



TOWN OF SALISBURY
Zoning Board of Appeals Hearing
Colchester Room @ Town Hall, 5 Beach Rd
Meeting held remotely via Zoom

MEETING MINUTES- PUBLIC HEARING

Hearing Date: December 8, 2020 @ 7:00 pm

Members Present: Susan Pawlisheck (Chair), Derek DePetrillo (Secretary), Paul Descoteaux & John Schillizzi

Member (s) Absent: Drew Dana (Alternate)

Additional Persons Present: Scott Vandewalle, Building Commissioner & Kate White ZBA Admin

Mr. DePetrillo called the meeting to order at 7:00 pm.

1. Continued Public Hearing

Case No. 20-26 Petition for Relief – Variance to request relief from front and side yard setback requirements to allow for the proposed residential use of the property.

Address: 39 Old County Rd **Map:** 28, **Lot:** 37

Applicant(s): Edwin Garside

Representing the applicant is Matthew Steinel of Millennium Engineering. Mr. Steinel explains, to the Board, that the applicant is looking for relief from the front and side yard setbacks in order to construct a single family home and gazebo on this vacant lot. The applicant is looking for 29.5' front yard setback where 40' is required for the main structure and 10.5 side yard setback where 20' is required for a gazebo. Due to the soil conditions (wet lands) and topography of the lot neither structure can be constructed on any other area of the lot. The applicant has prior approval from the Conservation Commission.

MOTION: Chair Pawlisheck makes a motion to approve the request for the variance due to the topography and soil conditions. Mr. Descoteaux seconds the motion.

VOTES: Chair Pawlisheck, Mr. Descoteaux, Mr. Schillizzi and Mr. DePetrillo vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously

Case No. 20-27 Petition for Relief – Variance to request relief from the maximum 40' front yard setback for the construction of the proposed two family structure.

Address: 40 Lafayette Rd **Map:** 6, **Lot:** 115
Applicant(s): Michael Wolpert

Michael Wolpert explains to the Board his request for relief from the LM District (Lafayette/Main District) maximum 40' front yard setback. The applicant would like to construct a two family structure that would have a front yard setback of approximately 200' due to the front portion of the lot being wet. He has prior approvals for this project from the Conservation Commission and Mass Highway.

Mr. DePetrillo asks the Building Commissioner for clarification on the LM District.

Building Commissioner: Explains to the Board that the theory behind the LM District and the setback requirements which include the minimum setback of 30' and maximum set back of 40'.

Chair Pawlisheck: asks the applicant if the front portion of the lot will be used for anything?

Mr. Wolpert: No, it is all wetlands.

MOTION: Mr. Descoteaux makes a motion to approve the request for the variance. Chair Pawlisheck seconds the motion.

VOTES: Mr. Schillizzi, Chair Pawlisheck, Mr. Descoteaux and Mr. DePetrillo vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously

Case No. 20-28 Petition for Relief – Finding to request to allow for the extension/alteration of a pre-existing, non-conforming structure for the construction of a second story addition.

Address: 274 No End Blvd **Map:** 34, **Lot:** 115
Applicant(s): Joseph Cogan

Joseph Cogan explains to the Board that the second floor addition will remain in the same footprint as the first floor. The existing structure is non-conforming to the front and side yard setbacks, the addition will not increase nor decrease the non-conformity.

MOTION: Mr. Descoteaux makes a motion to approve the request for the finding, as it will not be substantially more detrimental to the neighborhood. Chair Pawlisheck seconds the motion.

VOTES: Mr. Schillizzi, Chair Pawlisheck, Mr. Descoteaux and Mr. DePetrillo vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously

Case No. 20-29 Petition for Relief – Variance to request relief from dimensional area and setback requirements for the construction of proposed single-family structure.

Address: 529 No End Blvd **Map:** 36, **Lot:** 10
Applicant(s): David Daly

Representing the applicant is Attorney Jason Talerman of Mead, Talerman and Costa. Mr. Talerman explains to the Board the request to replace existing at-grade, slab-based garage with a single-family home. The current structure is pre-existing, non-conforming due to the front, south side and rear setbacks. The lot is also pre-existing, non-conforming as it is undersized. The proposed structure will retain or reduce existing dimensional non-conformities.

MOTION: Chair Pawlisheck makes a motion to approve the request for the variance. Mr. Descoteaux seconds the motion.

VOTES: Mr. Schillizzi, Mr. Descoteaux, Chair Pawlisheck and Mr. DePetrillo vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously

2. **New Public Hearing**

3. **Minutes**

November 10, 2020 Meeting Minutes

MOTION: Mr. Descoteaux makes a motion to approve the November 10, 2020 meeting minutes as written. Mr. Schillizzi seconds the motion.

VOTES: Mr. Schillizzi, Mr. Descoteaux and Mr. DePetrillo vote in favor of the motion. Members express their vote individually and verbally. 3 in favor, 0 opposed. Motion carries unanimously.

4. **Correspondence and Other Board Business**

5. **Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting**

6. **Adjournment**

- The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

MOTION: Mr. Schillizzi makes a motion to adjourn the meeting. Chair Pawlisheck seconds the motion.

VOTES: Mr. DePetrillo, Mr. Descoteaux, Chair Pawlisheck and Mr. Schillizzi vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously.

Next Scheduled Public Hearing: December 17, 2020

Respectfully submitted by Kate White, Board Secretary and accepted at the December 17, 2020 meeting of the Zoning Board of Appeals.

Accepted as Presented:

A handwritten signature in cursive script that reads "Susan M. Pawlisheck".

Chairperson Susan Pawlisheck

Cc: Town Clerk