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September 1, 2020

By Hand

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

RE: Updated Waiver List Following Peer Review  
Application for Flexible Residential Development Special Permit  
Application for Definitive Subdivision  
Assessor Map: 22 Lot: 19

Dear Chair and Members of the Board:

Reference is made to the above captioned matter and the Definitive Plan filed herewith. In that connection, the Applicant originally submitted a letter to the Planning Board setting forth the waivers the Applicant is seeking dated June 18, 2020 and previously amended the list of waivers to include additional waivers needed for the application on August 10. Following the Peer Review Comments and feedback from the Town Planning Department to try to reduce the amount of waivers being requested, the Applicant submits the follow updated waiver list. Please note that waivers that are no longer requested have been struckthrough and an explanation of why they are no longer being requested is included.

**Request:** § 300-51.B AT LEAST 50% OF EACH REQUIRED SETBACK FOR THE APPLICABLE ZOING DISTRICT SHALL BE MAINTAINED, LESS THAN 50% REQUESTED FOR LOTS 1, 3, 7, 8, and 9.

**Justification:** The compact nature of the proposed area for development and the preservation of wetlands and open space on the proposed open space parcel requires the residences to be laid out in a manner that requires smaller setbacks on 6 of the 10 lots. The reduced setbacks are on lots 1, 3, 7, 8, and 9.

**Request:** § 300-51.C MINIMUM LOT SIZE SHALL BE 10,000 SQUARE FEET, 8,378 SQUARE FEET IS PROPOSED FOR LOT 7

**Justification:** This is necessary to limit the sprawl of the development and lay out the lots in an efficient manner which best utilizes the area for development. A waiver of the minimum lot size is requested for only one lot which will be 8,378 square feet and will further the purposes of the FRD Bylaw by consuming the least amount of space possible and minimizing disturbance on the site.

**Request:** § 300-52.B RATIO OF UPLANDS TO WETLANDS WITHIN PROPOSED OPEN SPACE SHALL BE EQUAL TO OR GREATER THAN THE RATIO OF UPLANDS TO WETLANDS ON THE ENTIRE TRACT, PROPOSED OPEN SPACE UPLAND IS ABOUT 68% AND ON ENTIRE TRACT IS 76%

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**Justification:** Given the nature of the existing conditions at the site, the area of land that best accommodates the compact FRD development results in an open space parcel that has a smaller ratio of uplands to wetlands than the entire tract. Despite this, 9.30 acres of land will be proposed as open space and nearly 70% will consist of uplands.

**Request:** FRD REGULATIONS, SECTION E.3 SITE SPECIFIC DESIGN STANDARDS-BUFFER AREAS, THERE IS PROPOSED WORK WITHIN 100' OF NATURAL AND/OR RECREATIONAL RESOURCE AREAS.

**Justification:** As mentioned above, the nature of the existing conditions at the site that best accommodates FRD development does not quite prevent development beyond 100' of Natural and/or recreation resource areas. Here, the majority of the development areas are upland and any disturbance will be minimal.

**Request:** SECTION 7A.3 OF THE SUBDIVISION REGULATIONS REQUIRE A 50' STREET RIGHT OF WAY WHERE A 40' RIGHT OF WAY IS BEING PROVIDED.

**Justification:** A 50' ROW isn't necessary in this situation. The pavement, sidewalk, and utilities all fit within the 40' ROW.

**Request:** SECTION 7A.4 OF THE SUBDIVISION REGULATIONS REQUIRE 26' OF PAVED SURFACE WHERE 24' ARE PROVIDED.

**Justification:** 24' of paved surface is a generally accepted width for subdivision roadways. It is an LID measure that reduces stormwater runoff. Also, it promotes reduced vehicle speeds and thus, a safer neighborhood.

The Applicant is now providing the 26' paved surface as required.

**Request:** SECTION 7A.10 OF THE SUBDIVISION REGULATIONS REQUIRE MINIMUM CENTERLINE RADII OF 150 FEET. THE APPLICANT IS PROVIDING CURVES WITH RADII OF 90 FEET AND 100 FEET.

**Justification:** The smaller centerline radii promote reduced vehicle speeds and thus, a safer neighborhood.

**Request:** SECTION 7A.13 OF THE SUBDIVISION REGULATIONS REQUIRES 5% MAXIMUM CENTERLINE GRADE BUT THE PLANS HAVE 7%.

**Justification:** 7% is a generally accepted centerline grade for minor, small subdivision roads like this. Every other town in this area allows 7% roadways. 5% is generally accepted as the maximum grade for busier, high traffic major roads.

The maximum centerline grade is now less than the accepted 5%.

**Request:** SECTION 7A.14 OF THE SUBDIVISION REGULATIONS REQUIRES A MINIMUM K VALUE OF 30 ON A CREST CURVE AND 35 ON A SAG CURVE WHERE THE APPLICANT'S PROPOSED VALUE FOR THE CREST CURVE IS 10.1 AND FOR THE SAG CURVE IS 17.

**Justification:** The minimum K values listed in section 7A.14 are for design speeds of a 30-35 MPH road per the 2004 AASHTO green book. We're designing for a 20 MPH roadway. For a 20 MPH road the required K value for a crest curve is 7. The Applicant has 10.1. For a 20 MPH road the required K value for a sag curve is 17 and the Applicant has 17.

The vertical curves were revised to provide the minimum K Value required.

In support of the foregoing, the Applicant has proposed a definitive subdivision simultaneously with the FRD Special Permit application. The specific purpose behind the FRD provisions under Article X of the Town of



Salisbury Zoning Bylaw is to promote more compact development, preserve open space, and minimize the amount of disturbance on the site. The Applicant has submitted a definitive plan in compliance with the FRD Bylaw, including revisions, and therefore the granting of the waivers may be found to be in the public interest.

We look forward to presenting the updated plan to the Board.

Respectfully submitted,  
DeStefano Development Group LLC  
By its Attorney,



Lisa L. Mead

cc: Client