

**Salisbury Planning Board
Meeting Minutes**

Date: Wednesday, August 25, 2021

Place: Salisbury Town Hall, 5 Beach Road & Remotely Via Zoom

Time: 7:00 p.m.

PB Members Present: Chairperson, John “Marty” Doggett (**JMD**), Vice Chairperson, Deb Rider (**DR**), Gil Medeiros (**GM**), Louis Masiello (**LM**), and Alternate & Clerk, John Schillizzi (**JS**)

PB Members participating via Zoom: Don Egan (**DE**)

PB Members Absent: None.

Also Present: Director of Planning Lisa Pearson (**LP**), and Planning Board Secretary Sue Johnson (**SJ**).

JMD brought the meeting to order at 7:00 p.m. in the Colchester Room and remotely via zoom. Announced, per opening meeting law, that the meeting was being recorded.

1. New Business – 7:00 pm

- a. ANR – 139 North End Blvd (Map 33, Lot 61). Applicant: Northend 139 Realty Trust. Request by applicant for an approval not required land plan endorsement to create six (6) lots from one (1). Lot size: 1.55-acre site, located in the High Density R3 zoning district.

Attorney Adam Costa (AC) stated that he was representing the applicant. AC discussed the frontage and layout of the proposed 6 lots. AC stated that the applicant met with Fire Department Captain Andy Murphy on July 14, 2021 to present the plan and did not get an indication that he had any concerns with fire fighting and life safety access from Sunset View Lane. LM asked who owns Sunset View Lane and how would the future homeowners get rights to use it? AC replied that Sunset View Lane is not a public way and believes the applicant as an abutter has right to use it. DE stated that when the condo's that were approved on the other side of Sunset View Lane the condo association has a responsibility to maintain the street and thought it to be odd that they would have to maintain it when some else has the right to use it. AC stated that all the owners would have to share in the operation and cost to maintain the street. GM asked what if the Sunset View condo association does not allow the new homeowners to use Sunset View Lane. AC replied that they have rights to use it according to their research. AC referenced the Massachusetts Derelict Fee Statute. JMD asked if the Towns pump station located on Sunset View Lane complicates this situation. AC stated that he does not think it is a complication from the ANR perspective. LP stated that she does not have concerns with the lots that have frontage on North End Blvd and believes that they meet the requirement of the ANR but her concern is the lots with frontage on Sunset View Lane if they will meet the requirements of adequate access or legal access on a roadway. LP stated that Sunset View Lane is not built up to any Town standards. LP stated that she was not sure that this is better suited to go through the subdivision process or the ANR process. JMD asked if the Board should seek a legal opinion on how to proceed. LP said that she would recommend getting a legal opinion. AC stated that if there are some limited improvements needed for Sunset View Lane, which would be

determined by the DPW or the Board, they would be willing to entertain that conversation. DR stated that Sunset View Lane is not fully paved, how could they consider the furthest proposed lot (lot # 6) to have access. AC stated that there is 40' of non-paved constructed roadway in front of lot 6 and went on to state that it does not need to be paved per the Town's ANR bylaw. LP stated that the condos on Sunset view Lane are in the Beach Commercial zoning district which do not need frontage. The other side of Sunset View Lane is in the High Density (R3) zoning district which does require frontage. LP asked if AC would grant a continuance until 9/8/21 to allow the Board to get an opinion from Town Counsel. AC stated that the applicant is willing to grant a continuance and will send the request in writing.

DR motioned to continue until 9-8-21.

LM seconded.

Vote: DE-Yes, GM-Yes, LM-Yes, DR-Yes and JMD-Yes

2. Public Hearing - 7:10 pm

- a. Request by applicant for Major Site Plan Approval for a proposed fourteen (14) unit residential development, consisting of six (6) duplexes and two (2) single family dwellings, located at 207 Beach Road [Map 28, Lot 10], on a 1.22-acre site in the Beach Commercial zoning district. Applicant: Tom Patenaude, P.O. Box 5, North Andover, MA 01845 (Cont. 07-14-21, 07-28-21, 8-11-21).

JMD stated that the applicant requested a continuance until 9/8/21 at 7:10pm.

GM motioned to continue until 9/8/21 at 7:10pm.

LM seconded.

Vote: DE-Yes, GM-Yes, LM-Yes, DR-Yes and JMD-Yes

3. Other Business – None

4. Old Business – None

5. Correspondence

Minutes – 8/11/21

LM motioned to approve.

DR seconded.

Vote: DE-Yes, GM-Yes, LM-Yes, DR-Yes and JMD-Yes

Minutes – 7/28/21

DR motioned to approve.

LM seconded.

Vote: DE-Yes, GM-Yes, LM-Yes, DR-Yes and JMD-Yes

Minutes – 3/25/20

DR motioned to approve.

GM seconded.

Vote: DE-Yes, GM-Yes, LM-Yes, DR-Yes and JMD-Yes

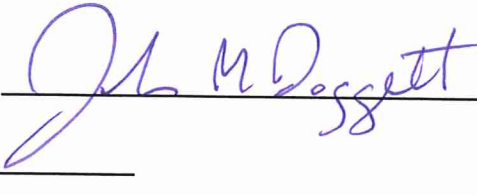
6. **Adjournment** – 7:55pm
GM motioned to approve.
LM seconded.

Vote: DE-Yes, GM-Yes, LM-Yes, DR-Yes and JMD-Yes

*** Documents provided at the meeting are on file in the Planning Office**

Minutes approved by: _____

Date: _____

 J. M. Dosssett