



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

MEETING MINUTES- PUBLIC HEARING

Hearing Date: July 12, 2022 @ 7:00 pm

Members Present: Derek DePetrillo (Chair), John Schillizzi (Vice Chair), Drew Dana, Stephen Rossetti and C.J. Fitzwater (Alternate)

Additional Persons Present: Scott Vandewalle, Building/Zoning Commissioner and Kate White ZBA Admin

Derek DePetrillo called the meeting to order at 7:00pm.

New Public Hearing

Case No. 22-000016 Petition for Relief – Special Permit to request the allowance of existing accessory apartment.

Address: 105 Folly Mill Rd

Map: 12, Lot: 154

Applicant(s): Dale Grasso

Applicant, Dale Grasso requests to withdraw her application without prejudice.

Building Inspector states for the record, that accessory unit is currently under code enforcement with both the Building and Health Departments. The unit was not legally created, no permits are in place for the work performed on the unit.

MOTION: Mr. Dana makes a motion to approve the request to withdraw the application without prejudice for Case No. 22-000016 at 105 Folly Mill Rd. Mr. Fitzwater seconds the motion.

VOTES: Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Case No. 22-000017 Petition for Relief – Special Permit to request an increase to the limit of dogs allowed in dog day care.

Address: 66 Elm St

Map: 1, Lot: 8

Applicant(s): Carlyn Capolupo

Representing the applicant is Attorney Douglas Deschenes of Finneran & Nicholson and Chris Crump of CWC Designs. The applicant is asking to modify the existing special permit to increase the limit of dogs allowed in dog day care from 60 to 170. If allowed, the applicant will go before the Planning Board for site plan review. The applicant is proposing to raze the existing dog day care facility and construct a larger facility to accommodate the increase in dogs. In an

effort to mitigate sound from the dog day care, the kennels in the proposed facility would be located on the right-handed side of the building which is the easterly side of the property where there are no residential abutters. The proposed facility would have indoor playrooms and an indoor pool. The Animal Control Officer has recommended the increase to 170 dogs from the original 80 that he previously recommended.

Abutters Barbara Rogers and Mable Lavalley, of 10 and 8 Cushing Street respectively, voice their opposition of increasing the quantity of dogs at the dog day care facility.

MOTION: Mr. Dana makes a motion to approve the request for the modification of existing Special Permit for Case No. 22-000017 at 66 Elm Street conditional upon receipt of a Certificate of Occupancy for a newly proposed structure. The use is essential and/or desirable to the public convenience or welfare, the use will not create undue traffic congestion or unduly impair pedestrian safety; the requested use will not overload any public water, drainage or sewer or other municipal system so as to adversely affect health, safety and general welfare of the Town; the requested use will not impair the integrity or character of the district so as to adversely affect the health, safety and general welfare of the neighborhood; the requested use will not cause an excess of that use that could be detrimental to the neighborhood. The Board requests that the Planning Board take special care to mitigate the noise coming from the property from that increase. Mr. Schillizzi seconds the motion.

VOTES: Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Case No. 22-000018 Petition for Relief – Finding to request the formal allowance of existing three family use in the R3 Zoning District.

Address: 80 Atlantic Ave

Map: 32, **Lot:** 188

Applicant(s): Anthony Montisanti C/O Gordon Glass of Johnson & Borenstein, LLC

Attorney Gordon Glass of Johnson & Borenstein, LLC represents the applicant

MOTION: Mr. Fitzwater makes a motion to continue Case No. 22-000018 at 80 Atlantic Ave until August 9, 2022 in order to have the case reviewed by Town Council. Mr. Rossetti seconds the motion.

VOTES: Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Case No. 22-000019 Petition for Relief – Variance to request relief from the rear and side yard setback requirements for proposed garage.

Address: 26 Folly Mill Rd

Map: 13, **Lot:** 80

Applicant(s): Linwood & Kate White

MOTION:¹Mr. Fitzwater makes a motion to approve the variance for Case No. 22-000019 at 26 Folly Mill Rd due to the shape of the lot. Mr. Rossetti seconds the motion.

VOTES: Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Minutes

June 14, 2022 Meeting Minutes

MOTION: Mr. Fitzwater makes a motion to approve the June 14, 2022 meeting minutes as written. Mr. Schillizzi seconds the motion.

VOTES: Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Correspondence and Other Board Business

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

Adjournment

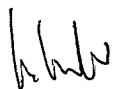
The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

MOTION: Mr. Rossetti makes a motion to adjourn the meeting. Mr. Schilizzi seconds the motion.

VOTES: Mr. Rossetti, Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 5 in favor, 0 opposed. Motion carries unanimously.

Respectfully submitted by Kate White, Board Secretary and accepted at the August 23, 2022 meeting of the Zoning Board of Appeals.

Accepted as Presented:



Chairperson, Derek DePetrillo

Cc: Town Clerk