerts – earlier this month there were Amber Alerts that went out on signs like this and within hours the children were found. The applicant is looking for forgiveness due to the economic issues at the time, his concern was his livelihood, not dealing with the sign. There are benefits for the Town – the police chief and fire chief are in favor. The applicant would not have pursued this if the sign had not previously existed, they want to make the sign more accessible to the community, for small businesses etc.

No abutters present.

**Motion to grant the special permit, because it meets the 7 criteria of a special permit, from Derek.
Second from Charlie.**

Vote, 3 in favor (Susan, Derek, and Charlie), 1 opposed (Tim).

New Business

- Case No. 13-11

Arakelian Family, LLC

201 Elm St (Map 9 Lots 46 & 47)

Request for a variance for non-conforming parking spaces

The bylaw states that parking spaces must be 10'x20', the applicant is requesting 9'x18' spaces. The applicant states that the 10'x20' spaces were required before cars had power steering; with the power steering there is no need for spaces that size. The rest of the lot has 9'x18' spaces. The entirety of the lot is changing and he will be adding spaces, there will be a reduction of approximately 60 spots if he puts in 10'x20' spots; there will be 703 spots if he had 9'x18' spots.

**Motion to grant the variance due to hardship, conditions of the soil, and topography from Derek.
Second from Charlie.**

Vote, 4 in favor, 0 opposed.

Minutes from 4/23

Motion to approve from Charlie.

Second from Derek.

Vote, 4 in favor, 0 opposed.

Adjourn.