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## Planning Board

Town of Salisbury  
5 Beach Road  
Salisbury, MA 01952

**Planning Board:**  
**John "Marty" Doggett,**  
*Chairperson*  
**Deborah Rider,**  
*Vice Chairperson*  
**Gil Medeiros,**  
**Lou Masiello**  
**Don Egan**  
**John Schillizzi, Alternate &**  
*Clerk*

## MAJOR SITE PLAN APPROVAL

March 28, 2022

Town Clerk  
Town of Salisbury  
Salisbury, MA 01952

**RE: Major Site Plan Review Application**

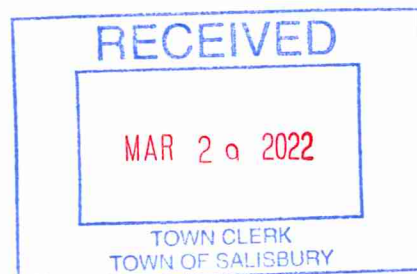
Owner: **FJ Realty Investments, LLC**  
Address of Owner: **156 Bridge Road, Salisbury, MA 01952**

Applicant: **Jamil Jouraij**  
Address of Applicant: **21 Mason Lane, Salisbury, MA 01952**  
Address of Project: **156 Bridge Road, Salisbury, MA 01952 (Map 14, Lot 4)**  
Zoning District: **Commercial District**

*To the Town Clerk:*

*This is to certify, at a duly noticed public hearing of the Salisbury Planning Board in regards to Site Plan Review, opened on February 9, 2022, continued to March 9, 2022, and closed on March 23, 2022, by a motion duly made and seconded, it was voted:*

"We, the Salisbury Planning Board, as requested by the applicant, **Jamil Jouraij**, under the provisions of Article XVIII of the Zoning By-Laws of the Town of Salisbury, to consider Site Plan approval upon the contemplated site plan development for property addressed at 156 Bridge Road (Assessors Map 14, Lot 4) as shown on plans ("The Plans") entitled:



***Plan of Land in Salisbury, MA, showing Proposed Site Improvements at 156 Bridge Road***, dated December 20, 2021, revised thru March 17, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Millennium Engineering, Inc., 62 Elm St, Salisbury, MA 01952 consisting of seven (7) sheets;

***Site Lighting Layout at 156 Bridge Road***, dated March 17, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Visible Light, Inc., 24 Stickney Terrace, Suite 6, Hampton, NH 03842;

***Landscape Plan in Salisbury, MA***, dated December 21, 2021, revised thru February 10, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by KDTurner Design, 27 High Street, Newburyport, MA 01950

***Stormwater Management Report***, dated January 20, 2022, revised thru February 16, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Millennium Engineering, Inc., 62 Elm St, Salisbury, MA 01952;

do hereby vote:

Gil Medeiros motioned to close the public hearing for the property located at 156 Bridge Road (Assessors Map 14, Lot 4).

Don Egan seconded.

Vote Passes: 5-0

- Deborah Rider, Vice Chairperson – YES
- Don Egan – YES
- Lou Masiello – YES
- Gil Medeiros – YES
- John Schillizzi – YES

## I.

### SITE PLAN DETERMINATION

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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 1-33 in this decision:

**Motion presented by: Gil Medeiros**

**seconded by: Lou Masiello**

**Vote on motion: 5-0**

- **Deborah Rider, Vice Chairperson – YES**
- **Don Egan – YES**
- **Lou Masiello – YES**
- **Gil Medeiros – YES**
- **John Schillizzi – YES**

## **II. MATERIALS**

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1. Plan of Land in Salisbury, MA, showing Proposed Site Improvements at 156 Bridge Road; dated December 20, 2021, revised thru March 17, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Millennium Engineering, Inc., 62 Elm St, Salisbury, MA 01952 consisting of seven (7) sheets;
  - a. Existing Conditions (C-1)
  - b. Site Plan (C-2)
  - c. Utility Plan (C-3)
  - d. Grading Plan (C-4)
  - e. Drainage Details (C-5)
  - f. Site Details (C-6)
  - g. Erosion Control Details (C-7)
2. Site Lighting Layout at 156 Bridge Road, dated March 17, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Visible Light, Inc., 24 Stickney Terrace, Suite 6, Hampton, NH 03842;
3. Landscape Plan in Salisbury, MA, dated December 21, 2021, revised thru February 10, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by KDTurner Design, 27 High Street, Newburyport, MA 01950
4. Stormwater Management Report, dated January 20, 2022, revised thru February 16, 2022, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Millennium Engineering, Inc., 62 Elm St, Salisbury, MA 01952;

5. Architectural Plans, Salisbury Petroleum Elevations, dated September 26, 2021, prepared for Jamil Jouraij, 21 Mason Lane, Salisbury, MA 01952, prepared by Demorla Design & Build.

6. Signed Abutter Agreement between 156 Bridge Road and 154 Bridge Road.

7. Site Plan Review Application, dated January 21, 2022.

8. Letter from Joseph Serwatka, Planning Board Review Engineer, dated:

a. January 30, 2022, February 19, 2022,

9. Town Departments' Letters of Review:

- Health Department: December 30, 2021
- Police Department:
- Fire Department:
- Conservation Commission: March 24, 2022
- Building Inspector: January 5, 2022
- Assessor:
- Department of Public Works: January 29, 2022

12. Millennium Engineering, Inc. Response Letters dated:

- February 16, 2022 (PB Review Letter), February 16, 2022 (DPW Review Letter), March 17, 2022 (PB Review Letter)

### III.

## FINDINGS

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1. The Site Plan contains a design that has provided the foundation for the Planning Board to determine that the requirements, standards and guideline of the Salisbury Planning Board Rules and Regulations and the general requirements, design and performance standards of Article XXIII of the Zoning By-laws of the Town of Salisbury have been completed in a satisfactory manner.
2. Currently **156 Bridge Road (Map 14, Lot 4)**, the proposed site, is vacant. The parcel is situated in the Town's Commercial District. The parcels consist of 0.50 acres (21,704 SF) with frontage on Bridge Road.
3. The project will consist of a service garage with a 2<sup>nd</sup> floor apartment. The site improvements also include a stormwater management system, utility connections, landscaping, and lighting.

4. The project will have seven (7) (10' x 20') parking spaces and one (1) ADA handicap parking space for a total of eight (8) parking spaces. Two (2) parking spaces in front of the garage will be used as temporary parking spaces for vehicle drop-off. The other six (6) parking spaces will be in the back of the property.
5. The project will have a post and rail fence around the property.
6. The project will have a dumpster with a 6' high vinyl fence, or approved equal, located in the northern portion of the property.
7. The Planning Board has been advised through Town staff and consultants that utilities and public works as proposed are adequate for the project.

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

## IV.

## CONDITIONS

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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. Contact information for any successor in interest or successor in control shall be provided to the Planning Department as soon as changes are known.
3. 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.
4. The work shall conform to the plans and conditions referenced in this approval. No change to an approved plan shall be made until the applicant receives written permission from the Planning Board.
5. Applicant must obtain compliance with all zoning requirements before a building permit is issued.
6. Snow shall be stored on site per plan and the snow shall not block roadways, sidewalks/pathways, parking areas, turnarounds, or stop the drainage from properly functioning. If the snow storage areas are at capacity, snow is to be carted off site. This will be the responsibility of the applicant.
7. The Inspection & Maintenance Log shall be conducted for each BMP as specified in the log.

8. The Inspection & Maintenance Log shall be submitted yearly, in October, to the Planning Department, Department of Public Works, and the Conservation Commission. If there are any issues or actions that should be addressed, they shall be addressed and a follow up inspection shall be conducted to show they were addressed. This is to ensure the stormwater system, as shown on the plans, are maintained and functioning properly.
9. The applicant has entered into an agreement with 154 Bridge Road. This agreement stipulates that the applicant agrees to widen the driveway to 10' wide for 154 Bridge Road as shown on the approved plans. The applicant also agrees to build a new sewer pump for 154 Bridge Road on the abutters property or grant him an easement to continue using the exiting sewer pump on the 156 Bridge Road property. The Planning Department requests proof that this agreement has been fulfilled prior to receiving an Occupancy Permit.
10. The Applicant shall have the fill under the proposed paved areas tested to determine whether it is "unsuitable" or frost susceptible. A copy of the test reports shall be submitted to the Planning Department and the Town Engineering Consultant prior to starting construction.
11. The light pole in the back of the property will be put on a motion sensor and the light fixture on the north side of the building facing 154 Bridge Road will be put on a timer to not cause a nuisance to the abutting property.
12. The Applicant shall install a 2<sup>nd</sup> means of egress for the apartment prior to receiving an Occupancy Permit for the apartment.

## **PRIOR TO ANY SITE WORK**

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13. This Site Plan Approval Decision shall be recorded at the Salem Registry of Deeds and a copy of the recorded decision be submitted electronically to the Planning Department.
14. The lastly revised plans dated March 17, 2022, shall be updated as Conditioned in this Decision and electronically submitted 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.
15. 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 and all final construction sequencing, details, and/or 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.

16. The Applicant shall provide a Construction Sequencing Plan, subject to the approval of the Town Engineering Consultant or designee.
17. The Applicant is to meet with the Planning Department and the Department of Public Works to ensure compliance with any requirements, including bonding.

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

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18. No building permit shall be issued until all required bonds are posted, finalized plans are submitted to the Planning Department, and a pre-construction meeting has occurred.
19. 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 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.
20. 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.
21. 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 and shall supersede other contract requirements.
22. The Applicant shall deliver a final set of site development plans to the Town's Engineering Consultant prior to the commencement of construction, which shall indicate labels of all wetland boundaries, buffer zones and marsh areas.
23. The Applicant shall coordinate with the DPW Director all Town and public easements for water, drainage and sewer, if applicable.

24. The Fire Suppression System, hydrant locations and alarm design shall be subject to approval by the Fire Chief or his designee. The Final Plan as approved by the Fire Chief or his designee shall be submitted to the Planning Department.
25. 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.

## **DURING CONSTRUCTION**

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26. 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 or in any building contained therein except during the following hours:

Mondays through Fridays inclusive: 7:00 AM to 7:00 PM,  
Saturdays: 8:00 AM to 5:00 PM,  
Sundays and Legal Holidays: none

27. Construction vehicles and construction related engines shall not be started/idle prior or after the allowed hours of construction as stated in condition 26.
28. Hours of construction shall be displayed by the Applicant at all construction entrances to the site.
29. 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.
30. 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.



31. 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.

## **PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF COMPLETION**

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32. The Applicant shall schedule a meeting with the Building Inspector and Town Planner at least 30 days before the request for a Certificate of Occupancy to review compliance with this Decision.

## **AFTER OCCUPANCY**

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33. The Applicant or future owner shall have the responsibility of maintaining or replacing the parking area, landscaping, stormwater and septic systems, signage and lighting as indicated in the plans and shall be required to properly implement the Operations and Maintenance Plan.

## **MODIFICATION OF PLANS**

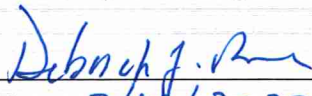
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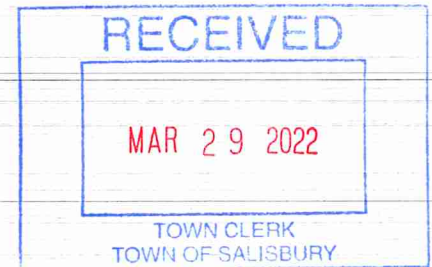
The following shall be used in the event modifications to the approved plans and Decision are requested:

- a) 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 Department.
- b) 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.)

Deborah Rider,  
Salisbury Planning Board

, Vice Chair  
Date: 3/28/2022



### 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