

**Due to the winter storm forecast for Tuesday, February 13, the meeting of the Salisbury Zoning Board of Appeals scheduled for February 13, 2024 at 7:00 PM has been canceled.**

**All matters on the below agenda have been continued to the next regularly scheduled Zoning Board of Appeals meeting on February 27, 2024 at 7:00 PM, which will be held in the Colchester Room of Salisbury Town Hall, 5 Beach Road.**



**TOWN OF SALISBURY**  
Zoning Board of Appeals Hearing  
Colchester Room @ Town Hall, 5 Beach Rd

**AGENDA**

Hearing Date: February 13, 2024 @ 7:00 pm, in the Colchester Meeting Room

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2024 FEB 12 A 11:27

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@18:40A

1. **Continued Public Hearings**

**Case No. 23-000028 Petition for Relief – Variance** to request relief from height restrictions to allow for the proposed building height of 48 feet, 6 inches.

**Address:** 38 Central Ave.

**Map:** 33 Lot: 161

**Applicant(s):** Douglas Deschenes of Finneran & Nicholson, P.C.

2. **New Public Hearings**

**Case No. 23-000029 Petition for Relief – Administrative Appeal** to reverse the Building Commissioner’s determination that a violation has occurred

**Address:** 154 Elm St.

**Map:** 10 Lot: 175

**Applicant(s):** Paul D. Bertolli & Kenneth Carpi

**Case No. 23-000031 Petition for Relief – Variance** to request relief from the front yard setback requirements for a proposed sign

**Address:** 112 Elm St.

**Map:** 17 Lot: 122

**Applicant(s):** Christopher Deluca

**Case No. 23-000032 Petition for Relief – Special Permit** to allow for the installation of illuminated signs on three sides of the existing building.

**Address:** 112 Elm St.  
**Map:** 17 **Lot:** 122  
**Applicant(s):** Christopher Deluca

**Case No. 24-000001 Petition for Relief – Finding** to request to extend or alter a non-conforming structure.

**Address:** 11 Commonwealth Ave  
**Map:** 36 **Lot:** 49  
**Applicant(s):** Shiv & Rojina Shrestha

3. **Minutes**

January 9, 2024

4. **Correspondence and Other Board Business**

- Zoning Board of Appeals Rules & Regulations update

5. **Items Not Reasonably Anticipated by the Chair 48 Hours in Advance of the Meeting**

6. **Executive Session**

- Pursuant to G.L. c. 30A, §21(a)(3) to discuss strategy relating to pending litigation known as, **Larkin Real Estate Group, Inc. v Town of Salisbury Zoning Board et al.**, Massachusetts Land Court, Case No. 22 MISC. 000004, if the Chair declares that discussing the matter in an open meeting may have a detrimental effect on the litigating position of the Board. A vote regarding whether to go into executive session is expected; and votes may occur during the executive session.
- Pursuant to MGL c. 30A §21(a)(7) to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, the Open Meeting Law, MGL c. 30A §§ 22(f), (g) to review, approve and or discuss the possible release of executive session meeting minutes dated October 18, 2023.

7. **Adjournment**

- The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

**Next Scheduled Public Hearing: February 27, 2024**

**Cc:** Assessor, Director of Planning, Town Clerk, Public Works Dept

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