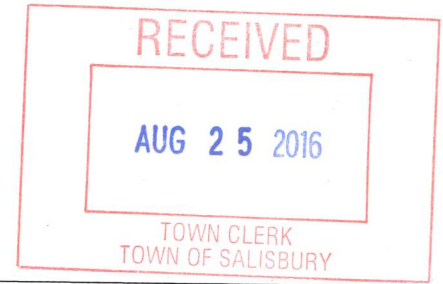


## Salisbury Planning Board Meeting Minutes



**Date:** Wednesday, August 8, 2016

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

**Time:** 6:00 p.m.

**PB Members Present:** Chairman Don Egan (**DE**), Brendan Burke (**BB**), Gina Park (**GP**), Louis Masiello (**LM**), John "Marty" Doggett (**JMD**)

**PB Members Absent:** Helen "Trudi" Holder (**TH**),

**Also Present:** Adriane Marchand (**AM**) Planning Secretary

Chairman Don Egan called the meeting to order at 6:00 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. Planning Board Discussion on Beach Overlay District Zoning**

**DE** introduces the goals for the evening's discussion and announces the Salisbury Beach Overlay District Zoning Changes Concluding Workshop will be on August 24, 2016 at 6:00p.m.

The Planning Board discussion to compile their recommendations on the zoning changes follows.

### **2. New Business**

#### **a. Signing of Plans/Permits**

#### **b. Accessory Apartment-21 Baker Rd-Kerri Pereira**

Kerri Pereira (**KP**) the applicant, briefs the board on the pre-existing Accessory Apartment in her home and her efforts to legalize it.

**DE** informs the Board of the 3 criteria that need to be met for the Planning Board to recommend to the Zoning Board. They are:

1. Stating the lot size is sufficient to accommodate an accessory apartment
2. Providing a description of the neighborhood and that the impacts of the accessory apartment.
3. The advisability of granting the special permit granting that it meets all the requirements

**DE** How big is the apartment? **KP** Approximately 920 square feet. **DE** The bylaw requires the apartment be under 900 square feet. Discussion follows about how the property does or does not meet criteria.

**BB** motions that the lot size is met, the parking requirement is met, and the neighborhood is residential and appropriate for the accessory apartment and is not detrimental to the neighborhood. The apartment exceeds the 900 square foot limit. **LM** seconds

**GP** comments about the advisability to recommend vs. not recommend. **BB** agrees. Discussion on the bylaw follows. **KP** claims shared communal space is counted in the measurement that shouldn't be counted. **DE** advisors **KP** of her options. **KP** choses to continue to allow for the apartment re-measured.

**DE** continues to Accessory Apartment-21 Baker Rd-Kerri Pereira to allow the applicant too correctly re-measure the apartment so that it is under the 900 square foot requirement.

### **c. Request for Modification-233 Beach Road-Steve Paquette**

Steve Paquette (**SP**), 233 Beach Rd, LLC, briefs on the progress the site-plan modification request has made since the last meeting.

**DE** I would like to preface this meeting with at the last meeting I continued this hearing to August 24, 2016 at 7:10p.m, I would not be comfortable issuing a vote tonight so that any abutters who may have heard that and will attend the meeting on the 24th will have a chance to be heard.

Discussion follows on the Town Engineer's comments and correspondences to date.

**DE** Have the elevations changed since the last plans were received? **SP** No.

David Udelsman (**DU**) of Udelsman Associates introduces the project. Reads the Design Guidelines (§300-71 of the Town of Salisbury Zoning Bylaw) and responds to how each point is met in the proposed modification.

Category 1 "A"- "E" are all met.

Category 2 is met as "G" and "H" comply. **GP** questions if the varying roof heights in "H" are met. Discussion follows leading to agreement that "H" is met.

Category 3 includes discussion on how "I" is met/ not met in regards to projecting bays. **DE** mentions that the projecting bays are not significant enough to count. "J" does not apply so you need to comply with "I".

**DU** continues. Board agrees the modification meets the requirements of Category 4 ("K", "L" & "M") and meets the requirements of Category 5 ("O" and "P").

**DU** Category 1 "Q", "R" & "S" do not apply. **DE** agrees.

Discussion returns to Category 3 point "I"; the second sentence is in question. **DU** argues that it is met as the zoning by-law does not specify dimensions of the projecting bay and therefor it technically meets the criteria. **DE** agrees on the technical wording of the by-law but that it does not meet the intent of the by-law. **DU** describes the projects projections and why the dimensions are not in the bylaw since they vary depending on what is appropriate for each project. **DE** asks the Board if they should ask for the inclusion of dimensions in point "I" along with the other Beach Overly Zoning changes discussed at the beginning of the meeting? **LM** states that it should not be changed for the reasons stated by **DU**.

**LM** motions that the Design Guidelines as the Architect, David Udelsman, presented them are met.

**BB** seconds.

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

**BB** motions to continue the Request for Modification-233 Beach Road-Steve Paquette to August 24, 2016 at 7:10p.m.

**LM** seconds.

**b. Accessory Apartment-21 Baker Rd-Kerri Pereira- Continued**

**KP** returns to further discuss the accessory apartment. Shows the floor plan provided and makes the case that the previously measured space includes a family room that her kids and family use. This space is communal and should not be considered as part of the accessory apartment. Not including that space the apartment is well under 900 square feet.

**JMD** motions to recommend the Accessory Apartment at 21 Baker Road to the Zoning Board of Appeals with the aforementioned reasons and the condition that the apartment floor plan be confirmed and the gross floor area be re-measured to confirm compliance with the aforementioned criteria.

**GP** seconds

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

**3. Old Business**

**4. Other Business**

**5. Correspondence**

- a. **Minutes from July 27, 2016** – DE would like to postpone to August 24, 2016 meeting to better match the minutes to the recorded record.

**6. Reports of Committees**

**7. Adjournment**

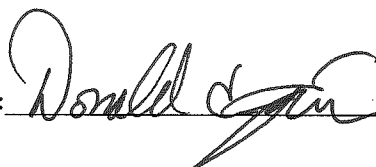
**BB** motions to adjourn the August 10, 2016 Planning Board meeting at 9:15p.m.

**GP** seconds.

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

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

Minutes Approved By:



Date:

8/24/16