



Place: Salisbury Town Hall and Remotely Via Zoom

Time: 7:00 p.m.

PB Members present: Chairperson, John “Marty” Doggett , Vice Chairperson, Deb Rider (**DR**), Gil Medeiros (**GM**)

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

PB Members absent: John Schillizzi (**JS**) and Louis Masiello (**LM**).

Also present: Director of Planning, Lisa Pearson and Planning Board Secretary, Sue Johnson

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

1. New Business – 7:00 pm

***JMD** took agenda item “b” and “e” out of order and discussed them first*

b. Request to release the confidential legal opinion from Kopelman & Paige regarding Mixed Use Development at 3 Bridge Road and 4 Beach Road.

- **JMD** stated, last meeting there was a confidential legal opinion from the Town Counsel, there was question about whether or not it could be released at that time. Town Counsel stated the document is not public record until the Planning Board votes to release it.
- Letter was dated December 21, 2021.

DR motioned to release the confidential legal letter of opinion document for the Mixed-Use Development at 3 Bridge Road and 4 Bridge Road dated December 21, 2021 and enter it into public record. **GM** seconded this motion. All members present (4) voted in favor. Motion passed.

GM motioned to release the confidential legal letter of opinion document for the Mixed-Use Development at 3 Bridge Road and 4 Bridge Road dated January 12, 2022 and enter it into public record. **DR** seconded this motion. All members present (4) voted in favor. Motion passed.

e.

Request for Certificate of Completion for 128 Elm (Map 10, Lot 185) requested by Amal Abouzeid

- c. Request for Site Plan Approval for the construction of a multi-family dwelling containing 5 units at **40 Brissette** (Map 32, Lot 350) on a .15 +/- acre site in the R3 zoning district. Applicant: Father and Son Construction. (Cont. 12/8/21, 12/22/21)

- JMD stated the applicant has asked for a continuance to next Planning Board meeting on the 26th of January, 2022.

DR motioned to continue the Site Plan Approval for 40 Brissette to the January 26, 2022 Planning Board meeting. GM seconded this motion. Roll call was taken, all members (4) voted in favor. Motion passed.

- d. Request for Site Plan Approval for a six (6) residential condominium building at **30-32 Cable Ave** (Map 32, Lots 46 & 48) on a .16 +/- acre site in the Beach Commercial Overlay zoning district. Applicant: Damon Amato. (Cont. 11-10-21, 12-8-21)

GM motioned to continue the Site Plan Approval for 30-32 Cable Ave to the January 26, 2022 Planning Board meeting. DE seconded this motion. Roll call was taken, all members (4) voted in favor. Motion passed.

1. New Business Continued:

- a. Request for Partial Certificate of Completion for **3 Bridge Road** (Map 3, Lots 13B3-13B8 & 13C1-13C5) requested by David Daly, Manager of 4 Beach Road LLC c/o Lisa Mead, Mead, Talerman & Costa LLC (Cont. 12-8-21, 12/22/21)

- Attorney Lisa Mead from Telerman, Mead & Costa, spoke on behalf of the applicant.
 - She stated she thinks it is imperative that the first five (5) units that are complete have their certificates of occupancy released.
 - She stated the applicant has agreed to make some of the changes that were discussed over the two prior meetings.
 - She stated the applicants would like the Board to amend the decision, she noted it is a substantial decision and would require a public hearing, with the following conditions she provided in a letter submitted to the Planning Board as well as the Town Clerk's Office.
 - She stated the applicants request the release of the five (5) units and at their closings she will make sure the owners get copies of letters and tomorrow the amendment request will be recorded with the town clerk.
- DE stated he has concerns about the revised landscape plan. He stated he would like to see the landscape plan be the original only more robust in the event that the commercial property is not built, the tenants and town can still live with the landscape. He stated he would like to see something more permanent and consistent with what was previously approved.
 - Lisa Mead responded by saying this landscape plan was temporary and not looking to replace the original plan. She stated in the amendment, it says upon release of the 8 units a bond will be put in place for the completion of the

permanent original landscape plan. She assured DE there would be protection that the landscaping would be completed once the units were released.

- DR asked if the landscaping will be done around the residential area.
 - The applicant answered by saying, yes, the foundation for the permanent landscaping for the residential area has been laid down and will be finished in the spring.
- c. Request to release the confidential legal opinion from Kopelman & Paige regarding Mixed Use Development at 3 Bridge Road and 4 Beach Road.

GM motioned to grant a Partial Certificate of Completion for the 5 residential units in Building C in compliance with the letter dated 1/12/22 by Mead, Talerman & Costa and the letter to the buyers regarding their condominium is part of a mixed-use horizontal development dated 1/13/22 by Mead, Talerman & Costa be provided to the buyers. DR seconded this motion. Roll call was taken, all members (4) voted in favor. Motion passed.

- d. Request for covenant approval to secure the remaining construction and inclusionary zoning at **9 Gerrish; Winterberry Circle** (Map 22, Lot 19) requested by DeStefano Development Group, LLC c/o Lisa Mead, Mead, Talerman & Costa LLC (Cont. 12/22/21)
 - JMD stated his understanding is that the inclusionary zoning agreement has been reviewed by town counsel and approved. The town engineer approved the bond amount and the town counsel approved the tri partite agreement.
 - Lisa Mead stated the applicant is going to do a bond instead of a tri partite agreement in the same amount of \$216,675.
 - She stated the request is for the lot one (1) to be released as soon as the Planning Department receives the bond. The bond is for the entirety of the infrastructure and the release would just be for the first lot which is almost done.

GM motioned to approve the request for covenant approval for 9 Gerrish; Winterberry Circle. DR seconded this motion. Roll call was taken, all members (4) voted in favor. Motion passed.

3. Other Business

- None at this time

4. Old Business

- None at this time

5. Correspondence

- None at this time

6. Adjournment

GM motioned to adjourn the meeting. DR seconded this motion. Roll call was taken, all members present (4) voted in favor. Motion passed.

Meeting adjourned at 8:07 pm

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

Minutes approved by: _____

John M. Drisset

Date: _____

12/15/22