



**Salisbury Planning Board
January 10, 2024
Salisbury Town Hall, 5 Beach Road Colchester Room & Remotely Via Zoom
7:00 PM
Meeting Minutes**

PB Members Present in Person: Chair, John “Marty” Doggett (**JMD**), Vice Chair, 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, and 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.

* **JMD** moved agenda item 3 “Other Business” out of order *

3. Other Business

a. Meeting Minutes : 12/27/2023

JS motioned to approve the December 27, 2023 Planning Board meeting minutes. **WW** seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

1. New Business – 7:00 pm

a. 30 Cable Avenue (Map 32, Lot 46) – Inclusionary Housing Agreement. Applicant: Dan Milinazzo

- Lisa Pearson explained the project has changes since it was before Planning Board. The new project has only 3 units it does not fall under site plan but it does fall under inclusionary zoning bylaw. They have already signed the inclusionary zoning agreement from the Housing Trust. They are before the board requesting them to sign it so it can be passed to the Town Manager then recorded at the Registry of Deeds.

GM motioned to approve the Inclusionary Housing Agreement for 30 Cable Avenue. **JS** seconded this motion. Roll call was taken, all members voted in favor. Motion passed.

2. Public Hearing - 7:10 pm

- a. **11 North End Boulevard (Map 33, Lot 8)** - Major Modification of a Site Plan Approval - Request by applicant for the addition of a fenced-in outdoor patio area with container bar, food truck(s), games and live music and/or a disc jockey (DJ), for seasonal use. Appx. 4,840 sq. ft. Total proposed occupancy not to exceed 200 persons. Ages 21+. No adult entertainment outdoors. **Applicant:** MJF Bowery Corp., d/b/a Ten's Show Club
- Adam Costa of, Mead Talerman & Costa, spoke on behalf of the applicant:
 - He gave a brief overview of the process this project has gone through since last year.
 - He stated the Board of Selectmen have granted the issuance of liquor license amendment for beer garden.
 - He stated that this would not typically fall under any requirements however it was explained by the building inspector that there is an existing site plan from 2004 so there will need to be an amendment to that sight plan.
 - He described the plan the occupancy is not to exceed 250 patrons. This would be restricted to persons over the age of 21. They came to the 21-year-old age restriction by the availability or unavailability of restrooms. They were not available to use portable toilets. The simplest and least expensive option.
 - He stated they were considering some boxwood shrubs, they would like to have some architecturally pleasing fence along the boundary. He stated they are open to suggestions from the board for the best-looking design for the fence and landscaping.
 - This area will be deconstructed during the off season. This is an area that can be subject to flooding, having said that the structures will need to be able to move from the site. The fencing that separates the site from the parking stalls is removable fencing to allow the food truck, stage and bar to be removed.
 - He stated he would like to address noise. He stated this is in an area where there is commerce, there are bars, restaurants and outdoor music. They have positioned the stage on the other side of the building and facing away from abutting residential units. The applicant agreed to a noise cut off at 10pm at the Board of Selectmen meeting.
 - He stated the lighting would dark sky compliant, primarily for safety. They are working on the luminaire plans and will provide them to the Board.
 - **GM** asked if they considered sound barriers
 - Attorney Costa stated that sound barriers are something they can explore.
 - **GM** stated he believes not having outdoor restrooms is a problem.
 - Attorney Costa stated he is happy to explore with the building inspector options for portable restrooms.
 - **JS** confirmed people will be parking across the street in the municipal parking lot, then stated he is concerned about people crossing North End Boulevard, it is not well lit and a busy intersection. He mentioned the fencing and sound barriers will need to be before conservation commission. He also noted that they recently approved 11 units directly across the street.
 - **GM** asked about the beer garden's entertainment licensing.
 - Attorney Costa stated there are no restrictions on the license, it will be touch and go when it first opens.
 - **DR** asked about the stage and the lighting and if they are going to be repaving.
 - The applicant, Rob Depesa, stated they will be repaving the parking lot. The turf area will be on top of the pavement.
 - **WW** asked if there are handicap restrooms inside the building accessible to people in the beer garden.
 - Attorney Costa stated if the indoor restrooms were to be utilized, there are handicap accessible restrooms.

- Attorney Costa stated they have added a handicap parking space per suggestion of the Planning Director.
- **WW** asked if the entire beer garden will be closed at 10pm.
 - Attorney Costa responded, yes, the intention is to shut down the whole area by 10pm.
- **WW** asked about entrances to the beer garden.
 - Attorney Costa stated there are three means of getting out of the area. As the code requires there needs to be multiple means of egress.
 - **WW** stated the corn hole boards are too close to the exit and suggested moving the turf or eliminating the exit behind the turf and making the one on the north west side become double wide gate.
 - Attorney Costa stated they will look into those suggestions.
- **JMD** asked Attorney Costa to talk about the [traffic] circulation patterns around the area.
 - Attorney Costa stated Joe Serwatka commented on circulation patterns as well. He stated the circulation for the building will not be much different from its current state. The beer garden will have people accessing through the sidewalks or the parking lot.
 - **JMD** asked if there is overflow parking.
 - Attorney Costa stated there is plenty of parking between the onsite gravel lot and municipal parking across the street.
- **JMD** asked if there is vehicular access from North End Boulevard.
 - Attorney Costa stated there are no curb cuts on North End Boulevard. It will only be accessible through the State Highway.
- **GM** asked why the back lot is not paved.
 - Rob Depesa responded saying that parking lot is closest to the wetlands and cannot be paved.
- Lisa Pearson stated that she recommends the applicants respond to Joe Serwatka's comments. She stated she would like a final consideration from Conservation Commission.
- Lisa Pearson asked where all the stuff would go during the off seasons.
 - Rob Depesa stated the intention is to keep the fence along the curve. Everything else will be put into storage.
- Lisa Pearson asked how parking would be during the off season.
 - Rob Depesa stated he will look into with his paving company.
- Scott Parker – South Beach Landing - gave public comment with their concerns with the portable toilets.
- David Albertini – South Beach Landing Complex – gave public comment about pedestrian safety and concerns on sound.
- Mike Fay – South Beach Landing – gave public comment with concerns about noise from the outdoor stage, occupancy limits, current outdoor lighting
 - Lisa Pearson stated the fire department reviews these plans and sets the occupancy limits. She said staff will make sure to get this reviewed by Fire Department.
 - Lisa Pearson asked about the lighting the abutter is speaking of.
 - Rob Depesa stated it is a National Grid light, he will follow up with them about the status of the light.
 - Lisa Pearson asked for more clarity about the ownership of the light and how it got there.
- Rob Depesa stated the exits will have crash bars and will have to be approved by the Building Inspector and Fire Department.
- Michael [last name inaudible]– an abutter – gave public comment with concerns about the patrons of the business, party bus lanes, flooding, and trash.

- Rob Depesa stated the trash will be picked up nightly. The noise will be studied and worked with. He will address the lighting.
- Attorney Costa stated they have a lengthy to do list. They will be responsive to the comments, refine the plans and propose solutions. He addressed concerns about sound and liquor licensing rules and regulations.
- JS asked about occupancy in total in relation to bathrooms
 - Rob stated he has 14 bathrooms in the entire facility.

GM motioned to continue the Major Modification of the Site Plan Approval for 11 North End Boulevard to the February 14, 2024 Planning Board meeting. JS seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

3. Other Business

a. Meeting Minutes : 12/27/23 – discussed at beginning of the meeting

b. Update on Open Space and Recreation Plan

- Lisa Pearson gave an update on the Open Space Recreation Plan. There is an upcoming meeting at the end of this month on January 31, 2024 at 7:00 pm. She recommended the Board look over the action plan and bring their comments and ideas. She would like members of the community to come to the meetings and suggest input.

4. Old Business

5. Correspondence

a. MBTA Zoning Meeting January 11, 2024 at 7:00 PM at the Salisbury Library

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 8:39 pm

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

Minutes approved by:

Date:



 1/24/24