



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: September 28, 2021 @ 7:00 pm

Members Present: Derek DePetrillo (Chair), John Schillizzi (Vice Chair), Paul Descoteaux and C.J. Fitzwater (Alternate)

Members Absent: Drew Dana

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

Derek DePetrillo called the meeting to order at 7:05pm.

1. New Public Hearing

Case No. 21-20 Petition for Relief – Variance to request relief from the rear setback for proposed in ground pool.

Address: 30 Folly Mill Rd

Map: 13, **Lot:** 78

Applicant(s): Isaac Garcia

Applicant, Isaac Garcia, requests relief by variance from the rear setback for proposed 14' x 28' in-ground pool. The size of the lot, the placement of the house and septic system restrict the location of the pool in any other position. The pool will be 6.5' from the rear property line where 20' is required.

MOTION: Mr. Fitzwater makes a motion to approve the variance request for Case No. 21-20 at 30 Folly Mill Rd due to the shape of the lot. Mr. Schillizzi seconds the motion.

VOTES: Mr. Descoteaux, 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. 21-21 Petition for Relief – Variance to request relief from the side setback for proposed carport.

Address: 33 Elmwood St

Map: 13, **Lot:** 121

Applicant(s): Noel Searles

Applicant, Noel Searles, requests relief by variance from the side-yard setback for proposed 30' x 23' carport over portion of existing driveway. The proposed carport is to be located 8' from the property line, where 20' is required.

MOTION: Mr. Schillizzi makes a motion to approve the request for a variance from the side-yard setback requirements for Case No. 21-21 at 33 Elmwood St due to the shape of the lot. Mr. Fitzwater seconds the motion.

VOTES: Mr. Descoteaux, 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. 21-22 Petition for Relief – Special Permit for existing accessory apartment.

Address: 57 Baker Rd

Map: 10, **Lot:** 66

Applicant(s): Bryan Hughes

Applicant, Bryan Hughes, is requesting relief by special permit to allow for the existing accessory apartment. The applicant purchased the property 2015, at that time the accessory apartment containing 1084sf was already constructed. The Health Department has determined that the current septic system is adequate to serve the accessory apartment. The Planning Department recommends that the Zoning Board of Appeals grant the special permit as the accessory apartment will not adversely impact the neighborhood and noting that it meets all of the criteria except that the accessory apartment exceeds the total square footage of 900sf.

MOTION: Mr. Descoteaux makes a motion to approve the special permit request for Case No. 21-22 at 57 Baker Rd for the existing accessory apartment. Mr. Fitzwater seconds the motion.

VOTES: Mr. Descoteaux, 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.

2. **Minutes**

September 14, 2021 Meeting Minutes

MOTION: Mr. Fitzwater makes a motion to approve the September 14, 2021 meeting minutes as written. Mr. Descoteaux seconds the motion.

VOTES: Mr. Descoteaux, 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.

3. **Correspondence and Other Board Business**

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

5. **Adjournment**

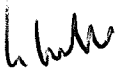
- The Board reserves the right to consider items on the agenda out of order. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

MOTION: Mr. Fitzwater makes a motion to adjourn the meeting. Mr. Descoteaux seconds the motion.

VOTES: Mr. Descoteaux, 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.

Respectfully submitted by Kate White, Board Secretary and accepted at the October 12, 2021 meeting of the Zoning Board of Appeals.

Accepted as Presented:



Chairperson, Derek DePetrillo

Cc: Town Clerk