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**Planning Board:**  
**John "Marty" Doggett,**  
*Chairperson*  
**Gil Medeiros,**  
*Vice Chairperson*  
**Deborah Rider**  
**John Schillizzi**  
**Warren Worth**  
**Angelica Medina**  
*Alternate*

## Planning Board

Town of Salisbury  
5 Beach Road  
Salisbury, MA 01952

# MAJOR SITE PLAN and SPECIAL PERMIT APPROVAL

August 9, 2023

Town Clerk  
Town of Salisbury  
Salisbury, MA 01952

RECEIVED  
TOWN CLERK  
TOWN OF SALISBURY

Re: Site Plan & Special Permit Approval

2023 OCT 23 P 12: 20

**Applicant:** Seacoast Property Management, LLC  
**Address of Applicant:** PO Box 5514, Salisbury, MA 01952  
**Address of Project:** 14, 16, 18 North End Boulevard, Salisbury, MA 01952

To the Town Clerk:

*This is to certify, that at a duly noticed public hearing of the Salisbury Planning Board as regards the original Site Plan Application, opening on April 12, 2023, continued to April 26, 2023, May 10, 2023, May 24, 2023, June 14, 2023, June 28, 2023, July 26, 2023 and closing on August 9, 2023, by a motion duly made and seconded it was voted unanimously that the Board grant Site Plan Approval and Special Permit Approval pursuant to §300-109 of the Town of Salisbury Zoning Bylaw for the Seacoast Property Management, LLC.*

Seacoast Property Management, LLC., under the provisions of Article XII, Salisbury Beach Overlay District, of Zoning By-Laws of the Town of Salisbury has submitted a revised site plan depicting redevelopment of property involving the construction of 2 buildings with 5 units in building 1 and 6 units in Building 2, located at 14, 16, 18 North End Blvd [Map 33, Lots 248, 249 & 250], in the Beach Commercial Overlay District (BC) as shown on plans ("The Plans") entitled:

"Site Development Plans 14, 16 & 18 North End Boulevard, Salisbury, Massachusetts prepared for Seacoast Property Management, LLC and prepared  
This is to certify that twenty (20) days  
have elapsed from date of decision filed  
without filing of an appeal.

Town Clerk

*Dunne Karpelco*  
Date November 15, 2023

and stamped by, The Morin-Cameron Group, Inc., dated February 1, 2023 with revision dates of March 23, 2023, June 7, 2023, June 21, 2023 and July 24, 2023.

**We, the Salisbury Planning Board, do hereby vote:**

**Gil Medeiros motions to close the public hearing for the Site Plan Approval.**  
**Angelica Medina seconds the motion.**

**Vote on the motion**

**John “Marty” Doggett: Yes**

**Gil Medeiros: Yes**

**John Schillizzi: Yes**

**Warren Worth: Yes**

**Angelica Medina: Yes**

**Motion passes: 5 - 0**

**We, the Salisbury Planning Board, do hereby vote:**

**Gil Medeiros motions to close the public hearing for the Special Permit Application.**  
**Angelica Medina seconds the motion.**

**Vote on the motion:**

**John “Marty” Doggett: Yes**

**Gil Medeiros: Yes**

**John Schillizzi: Yes**

**Warren Worth: Yes**

**Angelica Medina: Yes**

**Motion passes: 5 – 0**

# **I.**

## **SITE PLAN APPROVAL**

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Motion for approval of the site plan pursuant to Article XVIII, Site Plan Review of Salisbury Zoning Bylaw, subject to the standard conditions numbered **1-35** in this decision and the following conditions presented at the meeting:

**Motion presented by: Gil Medeiros**  
**seconded by: Warren Worth**

**Vote on the motion**

**John “Marty” Doggett: Yes**  
**Gil Medeiros: Yes**  
**John Schillizzi: Yes**  
**Warren Worth: Yes**  
**Angelica Medina: Yes**

**Motion passes: 5 – 0**

# **II.**

## **SPECIAL PERMIT APPROVAL**

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Motion for approval of a special permit:

1. The Planning Board has determined that the application satisfies all the special permit conditions enumerated in §300-82.16 of the Zoning By-Laws of the Town of Salisbury.

**Motion presented by: Gil Medeiros**  
**seconded by: Angelica Medina**

**Vote on the motion**

**John “Marty” Doggett: Yes**  
**Gil Medeiros: Yes**  
**John Schillizzi: Yes**  
**Warren Worth: Yes**  
**Angelica Medina: Yes**

**Motion passes: 5 - 0**

# **III.**

# WAIVER REQUEST

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Provided that it is in the public interest and not inconsistent with the intent and purpose of the Planning Board Rules and Regulations, the Board is permitted to waive compliance on requirements of Site Plan Review.

The applicant did **NOT** petition for waivers for Major Site Plan Review.

## IV. MATERIALS

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Herein below but not limited to are the materials submitted to the Planning Board during the public hearing:

1. Site Plan for 14, 16, 18 North End Boulevard in Salisbury, MA; dated February 1, 2023, revised through July 24, 2023, prepared for Seacoast Property Management, LLC, PO Box 5514, Salisbury MA, 01952, prepared by The Morin-Cameron Group, Inc., 25 Kenoza Avenue, Haverhill MA 01830, consisting of seven (7) sheets;
  - a. Cover Sheet (C-1)
  - b. Existing Conditions Plan (C-2)
  - c. Site Layout Plan (C-3)
  - d. Grading, Drainage & Utility Plan (C-4)
  - e. Details (C-5)
  - f. Landscape Plan (L-1)
  - g. Lighting Plan (L-2)
2. Architectural plans prepared by Savoie Nolan Architects, LLC on June 14, 2023 consisting of six (6) sheets;
  - a. Ground Floor Plans
  - b. First Floor Plans
  - c. Second Floor Plans
  - d. Third Floor Plans
  - e. Exterior Elevations
  - f. Exterior Elevations Alternate 5-Unit Building
3. Exhibits A, B & C – Swept Path Analysis dated March 23, 2023 and revised through July 24, 2023 prepared by the Morin-Cameron Group, Inc., 25 Kenoza Avenue, Haverhill MA 01830;

4. Stormwater Management Report, dated February 1, 2023, revised through July 24, 2023, prepared for Seacoast Property Management, LLC, PO Box 5514, Salisbury MA, 01952, prepared by The Morin-Cameron Group, Inc., 25 Kenoza Avenue, Haverhill MA 01830;
5. Site Plan Review Application, dated March 22, 2023.
6. Town Departments' Letters of Review:
  - Conservation Commission: February 28, 2023
  - Board of Health: February 22, 2023
  - Building Inspector: February 22, 2023
  - Planning: February 22, 2023
7. Letter from Joseph Serwatka, Planning Board Review Engineer, dated:
  - a. April 8, 2023, 2023, June 10, 2023, July 20, 2023
8. Traffic Review, The Engineering Corp. (TEC) dated:
  - a. June 14, 2023, June 28, 2023, August 7, 2023
9. Architectural Design Peer Review, HFA-AE, Ltd., dated June 12, 2023, June 21, 2023
10. The Morin-Cameron Group, Inc., Response Letters dated:
  - Conservation Commission: March 23, 2023, June 7, 2023
  - Joseph Serwatka: March 23, 2023, June 7, 2023, June 21, 2023
  - Building Inspector: March 23, 2023
  - TEC: June 21, 2023, July 24, 2023
  - Planning: March 23, 2023
  - Water Department: June 7, 2023, June 21, 2023

## V. FINDINGS

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1. The project site consists of three parcels located at 14, 16 & 18 North End Boulevard, which encompasses a total area of 12,100 SF± (0.28 acres). The properties are shown on the Town of Salisbury Assessors Map 33, lots 248, 249 and 250. The site has been utilized as a parking lot for approximately the past 10 years. According to historic aerials images, prior to the parking area, the lot contained building structures and pavement, The existing site surface is all impervious containing asphalt pavement and degraded pavement/gravel.
2. The site is located within a Coastal Resource Area - Coastal Dune Resource Area and Land Subject to Coastal Storm Flowage -and is located approximately 600 feet from the Atlantic Ocean. There are no wetlands within the property.

3. Grades on the site are extremely flat with an average slope of 0.1 % from North End Boulevard to the back of the property. The site has a high elevation of approximately 7 ft. (NAVD88) to a low of 6.6 ft in the center of the property. Soils on site are mapped as Urban Land (602) and Udorthents (651). The Natural Resources Conservation Service (NRCS) describes the Urban Land and Udorthents soils as soils that have been significantly modified by humans, by excavation and filling. Based on local knowledge of this neighborhood, parent soil will be sand.
4. The entire site is located within FEMA Flood Zone AE -Special Flood Hazard Area, elevation is 9 feet, as illustrated on map 25009C0129F (effective date July 3, 2012).
5. The redevelopment of the site will include the construction of two (2) buildings, one with five (5) townhomes and another with six (6) town homes utilizing piling foundation, that will be accessed by a single driveway. The project proposes to remove all impervious surfaces from the site, minimal regrading, maintaining the existing drainage patterns, restoration of native vegetation and the construction of a 25.5-foot-wide pervious driveway.
6. The Town homes will be serviced by a water main extended from the main on North End Boulevard along the driveway to each dwelling unit. The dwellings will be serviced by a sewer main extended from the main on North End Boulevard and discharged to a sewer manhole located in the corner of North End Boulevard and Old Town Way; two new sewer manholes will be added to the property. Each dwelling will have a utility chase to safely conduct the services to the interior of the homes, without being exposed to weather. Electric, gas and individual communications services will be coordinated with their respective providers. A gas meter will be added to each dwelling that will be located approximately 2 feet above the flooding elevation.
7. This is not a phased project.

## VI.

### SITE PLAN CONDITIONS

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The following Conditions shall be required at the Applicant's sole expense, unless otherwise noted:

1. This approval shall apply to any successor in interest or successor in control of the property subject to this approval and to any contractor or other person performing work.
2. This approval is not final until all administrative appeal periods from this approval have elapsed, or if such an appeal has been taken, until all proceedings have been completed.
3. After the administrative appeal period, this decision shall be recorded in the registry of deeds before the pre-construction meeting

4. The work shall conform to the plans and conditions referenced in this approval.
5. All utilities on the site will be underground. If the plan is amended to install aboveground utilities, the Applicant must submit a modification request to the Planning Board.
6. The Applicant or its contractor shall coordinate during construction with local officials and Review Engineer to connect the proposed utilities with existing utilities.
7. All lighting must be dark-sky compliant, including porch and balcony lighting. No unreasonable spillover of lighting onto the public ways will be shown on the plan. The condominium documents or lease agreements will specifically prohibit the installation of any lighting which be inconsistent with the approved lighting plan.
8. All signs will conform with Chapter 214, Signs, of the Town Code.
9. Stormwater management system must be properly maintained in accordance with its operation and maintenance plan to be revised and submitted to the Planning Department for final approval. The owners of the property will be responsible for ongoing maintenance of the stormwater annual report.
10. The Applicant shall make the minimum contribution required by Section 300-68A(1) of the Salisbury Zoning Bylaw in the amount of \$3,000.00 per unit to be paid to the Town of Salisbury at the time of unit closings.
11. Prior to the issuance of a demolition permit, the Applicant must sign an agreement with the Town of Salisbury to make affordable housing contribution payments to the Affordable Housing Trust Fund, pursuant to Article XIII, Inclusionary Housing Requirements, §300-79 (A) of the Zoning By-Laws of the Town of Salisbury, in the instance the Applicant selects to make payments in lieu of building affordable housing units within the development. Payments will be made at the time of unit closings.
12. Prior to the issuance of a demolition permit, the Applicant must submit an updated construction phasing plan, including demolition plans and final piling plans, to the Planning Department for their Approval. Any changes that effect the parking decision must return to the Planning Board.
13. Prior to the issuance of a building permit, the Applicant will submit a bond to the Planning Department covering work directly pertaining to public streets, utilities and public amenities only, consistent with the requirements of Section 300-116 of the Salisbury Zoning Bylaw, and the bonding typically required for a subdivision pursuant to M.G.L. c. 41, § 81U. the amount of the bond will be set by the Director of the Department of Public Works.
14. It shall be in the Condominium Documents or other applicable documents that the full main aisle width of 25.5 feet be maintained and no other parking is permitted in that area. This shall be clearly delineated on site and maintained by the Condominium Association.
15. The Condominium Documents will state that a private company will be contracted to remove access snow off the property if snow storage areas become full.

16. Final Plan from the Assessor will be submitted to the Planning Department.

## **VII.**

### **PRIOR TO ANY SITE WORK**

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17. The applicant shall finalize any outstanding issues that have not been addressed from Peer Review letters or from Department Head comments.
18. Full complete sets of the last revised plans from The Morin-Cameron Group, Inc., shall be provided to the Planning Department, properly stamped, dated and indexed. These plans shall indicate compliance with all applicable Zoning By-Laws, except where relief has been expressly given by the proper authority including an endorsed ANR removing all internal property lines creating one parcel and recorded at the Registry of Deeds.
19. The Applicant shall coordinate with the Planning Department a pre-construction meeting with the Town staff prior to the start of any construction to review these conditions and any final construction sequencing, details, and plans for this Project. Commencement of construction includes any site clearing or grading. The limit of work line for the particular area or phase being developed shall be demarcated at this time through the placement of temporary snow fence material and erosion control barriers. Periodic status reports (agreed upon at said pre-construction meeting) shall be submitted to the Town outlining the general status of the construction and major milestones completed.
20. Prior to the Pre-Construction meeting, the Applicant shall provide an updated Construction Sequencing Plan, subject to the approval of the Town Engineering Consultant or designee.

The Applicant shall provide to the Planning Board the name, address and telephone number of the person immediately responsible for supervision of all work and maintaining compliance with the approval. This person shall serve as project manager until a Certificate of Completion is issued, or until another project manager is designated. Should the project manager change during the course of the project, the Planning Board shall be notified as soon as practical of this change

## **VIII.**

### **PRIOR TO THE ISSUANCE OF A BUILDING PERMIT**

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21. No building permit shall be issued until all required bonds for work directly pertaining to public streets, utilities and public amenities are posted, finalized plans are submitted to the Planning Department, and a pre-construction meeting has occurred.
22. All other requirements and permits shall be sought and received, including, but not limited to, utility connections. The Applicant shall bear the burden of ensuring all federal, state and local permitting has been sought and received. The "Applicant" refers to the person or entity holding the fee interest to the title to the site from time to time, which can include but is not limited to the Applicant, Developer and Owner.
23. Inform all contractors and subcontractors of the conditions and provisions of this approval. This approval shall be included in all construction contracts and subcontracts dealing with the work.
24. The Applicant shall coordinate with the DPW Director all Town and public easements for water, drainage and sewer, if applicable.
25. The work authorized hereunder must have active development occurring or at least substantial progress toward implementation as shown on the approved Site Plan within five (5) years of final approval or the approval shall lapse. This approval may be extended by the issuing authority for an additional two-year period if, in the opinion of the issuing authority, there is just cause to approve an extension.

## IX. DURING CONSTRUCTION

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26. Town staff or their designee shall have reasonable access to inspect the site to determine compliance with this Decision. All water, sewer and drainage facilities shall be subject to inspection by the Town, and all water and sewer facilities shall be constructed in accordance with Town specifications.
27. Hours of Construction shall be adhered to and said hours shall be posted in a conspicuous place at the entrance prior to any work on the site. These Hours are:  
Hours of Construction Operations:
  - I. Construction activity shall not take place on-site other than in individual units, or in any building contained therein, except during the following hours:
    - Mondays through Fridays: 7:00 AM to 7:00 PM
    - Saturdays: 8:00 AM to 5:00 PM
    - Sundays and Legal Holidays: none
28. Construction activities shall be conducted in a workmanlike manner at all times. Blowing dust or debris shall be controlled by the Applicant through stabilization, wetting down, and

proper storage and disposal methods.

29. Erosion and sedimentation control measures presented in the plan shall be adequate to retain all sediment within the site and away from wetlands, constructed wetlands, watercourses, and water bodies, both during and after construction.

## **X. PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY**

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30. Before the pre-construction meeting, the Applicant shall provide a bond, in the form of cash, surety, or in another form acceptable by Town Counsel, for the amount determined necessary by the Town's Engineering Consultant for the purpose of insuring that the final as-built plan showing the location of all utilities, curb cuts, stormwater treatment system, sidewalks, drainage facilities, public streets and amenities is submitted.
31. Prior to the issuance of any Certificate of Occupancy, the applicant must submit to the Planning Department, those portions of the condominium documents and/or lease terms confirming their consistency with the site plan approval.
32. Upon completion of the work described herein, the applicant shall submit a Request for a Certificate of Completion with final as built plans to the Planning Department, upon which time the Inspector for the Planning Department has 10 days to inspect the project.
33. The Applicant shall schedule a meeting with the Building Inspector and Town Planner within sufficient time before the request for a Certificate of Occupancy to enable review for compliance with this Decision.

## **XI. AFTER OCCUPANCY**

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34. The Applicant or future owner shall have the responsibility of maintaining or replacing the Site Plan Approval including, but not limited to; access, parking area, utilities, landscaping, stormwater and septic systems, signage and lighting as indicated in the plans.

## XII.

# MODIFICATION OF SITE PLAN

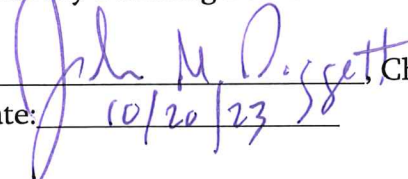
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35. In the event that the Applicant intends to modify the approved site plan, the Applicant must comply with §300-114 of the Zoning Bylaws:

- I. Minor Modification – Changes to the approved Plan which, in the opinion of the Planning Board, do not substantially alter the concept of the approved Plan in terms of the qualities of the specific location, the proposed land use, the design of building form and approved building details and materials, site grading or egress points including but not limited to small changes in site layout, topography, architectural plans, landscaping plans, traffic circulation, parking, lighting plan, signage, open space or other criteria set forth in MGL must be submitted to and approved by the Planning Board.
- II. Major Modification– Substantial additions, deletions or deviations from the approved Plan including but not limited to large changes in site layout, topography, architectural plans, landscaping plans, traffic circulation, parking, lighting plan, signage, open space or other criteria set forth in MGL are subject to a Public Hearing and vote by the Planning Board.

(Note: Approval of the major modification shall be grounds for reconsideration of the Site Plan application and Special Permits. Denial of proposed major modification shall not invalidate the Site Plan in conformance with previously approved Plan.)

John "Marty" Doggett,  
Salisbury Planning Board

  
\_\_\_\_\_, Chair  
Date: 10/20/23

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TOWN CLERK  
TOWN OF SALISBURY

2023 OCT 23 P 12: 21

### APPEAL NOTICE

Appeals of this decision shall be made in accordance with the M.G.L. Ch. 40A, §17 and shall be filed within twenty (20) days of the date of filing of this decision in the Office of the Salisbury Town Clerk.

By law, this decision shall not take effect until a copy of such notice has been certified by the Town Clerk that; Twenty (20) days has elapsed since the decision was filed and no appeal has been filed.

The Petitioner shall present and record the certified decision at the Essex Registry of Deeds in Salem MA. The cost of the recording shall be borne by the Petitioner. A registered

copy must then be presented to the Building Inspector in order to apply for an appropriate permit.

This Decision will lapse if Substantial use of the Petitioned Relief is not made within two (2) years for a Special Permit and the work authorized hereunder must have active development, or at least substantial progress toward implementation of the approved Site Plan occurring within five years, or the approval becomes void. This approval may be extended by the issuing authority for an additional two-year period if, in the opinion of the issuing authority, there is just cause to approve an extension.

cc:     Applicant,  
          Town Clerk,  
          Assessor,  
          Building Inspector,  
          DPW Director  
          File