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Planning Board
Town of Salisbury
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Planning Board:

Don Egan,

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John "Marty" Doggett

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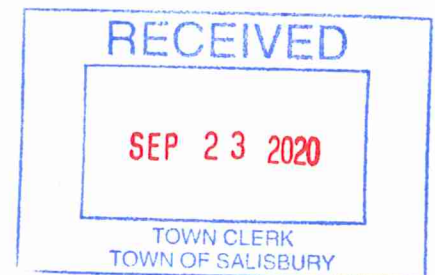
MAJOR SITE PLAN REVIEW

September 8, 2020

Town Clerk

Town of Salisbury

Salisbury, MA 01952



RE: Major Site Plan Application

Applicant: Arakelian Family LLC

Address of Applicant: 201 Elm Street, Salisbury, MA

Address of Project: 195 & 201 Elm Street

To the Town Clerk:

This is to certify, at a duly noticed public hearing of the Salisbury Planning Board as regards in regards to a Site Plan and opening on March 25, 2020 and continued to June 10, 2020, closed on July 8, 2020, by a motion duly made and seconded, it was voted:

We, the Salisbury Planning Board, as requested by Arakelian Family LLC, under the provisions of General Laws Chapter 40A and the C-Commercial District of the Zoning By-Laws of the Town of Salisbury, to consider a Site Plan permit approval upon the contemplated Mini-Storage System with parking for property addressed at 201 (Assessors Map 9 Lot 46 and 67) as shown on plans ("The Plans") entitled:

"Mini-Storage System, Elm Street in Salisbury, MA"; prepared for Arakelian Family, LLC, 201 Elm Street, Salisbury, MA; and stamped by Thad Berry P. E. of ASB Design Group LLC and dated 5/24/18 with revisions dated 7/05/18, 11/11/2018, 4/5/2020 and 4/9/2020, as do hereby vote:

I.

SITE PLAN APPROVAL

L. Masiello motioned to approve the site plan application for property located at 201 Elm Street subject to final approval of a landscape plan and luminaire plan as well as the successful closing out of the previous project.

G. Medeiros seconded

Vote Passed: 5-0

II

MATERIALS

(Included, but not limited to:)

1. The Plan Sheets: C1 through C10, dated May 24, 2018 and revised July 5, 2018, November 11, 2018, April 5, 2020 and submitted April 9, 2020
2. Site Plan Review Application, submitted February 27, 2020.
3. Site Plan Review comments from Joseph Serwatka, P.E., Planning Board Review Engineer, dated March 29, 2020 and April 21, 2020
4. Response to Joseph Serwatka's Site Plan Review comments from ASB Design Group, LLC, dated April 9, 2020

III

FINDINGS

1. Currently, 195-201 Elm Street, the proposed site, are two lots under common ownership whose land area combine to total of 13.8 acres. The two lots are located in the Commercial (C) Commercial-3 (C-3) and Low Density Residential (R-1) Districts. The existing uses operating on the lot are a movie theater and a restaurant.
2. The Applicant is proposing to build 10 self-storage units comprising 55,505 sf on top of an existing parking lot. In addition to the storage units, there will fencing that surrounds the storage units, accommodating utilities, stormwater management system, security cameras; lighting and parking spaces.
3. In the past, there has been vandalism, theft, and illegal dumping that occurred in and around the location of the proposed storage units. The Applicant asserts that the construction of the storage units together with its security system (cameras, fence and FOB locked gates) will act as a deterrence to such activities.
4. The Applicant has provided an economic analysis on that concludes self-storage

units at a 1 and miles radius have high occupancy rates and that current and future demographic conditions will demand more storage space.

IV

SITE PLAN CONDITIONS

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 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 and shall be recorded in the registry of deeds before the pre-construction meeting permit decision to the Planning Department.
4. The Applicant or its contractor shall during construction coordinate with local officials to connect the proposed utilities with existing utilities. Utilities shall be inspected by the DPW or designer.
5. No light shall reflect on surrounding properties, and all lighting shall be dark-sky compliant.
6. The applicant shall submit a landscaping plan for approval by the planning department
7. The application shall submit a luminaire plan for approval by the Planning Department.
8. The applicant shall submit all documentation to close out the prior project before a Certificate of Occupancy is issued.
9. The Applicant will provide sufficient screening to prevent sight of the self-storage units from the street and from the inhabited portion of adjacent property.

V

PRIOR TO ANY SITE WORK

10. 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.

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

PRIOR TO THE ISSUANCE OF A BUILDING PERMIT

13. 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.
14. 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.
15. The applicant shall 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.
16. 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.

17. The Applicant shall coordinate with the DPW Director all Town and public easements for water, drainage and sewer, if applicable.
18. 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 Town Planner.
19. 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.
20. 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:

DURING CONSTRUCTION

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 5:00 PM,
Saturdays: 8:00 AM to 5:00 PM,
Sundays and Legal Holidays: none
21. 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.
22. 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.
23. 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

24. Applicant shall apply for a Certificate of Completion, per §300-112.H of the Salisbury Zoning Bylaws.
25. The Applicant shall schedule a meeting with the Building Inspector and Town Planner 30 days before the request for a Certificate of Occupancy to review compliance with this decision.

AFTER OCCUPANCY

26. The Applicant or future owner shall have the responsibility of maintaining or replacing the roadway and access, parking area, utilities, landscaping, stormwater and septic systems, signage and lighting as indicated in the plans.

MODIFICATION OF PLANS

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

- a) In the event that the applicant intends to modify the approved Site plan review, the Applicant must comply with MGL Chapter 40.

Don Egan,
Salisbury Planning Board

Don Egan, Chair

Date: 9/21/20

cc: Applicant,
Building Inspector,
File

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.