



TOWN OF SALISBURY
Zoning Board of Appeals Hearing
Colchester Room @ Town Hall, 5 Beach Rd
Meeting was hybrid (in person and remote via Zoom)

MEETING MINUTES- PUBLIC HEARING

Hearing Date: August 24, 2021 @ 7:00 pm

Members Present: Derek DePetrillo (Chair), John Schillizzi (Vice Chair), Paul Descoteaux, Drew Dana, 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 7:00 pm.

1. New Public Hearing

Case No. 21-16 Petition for Relief – Finding to allow for the extension/alteration of a pre-existing, non-conforming structure for the proposed removal and reconstruction.

Address: 220 No End Blvd

Map: 34, **Lot:** 144

Applicant(s): Garden Primrose LLC, C/O Lisa Mead of Mead, Talerman & Costa LLC

MOTION: Mr. Dana makes a motion to continue Case No. 21-16 for 220 No End Blvd until the September 14, 2021 meeting. Mr. Fitzwater seconds the motion.

VOTES: Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously.

Case No. 21-17 Petition for Relief – Variance to request relief from the maximum height requirements.

Address: 7 Broadway

Map: 33, **Lot:** 182

Applicant(s): Matthew Steinel of Millennium Engineering

Derek DePetrillo signed financial disclosure document from the State Ethics Board.
Paul Descoteaux recused himself, leaving 4-member Board.

Wayne Capolupo agrees to move forward with the case with a four-member Board.

Mr. Capolupo, representing ABCAP Properties, presents the proposed structure “carousel pavilion” to house the historic carousel to the Board. The parcel is located in a FEMA designated flood plain, which will require the structure to be elevated on piles to comply with flood plain requirements. The subject parcel is also located on a barrier beach subject to Wetlands Protection Act, which requires the bottom of the structure to be two feet above the highest existing grade. The site slopes with the eastern side being almost two feet higher than the western side of the parcel. The relief needed from the maximum height restrictions of 35’ is 11’ 6,” which is for the cupola. The cupola has been designed to support natural ventilation within the structure.

MOTION: Mr. Schillizzi makes a motion to approve the request for a variance from maximum height restrictions for Case No. 21-17 at 7 Broadway due to the topography of the lot. Mr. Fitzwater seconds the motion.

VOTES: Mr. Dana, Mr. Schillizzi, Mr. Fitzwater and Chair DePetrillo, vote in favor of the motion. Members express their vote individually and verbally. 4 in favor, 0 opposed. Motion carries unanimously.

Case No. 21-18 Petition for Relief – Variance to request relief from the frontage and area requirements for the construction of proposed single family home.

Address: 40 Jak-Len Drive

Map: 18, **Lot:** 162

Applicant(s): Michael Wolpert

Applicant, Michael Wolpert, presents his case to the Board requesting relief from the frontage and area requirements per definition. The subject parcel is pre-existing, non-conforming lot from an approved and recorded sub-division plan of 1972. The lot is 20,000 square feet and the improved portion of Jak-Len Drive roadway does not extend along the front of this lot. Due to the wetlands, the applicant will be unable to extend the 50’ roadway to the end of this lot.

MOTION: Mr. Dana makes a motion to approve the request for a variance for Case No. 21-18 at 40 Jak-Len Drive due to size and topography of the lot. Mr. Schillizzi seconds the motion.

VOTES: Mr. Dana, Mr. Descoteaux, 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.

2. Minutes

August 10, 2021 Meeting Minutes

MOTION: Mr. Fitzwater makes a motion to approve the August 10, 2021 meeting minutes as written. Mr. Descoteaux seconds the motion.

VOTES: Mr. Dana, Mr. Descoteaux, 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.

3. Correspondence and Other Board Business

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

5. 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. Fitzwater makes a motion to adjourn the meeting. Mr. Schillizzi seconds the motion.

VOTES: Mr. Dana, Mr. Descoteaux, 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 September 14, 2021 meeting of the Zoning Board of Appeals.

Accepted as Presented:



Chairperson, Derek DePetrillo

Cc: Town Clerk