

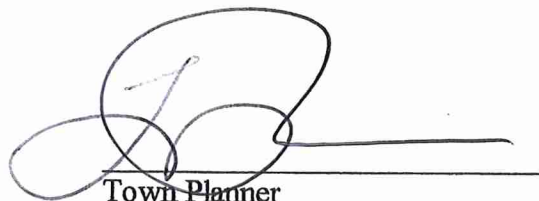


**SALISBURY PLANNING BOARD**  
**ACCESSORY APARTMENT SPECIAL PERMIT RECOMMENDATION**

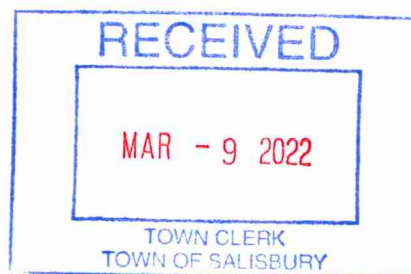
Please include the following items to ensure a timely recommendation to the Board of Appeals by the Planning Board:

1. Application must be filled out completely and correctly. (Map and Parcel must be included. Can be found in the Assessor's Office.) **Attachment 1**
2. A copy of the Special Permit Application to the Board of Appeals.
3. A Plan drawn to scale which includes the floor plan of the entire building, any other accessory buildings, the lot lines with lot area specified, and parking. (7 Copies)

**IMPROPER OR INCOMPLETE INFORMATION WILL RESULT IN A DELAY IN THE FINAL RECOMMENDATION.**

  
Town Planner

**As soon as all information mentioned above is submitted, the Planning Board will place the item on the agenda within 30 Days.**





Attachment 1

TOWN OF SALISBURY  
REQUEST FOR PLANNING BOARD RECOMMENDATION - ACCESSORY APARTMENT

Date 03-07-2022

Applicant's Name MARCOS COSTA  
Applicant's Address 18 PLEASANT ST, SALISBURY  
Telephone # (207) 329-3680

This application is for property located at  
18 PLEASANT ST, SALISBURY, Salisbury, Massachusetts.

Tax Map # 3 Lot # 119

1. Owner of Property: MARCOS COSTA  
Owner's Address: 18 PLEASANT ST, SALISBURY
2. Zoning District: R2, VRO
3. Lot Size: .287 acres
4. Existing Use: RESIDENTIAL
5. Proposed Floor area of Accessory Apartment: BASMENT
6. Total Area of lot covered by all existing and proposed buildings: 2,102 SF
7. Number of parking spaces provided: 2
8. Other Permits Required and Status of Applications: N/A

Mary A. Costa  
Signature of Applicant

Marcos A. Costa  
Signature of Owner

Received: [Signature]  
Planning Board



**TOWN OF SALISBURY** RECEIVED  
TOWN CLERK  
TOWN OF SALISBURY  
Zoning Board of Appeals  
5 Beach Rd, Salisbury, MA 01952  
2022 MAR -8 P 2: 50

### Petition for Relief / Special Permit

Case #: ZBA22-000007  
Address: 18 PLEASANT ST  
Map: 3- Lot: 19

Application Date: 03/07/2022

#### Application Information:

Applicant Name: *marcos costa*

Applicant Contact Type: *Homeowner*

Applicant Address: *18 pleasant st, salisbury, ma 01952*

Applicant Company Name:

Applicant Company Address: , ,

Applicant Home Phone:

Applicant Cell Phone: *(207) 329-3680*

Applicant Work Phone:

Applicant Type: *Property Owner*

Doing Business As?

#### Application Zoning Information:

Have you appeared before any other Town Board or Commission related to this Project? *No*

Applicable Bylaw: 300-35 - *Special Permit to allow a Similar Use*

Applicable Section(s) of the Zoning Bylaw: 300-58

Reason for Relief: *To construct accessory apartment onto the rear of the existing two family home.*

Present Use of Property: [zbapermit:::21424:::248850]

Proposed Use of Property: *Residential*

Proposed Use Sub-Definition:

Is the property located in a designated Historic District or is it designated as a Historic Landmark? *No*

### **Relief Request Questions:**

1. The use requested is listed in the Table of Use Regulations as a special permit in the district for which the application is being made, or is similar but not listed.

2. Is the requested use essential and/or desirable to the public convenience or welfare?:

*N/A*

3. Will the use create undue traffic congestion or unduly impair pedestrian safety?

*No*

4. Will the requested use overload any public water, drainage or sewer or other municipal system so as to adversely affect health, safety, and general welfare of the Town?

*No*

5. Are all special regulations for the use, as set forth in the Special Permit Table, or within the Bylaw section listing requirements for this Permit, fulfilled and completed?

Yes

6. Will the requested use impair the integrity or character of the district or adjoining districts so as to adversely affect health, safety, and general welfare of the Neighborhood?

No

7. Will the requested use, by its addition to a neighborhood, cause an excess of that use that could be detrimental to the Neighborhood?

No

Has a variance, special permit, or finding been requested before for these premises?

[zbapermit::21424::255546]

Describe previous request:

*Describe previous request:*

## Attachments & Documents

Site/Plot Plans:

Tax Statement:

Deed: 18 Pleasant St Deed.pdf

Other Petitions:

Other Supplemental Material:

## SIGNATURE

I hereby certify that the information on this application and plans submitted herewith are correct, and that the application complies with all applicable provisions of Statutes, Regulations, and Bylaws to the best of my knowledge, and that all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.

*Walter Costello*

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Signature

ACCESSORY APARTMENT: 730 SQ.FT.

● EXISTING WINDOW 36X10 INCH

▶ EXISTING WINDOW 44X28 INCH

⊗ WILL INSTALL EGRESS WINDOW

LIVING  
Room

PANTRY

FREE  
DGE

KITCHEN

ISLAND

CLOSET

SINK

W

D

BEDROOM

BEDROOM

CLOSET

BATHROOM

CLOSET

UTILITY

RENEY, MORAN, & TIVNAN

REGISTERED LAND SURVEYORS

75 HAMMOND STREET - FLOOR 2

WORCESTER, MA 01610-1723

PHONE: 508-752-8885

FAX: 508-752-8895

RMT@HSTGROUP.NET

A Division of H. S. & T. Group, Inc.

MORTGAGE INSPECTION PLAN

NAME MARCOS A. COSTA

LOCATION 18 PLEASANT STREET

SALISBURY, MA

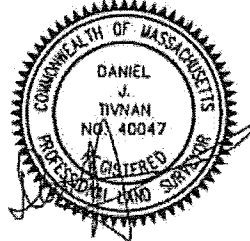
SCALE 1" = 30' DATE 09-20-21

JOB # 09-1071-21

REGISTRY ESSEX SOUTH

BASED UPON DOCUMENTATION PROVIDED, REQUIRED MEASUREMENTS WERE MADE OF THE FRONTAGE AND BUILDING(S) SHOWN ON THIS MORTGAGE INSPECTION PLAN. IN OUR JUDGEMENT ALL VISIBLE EASEMENTS ARE SHOWN AND THERE ARE NO VIOLATIONS OF ZONING REQUIREMENTS REGARDING STRUCTURES TO PROPERTY LINES (UNLESS OTHERWISE NOTED IN DRAWING BELOW).  
NOTE: NOT DEFINED ARE ABOVEGROUND POOLS, DRIVEWAYS, OR SHEDS WITH NO FOUNDATIONS. THIS IS A MORTGAGE INSPECTION PLAN; NOT AN INSTRUMENT SURVEY. DO NOT USE TO ERECT FENCES, OTHER BOUNDARY STRUCTURES, OR TO PLANT SHRUBS. LOCATION OF THE STRUCTURE(S) SHOWN HEREON IS EITHER IN COMPLIANCE WITH LOCAL ZONING FOR PROPERTY LINE OFFSET REQUIREMENTS, OR IS EXEMPT FROM VIOLATION ENFORCEMENT ACTION UNDER MASS. G.L. TITLE VII, CHAP. 40A, SEC. 7, UNLESS OTHERWISE NOTED. THIS CERTIFICATION IS NON-TRANSFERABLE. THE ABOVE CERTIFICATIONS ARE MADE WITH THE PROVISION THAT THE INFORMATION PROVIDED IS ACCURATE AND THAT THE MEASUREMENTS USED ARE ACCURATELY LOCATED IN RELATION TO THE PROPERTY LINES.

NOTE:  
INSTRUMENT SURVEY RECOMMENDED  
FOR MORE ACCURATE LOCATION OF  
STRUCTURES.



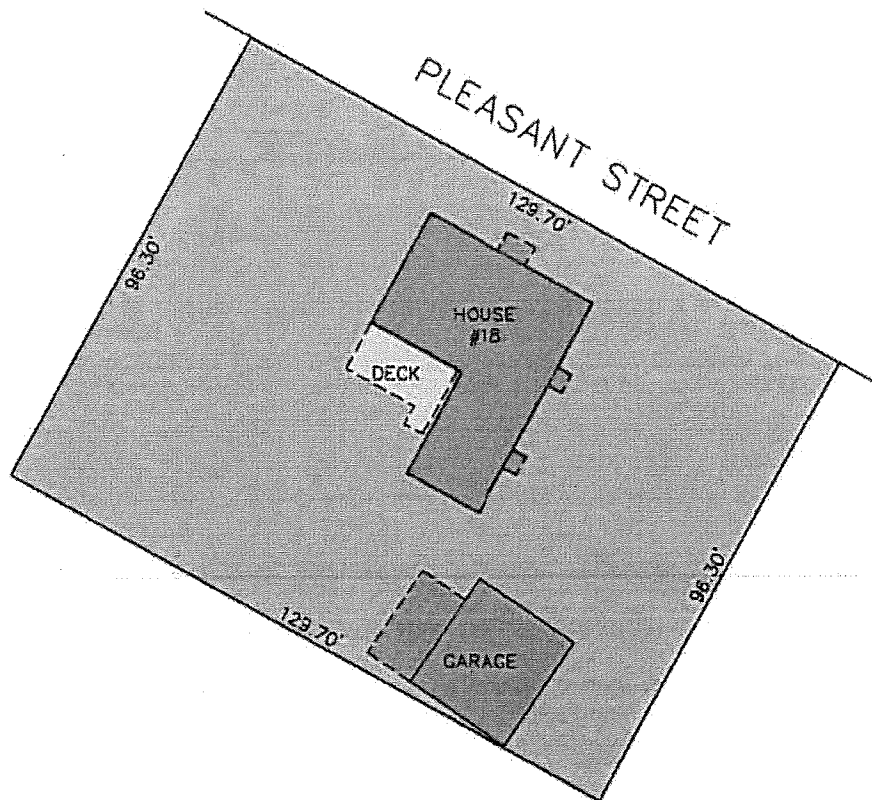
DEED BOOK/PAGE 32453/319

PLAN BOOK/PLAN DEED/ASSESSORS

WE CERTIFY THAT THE BUILDING(S) ARE NOT WITHIN THE SPECIAL FLOOD HAZARD AREA. SEE FEMA MAP:

128F DTD 07-03-2012

FLOOD HAZARD ZONE HAS BEEN DETERMINED BY SCALE AND IS NOT NECESSARILY ACCURATE. UNTIL DEFINITIVE PLANS ARE ISSUED BY FEMA AND/OR A VERTICAL CONTROL SURVEY IS PERFORMED, PRECISE ELEVATIONS CANNOT BE DETERMINED.



REQUESTING OFFICE: ALAW | BRAZA P.C.  
REQUESTED BY:

DRAWN BY: SP  
CHECKED BY:



*Town of Salisbury, MA  
Friday, January 17, 2020*

## Chapter 300. Zoning

### Article XI. Accessory Apartments

[Added 5-19-1986 ATM by Art. 54]

#### § 300-57. Purpose.

The special regulations contained in this article have been enacted for the purpose of encouraging the construction of a limited number of housing units suitable for occupancy by persons that may not need or afford single-family detached housing, while ensuring compliance with local planning standards and policies concerned with land use, building design, and requirements of the health, safety, convenience and general welfare of the inhabitants of the Town.

#### § 300-58. Approving authority.

[Amended 10-25-1999 ATM by Art. 7; 10-26-2009 ATM by Art. 19]

An owner or owners of a single-family detached dwelling may, after consultation with the Planning Board, apply to the Zoning Board of Appeals for a special permit for the construction and occupancy of an accessory dwelling unit as part of the principal residential structure, the accessory dwelling unit thus created being hereinafter referred to in this article as an apartment. The following procedural requirements shall be in addition to the general requirements for a special permit specified in § 300-35.

#### § 300-59. Standards and conditions.

After notice and public hearing, and after due consideration of the reports and recommendations of the Planning Board and the Board of Health, the Zoning Board of Appeals may grant such a special permit provided that:

- A. The apartment is accessory to the principal residence. The floor area of the apartment shall not be more than 900 total square feet for all new construction or additions to existing residential structures, and the total area of the enclosed space in all buildings on any lot does not exceed 25% of the area of the lot.

[Amended 10-25-1999 ATM by Art. 7]

- B. Either the apartment or the principal residence is occupied by the owner of the lot on which the apartment is to be located, except for bona fide temporary absences.
- C. Adequate provision has been made for the disposal of sewage, waste, and drainage generated by the occupancy of such apartment in accordance with the requirements of

the Board of Health and the Board of Selectmen, including the provision of a separate septic system meeting Title Five requirements if a sewerage connection is not available.

[Amended 10-25-1999 ATM by Art. 7; 10-23-2006 ATM by Art. 5]

- D. Adequate provision has been made for ingress and egress to the outside from such apartment.
- E. The construction and occupancy of the apartment will not be detrimental to the neighborhood in which the lot is located or injurious to persons or property.
- F. The lot on which the apartment and principal residence are located contains at least 20,000 square feet.<sup>[1]</sup>
  - [1] *Editor's Note: Original Sec. X.D.3(7), which immediately followed this subsection, as amended 5-17-1993 ATM by Art. 26, was deleted 10-25-1999 ATM by Art. 7.*
- G. Adequate provision has been made for off street parking of motor vehicles in such a fashion as is safe and is consistent with the character of a single-family residence. Parking shall be provided at least at a rate of two spaces per dwelling unit.
- H. There is no other apartment on the lot on which the apartment is to be located.

## § 300-60. Coordination and decisions.

- A. In order to insure compliance with § 300-59 above, the applicant shall obtain and submit to the Zoning Board of Appeals, prior to the hearing, a written report of the Board of Health certifying that the conditions of § 300-59 have been met. The Board of Health may supplement its report within five days after the hearing. In connection with an application for a special permit under this article, the applicant shall consult with the Planning Board prior to the hearing and the Planning Board shall submit, in writing, prior to the hearing, its recommendation and report to the Zoning Board of Appeals. The Planning Board may supplement its report within five days after the hearing. The report of the Planning Board shall include as a minimum:
  - (1) A determination of the area of the lot on which the apartment is located.
  - (2) A general description of the neighborhood in which the lot lies and the effect of the proposed apartment on the neighborhood.
  - (3) The Planning Board's recommendations as to the advisability of granting the special permit and as to any restrictions which should be imposed as a condition of such permit.
- B. The Zoning Board of Appeals shall give due consideration to the report of the Planning Board and, where its decision differs from the recommendation of the Planning Board, shall state the reasons therefor in writing. In rendering its decision, the Zoning Board of Appeals may impose special conditions and/or time limits on the permit.