Amendment to Special Permit and Site Plan Parison

Salisbury Planning Board

Date _	1-13-22				
	t: 4 Beach Road LCC and Jongthan Miller, Trestor, Full name Address	★ Mark to 100 m Mark 100 m M			
Applican	t's E-mail Address: C/o LISA Mens, MrAD Talerman au	nd Costa, LCC			
	30 Green St., Newburgport Full name Address	MA 01950			
	Full name Address	phone number			
Lesgee:					
	Full name Address	phone number			
Тах Мар	0#_3Lot#_	TILOLIVED			
	Location of Premises: 3 Bridge Road	JAN 1 3 2022			
2.	Zoning District: Village Center District				
3.	Parcel Size: 51, 66 3 sq ft	TOWN CLERK TOW: OF SAUNBURY			
4.	(OSRD applications only): Applicable Land Area:Open Space Percent	tage;			
5.	Number of existing buildings on parcel:				
6.	What is the existing use of the subject premise? Horizontal MIXX	eduse			
7.	Provide a detailed description of the proposed use of premises, including # of proposed structures (attach additional pages if necessary): Propose to annual Special Permit				
	Site Plan Review Decision dated Sept.	· .			
8.	Zoning by-law provision under which application is made: Village Cunter 13154.				
9.	State grounds for this application, please be specific. Special permit criteria can be found in the Zoning Bylaw §300-35 (attach additional pages if necessary):				
	Sett See letter Attached				
10.	Other Permits Required and Status of Applications: Amendment to Special Permit				
Davis Duly, Manager by his attorny By Signature of Owner Signature of Applicant Dona Than Miller Trustee by his attorney And					

REQUIREMENTS AND WAIVER REQUEST FORM

Мар	and Parcel #Project Address		
Plan	Requirements	Included in	Requesting
		Application	Waiver
Α.	Plans drawn by registered professional		
B.	Existing site conditions: 1. All waterbodies 2. Wetland and Boundaries 3. Topography 4. Vegetation types 5. Other natural features		
C.	Location of: 1. Proposed landscaping 2. Existing landscaping and open space		
D.	Use Plan indicating locations of 1. Proposed building and additions 2. Parking 3. Service and loading areas 4. Curbing and driveway locations 5. Trash and receptacles or dumpsters 6. Lighting 7. Other site alterations	s	
E.	Architectural plans of all proposed buildings 1. Floor plans 2. Elevation plans		
F.	Utility Plans showing 1. Water and sewer connection 2. Stormwater Drainage Plan		
G.	Luminaire Plan showing		

Special Permit Submittal Checklist

Before any Special Permit application can be filed at the town clerk's office, the following departments must receive the specified information and sign below that the information has been received. Departments have 14 days within which they may comment on the proposed plan.

Board of Health		
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		
Fire Department		
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		
Department of Public Works		
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		WA
Building Department		L D C = U A D
(1 Sets of Plans) Received By:	Date:	_ Geause
(1 copy of special permit application)		, C O A
Conservation Commission		1) WY
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		amenavas
Police Department		
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		
Assessor's Department		
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		
Planning Department		
(1 Sets of Plans) Received By:	Date:	
(1 copy of special permit application)		



30 Green Street Newburyport, MA 01950 Phone 978.463.7700 Fax 978.463.7747

www.mtclawyers.com

Millis Office
730 Main Street, Suite 1F
Millis, MA 02054
Phone/Fax 508.376.8400

New Bedford Office 227 Union Street, Suite 606 New Bedford, MA 02740 January 12, 2022

John "Marty" Doggett, Chair Salisbury Planning Board City Hall 5 Beach Road Salisbury, MA 01952

Re: Request for Amendment to Site Plan Review Decision dated September 11, 2019 ("Decision")

3 Bridge Road, Salisbury, Massachusetts,

Assessor's Map 3, Lot 10 (the "Property")

Dear Chair and Members of the Board:

Reference is made to the above captioned matter. In that connection I represent David Daly, the Manager of 4 Beach Road LLC, the developer of the Property (the "Petitioner"). In an effort to provide to the Board several conditions in the decision that don't currently exist, such as a restriction on the type of commercial use, a time frame within which the existing commercial building must be removed and a new once constructed, and in recognition of the efforts of the Petitioner to date to bring this entire project to fruition, and to address some of the concerns expressed by the Board at prior meetings and in recognition of the release of the five Certificates of Occupancy for the five (5) Unit Building, the Petitioner requests the Board make the following amendments to the Decision:

Amendment

- 1. Notwithstanding any other requirement herein to the contrary, the Petitioner proposes and the Board accepts that the commercial use on the Property shall not include a drive through component.
- 2. The existing commercial building adjacent to Bridge Road will be removed on or before 30 days from the date the five (5) unit residential building is released for occupancy by the Planning Board informing the Building Inspector the Partial Certificate of Compliance has been issued.
- 3. The Petitioner will install temporary landscaping on or before May 30, 2022, said temporary landscaping shall be substantially in

conformance with the plan submitted with this proposed amendment in the area of the proposed commercial building.

- 4. Once a partial Certificate of Completion is issued for the eight-unit residential structure and the existing commercial building is removed and the temporary landscaping is installed the Petitioner, will not use the commercial portion of the Project for storage before construction of the commercial development commences.
- 5. The Board shall issue a Partial Certificate of Completion allowing for the release of the eight (8) unit residential structure upon receipt by the Board's Peer Review engineer that access to and from the structure from Beach Road is safe for the residents thereof. Said review shall be done in conformance with the Board's regulations upon ten (10) days written notice from the Petitioner. In addition, at the time of the release of the eight (8) units, the Petitioner shall provide security to the Board in the form of a Bond or Tripartite Agreement, as the Petitioner determines, to secure the completion of the infrastructure for the Project, including but not limited to paving, curbing, landscaping, stormwater system(s), water and sewer connections.
- 6. The Petitioner will commence construction on a commercial structure within two (2) years of the issuance of the certificates of occupancy for the eight (8) residential units.

It is the opinion of the Petitioner that this is a major modification and as such should be advertised for the second meeting in February. We thank you for your time and consideration.

Should you have any questions or concerns, please contact me at (978) 463-7700.

Sincerely,

Lisa L. Mead

cc: Client

January 13, 2022

Tiffany Szeto c/o Michael McCarthy, Esq. Liberty Law & Title, LLC 11A Liberty Street Newburyport, MA 01950

c/o Michael McCarthy, Esq. Liberty Law & Title, LLC 11A Liberty Street Newburyport, MA 01950

RIM Properties, Inc.

Felix Vincente and Jessica Rosario c/o Paul M. Russell, Esq. Law Office of Paul M. Russell, LLC 231 Broadway Methuen, MA 01844 Eric Haley c/o Kenneth J. Leitner, Jr., Esq. Loughran & Corbett Attorneys, Inc. P.O. Box 228 Watertown, MA 02471-0228

John D. Farley and Charlene A. Farley c/o Robert G. Peterson, Esq. 314 Main Street Wilmington, MA 01887

Re: The Townhomes on Beach Road Condominium 3 Bridge Road, Salisbury, MA

Dear Buyers:

Reference is made to the above referenced Condominium in which you are purchasing a residential unit in the "C" Building from the developer, 4 Beach Road LLC.

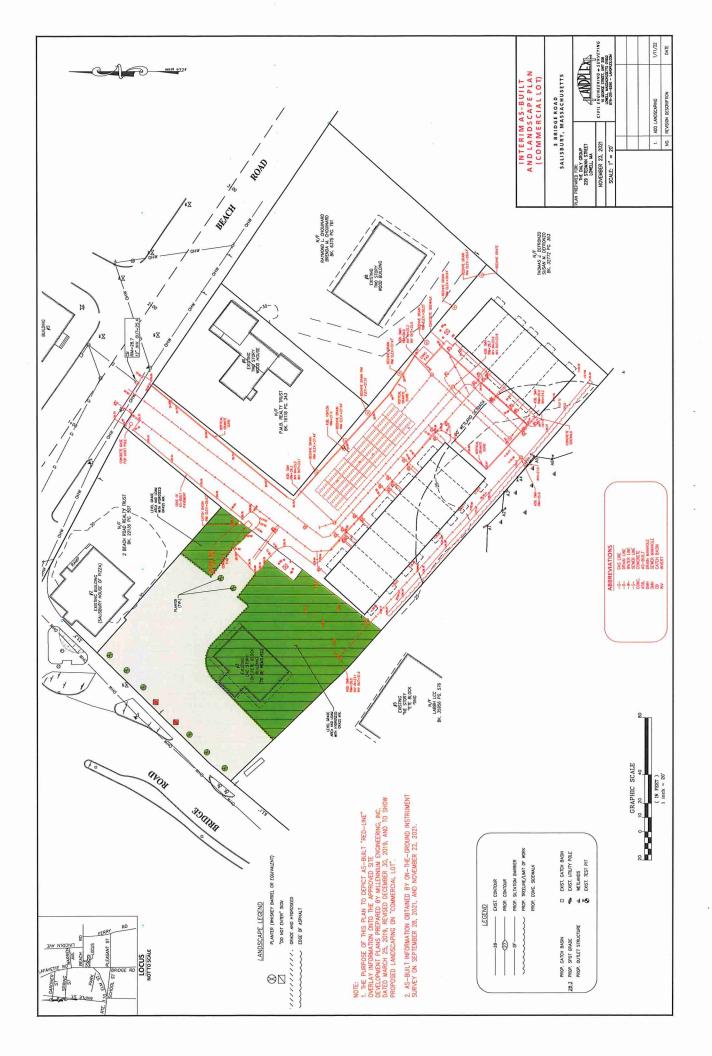
The Condominium is part of a mixed-use horizontal development approved by the Town of Salisbury Planning Board by Special Permit & Site Plan Approvals, dated September 10, 2019, and recorded with the Essex County Southern District Registry of Deeds at Book 39794, Page 233. As you know, the project is being developed as Salisbury Square Condominium which comprises thirteen (13) residential units, in two (2) residential buildings on Units B and C of the Condominium (The Townhomes on Beach Road Condominium), and the development of one (1) commercial building on Unit A.

While 4 Beach Road LLC is preparing to convey the residential units soon, the commercial development remains unfinished. Until the commercial development is complete, and all of the terms of the Planning Board's Decision are complied with, the project will not be in full compliance with the Town's Zoning Bylaw.

4 Beach Road LLC is continuing to work closely with the Planning Board to ensure the successful completion of this development.

Very truly yours,

Lisa L. Mead Jeffrey M. Poirier



TAX AND BETTERMENT PAYMENT CERTIFICATION

Date /-/3-22	
Map 3 Parcel 13 A 3-13	3B-1-8 3C 1-5
Owner's Name: Sail Lofts Really Tru	st, Smathum Miller, Trostee and Teffrey Carroll
Property Address: 3 Bridge Road	, Salisbury, MA
\mathcal{J}	rcel $\frac{13}{34-1}$. The next billing date is $\frac{134-1}{36-1-8}$ $\frac{136}{36-1-5}$
Signature: Aug attm. Item Treasurer or Treasurer's Clerk	Date:
TICASUICI OI TICAGUICI S CICIL	

ABUTTERS LIST REQUEST

TO BE SUBMITTED DIRECTLY TO ASSESSORS OFFICE

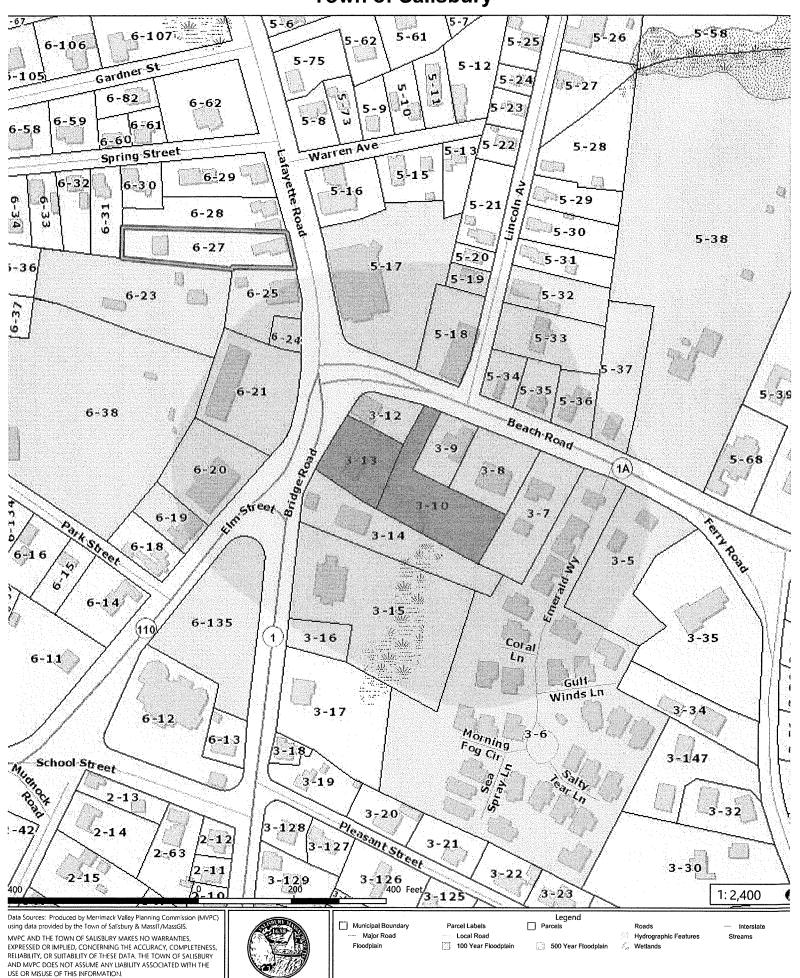
Abutters Lists will be processed within 10 days of Receipt by Assessors Office

PROPERTY ADDRESS: 3 Bridge Road

PROPERTY ADDRES	SS: 3 Bridge Ro	Assessor's Office			
NAME OF APPLICAN Trustee, Sail Lofts Realty NAME OF PROPERT	Trust c/o Lisa Mea	Date Stamp: CEIVED			
CONTACT PHONE: 9	78-463-7700		DAN 13 ZUZZ EZ		
MAP: <u>3</u> LOT: <u>70.13</u>			SALISBURY BOARD OF ASSESSORS		
FEE: \$25 One Board \$15 each additional Board \$15 Recertification per Board					
BOARD/APPLICATIO	N TYPE:	AMO	UNT DUE:		
ZONING BOARD:	300 FEET 300 FEET 300 FEET	VARIANCE SPECIAL PERMIT 40B PROJECT			
PLANNING BOARD:	DIRECT 300 FEET DIRECT 300 FEET		PR)		
CONSERVATION COMMISSION: *Please see conservation requirements adopted by Wetlands Protection Act 12-2014 on reverse. **Please supply description of work and a scaled plan					
BOARD OF SELECTMEN: 100 FEET OR ABUTTER TO ABUTTER					
LIQUOR COMMISSION:DIRECT					
OTHER:					
		TOTAL PAID: \$25.00	снеск# <u>3764</u>		
ABUTTERS LIST AND LABELS RECEIVED BY: Lisa Mead DATE: 1/13/23					
THIS LIST WILL REQUIRE RECERTIFICATION AFTER 60 DAYS					

 $\hbox{O:Assessor Office} \\ \hbox{Forms\-Abutters\-List Forms, Templates, Letters, etc\-NEW\-ABUTTERS\-LIST\-REQUEST.doc} \\$

Town of Salisbury



Town of Salisbury

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CERTIFIED ABUTTERS' LIST

Page 1

Parcel ID		Location	Owner Name/Address
03-013		BRIDGE RD	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
		A B U T T E R S	
03-005	14	BEACH RD	O'REILLY GERALD F TR O'REILLY KAREN E TR 14 BEACH RD SALISBURY, MA 01952
03-007	10	BEACH RD	DEFRONZO THOMAS J DEFRONZO SUSAN M 10 BEACH ROAD SALISBURY, MA 01952-2007
03-008	8	BEACH RD	CHOUINARD BRENDA M 54 MAIN ST SALISBURY, MA 01952
03-009	6	BEACH RD	TARDIFF RICHARD J TARDIFF MARYANNA C 6 BEACH RD SALISBURY, MA 01952
03-012	2	BEACH RD	DUNI LLAMBRO TR 2 BEACH RD SALISBURY, MA 01952
03-014	5	BRIDGE RD	LAABH LLC 5 BRIDGE RD SALISBURY, MA 01952
03-015	7	BRIDGE RD	INSTITUTION FOR SAVINGS PO BOX 32 IPSWICH, MA 01938
03-016	9	BRIDGE RD	INSTITUTION FOR SAVINGS PO BOX 32 IPSWICH, MA 01938
03-06A	2	EMERALD WAY	PARELLA JASON CENTONZE MALLORY 2 EMERALD WY SALISBURY, MA 01952
03-06B	4	EMERALD WAY	HONOHAN CLARE TR CLARE HONOHAN REVOCABLE TRUST 4 EMERALD WY SALISBURY, MA 01952

Date: 01/13/2022 Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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Parcel ID Location Owner Name/Address 03-013 3 BRIDGE RD CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 ABUTTERS _____ 03-06C 6 EMERALD WAY LEE MICHAEL J MARQUARDT HEIDI M 6 EMERALD WY SALISBURY, MA 01952 03-06D 8 EMERALD WAY SKERRY JOANNE C S/O WEIDMAN MICHAEL WEIDMAN SUSAN 8 EMERALD WAY SALISBURY, MA 01952-1887 03-06E 10 EMERALD WAY WOOTAN CYNTHIA JOHNSON 10 EMERALD WY SALISBURY, MA 01952 03-06F 12 EMERALD WAY KEEFE JOANNE LE 12 EMERALD WY SALISBURY, MA 01952 03-06G 14 EMERALD WAY GREEN DON GREEN LINDA 14 EMERALD WY SALISBURY, MA 01952 1 EMERALD WAY 03-06H HULSE DONALD M HULSE MARILYN A 1 EMERALD WAY SALISBURY, MA 01952 03-06J 1 CORAL LN SCHWARTZ JOHANNA HATCH TR SCHWARTZ FAMILY LIVING TRUST 1 CORAL LN SALISBURY, MA 01952 03-06K 3 CORAL LN PETERS MAUREEN PETERS CHRISTOPHER J 3 CORAL LN SALISBURY, MA 01952 03-06L 2 MORNING FOG CIR FEINDEL BRUCE W LE FEINDEL SUSAN M LE 2 MORNING FOG CIR SALISBURY, MA 01952

Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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Parcel ID Location Owner Name/Address 03-013 3 BRIDGE RD CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 _____ ABUTTERS _____________ BICKEL, TRACY ANNE BICKEL, MICH T 03-06M 4 MORNING FOG CIR BICKEL DAVID M TR 4 MORNING FOG CIR SALISBURY, MA 01952 03-06N 6 MORNING FOG CIR HATHAWAY BRADFORD J HATHAWAY DENICE F 6 MORNING FOG CIR SALISBURY, MA 01952 03-06P 1 MORNING FOG CIR ROYER-TWOMEY KAREN 1 MORNING FOG CIR SALISBURY, MA 01952 PIERCE SHERRILL E 03-06Q 2 SEA SPRAY LN 2 SEA SPRAY LN SALISBURY, MA 01952 KIMBALL ROSS A 03-06R 4 SEA SPRAY LN 4 SEA SPRAY LN SALISBURY, MA 01952 6 SEA SPRAY LN CARAS RONNA I 03-06S 6 SEA SPRAY LN SALISBURY, MA 01952 YOUNG GORDON 1 SEA SPRAY LN 03-06T YOUNG MARY 1 SEA SPRAY LN SALISBURY, MA 01952 03-06U 2 SALTY TEAR LN WOODWORTH MARY ANN WOODWORTH GARY L 2 SALTY TEAR LN SALISBURY, MA 01952 03-06V 4 SALTY TEAR LN PRENDERGAST STEPHEN L TR PRENDERGAST BARBARA J TR 4 SALTY TEAR LN SALISBURY, MA 01952 03-06W 6 SALTY TEAR LN TRACY JOYCE M PETTI DIANE M 6 SALTY TEAR LN SALISBURY, MA 01952

Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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Parcel ID Location Owner Name/Address 3 BRIDGE RD CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 ______ ABUTTERS 03-06X 8 SALTY TEAR LN CUCURULLO JANET A TR COX ANGELA M TR 8 SALTY TEAR LN SALISBURY, MA 01952-4003 03-06Y 5 SALTY TEAR LN FARGEORGE PAUL H TR S/O FARGEORGE PAUL 5 SALTY TEAR LANE SALISBURY, MA 01952 Subsequent owner: FARGEORGE PAUL H TR HARRIS-FARGEORGE DEBORAH TR 5 SALTY TEAR LANE SALISBURY, MA 01952 03-06Z 3 SALTY TEAR LN ARMSTRONG SHEILA A 3 SALTY TEAR LN SALISBURY, MA 01952 03-13A 3 BRIDGE RD A CIAMPITTI JR ROBERT A TR PALMISANO CHARLES S TR SAIL LOFTS REALTY TRUST 11A LIBERTY ST NEWBURYPORT, MA 01950 03-13B1 3 BRIDGE RD B1 CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 03-13B2 3 BRIDGE RD B2 CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 03-13B3 3 BRIDGE RD B3 CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 03-13B4 3 BRIDGE RD B4 CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 3 BRIDGE RD B5 03-13B5 CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639

Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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		A B U T T E R S	
03-13B6	3	BRIDGE RD B6	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03 - 13B7	3	BRIDGË RD B7	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-13B8	3	BRIDGE RD B8	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-13C1	3	BRIDGE RD C1	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-13C2	3	BRIDGE RD C2	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-13C3	3	BRIDGE RD C3	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-13C4	3	BRIDGE RD C4	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-13C5	3	BRIDGE RD C5	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
03-146A	12	FERRY RD A	STRONGE STEVEN B TR STEVEN B STRONGE TRUST 12 FERRY ROAD UNIT A SALISBURY, MA 01952
03-146B	12	FERRY RD B	BOULAY MARIANTONIA GREGORIO TR MARIA G BOULAY IRREVOCABLE TRU 12 FERRY ROAD, UNIT B SALISBURY, MA 01952

Date: 01/13/2022 Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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Parcel ID Location Owner Name/Address ______ 03-013 3 BRIDGE RD CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 ______ ABUTTERS 1 SALTY TEAR LN 03-6AA DOW MARK R S/O LONGLEY JAMES STROVINK KIMBERLY 1 SALTY TEAR LANE SALISBURY, MA 01952 03-6BB 2 GULF WINDS LN PERREAULT BARBARA M TR PERREAULT SALISBURY REALTY TRU 2 GULF WINDS SALISBURY, MA 01952 03-6CC 4 GULF WINDS LN SMITH PETER L NOVACK SMITH JUDITH 4 GULF WINDS LN SALISBURY, MA 01952 03-6DD 6 GULF WINDS LN LAFRANCE ROBERT LAFRANCE DOROTHY R 6 GULF WINDS SALISBURY, MA 01952 03-6EE 5 GULF WINDS LN BRADLEY BENJAMIN H TR BRADLEY FAMILY TRUST 5 GULF WINDS LN SALISBURY, MA 01952 03-6FF 3 GULF WINDS LN ROY JUDITH D 3 GULF WINDS LN SALISBURY, MA 01952 03-6GG 1 GULF WINDS LN VETREE KATHLEEN A PATCHETT MARY L 1 GULF WINDS LN SALISBURY, MA 01952-4001 2 LAFAYETTE RD 05-017 SALISBURY EW 2018, LLC C/O RYAN LLC ONE INTERNATIONAL PLACE 100 OLIVER ST STE 1840 BOSTON, MA 02110 05-018 5 BEACH RD SALISBURY TOWN OF TOWN HALL 5 BEACH RD SALISBURY, MA 01952

Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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Parcel ID Location Owner Name/Address 03-013 3 BRIDGE RD CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639 _____ ABUTTERS ______ 05-019 1 LINCOLN AVE HUNT EMMA LEE ORME BRADLEY S 1 LINCOLN AVE SALISBURY, MA 01952 CHOUINARD BRENDA M 05-032 4 LINCOLN AVE 54 MAIN ST SALISBURY, MA 01952 05-033 2 LINCOLN AVE CHOUINARD BRENDA M CHOUINARD KEVIN G 54 MAIN ST SALISBURY, MA 01952 05-034 7 BEACH RD FENN EDWARD F FENN SUSAN C 7 BEACH RD SALISBURY, MA 01952 05-035 9 BEACH RD WHITE DEREK E 31 FOLLY MILL RD SEABROOK, NH 03874 05-036 11 BEACH RD WANG XIAOYU HUANG ANTHONY 11 BEACH RD SALISBURY, MA 01952 05-037 13 BEACH RD EATON MARK COAN AMANDA 13 BEACH RD SALISBURY, MA 01952 05-038 17 BEACH RD JOHNSON KARLENE M LE JOHNSON, STEPHEN A OLDIGES, KERR 17 BEACH RD SALISBURY, MA 01952 06-019 10 ELM ST FOOTE JR EDWARD FOOTE CYNTHIA S 1 POOR HOUSE LN WEST NEWBURY, MA 01985

Town of Salisbury

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CERTIFIED ABUTTERS' LIST

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03-013	3	BRIDGE RD	CARROLL JEFFREY 3 KIMBERLY TER LYNNFIELD, MA 01940-1639
		A B U T T E R S	
06-020	6	ELM ST	EAST PARISH OF SALISBURY C/O LESTER SINTON PO BOX 5109 SALISBURY, MA 01952-0109
06-021	2	ELM ST	DEMAKIS GREGORY C TR PAL REALTY TRUST 330 LYNNWAY SUITE 105 LYNN, MA 01901
06-023	1	LAFAYETTE RD	TO DAVID PO BOX 627 LINCOLN, NH 03251
06-024	3	LAFAYETTE RD	DEMAKIS GREGORY C TR PAL REALTY TRUST 330 LYNNWAY SUITE 105 LYNN, MA 01901
06-025	5	LAFAYETTE RD	NOSSIFF ALEXANDER G S/O HUANG'S SALISBURY LLC 5 LAFAYETTE ROAD SALISBURY, MA 01952
06-038	18	MAPLE ST	SALISBURY TOWN OF MEMORIAL SCHOOL 5 BEACH RD SALISBURY, MA 01952
06-135	15	ELM ST	SALISBURY TOWN OF TOWN COMMON 5 BEACH RD SALISBURY, MA 01952
74 parcels listed			