



Date: October 25, 2023

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

Time: 7:00 pm

PB Members Present in Person: Chairperson, John “Marty” Doggett (**JMD**), Vice Chairperson, Gil Medeiros (**GM**), Clerk, Warren Worth (**WW**), Deb Rider (**DR**), and John Schillizzi (**JS**)

PB Members Present via Zoom: Alternate, Angelica Medina (**AM**)

PB Members Absent: None

Also Present: Director of Planning Lisa Pearson, Planning Board Administrative Assistant, Ellie Cornoni

JMD brought the meeting to order at 7:01 p.m. remotely via zoom. Announced, per opening meeting law, that the meeting was being recorded.

1. New Business – 7:00 pm

a. 9 Gerrish / Winterberry Circle (Map 22, Lot 19) – Request for modification/ correction of Decision – A request to amend/correct Item 1 of the Waivers to include Lots 4, 5, and 6
Applicant: Destefano Development Group, LLC

- Lisa Mead of Mead, Talerman, Mead & Costa, LLC, spoke on behalf of the applicant.
 - She stated, she had stated in the letter submitted, they were in the middle of a closing for lot 5 and it was noticed that the lot was not included in the waiver even though in the plans the lots were in the plan.
 - They have included an as-built plan which show the dwellings were built according to the plan.
- **WW** asked if the rest of the property is built as planned.
 - Attorney Mead stated yes, they are working on as-builts now and the entire project is getting ready to be wrapped up.

GM motioned to accept the amendment request to add lots 4, 5 and 6 to Item 1 under Waivers in the Decision for 9 Gerrish / Winterberry Circle. **JS** seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

b. 59 Baker Road (Map 10 , Lot 69) – Accessory Apartment Special Permit Recommendation - Request for a special permit to construct a 780 SQ FT accessory apartment. **Applicant:** David W. Fowler

- David Fowler, the applicant, stated that his mother in law will be selling her house and moving in with them into the accessory apartment.
- **JMD** stated it looks like there is plenty of land and parking. He read the 3 aspects of the accessory apartment;
 - A determination of the area of the lot on which the apartment is located.

- A general description of the neighborhood in which the lot lies and the effect of the proposed apartment on the neighborhood.
- Recommendations as to the advisability of granting the special permit and as to any restrictions which should be imposed as a condition of such permit.
- The board agreed the application meets all criteria.

GM motioned to recommend the Accessory Apartment Special Permit for 59 Baker Road to the Zoning Board of Appeals. WW seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

c. 159 Beach Road (Map 28, Lot 1) – Application for Approval of a Preliminary Plan – Construction of a proposed roadway and associated utilities to serve two lots. Applicant: Larkin Real Estate Group, Inc.

- Bill Hall, Civil Designs and Consultants, LLC spoke on behalf of the applicant.
 - He stated, in all honesty this proposal is to freeze the zoning for the project that was approved earlier this month in light of the zoning change voted on at town meeting last week. He stated they are requesting one waiver, of roadway length needing to be 75 feet in length while their proposed road is approximately 53' in length.
- **GM** asked how this would affect the previously approved project.
 - Bill Hall stated that this roadway has no intention of being developed it is a means to freeze the zoning.
- **JMD** asked if this road were to be built, does it align with Michael's Way?
 - Bill Hall stated that it is directly across from Michael's Way and Hayes Street. He stated that is the purpose for the waiver, they believe it is more important for those main intersections to be aligned than to have a 75-FT length roadway.
- **DR** stated that the purpose of a preliminary plan is to discuss the intentions of the subdivision, but you [the applicant] are trying to discuss something that is not real nor have any intention of being built. She questioned how to approve something that is not real. She said she appreciates the honesty but is unsure of what to do.
 - Lisa Pearson interjected and stated that this is what is required of a preliminary plan. This is where the Board would ask for more information in order to make a decision like they were going to build this. You can always request a traffic study.
- **JMD** stated he is as befuddled as **DR**, he asked Lisa Pearson why would we want to go through all the trouble of learning about a plan and reviewing something that will not even be built.
 - Lisa Pearson responded saying, going through the process is a normal part of these plans. There have been many plans before the Board that have not been built.
 - **JMD** stated he understands that, but those other projects do not get built because of money or this that and the other thing. This project's stated intention is to not build it.
 - **DR** stated that if they [the applicant] had withdrawn their other plan and proposed this, she said she would feel better addressing it.
- **GM** asked about what criteria is needed for approval or denial of the preliminary subdivision plans.
 - Lisa Pearson responded stating, the decision of this preliminary plan will need to be done by following the subdivision regulations the Town has. She said, to disapprove a preliminary plan the Board will need to go through the process and tell the applicants what is not liked about it so they have the ability to change it before they file their

final plan. They will need to file a full subdivision plan within 7 months of the Planning Board's decision on the preliminary plan.

- There was minor discussion amongst the board members about allowing public comment, JMD decided to keep the discussion within the Board.

GM motioned to deny the Preliminary Plan for 159 Beach Road due to the disapproval of the waiver proposed. DR seconded this motion. Roll call was taken, 4 members voted in favor, 1 recused (WW). Motion passed.

2. Public Hearing - 7:10 pm

3. Other Business

4. Old Business

5. Correspondence

6. Adjournment

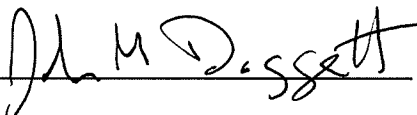
GM motioned to adjourn. JS seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

Meeting adjourned at 7:28 pm

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

Minutes approved by: _____

Date: _____


11/27/23