

Salisbury Planning Board
Meeting Minutes
Wednesday, September 9, 2015 7:00 p.m.

PB Members Present: Don Egan (DE), Chairman, Brendan Burke (BB), Lou Masiello (LM), Helen “Trudi” Holder (TH) and Gina Park (GP), Alternate

PB Members Absent: Berenice McLaughlin

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

Time: 7:00 p.m.

Chairman Egan called the meeting to order at 7:05 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. **DE** stated that **GP** will be voting since Berenice McLaughlin missing.

1. New Business:

a. Signing of Plans and Permits: N/a

- b. Request for Certificate of Completion – 76 Elm Street:** Jay Palermo (JP) addressed the board on behalf of the applicant. Everything has been completed. Joe had the following comments in his letter dated 9/7/15
1. The board may want the as-built plan revised to depict the parking lot striping.
 2. The as-built preparer should verify that granite bounds have been installed as required by the special permit. **LH** stated the engineer is not aware of granite bound being set. **JP** stated I am assuming they are there.

BB motions to issue a Certificate of Completion and to release the bond for 76 Elm Street subject to the comments in Joe Serwatka’s letter dated September 7, 2015 being met.

LM seconds – Vote on motion 5 – 0 unanimous.

c. Lafayette – Main Zoning Discussion:

Discussion took place among the PB members about the Lafayette/Main Street zoning. Questions that were raised at the September 2, 2015 workshop.

1. An attendee asked whether or not homeowners and businesses located in the LM-D district could add solar panels to their roofs. The question was, does the fact that an “On-Site Solar Photovoltaic Installation” isn’t allowed in the LM-D district prohibit the installation of solar panels? **LM motions to allow the change of use in the LM-A&LM-D as well as the other districts. DE will send note. LM withdraws motion. DE stated there maybe a problem with the definition. DE will send a note to Building Inspector or Town Manager asking if it is allowed under the building code. I will try to find out what their understanding of the definition is.**
2. An attendee asked if the Town can add a cross reference to current zoning for the page 1 reference to mixed use development. **This has been added.**
3. An attendee asked whether or not drive through banking facilities and non-food drive thru uses are permitted in the LM and the LM sub districts? **The only prohibited drive through uses are: restaurant or other food service establishment with drive through service in the LM, LM-B and LM-D sub-districts.**
4. Can you include a definition of horizontal and vertical mixed use? **This by-law relies on the same definition as stated in the Village Center District and is incorporated by reference to section 300-82.3**
5. Several attendees mentioned that the Town Manager sent them an email or letter explaining that the zoning by-law provisions for pre-existing non-conforming structures and uses are sufficient to address their concerns relating to the proposed zoning. **DE the Town Manager sent an email with the basic text.** (went to 7:30 public hearing)
6. An attendee voiced their concern about their single family home and what they believe their current rights relating to alterations, expansion and additional uses are and that they will lose rights that they currently have if

- the proposed zoning is adopted. **DE stated the Town replied that the non-conforming, pre-existing language in the current zoning by-law has been appropriately incorporated the current draft.**
7. An attendee asked if the Building Inspector could provide a letter detailing what is and isn't allowed in regards to changes to existing single family homes in the proposed districts. **DE stated I believe the that anyone who still has concerns should speak with the Building Inspector for any clarification.**
 8. Footnote 11 regarding "Open Space" includes a reference to section 300.82.3 for the definition. An attendee asked what "Landscaped" means and in particular, does it include lawns. The attendee suggested that perhaps a more comprehensive definition of what constitutes landscaping should be included in the proposed by-law. **DE stated it should be dealt with in the design guidelines.**
 9. An attendee pointed out that footnote #10 was missing the word "commercial" and should read "...no *commercial* structure shall be located..." **DE stated yes, it was changed.**
 10. Section 300-164(A) of the proposed by-law in part defines a parking space as ..."an all-weather, surfaced area...". An attendee asked what an all-weather surfaced area consisted of and whether or not the proposed by-law should include a definition. **DE stated it would be up to the Building Inspector as to what is all weather surface means/ PB Rules and Regulation guidelines.**
 11. Should the dimension of a parking space be consistent with the rest of the town?
 12. Should the proposed reduced size of a parking space only be available to a developer as an incentive for meeting some of the stated goals in this by-law (such as parking behind the building)? **LM motions to recommend option #3 which is to adopt incentive based language. BB – Seconds – Vote on motion 4 – 1 (TH opposed). Motion Passed.**
 13. An attendee asked if the consultant could provide guidance on the number of parking spaces that are required for commercial multi-tenant buildings and incorporate these guidelines into the proposed zoning by-law. **DE stated leave as is.**
 14. Should Salisbury adopt a town-wide tree by-law? **DE stated we will put this on our radar to do after this.**
 15. An attendee asked that the word "attractive" be deleted from MRD 300-162(I)(5) because it is subjective. **DE stated this was done.**
 16. An attendee was concerned that MRD 300-162 (H)(4) "Town's architectural heritage and historic character" are difficult to define and too vague a requirement. **DE stated keep it.**
 17. An attendee asked that the word "diversity" in MRD (H)(3) be changed to "mixed" as the word "diversity" in this context is not defined. **DE stated it was changed.**
 18. An attendee asked that MRD include a provision to allow the Planning Board to modify frontage and setbacks as part of the approval process. **DE stated ask that they build language that builds into that flexibility.**
 19. Trees: **GP motions to recommend option #2 amended by taking out "and a proposal for minimizing their removal as well as a proposal for planting trees to mitigate LM- Seconds – Vote on motion 4 – 1. (TH – opposed) Motion Passed.**

7:30 Public Hearing:

- a. **SPR – 123 Bridge Road – Dan Dandreo:** **DE** stated this was continued from the August 12, 2015 PB meeting. There was an issue with the abutters list, so we resent the abutters letter as well as posted again in the newspaper, so this is technically a new public hearing that needs to be opened and reintroduced. Taylor Turbide (TT) of Millennium Engineering addressed the board on behalf of the applicant. **TH** stepped down as she is an abutter. **TT** went over the August 12th meeting. We plan on reducing the existing curb cuts from 30' to 24'. It is proposed to have one-way traffic throughout the site. We have requested a waiver for parking in the front. Went over the drainage plans. To meet the comments from Joe Serwatka's letter dated August 10, 2015. We have reduced the dimensions of the building from 50' wide to 40', but it will stay the same square footage of 3,000. We added 7 additional parking spaces on the northerly side. In lengthening the building we will be increasing the amount of stacking in the lane. There was a question about vehicles being able to turn-around in the rear of the property. We removed a parking space and made a turn-around space. We added a sidewalk onto Bridge Road. We had preliminary discussion with the state and they don't have a problem with it as long as they are not responsible for maintaining it. We have added a sidewalk from the rear parking lot

with a crosswalk. There will be an entrance for customers and employees in the rear. We will have a patio area in the back. We have relocated the snow storage areas. The entire site is going to be granite curbing. With the redesign the drainage patterns haven't changed. We have relocated lighting closer to Bridge Road and also at the parking.

DE asked if anyone in the audience was a new attendee. It was noted that no one new present.

BB asked where the additional space for the building is going to be coming from also eliminating the storage area originally shown. **TT** stated we have 2. **GP** asked about the entrances to the building. **TT** stated we have 1 in the front and 2 in the rear. Discussion about sidewalk in front. **DE** asked if there is anyway a pathway could be put in to go to the condos. **TT** stated its too wet. **DE** stated I hope the order board stays in the spot that you have it. It becomes an issue if it's close to the street, the cars will stack onto Bridge Road. **DE** asked is there a landscaped plan? **TT** stated when I resubmit the package we will include one. **DE** asked about the curbing my concern is safety and it starts backing up into the street. I'm wondering if the curbing on the southerly entrance should be pulled back. **TT** stated the curbing is already there. It is corresponding to the existing curbing already there. **LM** asked about cars coming in to the order board and the crosswalk, will there be signage to keep cars off the walkway. **TT** stated yes. Discussion about the recommendation for the sidewalk out front.

Abutter, Trudi Holder of 7 Partridge Lane addressed the board. The walkable distance is a couple of minutes. There are a few shopping areas on Bridge Road that have sidewalks in front of them.

TT stated it sounds like everyone wants to the sidewalk. **LH** asked about the parking. **TT** stated I will look into the amount of spaces. **LH** stated with the angle parking does the same issue arise that customers are cutting across the parking lot. **TT** stated we plan on proposing a crosswalk from the sidewalk in the front.

BB motions to continue the SPR – 123 Bridge Road – Dan Dandreo until the September 23, 2015 meeting at 7:30 pm.

GP Seconds – Vote on motion 4 – 0 unanimous.

- b. **SPR-105 Rabbit Road-Ameresco, Inc. d/b/a MA Solar Highway LLC:** Robert Bukowksi (RB), Engineer for Amec, Foster and Wheeler addressed the board on behalf of the applicant. This plan which addresses the review comments by Joe Serwatka has not been distributed to you yet. This project proposes 649 KW solar photovalaic system that will cover an area of 2.3 acres. The site is 10.4 acres alsos houses the MassDOT maintenance yard. There is no proposed grading. There will be tree clearing. Access will come off of Rabbit Road. The site is surrounded on 3 sides of the wetlands. Discussed drainage. There is no plan for screening or plantings. **BB** stated the site is not very pretty to look at. Is there any plan to clean it up? **MassDOT** stated we can have a conversation with the district office. **BB** asked if there would be screening for abutters. **RB** stated no. Went over the tree clearing line. **BB** asked how many houses 649 KW will supply. **MassDOT** stated 120 houses per year. **DE** asked for some mitigation steps for the removal of the trees. On the island between Rabbit Road and also the north east corner of the property. Maybe 3 or 4 trees. **DE** asked about the decommissioning report. **MassDOT** stated that is part of the contract with Ameresco. They are required to remove everything from the site including underground and return the site to natural environment. We will get you a copy of that. **DE** stated we typically require the developer to post a bond. **LH** stated if it's a state/town facility they don't have to. **RB** asked what type of trees. **DE** stated for the southeast corner I would like oak or maple trees and on Rabbit Road a grouping of a landscaped shrub with that configuration. Discussion about the decision.

TH motions to continue the SPR – 105 Rabbit Road – Ameresco, Inc. d/b/a MA Solar Highway LLC until the September 23, 2015 meeting at 7:30 pm.

BB Seconds – Vote on motion 4 – 0 unanimous.

4. Other Business:

5. Correspondence:

Minutes from August 12, 2015

LM motions to approve the minutes from August 12, 2015.

BB – Seconds – Vote on motion 5 – 0 unanimous.

Minutes from August 26, 2015

BB motions to approve the minutes from August 26, 2015.

TH – Seconds – Vote on motion 5 – 0 unanimous.

6. Reports of Committees: N/a

7. Adjournment:

BB motions to adjourn at 9:39 pm

LM Seconds – Vote on motion 5 – 0 unanimous.

Chairman

Date

