

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 10, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

PRESENT: Selectmen Chuck Takesian, Ronalee Ray-Parrott, Freeman J. Condon and Donna Abdulla

ABSENT: Selectman Wilma McDonald

ALSO PRESENT: Neil J. Harrington, Town Manager and Agnes Donovan, Secretary

I. Call to Order/Salute to the Flag

Vice-Chairman Takesian called the meeting to order at 7:00 PM in the Colchester Room, Salisbury Town Hall. He then announced, per the Open Meeting Law, that this meeting is being recorded by Salisbury Cable Television and broadcast live.

II. Acceptance of Minutes

Minutes of December 27, 2021

Motion by Selectman Ray-Parrott, Second by Selectman Abdulla; unanimously voted to approve the Minutes of December 27, 2021 as written.

III. Public Comment - None

IV. Old Business

Renewal of Repair License – Rob Roy Auto – 90 Lafayette Road

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to remove this item from the table.

Selectman Takesian started the discussion stating that he went to Town Hall and checked all the licenses for Mr. Roy's 90 Lafayette Road location and did not see on any repair license approved for Mr. Roy that he was allowed to sell cars. He said all the licenses he saw were for repair only. He stated that Mr. Roy never had a license to sell cars at the 90 Lafayette Road location. Selectman Takesian also stated that per Massachusetts State Law (Chapter 140, Section 57), no one is allowed to sell second hand automobiles unless they have an approved Class II License specific to the property from which they are doing business.

Mr. Roy presented paperwork which he claimed was proof that he was allowed to sell cars when he renewed his license at the end of 2015 for 2016. He stated that his 2014 and 2015 repair licenses were missing from his file at Town Hall and that these licenses also allowed him to sell cars. However, it was explained to Mr. Roy that the paperwork he handed out to the Board was only copies of the application for the renewal of his repair license, but was not a copy of the license itself.

Selectman Condon advised Mr. Roy that the license application before the Board this evening was only for the repair of cars, which is clearly stated at the top of the application. Mr. Roy stated that he has been selling cars since 2014 and that his license allows him to sell two to three cars. Mr. Roy stated that the missing licenses allowed him to sell cars and that he did not notice when the wording which allowed him to sell cars disappeared from his license. The Selectmen advised Mr. Roy that the zoning on Lafayette Road does not allow him to sell cars at this location and that it is against the law to sell cars at this location. The Selectman advised Mr. Roy to go to Town Meeting if he wants to try to change the zoning to allow used car sales at his Lafayette Road address. Board members also said his license is only for repair and is not for other services such as sales or towing.

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 10, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

Selectman Condon asked Mr. Roy if he understood that zoning prohibited him for selling cars at this location. After a back and forth with the Selectmen, Mr. Roy said he understood. Selectman Condon advised Mr. Roy that he would vote in favor of the Repair License if Mr. Roy agreed not to sell cars at the 90 Lafayette Road location. Mr. Roy agreed. Selectman Abdulla confirmed with Mr. Roy that he would only sell cars from his Main Street location.

Selectman Takesian recommended that Mr. Roy paint over or cover up the word “Sales” on his sign as he feels that it is misleading.

Motion by Selectman Ray-Parrott, Second by Selectman Condon; motioned to approve the renewal of a **Repair License** for Rob Roy Auto at 90 Lafayette Road.

Motion by Selectman Takesian, Second by Selectman Ray-Parrott, to amend the main motion to add that Mr. Roy be required to cover up the word “Sales” on his sign. Selectmen Takesian and Condon voted in the affirmative, Selectmen Abdulla and Ray-Parrott voted in the negative. The amendment to the main motion did not pass.

The original motion by Selectman Ray-Parrott, Seconded by Selectman Condon, to approve the renewal of a **Repair License** for Rob Roy Auto at 90 Lafayette Road was approved unanimously.

V. New Business
a. License Renewals:

Motion by selectman Ray-Parrott, Second by Selectman Abdulla unanimously voted to waive the reading of the **Common Victualer** license renewals.

Motion by Selectman Ray-Parrott, Second by Selectman Condon; unanimously voted to renew a **Common Victualer** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Bucciarelli’s Butcher Shop – 147 Bridge Rd., Swell Willey’s – 4 Broadway, Groundswell Surf Café – 25 Broadway, Ten’s Show Club – 11 No. End Blvd., Uptown Comic Book Café – 6B Elm St., Harbor Pizza Restaurant & Pub – 186 Lafayette Rd., Uncle Eddie’s, Inc. – 8 Oceanfront, Invalsa Coffee – 1 Merrill St., Unit 7, Burger King – 66 Main St., Hodgie’s Too of Salisbury – 136 Rabbit Road, John’s Famous Foods – 72 Main St., Lena’s Seafood – 131 Rabbit Road, Seaglass/Blue Ocean – 4 Oceanfront No., Dunkin Donuts – 15 Lafayette Rd., Dunkin Donuts – 192 Elm St., Surfside – 25 Broadway, and Niko’s Place Roast Beef – 194 Elm Street.

Motion by Selectman Ray-Parrott, Second by Selectman Condon; unanimously voted to renew an **Entertainment** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Black Bear Campground – 54 Main St. – Arcade; Blue Ocean Music Hall/Event Center – 4 Ocean Front No. – Live Entertainment/DJ; Captain’s Corner – 73-75 Main St. – Arcade; Seaglass – 4 Ocean Front No. – Live Entertainment; Surfside – 25 Broadway – Live Entertainment/DJ and Uncle Eddie’s, Inc. – 8 Oceanfront – Bands and DJ; Juke Box, 1 Pool Table.

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 10, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

Motion by Selectman Ray-Parrott, Second by Selectman Abdulla; unanimously voted to renew a **Class II** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Highland Motors – 205 Lafayette Road, and Paul's Auto Body & Glass – 48 Rabbit Road.

Motion by Selectman Ray-Parrott, Second by Selectman Abdulla; unanimously voted to renew a **Class III** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Hotrods Vintage Auto Recycling – 137 Lafayette Road.

Motion by Selectman Ray-Parrott, Second by Selectman Abdulla; unanimously voted to renew a **Repair** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Bob Fuller Truck & Repair – 74 Main Street, Unit 2A, Gray's Garage – 35 Elm Street, Stan's Place – 205 Lafayette Road, and Valvoline Instant Oil Change – 191 Elm Street.

Motion by Selectman Ray-Parrott, Second by Selectman Condon; unanimously voted to renew a **Parking Lot** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Joseph Wekelo – 207 No. End Blvd.

Motion by Selectman Ray-Parrott, Second by Selectman Condon; voted to renew a **Parking Lot** license, with the same conditions/restrictions that may have been on the original license and all subsequent renewals, for: Flying Horses Parking Lot @ Joe's Playland – 2 Broadway.

VOTE: 3 yeas, 1 abstention (Selectman Abdulla). Motion carried.

b. New Licenses - None

c. License Amendments - None

d. Liquor License Renewals - None

e. New Liquor Licenses - None

f. Committee Appointments - None

g. Update/Presentations: Planning Board

Planning Board Presentation

Marty Doggett, Chairman of the Planning Board, presented the following update to the Board.

1. Membership

Mr. Doggett advised the Board that currently the Planning Board has a full membership consisting of the following members: John "Marty" Doggett, Chairman; Deborah Rider Vice-Chair; Gil Medeiros, Clerk; Lou Masiello, Member (who is also the Planning Board's appointee to serve as Salisbury's representative to the Merrimack Valley Planning Commissioner); Don Egan, Member, and John Schillizzi, Alternate.

2. Procedures and Hearings

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 10, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

- a. Approval Not Required - ANR – for smaller projects where an NOI is not required

50 Beach Rd/2 Gravel	46 Beach Rd LLC	Endorsed 8-6-2021
138 Elm St	Bradku Inc	Endorsed 8-17-2021
139 North End Blvd	Northend 139 Realty trust	Withdrawn 10-13-2021
159 Beach Rd	Salisbury Beach development	Endorsed 2-24-2021
Ocean Front south 6	Amin Nabhan	Endorsed 10-21 -2021
55 Locust	Donahoe Survey	Continued to 12-14-2021

- b. Subdivisions - [Preliminary, Definitive, FRD, (O)]

Site Plan Review - MAJOR/OSRD	46 Beach /2 Gravel	46 Beach Road LLC	Ongoing
-------------------------------	--------------------	-------------------	---------

Mr. Doggett said that no new subdivision applications submitted for consideration by the Planning Board.

- c. Site Plan Review - At this time there are four Major Site Plan reviews before the Planning Board:

Site Plan Review	30-32 cable		Ongoing
Site Plan Review	7 Broadway	Millennium Engineering	1/22/2021
Site Plan Review	207 Beach Road	Tom Patenaude	7/14/2021
Site Plan Review	40 Brissette	Father and Son Construction	Ongoing

- d. Modification of Site Plan Approval – all three requests were Minor

Modification	232-238 Lafayette Road	Ganesh Wellness	02/10/2021
Modification	187 Lafayette Road	Root & Bloom	04/28/2021
Modification	10 Fanaras Drive	Coastal Infusions LLC	06/23/2021

- e. Special Permits (3)

Marijuana Retail/Brewery	191 Lafayette Road	191 Lafayette Rd LLC	Ongoing
Vehicle/Equipment Storage	45 Main St.	G&G Main Street	10-22-2021
New Wireless Array	91 North Ed Blvd.	Site Plan and SP	10-27-2021

- f. Accessory Dwelling Units (2)

Accessory Apartment	57 Baker Road	Bryan Hughes	Approved
Accessory Apartment	Cushing Street		Approved

- g. Certificate of Completion (Partial- 4 / Full - 2)

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 10, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

Partial Co C	57 Railroad Ave	The Daly Group	Site Plan - MAJOR	12/15/2021
Partial Co C	12 Folly Mill Rd	Kevin Karpenko	Earth Fill	10-21/2021
Certificate of C	158 Lafayette Rd	Boston Granite	Site Plan - MAJOR	12/1/2021
Partial Co C	187 Lafayette Rd	Root and Bloom	Site Plan and SP - MAJOR	12-22-2021
Partial CO C	22 Old County Road	Habitat for Humanity	Major SPR	10-21-2021
Certificate of C	91 North End Blvd	Bell Atlantic Mobile	Site Plan and SP	10-27-2021

3. Mr. Doggett provided a status of the Planning Board's review of Ordinances and Regulations:

- Lafayette-Main Design Guidelines – Ongoing
- Master Plan - Ongoing
- Rules and Regulations Update – Ongoing

4. Inclusionary Housing Contribution Payment

- Mr. Doggett advised the Board that in accordance with the Inclusionary Zoning Bylaw, the Planning Board is charged with annually adjusting the maximum housing contribution payment to which goes into effect on March 1, 2021. The yearly median sales price of homes in Salisbury, MA per the Warren Group statistics, of single-family homes from 2019-2020 increased from \$363,500 to \$410,000. This is a 12.79% increase $[410,000 - 363,500 / 363,500 \times 100]$. The FY 2020 inclusionary rate was capped at \$21,000.00 in March 2020 making this fiscal year's maximum rate \$21,000.00 $[\$20,000.00 \times 12.79\% = \$2,580.00]$. In accordance with §300-79(B) the maximum contribution rate shall not exceed \$21,000.00. Given the increased rate to \$22,580.00 would exceed the statutory limit, the rate was set at \$21,000.00, effective March 1, 2021.

5. Project review fees – Certificate of Completion

- Mr. Doggett stated that without the Assistant Planner this is delayed but the staff continues to review the status of old projects. According to Planning Director Lisa Pearson, the planning department staff meets every Friday to review and resolve the outstanding amounts of escrow balances. Finance Director, Karen Snow, has also participated in some of these meetings.
- The Planning Director has advised the Planning Board that the Planning Department has made significant progress and will provide the Board of Selectmen with a status update shortly.

Selectman Abdulla asked what a Flexible Residential project is and she was told that this classification has to do with a project's density. This project designation allows a builder to have greater density at the project site, provided that the builder provides/donates land for open space somewhere in town.

Selectman Ray-Parrott said that the Affordable Housing Trust works collaboratively with the Planning Board. She said her committee has funds and wants to do more work with the Planning Board but that

**MINUTES OF THE SALISBURY BOARD OF SELECTMEN MEETING
MONDAY, JANUARY 10, 2022 – 7:00 PM
SALISBURY TOWN HALL, 5 BEACH ROAD
COLCHESTER ROOM**

the Affordable Housing Trust is struggling to find reasonably priced land to build affordable housing units in town.

Selectman Condon thanked Mr. Doggett for serving on the Planning Board and for his report.

VI. Sewer/Water - None

VII. Correspondence - None

VIII. Hearings - None

IX. Town Manager's Report

Mr. Harrington gave a brief overview of his written report, a copy of which is available in the Selectmen's office.

X. Selectmen's Report

a. Ratification of Signing of Weekly Warrants:

Motion by Selectman Condon, Second by Selectman Ray-Parrott; unanimously voted to ratify the signing of the following weekly warrants: W22-54 through W22-57.

Selectman Takesian raised the issue of whether the Board wants to retain the one meeting date in December of 2022 that was recently approved. Following discussion, the consensus of the Board was to keep the proposed meeting date of December 19, 2022.

XI. Executive Session - None

XII. Adjournment

Motion by Selectman Ray-Parrott, Second by Selectman Condon; unanimously voted to adjourn at 7:55 PM.

Documents provided at the meeting and on file in the Selectmen's Office:

Minutes of December 27, 2022


Copies of licenses as listed

Town Manager's Report

Respectfully submitted:

Agnes Donovan, Secretary

Approved: _____


Ronalee Ray-Parrott, Clerk