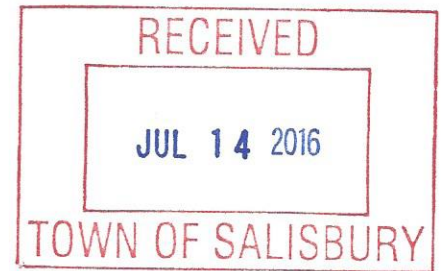


**Salisbury Planning Board  
Meeting Minutes**



**Date: Wednesday, June 22, 2016**

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

**Time: 7:00 p.m.**

**PB Members Present:** Chairman Don Egan (DE), Helen "Trudi" Holder (TH), Louis Masiello (LM), Brendan Burke (BB), Gina Park (GP)

**PB Members Absent:** Berenice H McLaughlin (BHM)

**Also Present:** Leah Hill (LH) Assistant Planner, Adriane Marchand (AM) Planning Secretary

Chairman Don Egan called the meeting to order at 7:06 p.m. in the Colchester room, Salisbury Town Hall. DE announced, per opening meeting law, that this meeting was being recorded and broadcast live via [www.sctvmc.org](http://www.sctvmc.org)

**1. New Business**

**a. Signing of Plans/Permits- N/A**

**b. Request for Certificate of Completion-191 Beach Rd-Equity Alliance c/o Joel Kahn.**

Joel Kahn (JK) from Equity Alliance is present. Speaks about the completion of the project. DE Congratulations on the completion of your project.

LM If we approve subject to the Town Engineers satisfaction, what happens with the bond?

LH You could vote tonight to release the bond upon the Town Engineer's satisfaction. LM

Would we have another look at this. LH No. JK If for some reason that Planning Staff or the Town Engineer was not satisfied I would be willing to post a cash bond. LM Our control over the bond ends at the end of June? LH No, the bond premium renews at the end of June. If you release it, it remains in effect. DE All the indications are that all the conditions are met and it is just the as-built that need to be consistent with the work done.

TH motions to approve the Certificate of Completion for 191 Beach Road Equity Alliance c/o Joel Kahn upon the Town Engineer's approval that all work is completed and sufficient plans provided.

LM seconds.

TH I would like to amend the original motion to include the release of the bond upon the Town Engineer's and the Planning Departments approval.

LM seconds.

**Vote 5-0. Unanimous. Motion Passed.**

**DE** Point of Order: Ms. Park (**GP**) will be voting in Berenice McLaughlin (**BHM**) absence. She will not be voting on the ANR for 26 Locust St as it falls under the Subdivision Control Bylaw. Ms. Holder (**TH**) will be employing Mullen's Law tonight.

**c. Request for Modification SPR-8-12 Broadway-Dodgem Corp. c/o Brian Mulcahy/Wayne Capolupo**

Brian Mulcahy (**BM**) addresses the board on progress since last meeting. He has submitted updated plans to the planning board. **DE** comments on the narrative provided by applicant and reviews some of the list from the June 8, 2016 Planning Board Meeting:

1. Traffic Flow
2. Stacking on Broadway
3. Vehicle traffic crossing the sidewalk
4. Curb cut

**LM** Are you going to stripe the sidewalk? Has anything been done to remove the metered parking space? **BM** In regards to removing one of the towns parking spaces. The Chief of Police never mentioned it in his site visit so I have not made inquiries as to whether it would be possible. **BM** To answer your first question; we are willing to stripe the sidewalk pending DPW approval. **DE** We received a letter from the DPW director Don Levesque stating that pedestrian signs would be preferred to painting the sidewalk. **BB** (referring to modification to site plan letter) Have all of these items been done or are going to be done? **DE** It is a potential draft of conditions.

**DE** presents the list the Planning Board would like to have addressed:

1. All vehicular exiting traffic is to be on Ocean Street only.
2. No cars shall be permitted to stack on to Broadway.
3. No standing cars permitted to block sidewalk.
4. During busy times, defined as holidays and weekends, there shall be 2 attendants-one to direct traffic at the sidewalk crossing and one in the parking lot.
5. Provide signage to notify pedestrians that cars are entering.
6. Provide signage to notify drivers that pedestrians are crossing the driveway.
7. Broadway entrance to be 20' (currently shown as 15').
8. Existing entrance to align with existing fence opening.
9. Parking spaces to be painted in the required size.
10. Applicant to return to Planning Board in July 2016 (after the July 4<sup>th</sup> weekend) to provide information as to how the new entrance is working, and whether there have been any problems. Planning Board to request information from DPW and Police regarding any situations.

**BM** responds to each point:

1. There will be painted arrows on the driveway directing the flow of traffic. The Ocean Way exit will have clear signage on the inside and outside of the entrance labeling it as an exit. The Broadway entrance will also be labeled with clear signage. An attendant will be present when the lot is open, directing traffic. When the attendant leaves and the lot is closed the gates on Broadway will be closed and locked. There is a 4 foot opening that will allow pedestrian access to the vehicles when the gates are closed.



2. The lot is 600 feet long. To prevent stacking the attendant will move traffic farther into the lot before they collect fees. Cars will have tickets to display on their dashboards to prove payment.

**DE** What would happen if there were 20 cars waiting to enter? **BM** The attendant would wave them in. The drive is 600 feet of internal stacking space. **LM** 20 cars would need about 400 feet. **DE** I couldn't imagine more than 20 cars, and the attendants would be trained to do this? **BM** Yes, it will be the forefront of their training.

3. Attendants will be trained to avoid this occurrence.
4. I agree with this point, though we would like to have the discretion to use a second attendant when necessary.

**DE** The language specifies every holiday and weekend? **LH** I started with broad language but we can refine now. **BM** We will be operating spring through fall but we would be willing to open for special events year round. **LH** Is your business license year round? **BM** Yes.

We have a public hearing at 7:30 p.m. I'd like to confirm with the applicant that we can postpone it to after the resolution of new business. Applicant Wayne Capolupo concurs.

**BM** We would like some flexibility that would allow for common sense decisions. Discussion follows on the language that would work best to allow this.

**BB** Do you have to get permits each year? **BM** No, but we have to renew our Business License each year. **BB** So there is motivation to operate correctly. I would have no problem with allowing common sense to rule. **LH** reads them the language she has so far: "during busy times in the summer season (Memorial Day to Labor Day) defined as holidays and weekends and special events though out the year there shall be two attendants present-- one to direct traffic at the sidewalk crossing and one in the parking lot except with foul weather."

Discussion follows on whether to include weather in the language. **DE** suggests the language "the purpose of this conditions is to prevent stacking or blocking of the sidewalk and pedestrian safety and it is the responsibility of the operator to ensure that these conditions are not violated."

5. The planned signage is outlined in the notes provided to the planning department. There will be exit and entrance signs. There will also be a sandwich style sign at the Broadway entrance that will be used to label the lot and price and when the lot is full it will be a "lot full" sign. There will be a "no overnight parking" sign. Hours will be posted on attendant booth. We would like to have the flexibility to close early if necessary. **BB** Could we take the notes he provided and attached it to the decision? **DE** That is the site plan application. We would not typically attach that to the decision. **LH** It is listed in the materials that are used to make the decision, so it is included.
6. The planned signage is outlined in the notes provided to the planning department.
7. Has already been addressed.
8. Has already been addressed.
9. Has already been addressed.

**TH** The hours of operations are to be 9a.m. to 11p.m, you mention turning off lights? When will that happen? **BM** The automatic timer will shut them off at 1:30 a.m. **TH** After the front gates are closed, will the lot still be handicap accessible? **BM** Yes.

10. Discussion on the date results in the agreement to meet at the July 13, 2016 meeting.

**DE** This project brings with it a great concern for public safety. We have done all we can do to stress that but ultimately the responsibility to ensure public safety falls on you and the lot operators. **BM** Yes, I take that responsibility very seriously.

**LH** Can I go through what I think we are going to add? No overnight parking, the Broadway gates are to be closed when the lot is closed. The attendant language should read "during busy times in the summer season (Memorial Day to Labor Day) defined as holidays and weekends and special events though out the year there shall be two attendants present-- one to direct traffic at the sidewalk crossing and one in the parking lot, at the discretion of the operator with foul weather, to prevent stacking or blocking of the sidewalk and pedestrian safety. It is the responsibility of the operator to ensure that these conditions are not violated."

**LM** motions to approve the Request for Modification and the draft Modification to Site Plan dated June 22, 2016 for SPR-8-12 Broadway-Dodgem Corp. c/o Brian Mulcahy/Wayne Capolupo with the conditions stated in the draft in addition to the conditions stated by the Assistant Town planner at this meeting.

**TH** seconds.

**Vote 5-0. Unanimous. Motion Passed.**

**d. ANR-26 Locust St-Aaron & Heidi Hovde**

Matt Steinel (**MS**) of Millennium Engineering representing Aaron and Heidi Hovde of 26 Locust St. **MS** introduces project of subdividing 1 lot into 2 lots and to build a new house on the second lot. This required receiving a variance from the Zoning Board which was granted on April 28, 2016.

**DE** The planning board needs to make a determination if this meets the endorsement requirements of an Approval Not Required (ANR) under the Subdivision Control Bylaw, that it's not a subdivision.

**LM** The new lot (2B) will it be for a single home or two? **MS** Single family. Shows general area of wetland that would limit development.

**DE** Gina Park as an alternate cannot vote as this falls under the Subdivision Control Bylaw.

**TH** motions to endorse the ANR for 26 Locust St-Aaron & Heidi Hovde.

**BB** seconds.

**Vote 4-0. Unanimous. Motion Passed.**

**e. Request for Certificate of Completion-18 Fanaras Dr-Keith Harnum**

Matt Steinel (**MS**) of Millennium Engineering representing Keith Harnum. **MS** briefs on project. The main outstanding item is the inspection to ensure the drainage swales on the property are functioning. Shows a video he would like to submit to the Planning Board and the Town Engineer in the place of a drainage test.



**DE** It does not appear the grass on the swale was planted? **MS** I took this video about two months ago so there has been time for additional growth but I don't believe it is fully grown in at this time.

**DE** The Town Engineer made comment on the limits of equipment/material storage around the site. It appears that some items may be located in flagged wetlands along the northerly side of the property and around the constructed wetland behind the building? **MS** There are some pallets and such that he stores there but they are right on the border, not past it, and they do not affect the flow of water.

**DE** We need to address two issues. The bond expires at the end of June, we either need to release or renew, and the observation of the drainage system working.

**LH** What is the date of the video? **MS** May 2, 2016. **DE** asks **LH**: Did you discuss that issue with the Town Engineer? Was he looking for additional review? **LH** The town engineer's job is to uphold the planning board's decision. One of the conditions set forth was that there be a review of a drainage. He was not provided a video, so it remained an outstanding item. **DE** To be consistent the Town Engineer would need the opportunity to review the video. **TH** Can we make the motion conditional on Joe Serwatka's approval? **MS** Or we can do a field test if he is not satisfied with the video.

**LM** motions to approve the Certificate of Compliance for 18 Fanaras Dr.-Keith Harnum contingent on the Town Engineer's review and approval of the drainage video and the planting grass on the swale. When the conditions are met the bond will be released.

**TH** seconds.

**Vote 5-0. Unanimous. Motion Passed.**

## **2. Old Business**

N/A

## **3.7:30 Public Hearing**

Gina Park (**GP**) will be voting in Berenice H McLaughlin (**BHM**) absence.

- a. **To see if the Town will vote to amend the zoning bylaws in accordance with the changes attached hereto with regard to Ch. 300 Article XII, Salisbury Beach Overlay District, and Ch. 300 Article XIII, Inclusionary Housing Requirements.**

Wayne Capolupo (**WC**) representing. **DE** briefs on progress on the citizens petition to date.

**LH** I have contacted the consultant but I did not receive a response from her before this meeting. Do we want to tentatively set the first workshop for July 13, 2016? **DE** Is everyone agreeable to start at 6:00 p.m.? We would begin the regular planning board meeting at 7:30 p.m.

The board discusses and agrees.

**DE** To the petitioner, the first work shop would be July 13<sup>th</sup>, the second on July 27<sup>th</sup>, and the third on August 10<sup>th</sup>, 2016. If we needed to we could do an additional workshop on the 4<sup>th</sup> Wednesday of August. **WC** I agree. This is the type of schedule we would like to see in place.

**BB** Is the consultant on board? **LH** I have not heard back from her yet. **BB** Has she signed any agreement yet? **LH** Not yet, but she is aware of this project. **DE** She has an existing contact with

the town. The Town may make this project an extension of that. **LM** Would she be responsible for creating an agenda? **LH** The first workshop is about vision. **DE** I think we would need an agenda. **LM** We should be referencing the master plan. **WC** I agree that we should talk about vision but I don't think that we should let it consume the limited time we have. **LM** I agree we don't need to start at ground zero. Perhaps we could do a vision presentation from 2011 and the current zoning. **LH** to **WC**: were you suggesting a sub-zone focus as opposed to the entire Beach Overlay? **WC** No, I agree with starting with the existing zoning for the entire beach overlay but vision is a large scope topic and tremendous discipline will be needed to stay on tract. **DE** and **TH** will come up with agenda working with Planning Department Staff and Consultant. **DE** We would like to continue this public hearing for two meetings instead of one, to July 27, 2016. **LM** So the July 13, 2016 meeting would follow just the workshop. **DE** Yes.

**TH** motions to continue the public hearing to July 27<sup>th</sup>, 2016 at 8p.m. for the zoning bylaws in Salisbury Beach Overlay District.

**BB** seconds.

**Vote 5-0. Unanimous. Motion Passed.**

#### **4. Other Business**

##### **a. Acceptance of Open Space Plan**

**DE** This is part of the process to move the Salisbury Open Space Plan forward. **LH** briefs on the background of her work with the open space plan and some of the successes achieved so far. It is time to update the plan and what we would like to accomplish in the next 5 years. **DE** Good job on accomplishments so far. **BB** Great progress. Have you ever considered accepting interns to help accomplish some of these goals, for instance tree inventory? **LH** Yes, we have had interns before, it's a very exciting prospect. **LM** How are priorities established? **LH** A little bit of everything: funding, economic climate, necessity. **LM** does the public weigh in on priorities? **LH** the public process is through the survey and discussion with different boards. **DE** You are looking for a motion to approve the Open Space and Recreation plan as amended as of today?

**TH** motions to approve the updated Open Space Plan with the action matrix and the plan in its entirety as of today, June 22, 2016.

**BB** seconds.

**Vote 5-0. Unanimous. Motion Passed.**

#### **5. Correspondence**

##### **a. Minutes from June 8, 2016**

**BB** motions to approve the minutes from June 8, 2016.

**GP** seconds.

**Vote 5-0. Unanimous. Motion Passed.**

#### **6. Reports of Committees**

**LH** Planning Day, **LM** are you attending? **LM** Yes, Planning Day is tomorrow by the Merrimack Valley Planning Commission is anyone else attending? **GP** Yes, I am attending.

## **7. Adjournment**

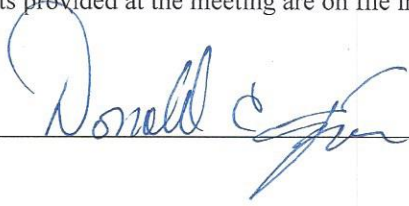
**BB** motions to adjourn the June 22, 2016 Planning Board meeting at 8:45p.m.

**TH** seconds.

**Vote 5-0. Unanimous. Motion Passed.**

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

Minutes Approved By:



Date:

7/13/16