

**Salisbury Planning Board
Meeting Minutes**

Date: Wednesday, August 14, 2019

Place: Colchester Auditorium, Salisbury Town Hall, 5 Beach Road

Time: 7:00 p.m.

PB Members Present: Chair Don Egan (**DE**), Clerk, Louis Masiello (**LM**), Gil Medeiros (**GM**) and Deb Rider (**DR**).

PB Members Absent: John “Marty” Doggett (**JMD**)

Also Present: Assistant Planner Bart McDonough (**BMD**).

DE brought the meeting to order at **7:00 p.m.** in the Colchester Auditorium, Salisbury Town Hall. Announced, per opening meeting law, that the meeting was being recorded.

1. New Business

- a. **Signing of plans & permits** – Nothing to be signed
- b. **Accessory apartment recommendation**—67 Folly Mill Road (Assessor’s Map 13, Lot 46)—Request made by Paul M. Kohan
Paul Kohan (**PK**) stated that he was the owner/resident of 67 Folly Mill Road and is requesting a recommendation from the Planning Board for an accessory apartment. **DE** read the criteria. **DE** asked **PK** if the apartment was existing. **PK** replied yes. **DE** asked **PK** if they were preparing the property to be sold. **PK** replied yes and stated that it has been listed and would like to make the apartment legally conforming. **DE** stated that the lot size met the zoning requirements. **DE** asked how much parking there was. **PK** replied that there was room for 8-10 cars.

GM motioned to draft a letter recommending to the Zoning Board of Appeals that the application for an accessory dwelling unit at 67 Folly Mill Road has an adequate lot size to accommodate an accessory dwelling unit and that its inclusion will not adversely impact the existing neighborhood characteristics.

LM seconded.

Vote: 4-0, motion passed.

- c. **Request for bond reduction**—70 Brissette Avenue (Assessor’s 32 Map(s) 337A-D)—Request made by Pensco Trust Co and David Broadhurst
Arthur Broadhurst (**AB**) stated that he seeking a bond reduction from \$25,000.00 to \$5,000.00. **AB** stated that the only remaining item is the landscaping. **AB** stated that the season for planting sea grass is between October and February and he has it scheduled to be delivered around the 13th of October. **AB** stated that it is their intention to get it planted within a couple of days once it is delivered. **DE** stated the Town Engineer (**TE**) had a question about the rip rap that was installed on the corner of Brissette and Murray Street. **AB** replied that it was put there to deter the end unit resident from parking on the corner and stated that they got bigger rip rap with sharper edges and deposited in a way to deter them from parking there. **DE** stated that he may want to defer this to the Conservation Commission to see if they have an issue with it. **DE** asked **SP** if he received and responded to the letter dated 8/7/19 from the **TE**. **SP** stated that he had received the letter and discussed it with **BMD**. **DE** stated that the **TE** mentioned that some of the 4x4 posts were not secure. **AB** replied that they are all secured and are in the ground 2’. **AB** went on to state that a couple of them were bumped by the homeowners with their cars and stated that he did not want to cement them in. **DE** stated that the other comment by the

TE was that some of the plants may have inadvertently parked in the public way. **AB** stated that they planted near the posts to dress it up a little bit and went on to state that he did not believe they were planted on a public way. **DE** suggested to **BMD** to get clarification from the **TE**. **BMD** stated that he would. **DE** stated that the **TE** is recommending a bond of \$10,000.00 to finish the work. **AB** thought that was too much and stated that he only has a couple hundred dollars of plants to be planted. **AB** stated that \$5,000.00 is more than enough to complete the work.

LM motioned to reduce the bond from \$25,000.00 to \$5,000.00.

DR seconded.

Vote: 4-0, motion passed.

1. **Request for a certificate of completion**—1 Washington Street (Assessor's Map 27, Lot 33)—Request made by Coastal Lane, LLC

BMD stated that the applicant is not ready to present to the Board. Recommend not placing on future agenda until updated as-builts are filed with the Planning Department.

- d. **Approval of inclusionary housing payment pursuant to §300-79 of the Zoning Bylaws of the Town of Salisbury**—3 Bridge Road (Assessor's Map 3, Lot 13) and 4 Beach Road (Assessor's Map 3, Lot 10)—Request made by Liberty Real Estate Strategy, LLC and Downeast Investments, LLC
Rob Ciampitti (RC) stated that it is their intent to pay into the inclusionary housing trust fund.

GM motioned to approve the substitution of the payment by the formula in the zoning bylaw into the Inclusionary Housing Trust Fund in lieu of building affordable housing units on site.

LM seconded.

Vote: 4-0, motion passed.

2. Public Hearings—7:10 pm

- a. **Cont. special permit and major site plan review**—3 Bridge Road (Assessor's Map 3, Lot 13) and 4 Beach Road (Assessor's Map 3 Lot 10)—Request made by Liberty Real Estate Strategy, LLC and Downeast Investments, LLC
- b. **Special permit, pursuant to §300-82.5(B)(3) Density of residential uses** —3 Bridge Road (Assessor's Map 3, Lot 13) and 4 Beach Road (Assessor's Map 3, Lot 10)—Request made by Liberty Real Estate Strategy, LLC and Downeast Investments, LLC
- c. **Special permit, pursuant to §300-82.8 (c) Building placement**—3 Bridge Road (Assessor's Map 3, Lot 13) and 4 Beach Road (Assessor's Map 3, Lot 10)—Request made by Liberty Real Estate Strategy, LLC and Downeast Investments, LLC
- d. **Special permit, pursuant to §300-82. (H) Outdoor storage**—3 Bridge Road (Assessor's Map 3, Lot 13) and 4 Beach Road (Assessor's Map 3, Lot 10)—Request made by Liberty Real Estate Strategy, LLC and Downeast Investments, LLC

GM motioned to open the public hearings for the special permits.

LM seconded.

Vote: 4-0, motion passed.

RC stated that he will review the changes that have been made since the last meeting then ask for a continuance. **RC** stated that they added an access easement for the Salisbury House of Pizza if they decide to change their mind in the future. **RC** stated that they added a green space in the front and a dedicated loading space in the back for deliveries. **RC** showed where the snow storage will be and discussed the parking waiver. Johanna Swartz (**JS**) stated that she lives at the Village at Salisbury Square and stated that her concern is the wetlands and asked if the applicant had thought about changing the traffic pattern to enter on Bridge Road and exit on Beach Road. Eric Botterman (**EB**) from Millennium Engineering stated that the wetlands were delineated by Mark West and confirmed by Mary Rimmer who works for the Conservation Commission. **EB** stated that they are not encroaching on the wetlands. **EB** stated that in regards to traffic they did look into one way in and one way out but it does not work for the project. **JS** stated that she does not understand why it would not work onto Beach Road. **EB** stated that they did hire a traffic engineer to review the plan and they along with **DOT** do not have a problem with this plan. Peter Smith (**PS**) stated that he lives in the Village at Salisbury Square and he has concerns that the runoff from the dumpsters and impervious surfaces will affect the wetlands and is also concerned about light pollution for the residents that live on Emerald Way. **EB** showed where the dumpsters were on the site and stated that they meet the runoff requirements by the state and the Conservation Commission. **EB** stated in regards to lighting the will be wall mounted dark sky compliant lights on the condo's. **DE** asked **BMD** to the luminaire plan on the monitor. **DE** stated that this plan shows no lights on the back of the building with the 5 condo units. **DE** asked **EB** if there is anything in the condo docs that prohibits installation of additional lighting after the fact. **EB** replied no and **BMD** suggested that they may want to add if additional lighting is installed it must be dark sky compliant. Mary Young (**MY**) asked what type of businesses would be going into the commercial building. **RC** stated that the second and third floors would be office use and the first floor is set up for two retail units. **RC** stated as far as businesses they do not know yet. **RC** asked the Board to continue the public hearing until 8/28/2019. The Planning Board discussed the parking waiver and the percentage of spaces that the applicant would like to approved for reduction. **RC** asked the Planning Board to continue this until the next meeting.

LM motioned to continue until 8/28/2019 at 7:10pm.

GM seconded.

Vote: 4-0, motion passed.

Other Business

- e. **Request for a discharge of an affordable housing covenant (Document #493854, Certificate #76906, Book 417)—57 Railroad Avenue (Assessor's Map 32, Lot 86)—Request made by KGO Management Company, LLC**

BMD stated that there are currently two affordable housing covenants (**AHCs**) recorded with the Registry of Deeds (**ROD**) with this property. The initial **AHC** was executed in 2007. In 2019, the development was revised and approved by the Board, thereby creating a circumstance to enter into a new **AHC**. **BMD** stated that the purpose of this exercise is to clear the title of the land by the Board voting to discharge the old covenant.

GM motioned to release the affordable housing covenant encumbering 57 Railroad Avenue, document #493854, certificate #76906, Book 417 as registered with the Registry of Deeds.

DR seconded.

Vote: 4-0, motion passed.

3. Correspondence

- a. **Minutes:** May 22, 2019
LM motioned to approve the minutes.
DR seconded.
Vote: 4-0, motion passed.

BMD discussed the upcoming community outreach meeting for the proposed marijuana cultivation site proposed for 187 Lafayette Drive on 8/22/2019 at the Salisbury Library.

4. Executive Session

- a. Executive session under G.L. c.30A, §21(a)(3) to discuss strategy with respect to litigation: Big Block Development Group v. Town of Salisbury Planning Board
Nothing new to discuss.

5. Adjournment

GM motioned to adjourn.
DR seconded.
Vote: 4-0, motion passed.

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

Minutes approved by: _____



Date: _____

9/11/19