

TOWN OF SALISBURY
Zoning Board of Appeals
5 Beach Road
SALISBURY, MASSACHUSETTS 01952
978-462-7839

September 3, 2013
7:00 P.M.

MINUTES

Members Present:

Susan Pawlisheck, Derek DePetrillo, Kevin Henderson, Ed Hunt

Old Business

Case No. 13-15
Outdoor Media Properties, Inc.
100 Elm St (Map 17 Lot 178)

Request for a special permit to replace an existing free-standing sign with a new free-standing sign

The applicant is requesting a special permit to replace an existing free-standing sign with a new digital free-standing sign. The overall dimensions of the proposed sign will be 10'x30'. The applicant is in need of a variance for the overall height of the sign; they are asking for 30' of height due to the grade of Rt. 110; there is a 10' drop and in order to have the sign be visible from the surface of the road, a height of 30' is needed. The sign in question predates zoning and is still in existence. The Chief of Police for the Town has submitted a letter in support of the digital sign, stating that he sees it as "a great public safety potential". There will be no fee to the Town to post emergency alerts or information important to the public (such as elections, road closures, mosquito spraying, board meetings etc). Additionally, any time an Amber Alert is released it will automatically come up on the sign and remain on the sign. In regards to security, Outdoor Media will subscribe to a secure service. NO ABUTTERS PRESENT.

Kevin made a motion to grant the special permit based on the Town of Salisbury's sign bylaws, §214-12 (1) There is a hardship of the condition of the land or preexisting building location which necessitates the granting of the special permit (2) The granting of the special permit will not have a negative effect on the surrounding property values (3) Sign scale is appropriate in relation to development scale, viewer distance and travel speed and sign sizes on adjacent properties (4) Sign materials, colors, lettering style and form are compatible with building design and use (5) The issuance of the special permit is not contrary to the purpose of this bylaw. There was a second from Derek. Susan, Derek, Kevin, and Ed all voted in favor of granting the special permit. Vote, 4 in favor, 0 opposed. Motion passes.

New Business

Case No. 13-19
H&M Industries, Inc.

99 Lafayette Rd (Map 17 Lot 52)

Request for a variance to convert an existing restaurant into a single family home with detached garage, with setbacks

The applicant is requesting a variance to convert an existing restaurant into a single family home with a detached garage. The applicant has already been before the Conservation Commission and in order to meet the setbacks required for the abutting wetlands, the applicant no longer meets the front setback in regards to the proposed garage. The overall dimensions of the proposed garage will be 40'x60' and be used to store commercial vehicles and equipment. The building is an estimated 20' tall; it is a pre-fabricated building so the exact dimensions will not be available until the actual purchase. NO ABUTTERS PRESENT.

Derek made the motion to grant the variance based on that applicant meets the criteria of hardship. There was a second from Kevin. Susan, Derek, Kevin, and Ed all voted in favor of granting the special permit.

Vote, 4 in favor, 0 opposed. Motion passes.

Case No. 13-20

Hope Sheppard

102 Folly Mill Rd (Map 12 Lot 63)

Request for a special permit for a residential dog grooming business

The applicant is requesting a special permit to operate a residential dog grooming business in her home. The applicant is certified in canine CPR and is a certified dog groomer. Additionally, there are two driveways for her home, limiting the need for on-street-parking, and the sign located at the end of her driveway will not exceed 24"x24". The applicant will only see dogs that have an appointment; all animal waste will be contained properly. This will not be a daycare and will follow normal business hours of 8-5 p.m. The building inspector made the suggestion to look at this as a home occupation, under §300-5 in Article I of the General Provisions of the Town of Salisbury Zoning Bylaws. There would be no effect on the advertising to look at this application as such. NO ABUTTERS PRESENT. Friend of the applicant, Nikki Brown of 57 Rabbit Rd. states that she has several people ask her if she knows of anyone else who runs a dog grooming business; she also stated that she sometimes has to turn people away because she has too much business.

Kevin made the motion to grant the special permit based on the Town of Salisbury Zoning Bylaws, §300-5, Home Occupation – an occupation conducted in a dwelling unit provided that: (A) Not more than one nonresident employee other than members of the family residing on the premises shall be engaged in such occupation (B) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 30% of the floor area of the dwelling unit shall be used in the conduct of the home occupation (C) There shall be no change to the outside appearance of the building or premises or other visible evidence of the conduct of such home occupation other than one sign (D) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard (E) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot (F) Home occupation businesses will be allowed by special permit granted by the Zoning Board of Appeals. There was a second from Derek. Susan, Derek, Kevin, and Ed all voted in favor of granting the special permit.

Vote, 4 in favor, 0 opposed. Motion passes.

Minutes

Minutes tabled until the next meeting.

Motion to adjourn from Derek.

Second from Kevin.

Vote, 4 in favor, 0 opposed.

Susan Pawlisheck - Chair

Derek DePetrillo - Clerk

Kevin Henderson

Ed Hunt