



Date: January 26, 2022

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**)

PB Members Present via Zoom: Louis Masiello (**LM**), Don Egan (**DE**)

PB Members Absent: None

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

- None at this time.

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

3. Other Business

a. Master Plan & Lafayette & Main Zoning Discussion

- Director of Planning, Lisa Pearson, gave an update:
 - She stated there has been funding received from a grant for the master plan revisions and funding through Town Meeting for the Lafayette & Main design guidelines.
 - The Town has hired a consultant to help with both Master Plan and Lafayette & Main.
 - The next step is to create a Master Plan committee with a diverse group of board and commission chairs as well as members of the public to participate in the open meetings.
 - There does need to be an official committee in order to recommend something to the planning board at the end.

2. Public Hearing - 7:10 pm

- a. Request for Flexible Residential Design Approval for the construction of 2 additional dwellings plus 2 existing dwellings with access to three of the dwellings via a shared driveway at 46 Beach Rd/2 Gravel Way (Map 4, Lots 122 & 136), on a 1.83 +/- acre site in the Beach Commercial & R-2 zoning districts. Applicant: 46 Beach Road, LLC c/o Benjamin Legare. (Cont. 12-8-21, 12-22-21, 1-12-22)**

JMD recused himself on the grounds of him being an abutter to this project.

- Nicholas Cracknell, 13 Picard Street, Amesbury MA presented on behalf of the applicant.
 - He stated the applicant has submitted a Site Plan Application to the Planning Department as well as a Notice of Intent to the Conservation Department.
 - He stated a response letter was submitted at the last meeting to the Town Engineer, Joe Serwatka for him to review.
 - He stated that approximately 70% of the site will be protected under a deed restriction and shared in ownership by the four dwelling units.
 - Hopefully going to restore the fire damaged building at the front of the site and make the 4th dwelling an affordable housing unit.
 - There is nothing within the 25-foot wetland buffer zone and very little within the 50-foot.
 - Preserving the tree line along one of the edges of the site and multiple mature trees throughout the site.
- DE asked how they calculated how much open space.
 - Nick Cracknell stated they took the area of the parcel and removed driveways, roadways, building footprints- the remaining area was 70% of the lot.
 - DE followed up and asked, if it is correct that the occupants cannot put up a fence or a patio in that open space area around their home.
 - Nick Cracknell responded saying it means the applicants cannot put in a fence or a pool or anything outside of their homes exclusive use area.
 - DE asked if the exclusive use area was in the calculation for the open space.
 - Nick Cracknell said no. It would be closer to 80% open space if the exclusive use area was included in the calculation.
- DR commented she would like to make sure the project is meeting all the requirements of the Town's bylaws. She went through the specifications for a Flexible Residential Design Approval.
- DR stated there needs to be a waiver from §300-52.b; Open Space Requirements.
- Nick Cracknell said there is a bulkhead that may or may not be within the 25-foot buffer, so he stated they will be asking for another waiver.
- DR stated that she would like input from the Board members about the open space near the street either option a, keep it private; option b, create a pocket park; or option c, open it to the public.
 - JS stated he's leaning towards option a.
 - DE stated he could go for either option b or c.
 - LM stated either option b or c.

GM motioned to approve the waiver from §300-52.b; Open Space Requirements for the Flexible Residential Design Approval for 46 Beach Road/2 Gravel Way, Unit 1. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

LM motioned to approve the waiver from §465-19.c; Site Specific Design Standards for the Flexible Residential Design Approval for 46 Beach Road/2 Gravel Way. DE seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- **DR** stated that the board will go through each criteria for the special permit and discuss whether or not 46 Beach Road/2 Gravel Way meets them.
 - Whether the FRD achieves greater flexibility and creativity in the design of residential developments than a conventional plan;
 - **DE** stated he does not believe it meets this criteria.
 - **DR** stated she agrees with DE.
 - Nick Cracknell stated he believes this project is creative and does not believe that Salisbury is better off with a 3-lot subdivision if this FRD is not approved.
 - Joe Scenci – 50 Beach Road – gave public comment as an abutter saying he believes this is a good project.
 - Whether the FRD promotes permanent preservation of open space, scenic vistas, agricultural land, forestry land, wildlife and rare species habitat, other natural resources and features, including aquifers, water bodies, areas of critical environmental concern, and wetlands, and historical and archaeological resources in a manner that is consistent with the Town of Salisbury Community Development Plan;
 - **DE** stated yes, he believes they mostly meet this criteria; they are adding trees, preserving mature trees, preserving the historical house.
 - **LM, GM and JS** all stated they believe it meets the requirements.
 - Whether the FRD promotes a more efficient and compact form of development that consumes less open land and natural materials and conforms to existing topography and natural features better than a conventional subdivision;
 - **JS and GM** stated they had no comments.
 - **DE** stated he does not believe it meets this criteria due to the conventional subdivision already being approved.
 - Ben Legare, the Owner/Developer of the parcel, spoke and stated with the FRD there is land that will be saved and not developed as could happen in a conventional subdivision.
 - Nick Cracknell reiterated the open space and compact nature of the FRD compared to a traditional subdivision.
 - **LM** stated he likes this project and prefers this to a conventional subdivision
 - **DE** stated he changed his response to yes after hearing what the applicant had to say.
 - Whether the FRD reduces the total amount of disturbance on the site as compared with a conventional subdivision;
 - **DE, LM, JS, GM** all stated yes.
 - Whether the FRD furthers the goals and policies of the Town of Salisbury Community Development Plan as amended from time to time;
 - **GM, JS, DE and LM** stated yes.
 - **DR** also said yes.

- Whether the FRD facilitates the construction and maintenance of housing, streets, utilities, and public services in a more economical and efficient manner than a conventional subdivision plan; in harmony with the architectural heritage of the Town of Salisbury;
 - LM, DE, GM, JS all stated yes.
- Whether the FRD promotes affordable housing and a more diversified housing stock;
 - DE, LM, GM, JS all stated yes.
 - DR stated she appreciates the nature of the affordable housing but does not think these homes [condos] are affordable.

DE motioned to accept the application for the Special Permit for 46 Beach Road/2 Gravel Way as it meets the purpose of the bylaw. GM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

LM motioned to approve a density bonus for the fourth house at 46 Beach Road/2 Gravel Way. DE seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- b. 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, 1-12-22)

- JMD stated the applicant has requested the ability to withdraw without prejudice.

GM motioned to allow the applicant to withdraw the Site Plan Approval for 40 Brissette without prejudice. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

- c. 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, 1-12-22)

- JMD stated the applicant has requested a continuance to the February 9, 2022 meeting.

DR motioned to continue the Site Plan Approval for 30-32 Cable Ave to the February 9, 2022 Planning Board meeting. LM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

JMD suggested combining agenda items, “d”, “e”, “f”, and “g” for discussion seeing as they are all part of one project.

- d. Request for Amendment to Site Plan Approval at **187 Lafayette Road** (Map 19, Lot 296). Proposed change: Boundary adjustment with 191 Lafayette with associated modifications to parking. Applicant: Root & Bloom

- Please see below for discussion.
- e. Request for Amendment to Special Permit Approval at **187 Lafayette Road** (Map 19, Lot 296).
Proposed change: Boundary adjustment with 191 Lafayette with associated modifications to parking.
Applicant: Root & Bloom
- Please see below for discussion.
- f. Request for Site Plan Approval at **191 Lafayette Road** (Map 19, Lot 4). Proposed use: Development of a 4,588sf marijuana retail facility & a 6,166sf brewery with accompanying parking & other appurtenances . Applicant: 191 Lafayette Road LLC
- Please see below for discussion.
- g. Request for Special Permit Approval at **191 Lafayette Road** (Map 19, Lot 4). Proposed use: Development of a 4,588sf marijuana retail facility & a 6,166sf brewery with accompanying parking & other appurtenances . Applicant: 191 Lafayette Road LLC
- Attorney Adam Costa, with the firm Mead, Talerman and Costa, spoke on behalf of the applicant, 191 Lafayette Road, LLC.
 - He stated that the applicant came before the Planning Board last year with the SPR and Special Permit for 187 Lafayette and it was approved.
 - The reason they are back before the board today is to adjust the boundary line. Although this is not a substantive change, it is still an amendment and is required to be approved by the Planning Board for both applications.
 - He said with every marijuana retail store before the permitting process begins the applicant needs to obtain a Host Community Agreement from the municipality. Theirs was signed by the Board of Selectmen on May 13, 2019 and was amended on June 14, 2021.
 - Chris York gave an overview of the plans for 191 Lafayette Road, stating the revised plans will be showing more of 187 Lafayette Road due to the building being completed.
 - He said there are 5 buildings currently on the lot [191 Lafayette] that will be demolished as a part of this project.
 - Kim Turner, Landscape Architect for the project spoke about the landscape and what they are projecting for plantings and fencing.
 - Adam Sitterly with Anderson Porter Design, Inc. spoke about the building design and architecture. Stating they are trying to keep a barn aesthetic across the campus [both 187 and 191 Lafayette Road].
 - Scott Thornton, PE with Vanasse & Associates gave a presentation of the Traffic Impact Analysis.
 - Neel Patel with Ganesh Wellness, Inc. gave a brief summary of deliveries and operations.
 - **DR** asked how the odor control for the marijuana retail facility would work.
 - Neel Patel answered that like the other facility they operate, the products would come prepackaged. If there was any concern of smell they would install air purifiers.
 - **DE** asked about odor mitigation for the brewery.
 - Attorney Costa stated there is no plan in place but once a partner has been selected for the brewery it can be discussed.

- **DE** asked about how they intend to address the noise from the outdoor seating for the abutters.
 - Kim Turner stated there will be a barrier wall with plantings to absorb some of the acoustics from the outdoor section.
- **LM** asked if the outdoor area is going to be roofed over or open air.
 - George Haseltine replied it will be open maybe with outdoor lighting
- **JMD** asked the applicant if the brewery will have a canning operation in the facility.
 - George Haseltine responded there will be a small canning operation. This is required of the farmers license
- **LM** asked about patron capacity.
 - Adam Sitterly stated the estimates are in total 150 with 40-50 being exterior seating and approximately 100 being interior.
- **JMD** asked about the pass-through exit on 187 Lafayette being there for deliveries.
 - George Haseltine stated that the larger 53 foot trailer delivery truck will most definitely exit that. The other deliveries from box trucks and such would follow the path of least resistance. They make a directive for deliveries to exit via the pass through if it is a concern of the Board.
 - **JMD** stated he would like to look closer at this for safety reasons.
 - Attorney Costa referred to sheet f-1 of the plan set, it shows the possible movements which is for the tractor trailer and firetrucks.
- Julie Andrews – 8 Pine Street – gave public comment stating concerns for safety in their neighborhood and the school bus stop directly across the street from the site.
- Brian Kealey – 9 Del Logan Drive – gave public comment in reference to the handout he gave to the board. He voiced his concerns as an abutter stating he does not believe the dispensary belongs in the neighborhood.
- Samantha – gave a public comment about her concerns about noise and street safety.
- Lisa Pearson read into the record a letter for public comment from Randy Musto giving concerns over patrons using their parking lot at 188 Lafayette Road.

DR motioned to schedule a site walk for February 5 2022 starting at 187 Lafayette Road at 11:00am and to continue the Site Plan Approvals and Special Permit Approvals for 191 Lafayette Road and 191 Lafayette Road to the February 9, 2023 Planning Board meeting. GM seconded this motion. Roll call was taken, all members (5) voted in favor. Motion passed.

4. Other Business

b. Motel Reuse Overlay District Discussion

- Lisa Pearson stated she is in the process of sending letter to the parcels for the motel-hotel overlay district to see if there is a desire to update the bylaw. The original

5. Old Business None at this time

6. Correspondence None at this time

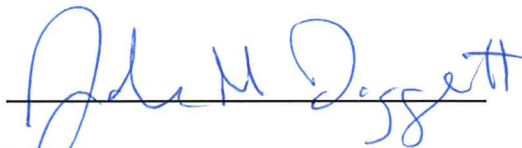
Adjournment

GM motioned to adjourn. LM seconded this motion. All members (5) voted in favor. Motion passed.

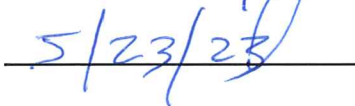
Meeting adjourned at 10:21 pm

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

Minutes approved by:

A handwritten signature in blue ink, appearing to read "Adam D. Duggett", written over a horizontal line.

Date:

A handwritten date "5/23/23" in blue ink, written over a horizontal line.