



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

January 12th, 2016
MINUTES

7:05 P.M.

Members Present:

Susan Pawlisheck, Derek DePetrillo, Linda Tremblay, Kevin Henderson, Joseph Stucker

Old Business

Case No. 15-19

Greater Newburyport YWCA

29 Elm Street (Map 2 Lot 45)

Request for a Special Permit: Comprehensive 40B to construct a 16 unit rental housing development.

Case No. 15-20

Greater Newburyport YWCA

18 Maple Street (Map 6 Lot 38)

Request for a Special Permit: Comprehensive 40B to construct 26 rental housing units.

Attorney Paul Haverty is representing the Applicants. Chairwoman Susan Pawlisheck opens both cases at once.

Eric Bodman, engineer, just received the comments from Joe Serwatka and is making adjustments as necessary. They need to do more tests for storm water. There are many technical issues, including the lighting and landscaping plan. The lighting plan was designed by a lighting expert. The landscape is done by a professional landscape designer, which was always the intent. They would like a waiver from the requirement to use a landscape engineer. Chairwoman Susan Pawlisheck explains that the review pointed out that the majority of the landscaping was done in an area designated for snow removal and storage. Mr. Bodman explains that this was a communication error and has been fixed. Kevin Henderson, board member, asks if there is a state requirement for landscaping; Mr. Bodman explains that it is a board regulation, not a town bylaw.

Chairwoman Pawlisheck asks if peak traffic was established. Ms. Jennifer Conley, Conley Associates, explains that she followed state regulations by averaging the condition rather than reacting to a peak period or low period. Mr. Henderson asks how she came up with the percentage. Ms. Conley counted Route 110 and 495 as it is the only traffic counted in the area. It reflects fluctuations in traffic based upon a number of factors in that area. Irrespective of the

current conditions, this project produces only an estimated 10 cars on the road. Linda Tremblay, board member, asks about displaced parking. The average parking spaces required are between 1.0 and 1.3 spaces. Susan explains that there are concerns related to a resort community and the ball park and parking. She mentions that there is a request for less parking than required on Maple. She wants to know how these factors impact parking requirements.

Chairwoman Pawlisheck wants to hold a workshop so that the details of everything could be discussed at length. At least two members of the board would attend and go line by line to address any and all concerns.

ABUTTERS

Eric Mies, 5 Park St

Mr. Mies presents a letter outlining his concerns and his suggestions for addressing his traffic concerns, drainage/flow of water, and property buffers for smoke/noise/light.

Jennifer Stevens, 9 Maple Street

Mrs. Stevens, like Mr. Mies, is concerned about traffic as it currently exists being exacerbated by the rental housing units. She also is concerned about trash and littering as it is already an issue. She asks about trash pickup as she does not know if once a week would be proficient for the trash that could be produced. She asks about the required waivers for the project and what the YWCA would do to receive those waivers.

Mary Williamson, 19 Elmswood Street

She wholeheartedly approves of the project.

Attorney Haverty asks that only two board members attend to avoid violating open meeting law. Lisa Pearson will coordinate the work shop.

Kevin Henderson makes a motion to continue Cases 15-19 and 15-20 to February 9th, 2016. Derek DePetrillo seconds. Joseph Stucker, Linda Tremblay, Susan Pawlisheck vote to approve. 5 in favor, 0 opposed. Motion passes.

New Business

Case No. 15-21

Christopher DeLuca

106 Elm Street (Map 17 Lot 124)

Request for a Special Permit to illuminate a car wash sign when darkness sets during the business hours of 7am to 10pm.

Mr. Chris Deluca, 106 Elm Street, explains that the sign is in place. The Building Inspector explained to him that he had to go before the Zoning Board to light the sign. The sign will be on

a timer, so it will turn off after a period of time. It will only go on should emergency services need it.

Susan explains that the sign exceeds 24'. Scott explains that a sign is allowed 25% of the building, but as a lighted sign, it can only be 24 square feet.

QUESTIONS FROM THE BOARD

The Chairwoman says that this area of town is very illuminated. There is a billboard. She also is concerned about the signage on his automobile shop. Mr. Deluca explains that he would only have it lit during business operations when there is darkness. He is also 100' back from the street and is concerned about not being seen by passing cars. It is a low wattage sign that would not illuminate the street. The distance total is 30' and the letters are about 3' tall.

Kevin Henderson asks about lighting. There is a canopy of low lighting as required by the Police Department. Perimeter lighting is on until 7am for safety.

Mr. Henderson asks who his abutters are. His father, the DPW, and the Rail Trail are amongst them.

Kevin Henderson makes a motion to approve the Special Permit as it currently exists in its use, it is essential to public convenience, it will not create undue traffic, will not overload public systems. Derek DePetrillo seconds. Joseph Stucker, Linda Tremblay, Susan Pawlisheck vote to approve. 5 in favor, 0 opposed. Motion passes.

Minutes

December 15th, 2015

Linda Tremblay asks that the phrase "waste disposal" be struck out and written as "mitigation."

Derek DePetrillo makes a motion to approve the minutes with modification on page two. Kevin Henderson seconds. Joseph Stucker, Linda Tremblay, Susan Pawlisheck vote to approve. 5 in favor, 0 opposed.

Correspondence

Stacey P. Robinson, Trustee of the L&S Robinson Family Realty Trust v. Zoning Board of Appeals for the Town of Salisbury, et al.

The Board received this piece of correspondence.

Board Members Contact Information

The Board received and edited their contact information.

Joseph Stucker makes a motion that Derek DePetrillo and Susan Pawlisheck attend as representatives to the workshops for cases 15-19 and 15-20. Kevin Henderson seconds. Linda Tremblay, Derek DePetrillo, Susan Pawlisheck vote to approve. 5 in favor, 0 opposed. Motion passes.

Adjourn

Kevin Henderson motions to adjourn. Derek DePetrillo seconds. Joseph Stucker, Linda Tremblay, Susan Pawlisheck vote to approve. 5 in favor, 0 opposed. Motion passes. Meeting adjourned.

Date: _____



Susan Pawlisheck—Chairperson



Derek DePetrillo – Clerk



Kevin Henderson

Beth Gandelman



Linda Tremblay



Joseph Stucker

Respectfully submitted by Catherine Scott

Catherine Scott

Date