



TOWN OF SALISBURY
Office of the BOARD OF APPEALS
5 BEACH ROAD
SALISBURY, MASSACHUSETTS 01952
978-462-7839

March 8th, 2016
MINUTES

7:09 P.M.

Members Present:

Susan Pawlisheck, Derek DePetrillo, Kevin Henderson, Joseph Stucker

The agenda did not go in the initially indicated order of 16-02, 16-03, then 16-04.

The Board proceeds with a four member board.

New Business

**Case No. 16-04 Town of Salisbury
175 Beach Road (Map 28 Lot 5)**

Special Permit to construct a proposed police station double-sided free-standing sign with a non-illuminated top and an LED display screen sizing a total of 4'x7' 10' ½" x 8' ¼".

Chief Fowler asks to continue to later in the meeting as Mrs. Lisa Pearson has not yet arrived to help explain the case to the Board.

Susan Pawlisheck makes a motion to continue this case. Derek seconds. Kevin Henderson, Joseph Stucker vote to approve. 4 in favor, 0 opposed. Case 16-04 continues to a later point in the meeting.

**Case No. 16-03 Robert Salemi & Ryan Denver
5 Commonwealth Avenue (Map 36 Lot 46)**

Variance to remove the existing three family structure and construct a new two family structure on a pile foundation

Ron Laffely, architect representing the applicants, consents to moving forward with a four member board. The Applicants are business partners and have decided they want to live in

Special Permit to construct a proposed police station double-sided free-standing sign with a non-illuminated top and an LED display screen sizing a total of 4'x7' 10' ½" x 8' ¼".

After talking to the Ethics Board, Susan Pawlisheck is not recusing herself for this case though she is an abutter.

Mrs. Lisa Pearson explains that the police station is moving forward. They have the final site design for the sign and hope to have something tasteful. They are still discussing having the sign illuminated because of people needing to find the police station at night.

Susan Pawlisheck asks about a composite of the sign's final placement. Chief Thomas Fowler explains that it will be near the driveway and perpendicular to their neighbors to limit splash back of light.

Kevin Henderson asks about the size of the lettering on the sign. Lisa Pearson explains they are relying upon architects to determine the appropriate size. Chief Fowler explains that the LED sign is a one color light. They will display the temperature and weather as well as occasionally safety alerts. Joseph Stucker asks about the color of the sign and if it will be distracting; the sign will probably be white and their focus is on safety.

Derek DePetrillo explains that he is also concerned about the placement of the sign.

Chief Fowler explains that the sign will have stone on it to match the style of the building.

ABUTTERS

Rita Simeone

170 Beach Road Unit 16

Mrs. Simeone is concerned because she wanted to live in a residential area. She does not want the sign to make the police station look less residential and questions its necessity.

Lisa Pearson explains that nothing will flash and the sign will address the need for information within the town. They are willing to turn down the lights and do their best not to distract the neighbors. Chief Fowler explains that this road is the main way to the beach and gives the police department an opportunity to get out information as quickly and effectively as possible. She explains that she is concerned about other bright signs she has seen downtown. Lisa Pearson explains that the town wants to get rid of those signs and move towards something less distracting.

Mrs. Simeone asks about the Board setting parameters on the Special Permit. Chief Fowler explains that they cannot promise not to use the sign at night for emergencies but as a general standard, they will not.

Gina Park

170 Beach Road

Mrs. Park asks why they need a Special Permit. Susan Pawlisheck explains that the bylaws about signage are archaic, so a sign of this nature has no rules to guide them. Mrs. Park explains that this will increase activity in the neighborhood. She feels a lighted sign adds nothing to the neighborhood.

Lisa Pearson explains that this is not residential, it is beach commercial. The lighted portion would be necessary to find the police station.

188 Beach Road

The abutter asks where the sign will be. He is concerned about the size.

Lisa Pearson explains that the sign will be across from the main entrance and the clubhouse. The sign on the current police station is difficult to find because the sign is antiquated. From across the street if the houses run parallel to the road, they will not be able to see the sign.

Scott Vandewalle explains that they are allowed internally illuminated and much larger signs by rights of the law. There are two elements: the free standing aspect and the sign size. Free standing means they can move the sign to avoid the abutters.

Susan Pawlisheck asks if the LED aspect is necessary. Chief Fowler feels that getting information to people in the town is crucial.

Derek DePetrillo explains that he lives across from the current police station. He asks how the sign will address the majority of the population. Chief Fowler explains that 80,000 people visited the reservation and he hopes to reach those individuals.

Mary Francis

170 Beach Road

She asks about just using the LED for emergencies. Chief Fowler explains that it makes the station more friendly and accessible to the community.

Joseph Stucker makes a motion to approve the Special Permit including the modification for the lighting of the sign to indicate the police station with the conditions that the LED be kept at a reasonable lighting and put turned off when not an emergency between the hours of midnight and 6am. Derek DePetrillo seconds. Susan Pawlisheck, Kevin Henderson vote to approve. 4 in favor, 0 opposed. Special Permit passes.

**Case No. 16-02 Ronald & Sally Laffely
10 Lafayette Rd (Map 5 Lot 8)**

Special Permit to remove rear of existing structure and construct a new addition to existing structure

Mr. Ron Laffely represents his family. He explains that this is a project that came into his office. They are interested in this project and helping to renovate Lafayette Road. The issue is the size of the lot.

The only nonconformity is the rear setback. This is being removed. It meets all the criteria otherwise. He is doing everything to make it comply except the square footage of the lot. The building currently has one egress for both units. He is removing the egress and placing two entrances, one for each unit.

Susan Pawlisheck asks if they are replacing the part they will remove. They are not. It is a preexisting nonconforming two family building. This design is being encouraged by the Village district. The other potential design was to add onto the original building.

Susan Pawlisheck explains that the roof covering has no functionality except to cover one entrance and connect the two units. This is currently allowed in this district. Ron Laffely explains that he wants to create a sense of privacy.

Derek DePetrillo asks if this matches the cadence of the neighborhood. Scott Vandewalle explains that there are several houses like this in the Village District.

Scott Vandewalle explains that the Village District requires this to be a Special Permit. Ron Laffely says they need a Finding to see if this is detrimental to the neighborhood. It is an extension of an existing nonconformity so it is a Finding.

Ron Laffely explains that the existing lot coverage is 12% and allowed is 47%. They will go to 24%.

Derek makes a motion to grant the Finding as it is not more detrimental. Kevin Henderson seconds. Joseph Stucker, Susan Pawlisheck vote to approve. 4 in favor, 0 opposed. Finding passes.

Minutes

February 23rd, 2016

Kevin Henderson makes a motion to approve the minutes. Derek DePetrillo seconds. Joseph Stucker, Susan Pawlisheck vote to approve. 4 in favor, 0 opposed. Minutes are approved.

Correspondence

Executive Session: Discussion re: status of Livingstone v. Salisbury ZBA (173 Folly Mill Road)

EXECUTIVE SESSION

At 8:32pm, the board will enter Executive Session. The Board will not return for open session again.

Susan makes a motion to enter Executive Session. Joseph Stucker, yes. Derek DePetrillo, yes. Kevin Henderson, yes. Susan Pawlisheck, yes.

Adjourn

Susan Pawlisheck makes a motion to exit Executive Session. Joseph Stucker, yes. Derek DePetrillo, yes. Kevin Henderson, yes. Susan Pawlisheck, yes.

Derek DePetrillo makes a motion to adjourn. Kevin Henderson seconds. Joseph Stucker, Susan Pawlisheck vote to adjourn. Meeting adjourned. 8:44pm.