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June 1, 2021

By Hand

Donald Egan, Chair
Salisbury Planning Board
5 Beach Road
Salisbury, Massachusetts 01952

RE: Special Permit for Use
45 Main Street (the "Property")
Assessors Map and Lot: 19-164

Dear Chair and Members of the Board:

Reference is made to the above captioned matter. In that connection this firm represents G&G Main Street, LLC, (the "Applicant") the owners of the Property for approval of a Special Permit to allow a Storage of Construction Materials and Equipment in accordance with the Use Table and section 300-35 (a) of the Salisbury Zoning Bylaw ("SZB").

The Property is in the C (Commercial) zoning district and currently includes a wood frame structure used as an office for the business known as "Port Gutters". The Property is 23,435 square feet (.538 acres) and includes 100 feet of frontage on Main Street. The proposed lot coverage is 13.4% +/-.

The proposed use includes adding a three-bay accessory garage structure which is 2,400 square feet and will house the commercial vehicles for the business, in addition to a break room and provide for an area of storage, all as shown on the plans. The garage doors will open to the east of the building and will not be seen from Main Street. The added accessory structure will provide a more uniform and organized use of the site and permit the Applicant to store vehicles and materials and supplies inside a building.

In accordance with the Table of Uses and section 300-35 (a) of the SZB, "with due regard to the nature and condition of all adjacent structures and uses, and the district within which the same is located," the Planning Board may grant a Special Permit after it determines the following general conditions are fulfilled:

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



Salisbury Planning Board

Date May 19, 2021

Applicant: G+C Main St, LLC c/o Lisa Mead, Mead, Tulerman & Coster, LLC
Full name Address phone number

Applicant's E-mail Address: Lisa@MTclawyers.com 30 Green St. Newburyport MA 01950
928 463 7700


Owner: G+C Main Street, LLC 45 Main St., Salisbury
Full name Address phone number

Lessee: _____
Full name Address phone number

Tax Map # 19 Lot # 164

1. Location of Premises: 45 Main St
2. Zoning District: C
3. Parcel Size: .538
4. (OSRD applications only): Applicable Land Area: _____ Open Space Percentage: _____
5. Number of existing buildings on parcel: 1
6. What is the existing use of the subject premise? Business
7. Provide a detailed description of the proposed use of premises, including # of proposed structures (attach additional pages if necessary):
Construct 40'x60' foot accessory
building for vehicle, material & equipment storage
8. Zoning by-law provision under which application is made: 300-35(a)
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):
Construct garage to
allow storage of vehicles, material & equipment.
10. Other Permits Required and Status of Applications: No

Heidi Ciguadet
Signature of Applicant
Richard Godsey

Heidi Ciguadet
Signature of Owner
Richard Godsey


(1) The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.

The use is listed in the table of use regulations.

(2) The requested use is essential and/or desirable to the public convenience or welfare.

By its very nature, having been included in the table of uses by the Town, the Town has determined the use to be desirable. But in addition, it is desirable to allow commercial uses in the commercial district. Commercial uses are accompanied by a variety of factors, in this instance the desire to store commercial vehicles, supplies and equipment in a covered and enclosed facility. It is convenient to the public welfare to allow said materials and vehicles to be stored inside as it helps to reduce impacts to the landscape and streetscape.

(3) The requested use will not create undue traffic congestion or unduly impair pedestrian safety.

The requested use/structure will not unduly cause traffic congestion as the Property is located on a major artery in Town, namely Main Street. It is a commercial district and able to handle any additional traffic, if any. Further, there are no local sidewalks or parks and recreational areas to which pedestrians will be walking and therefore there is no impact on pedestrian safety.

(4) The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.

The requested use is to allow the storage of vehicles and equipment. There will be no impact on public systems. Proper Title V System was previously approved for the site. The added impervious area from the roof will sheet flow into the impervious area on site. No other use or property in the area will be subject to hazards affecting health, safety or welfare by the addition of the accessor barn.

(5) Any special regulations for the use set forth in the Special Permit Table are fulfilled.

There are no special regulations for the use.

(6) The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare of the neighborhood.

The district is a commercial district. The addition of the garage will not impair the neighborhood. Indeed it will be an improvement when the commercial vehicles can be stored indoors along with the materials and equipment. The entire neighborhood is a mix of other commercial uses and some residential uses. There are many outdoor storage examples of vehicles and boats surrounding the Property. The addition of a garage will be an improvement not an impairment to the neighborhood.

(7) The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

As noted above, the neighborhood is a mix of residential and commercial uses. In this instance the existing structure was once a home and now is an office. As a result the streetscape appears as a residential structure. The new garage will be located to the middle and rear of the property. The proposal will not be detrimental to the character of the neighborhood.

We look forward to presenting the plan to the Board.

Respectfully submitted,
G and G Main Street, LLC.
By its Attorney,



Lisa L. Mead

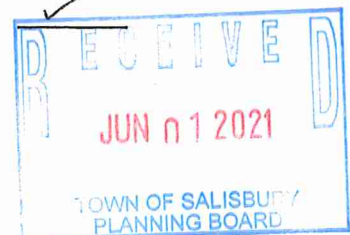
cc: Client

Salisbury Planning Board

REQUIREMENTS AND WAIVER REQUEST FORM

Map and Parcel # 19, 104 Project Address 45 Main Street

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



Salisbury Planning Board

TAX AND BETTERMENT PAYMENT CERTIFICATION

Date May 26, 2021

Map 19 Parcel 164

Owner's Name: G+G Main Street LLC

Property Address: 45 Main Street, Salisbury, MA

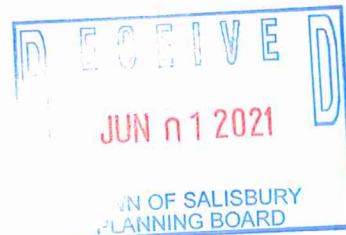
I, C. A. Piron, certify that all taxes and applicable betterment's have been paid in full for the property located at Map 19 Parcel 164. The next billing date is 8/2/21.

Signature:

Christine Piron
Treasurer or Treasurer's Clerk

Date:

5/26/21



Salisbury Planning Board

Please check off the applicable application:

☒ **Special Permit-check all that apply**

☐ **Open Space Residential Development (OSRD)**

☐ **Water Resource District**

☐ **Planned Office Development**

☐ **Motel Reuse**

☐ **Wireless Communication Facility**

☐ **Village Center District**

☐ **Repetitive Petition**

☒ **Other**

(Specify) Storage of Construction Materials and Equipment

Applications will not be stamped in at the Town Clerk's office for the Planning Board, until the Planning Department determines that the following items are included with the application:

- ✓ 1. Application must be filled out completely and correctly.
- ✓ 2. Special Permit filing fee. Checks payable to the Town of Salisbury.
- ✓ 3. Plan drawn in accordance with the requirements listed in the Town of Salisbury's Zoning By-Laws. (8 COPIES).
- ✓ 4. Abutters List
- ✓ 5. Treasurer's Office signature to ensure all Taxes are paid up to date on the property in question and any applicable betterments are paid in full.
- ✓ 6. A complete submittal checklist **must** be submitted along with copies of plans.

IMPROPER OR INCOMPLETE FILINGS WILL RESULT IN A DELAY IN DECISION, TOWN CLERK WILL SIGN AND STAMP AFTER PLANNING DEPARTMENT SIGNS OFF.

Cornelia Bunker
Planning Department
Dylene R. Kasperke
Town Clerk



A REGISTERED PLAN MUST BE FILED WITH THIS APPLICATION FORM

Salisbury Planning Board

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: Nate White Date: 5-26-21
(1 copy of special permit application)

Fire Department

(1 Sets of Plans) Received By: [Signature] Date: 5/26/21
(1 copy of special permit application)

Department of Public Works

(1 Sets of Plans) Received By: Liz Ann DeFon Date: 5/26/21
(1 copy of special permit application)

Building Department

(1 Sets of Plans) Received By: Nate White Date: 5-26-21
(1 copy of special permit application)

Conservation Commission

(1 Sets of Plans) Received By: [Signature] Date: 5/26/21
(1 copy of special permit application)

Police Department

(1 Sets of Plans) Received By: [Signature] Date: 5/26/21
(1 copy of special permit application)

Assessor's Department

(1 Sets of Plans) Received By: [Signature] Date: 5/26/2021
(1 copy of special permit application)

Planning Department

(1 Sets of Plans) Received By: Cornel Plante Date: 5/26/2021
(1 copy of special permit application)



Town of Salisbury, MA
Wednesday, June 2, 2021

Chapter 300. Zoning

Article VII. Zoning Board of Appeals

§ 300-35. Special permits.

Certain uses, structures or conditions are designated in Article III, Use Regulations,^[1] as special permits. Further, Article III provides that all uses not specifically permitted (or prohibited) but which are similar in character to the permitted uses shall be treated as requiring a special permit. Upon written application duly made to the ZBA, the ZBA may, in appropriate cases, subject to the applicable conditions contained herein, in the Special Permit Table, and subject to all other reasonable conditions and safeguards, grant a special permit for such uses, structures or conditions.

- A. Before granting an application for a special permit, the ZBA with due regard to the nature and condition of all adjacent structures and uses, and the district within which the same is located, shall find all of the following general conditions to be fulfilled:
- (1) The use requested is listed in the Table of Use Regulations as a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.
 - (2) The requested use is essential and/or desirable to the public convenience or welfare.
 - (3) The requested use will not create undue traffic congestion or unduly impair pedestrian safety.
 - (4) The requested use will not overload any public water, drainage, or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the Town will be unduly subjected to hazards affecting health, safety, or the general welfare.
 - (5) Any special regulations for the use set forth in the Special Permit Table are fulfilled.
 - (6) The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare of the neighborhood.
 - (7) The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.
- B. The ZBA shall also impose in addition to any applicable conditions specified in this bylaw such additional conditions as it finds reasonably appropriate to safeguard the neighborhood, or otherwise serve the purposes of this bylaw, including but not limited to the following: front, side, or rear yards greater than the minimum required by this bylaw; screening buffers or planting strips, fences, or walls, as specified by the ZBA; modification of the exterior appearance of the structures; limitation upon the size, number of occupants, method and time of operation, duration of permit, or extent of facilities; regulation of number and location of driveways or other traffic features; and off-street parking or loading or other special features beyond the minimum required by this bylaw. Such conditions shall be imposed in writing, and the applicant may be required to post bond or other security for compliance with said conditions in an amount satisfactory to the ZBA.

- C. In order that the ZBA may determine that the above-mentioned restrictions are to be met, a site plan shall be submitted in duplicate to the ZBA by the applicant.
- D. Said site plan shall show, among other things, all existing and proposed buildings, structures, parking spaces, driveway openings, driveways, service areas, and other open uses, all facilities for sewage, refuse and other waste disposal, and for surface water drainage, and all landscape features, such as fences, walls, planting areas, and walks.
- E. A person may, prior to submitting his application for a special permit, meet with the ZBA and orally describe his project. The ZBA may waive or modify the requirements for a detailed site plan as described above after such a meeting.
- F. Uses, whether or not on the same parcel as activities permitted as a matter of right, accessory to activities permitted as a matter of right, which activities are necessary in connection with scientific research or scientific development or related production, may be permitted upon the issuance of a special permit provided the ZBA finds that the proposed accessory use does not substantially derogate from the public good.

[1] *Editor's Note: See the Table of Use Regulationsm included as an attachment to this bylaw.*

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
19-164	45 MAIN ST	G&G MAIN STREET LLC 177 ELM ST BYFIELD, MA 01922

A B U T T E R S		
=====		
19-070	58 PIKE ST	SARGENT CHARLES J SARGENT ALISON L 58 PIKE ST SALISBURY, MA 01952
19-076	50 PIKE ST	BACHYNSKI STEPHANIE M 52 PIKE STREET SALISBURY, MA 01952
19-077	48 PIKE ST	BACHYNSKI RAYMOND BACHYNSKI STEPHANIE 52 PIKE ST SALISBURY, MA 01952
19-078	46 PIKE ST	EVELETH JAMES 247 ROWLEY BRIDGE RD TOPSFIELD, MA 01983
19-093	REAR PIKE ST	MALATESTA ANDREW C 42 PIKE ST SALISBURY, MA 01952
19-147	50 MAIN ST	CHOUINARD BRENDA M RAYMOND L CHOUINARD KEVIN G CH 54 MAIN ST SALISBURY, MA 01952
19-160	39 MAIN ST	SHATTUCK MARIE L BLANEY ARTHUR L 39 MAIN ST SALISBURY, MA 01952
19-161	MAIN ST	TILTON RUSSELL C 51 MAIN ST SALISBURY, MA 01952
19-162	41 MAIN ST	CONARY WALTER H TR WALTER H CONARY LIVING TRUST 41 MAIN ST SALISBURY, MA 01952
19-163	43 MAIN ST	SOTEK STANLEY J PO BOX 5651 SALISBURY, MA 01952-0651

CERTIFIED ABUTTERS' LIST

Parcel ID	Location	Owner Name/Address
19-164	45 MAIN ST	G&G MAIN STREET LLC 177 ELM ST BYFIELD, MA 01922

A B U T T E R S =====		
19-165	OFF MAIN ST	KARPENKO JR, CHARLES A S/O ROY JR ROBERT E 78 BRIDGE RD SALISBURY, MA 01952
19-166	47 MAIN ST	FERN ERIC A FERN GAIL A 47 MAIN ST SALISBURY, MA 01952
19-167	49 MAIN ST	ROY JR ROBERT E 49 MAIN ST SALISBURY, MA 01952
19-168	51 MAIN ST	TILTON RUSSELL C TR TILTON FAMILY TRUST 51 MAIN ST SALISBURY, MA 01952
19-169	55 MAIN ST	CHOUINARD BRENDA M CHOUINARD KEVIN G 54 MAIN STREET SALISBURY, MA 01952
19-184	48 MAIN ST	CHOUINARD BRENDA M CHOUINARD KEVIN G 54 MAIN ST SALISBURY, MA 01952
19-185	46 MAIN ST	CHOUINARD BRENDA M 54 MAIN ST SALISBURY, MA 01952
19-185A	REAR MAIN ST	SANBORN JOHN D C/O ANDREA SCHULTEN 50 STAGE RD AT ALBANS, ME 04971
19-186	42 MAIN ST	MCCLELLAN SANDRA O C/O EMERGENCY ICE CO 168 BRIDGE RD SALISBURY, MA 01952

Date: 05/27/2021
txaabut

Town of Salisbury

CERTIFIED ABUTTERS' LIST

Page 3

Parcel ID	Location	Owner Name/Address
19-164	45 MAIN ST	G&G MAIN STREET LLC 177 ELM ST BYFIELD, MA 01922

A B U T T E R S		
=====		
19-187	40 MAIN ST	DESJARDINS KEVIN B DESJARDINS SUELLEN 40 MAIN ST SALISBURY, MA 01952
19-188	38 MAIN ST	CREAN PHILIP J CREAN NANCY E 38 MAIN ST SALISBURY, MA 01952
19-189	1 JON ST	FLANDERS DONALD R FLANDERS DEBORAH J 9570 GREEN CYPRESS LN #7 FT MYERS, FL 33905
19-190	3 JON ST	STRAZ-MANGIFICO WANDA TR CAROLYN K COREY IRREVOCABLE TR PO BOX 2018 SEABROOK, NH 03874-2018
19-290	44 MAIN ST	CHOUINARD BRENDA M 54 MAIN ST SALISBURY, MA 01952

25 parcels listed

Town of Salisbury



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the Town of Salisbury & MassIT/MassGIS. MVPC AND THE TOWN OF SALISBURY MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE TOWN OF SALISBURY AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



- Municipal Boundary
- Major Road
- Floodplain

- Parcel Labels
- Local Road
- 100 Year Floodplain

- Legend
- Parcels
 - Roads
 - Hydrographic Features
 - Wetlands
 - 500 Year Floodplain

- Interstate
- Streams

1:1,200