



Date: April 26, 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, Deb Rider (**DR**), Clerk, John Schillizzi (**JS**), Gil Medeiros (**GM**), and Warren Worth (**WW**)

PB Members Absent: Alternate, Angelica Medina(**AM**)

Also Present: Assistant Planner, and Planning Board Administrative Assistant, Ellie Cornoni

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**

2. **Public Hearing - 7:10 pm**

JMD took agenda item “b” out of order.

- b. **114 Bridge Road (Map 14, Lot 10)** – Major Site Plan Review - Construction of a 400 SF loading dock and renovation of approximately 6,000 SF of interior space. **Applicant:** Our Neighbors’ Table (continued from 4/12/23)

- Attorney, Lisa Mead of Telerman, Mead and Costa of Newburyport spoke on behalf of the applicant.
 - She stated the Professional Engineer (PE), Joe Serwatka signed off on all the addressed comments as well as the Board of Selectmen had voted on the waiver for the public easement.
 - She stated there are no further comments from the applicants on the draft decision.
- Jane Purinton – 20 Toll Road – gave public comment about her appreciation of Our Neighbor’s Table.

GM motioned to close the public hearing for the Major Site Plan Review for **114 Bridge Road**. **JS** seconded this motion. Roll call was taken, 4 members voted in favor, 1 recused (**DR**). Motion passed.

WW motioned under the provisions of Article XVIII of the Zoning By-Laws of the Town of Salisbury and §300-35 of the Zoning By-laws of the Town of Salisbury, to approve the Major Site Plan Review for **114 Bridge Road**. **JS** seconded this motion. Roll call was taken, 4 members voted in favor, 1 recused (**DR**). Motion passed.

- a. **159 Beach Road (Map 28, Lot 1)** – Site Plan Review Application – Proposed construction of 14 lot with 10 duplexes and 3 single family homes for a total of 23 units. **Applicant:** Larkin Real Estate Group, Inc. (continued from 8/24/22, 9/28/22, 10/26/22, 11/9/22, 12/14/22, 3/22/23)

- Attorney Don Borenstein, Johnson & Borenstein, LLC spoke on behalf of the applicant.
 - He stated this board had endorsed a 14 lot ANR plan originally but the ZBA and building inspector stated that this project needed a site plan review.
 - He stated the original plans came before this board and was given substantial public comments and comments from the board.
 - The plans had changed significantly upon the revised plans from the last time they were in front of the board.
 - The plans submitted today are more defined sketches of the plan.
 - He stated there are comments from the Professional Engineer (PE) that need to be addressed after this meeting as well as hearing public comments.
- Bill Hall with Civil Design Consultants spoke about the project.
 - He stated the amount of curb cuts have been minimized down to 3 on Old County road and 2 on beach road.
 - A significant change has been made to the drainage system. Each building will drain into trench drains. All of these calculations have been provided for review.
- **JMD** stated from the beginning the issue the board has had with this project was the density. He believed that the board worked hard to promote less density for this project and it was being achieved but now what is before them is just as dense as the original.
 - Don stated his design approach was to make it consistent with the town zoning. The original was 23 units and the plan before the board today is for 24 units, but the building sizes have been reduced. This project has also been conscientious of off-site improvements, sidewalks, infiltration, etc.
- **GM** asked about the condo style situation.
 - Don replied there is going to be a mix of rental and residential.
 - **GM** stated with the summer rentals there are going to be more cars, the parking situation causes concerns to him in regards to public safety.
 - Don stated this project considers public safety. He said that they have been open to restrict short term rentals. He reiterated this sight is a dense but it is allowed by town zoning.
 - **GM** stated that there is going to be issues when people park along Old County Road and Beach Road, especially when the sidewalk goes in. Beach road will be tightened up.
- **DR** stated she echoes the comments of **GM**. She stated she does not agree with the cape cod berm and that granite curbing is absolutely necessary for public safety.
- **DR** asked about the floor plans of the units.
 - Don stated they have not submitted floor plans yet because they wanted together comments from tonight's meeting.
 - **DR** asked the width and length of the triplexes.
 - Bill responded, 31 feet wide 45 length
 - **DR** stated that parking would be very tight for the three tandem parking spaces underneath the buildings.
- **DR** stated that she was very surprised to see these new plans where she thought in good faith the applicants had worked with them to bring something workable and this is very different. She also stated they will be going in front of the Affordable Housing Trust for affordable housing requirements.
- **JMD** stated he does not believe that the concern of snow storage has not been addressed.
 - Bill stated there is limited snow storage and any access would have to be taken off site.

- **JMD** asked for a sense of how ingress and egress would work within the multifamily units.
 - Bill stated there are going to be stairs to access the units on the sides. In the plans there are a slight bump out that would hopefully house an internal stairwell in the garage.
- Kevin Dandrade, with The Engineering Corp, Inc., spoke on the sites traffic and parking.
 - He stated the last plan's parking was tight and he was surprised to see an increase in density seeing as there was much concern.
 - The safety has improved with the decrease in curb cuts but with the increase of density brings its own issues. There are many situations that are still concerning with the density of this site.
 - He stated there has not been any update on the mailboxes which he would like to see addressed.
 - He stated he recommends the granite curbing for safety and durability.
 - He stated an update from the Mass Dot would be beneficial to the Board.
- Ron Tony Giordano – 44 Railroad Avenue – gave public comment stating he thinks the density should be scaled down.
- Michael Colburn – 5 Caitlin circle - gave public comment about his disapproval of the project.

GM motioned to take a 5 minute recess at 8:06 pm. DR seconded this motion. 3 members voted in favor, 2 recused (WW and JS). Motion passed.

- Chuck Shaw – 13 Old County Road – gave public comment voicing concerns about the project and his opposition to the density.
- Katlyn Mason – 239 Lafayette Road – gave public comment about concern for water supply and concerns for a growing population.
- Ron April – 1 Michael's Way – gave public comment and handed packets to the board in regards to flooding in that area.
- Kimberly Cipolla – 7 Old County Road - gave public comment about her concerns over the project including handicap accessibility.
- Richard Nagle – Salisbury - gave public comment about his disapproval of the project and concern for public safety and density.
- David Holscher – 1 Old County Road – asked about the lawsuit that the Town finds themselves in with the Larkins.
 - Danny Ruiz responded saying the Planning Board will update KP Law who updates the judge when anything is established. Currently the lawsuit is stayed.
- Fiona McClelland – 117 Cable Avenue - gave public comment on her concerns for density and aesthetics.
- Heidi Hovde – 26 Locust Street - gave public comment about her concerns for the density of this project.

GM motioned to continue the Site Plan Review for 159 beach Road to the May 24, 2023 Planning Board meeting. DR seconded this motion. Roll call was taken, 3 members voted in favor, 2 recused (WW and JS). Motion passed.

- c. **14, 16, 18 North End Blvd (Map 33, Lots 248, 249, 250)** – Major Site Plan Review - Construction of two residential buildings with 5 units and 6 units for a total of 11 townhouse style residential condominiums. **Applicant:** Seacoast Property Management, LLC (continued from 4/21/23)

Both agenda items were combined. Please see below for discussion

- d. **14, 16, 18 North End Blvd (Map 33, Lots 248, 249, 250)** – Special Permit - Special Permit request under the Beach Commercial Overlay District & Inclusionary Zoning for the construction of two residential buildings with 5 units and 6 units for a total of 11 townhouse style residential condominiums. **Applicant:** Seacoast Property Management, LLC (continued from 4/21/23)

- **JMD** Stated the applicant has requested a continuance to the May 10, 2023 Planning Board meeting for both the Major Site Plan Review as well as the Special Permit Request.

GM motioned to combine agenda items **c** and **d** and continue both the Major Site Plan Review (c) and Special Permit Application (d) for **14, 16, 18 North End Boulevard** to the May 10, 2023 Planning Board meeting. **JS** seconded this motion. Roll call was taken all members (5) voted in favor.

- e. **Zoning Amendment Proposals for the Planning Board to consider recommending for Town Meeting:**

i. **Modifying the Salisbury General Bylaws;**

1. To create an Erosion Control and Stormwater Bylaw, or take another action relative thereto.

- Danny Ruiz went through the newest comments from KP Law. He stated the bylaw is still waiting for examples for Town Meeting.
-
- Larry Kady – 260 North End Boulevard – gave public comments about his concern for using Conservation Commission as the authority for this bylaw.
- Neko Kady - 260 North End Boulevard – gave public comment about his concern for using Conservation Commission as the authority for this bylaw.
- Rick Rigoli – 180 North End Boulevard – gave public comment about his feelings toward the bylaw.

3. **Other Business**

Minutes: None at this time

4. **Old Business** None at this time

5. **Correspondence** None at this time

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 9:38 pm

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

Minutes approved by: _____

Date: _____


5/23/23