

**Salisbury Planning Board
Meeting Minutes
Wednesday, May 13, 2015 7:00 p.m.**

PB Members Present: Don Egan (DE), Chairman, Berenice McLaughlin (BHM), and Robert Straubel (RS), Brendan Burke (BB), Helen "Trudi" Holder (TH) and Lou Masiello (LM)

PB Members Absent

Also Present: Lisa Pearson (LP), Planning Director, Leah Hill (LH), Asst. Planner, Lori A. Robertson, Planning Board Secretary

Time: 7:00 p.m.

Chairman Egan called the meeting to order at 7:12 p.m. in the Colchester Room, Salisbury Town Hall. **DE** announced, per the Open Meeting Law, that this meeting was being recorded and broadcast live via www.sctvmc.org/index.

1. New Business: N/a

7:00 Public Hearing:

- a. **To amend the Zoning By-Law of the Town of Salisbury by creating a new zoning bylaw entitled Lafayette-Main Commercial District and to take any other action relative thereto:** (**LH** stated there is a clipboard for a sign-in sheet) **LP** addressed the board.

Went over the project background, existing zoning, and proposed districts from the last meeting April 22, 2015. Our hope is to continue this for a month and work up a re-draft. We will gather more information in the next two weeks. We will continue this through the summer and hopefully have it ready for fall town meeting. We sent out letters to abutters. Our goal is to relax the zoning. **BB** stated all the points that are brought up are still in play? **LP** stated yes.

Anthony Papoulias (AP) of 178 Lafayette Road addressed the board. Asked if there was a plan to go back to the workshops off TV. **LP** stated I prefer to be informal because I find people open up more. But you then have the problem of the public not being able to see what the meetings are about if they don't go. Discussion about how to go about the next meeting.

Gordon Blaney of Main Street addressed the board. Asked if it was legal for Lisa to come back after the private meetings and give an update to the board. **DE** stated yes that's fine.

Ronalee Ray-Parrot of Lafayette Road addressed the board. I think it maybe helpful to explain what the zones will mean for the new people here tonight. **LP** went over all zones and information from April 22, 2015 meeting (power point presentation from April 22, 2015).

Ron Laffely of 22 Lafayette Road addressed the board. I am happy that there will be more workshops. I hope that members of the Conservation, Zoning and other boards will be able come to the workshops too.

Pamela Diclemente (PD) 29 High Street addressed the board. I live in the area where it maybe LM-A. A piece of property across the street is for sale. Do I or my neighbors have any recourse in saying what can go there? This is a large property. This is the time to discuss what is allowed in the district and what will make sense in the district. **DE** stated this area is already commercial. **PD** stated my concern is the small children in the neighborhood. **DE** stated the new zoning has more design standards. It will probably be more attractive and have more design criteria. **LP** stated the area is already commercial. Our goal is to make whatever comes in here more desirable to put in buffers, etc.

DE stated **LM, BB and TH** are utilizing the Mullins Rule as they reviewed the video, minutes and other evidence from 4/22/15 meeting on this project and so are able to participate in this project and vote.

BB motions to close the public hearing for the Zoning By-Law of the Town of Salisbury by creating a new zoning bylaw entitled Lafayette-Main Commercial District and to take any other action relative thereto.

TH Seconds- Vote on motion 5 – 0 unanimous.

RS motion to not recommend the zoning by-law of the Town of Salisbury by creating a new zoning bylaw entitled Lafayette-Main Commercial District and take any other action relative thereto.

LM Seconds-Vote on motion 5 – 0 unanimous.

DE stated workshop will be June 10, 2015 at 6:00 pm.

7:30 Public Hearing

Cont. Definitive Subdivision – 20 Ferry Road/Douglas Avenue-Elite Builders: **LH** stated we received a continuation request.

TH motioned to continue the public hearing for definitive subdivision – 20 Ferry Road/Douglas Avenue-Elite Builders to May 27, 2015 at 7:30 pm.

BB Seconds- Vote on motion 4 – 0 unanimous.

ANR-21 Gardner Street – Robert Bochenko. Robert Bochenko (RB) addressed the board. My neighbor at 23 Gardner Street and I have been discussing a fence issue. We resolved it by her moving the fence back a certain amount and I have given her a slice of my land. **DE** asked if the plan was provided to the Assessor and planner? **RB** stated yes.

BB motions to endorse and approve the ANR for 21 Gardner Street.

TH Seconds – Vote on motion 5 – 0 unanimous.

DE stated there are two separate items for Beach Road.

Extension Request SPR-233 Beach Road-233 Beach Road LLC, **LH** stated this project received approval March 2006 to build 2 buildings for a total of 32 residential units. The first building “A” was built with 16 units. By June 2009 it was finished. The site plan bylaw requires “active development or at least substantial progress toward implementation of the approved site plan must occur within 5 years or the approval becomes void”. Depending on how substantial progress is interpreted, with the 5 years, plus the 2, 2-year automatic extensions from the governor, that may have brought the applicant to March 2015. The board has to decide if there has been substantial progress. **RS** stated the wording is that the applicant has to make substantial progress. They completed 50% of the project. **DE** stated we received communication from an abutter questioning the master deed. Peter Lee stated I received this today. My attorney responded. **RS** asked if we are combining both of these? **DE** stated the communication questions the validity of the site plan. **RS** stated the master deed. **DE** stated I think we need the input of town counsel on this. **RS** stated I don’t think this is necessary. They made substantial progress with the construction of the first building.

LM motions to continue the extension request for SPR-233 Beach Road-233 Beach Road until May 27, 2015 at 7:00 pm.

TH Seconds – Vote on motion 5 – 0 unanimous.

Request for minor modification for SPR-233 Beach Road LLC, Peter Lee (PL) addressed the board. We would like to make a minor modification of building “B” reducing from 16 units to 12 units. (showed a picture of the proposed building) **LM** asked if they would all be 3 bedrooms? **PL** stated yes. **LH** asked if Building “A” has more screening for parking? **PL** stated yes. Discussion about direction of photos taken.

Joe Coronatti (JC) of Jones and Beach Engineers, Inc. addressed the board on behalf of the applicant. This site is more than 50% complete. The first building is complete but also the infrastructure is on site for the second building. There is a hydrant already installed, transformer for power, sewer has been run, gravel/parking area between building is installed. The building footprint is 2,700 +/- smaller than the original approved building. We are adding visitor

parking. We have 2 spaces per unit. We will have 4 extra spaces for visitors. The proposed building is more efficient with less hallways and common area. The look of the building will be similar to Building "A". The same materials will be used. **LH** asked if in between the buildings will remain gravel? **JC** stated yes. **LM** asked if Building "A" had screening all around? **JC** stated just street side. **LM** asked about snow blowing in the parking area? **PL** stated we have a management company remove the snow. **DE** stated Building "A" has a distinctive roof design. Building "B" does not look like the existing building. **PL** stated I'm not sure if the roof line. The colors, etc. will be the same. Under changes for an approved site plans (read from PB rules and regulations-changes to approved site plans about PB making the determination of major/minor modification). I believe the PB needs to make that decision. **LH** stated that was changed in the rule and regulations. It is the Planning Department that needs to make that change. **DE** I feel this is right on the edge of major/minor change. **RS** stated I think LH is correct. It's the Planning Department decision. **LH** stated because this is a new change the abutters were notified. **PL** stated I can have the architect come to the next meeting. We are lessening the impact on the site. **DE** asked how this will impact the inclusionary housing contribution. **LH** stated because they are introducing four less, so less inclusionary fees but less market rate units to add to the total. Ultimately it's a wash because they are not introducing four units into the market place.

LM motions to continue the request for minor modification for SPR 233 Beach Road LLC to May 27, 2015 at 7:00 pm.
BB Seconds-Vote on motion 5 – 0 unanimous.

ACC-9 Palis Drive – Louis R and Leane W. Lavoie: Ronald Laffely of Fulcrum Architects addressed the board on behalf of the applicant. They are asking to add an accessory apartment for their parents. There will be a common area. We are also updating the mechanical equipment. The door between the apartment area and common area after the parents leave will be deleted. The net square footage is under 900 s/f. The gross s/f is slightly over 900 s/f. If that becomes an issue with the zoning board we will remove the two bay windows. We will be providing five parking spaces.

TH motioned to recommend to Zoning Board based on passing the criteria for Accessory Apartment Bylaw Section 300-59.

BB Seconds – Vote on motion 5 – 0 unanimous.

2. **Other Business:**

3. **Correspondence:**

a. **Minutes from April 22, 2015**

BB motioned to endorse and approve the minutes from 4/22/15.

DE Seconds- Vote on motion 5 – 0 unanimous.

b. **Verizon Wireless Letter re: historic properties-15 Folly Mill Road, 4/27/15-no comments**

c. **Letter re: Atlantic Breeze sidewalks, 4/28/15-noted**

4. **Reports of Committees:**

5. **Adjournment**

BHM motions to adjourn at 9:10 pm

TH Seconds – Vote on motion 5 – 0 unanimous.

Chairman

Date