



SALISBURY PLANNING BOARD

Planning Board – Public Meeting Academy Hall November 16, 2020 Meeting Minutes

Doug Greiner, Chairman	- Present	Joe Schmidl–Alternate	- Absent
Ray Deary – Vice Chairman/Secretary	- Present	Jeff Nangle– Alternate	- Absent
Loretta Razin - Member	- Present	William MacDuffie Jr –Alternate	-Present
Stacia Eastman – Member	-Absent	Vacant – Alternate	- N/A
John Herbert – Selectman Ex-Officio	- Present	Kate Wilson, Secretary	- Present
		April Rollins - Other	- Present

Visitors: Brambleberry Farm, Thomas and Jennifer Thibeault, Maria Dolder, Carl Erickson, Geoffrey Erickson, Gayle Landry

Chair Greiner opened the meeting at 7:00 p.m.

Review & Approve the draft minutes of November 2, 2020 and November 10, 2020 –

The Board reviewed the November 2, 2020 and November 10, 2020 draft meeting minutes. John Herbert made a **motion** to approve the meeting minutes of November 2, 2020 and November 10, 2020 with minor corrections. Loretta Razin **seconded** the motion and the **motion passed unanimously**.

Public Hearing Continuance - Conditional Use Permit for Site Plan
Review has been received in order to operate a Retail Sales
Establishment for 642 Old Turnpike Road, (Map 238, Lot 52) the
parcel is owned by the Birchwood Trust, Susan Bateman as Trustee.
Brambleberry Farm LLC is the applicant located in the
Residential District.

Chair Greiner discussed an administratively complete application and the process that will follow to complete review of this application. This includes review of the application packet, presentation from applicant, review of waivers, review of checklist, public hearing, planning board discussion, vote to approve waivers and three possible outcomes, disapproval, conditional approval, or continuation if more information is necessary. Application has been received with additional information to include tax card, abutters list,

and permission from the owner for applicant to proceed with the application submittal. Chair Greiner asked if there were any waivers submitted on the conditional use permit. The applicant has not requested any waivers. Chair Greiner stated that without the waivers, one could say the application is not administratively complete. Chair Greiner said he would like to move along and opened proceedings for board input regarding the waiver issue and whether to proceed with reviewing the checklist.

Ray Deary made a **motion** to accept the application as administratively complete. Loretta Razin **seconded** the motion and the **motion passed unanimously**.

Chair Greiner stated that the board needs to go through the checklist to see what is still needed for the permit. Chair Greiner suggested an enlarged version of the site plan derived from the septic system plan with the areas of business illustrated to help the board understand the site. Chair Greiner passed around photos of the site that the applicant sent. Board reviewed the septic plan. Chair Greiner suggested going through the checklist. Ray Deary asked where the location would be for the retail space. Applicant stated that it would be in the barn and not the residence. Chair Greiner suggested a blanket waiver for the size and scale of this project, and stated that there is not a specific site plan from the applicant for the current project. Applicant stated that she provided the board with a 3-page plan overview. John Herbert stated that at the October 5th meeting, the board went over the checklist and since then the applicant has submitted the septic plan, parking area, and other photos of the areas.

Open for public hearing at 7:15. No public comment. Public hearing closed at 7:15

Open session for planning board. Ray Deary asked about the abutters. No response from the abutters. Ray Deary asked about the sign that would be placed and suggested the applicant investigate the sign ordinance. April Rollins said that she would forward the sign form to the applicant. Chair Greiner stated that parking cannot occur on the Route 4 right of way, and that the applicant will need to reorganize parking at the site. Applicant parking must be within her property line. Applicant stated she measured the space and believes it can accommodate 8 cars. Chair Greiner asked for a plan map that shows the parking illustrated. Chair Greiner is looking for documented specifics.

Ray Deary made a **motion** for conditional approval based on the need for illustrated parking spaces on the site. John Herbert **seconded** the motion and the **motion passed unanimously**.

Loretta Razin asked about the waivers and if they are still needed.

Ray Deary made an **amendment** to the conditional approval motion to have a waiver form completed to reflect necessary waivers on the checklist which do not apply. John Herbert **seconded** the amendment and the **amendment motion passed unanimously**.

Thibeault, Thomas and Jennifer - Preliminary Conceptual Consultation for a Conditional Use Permit for a Major Home Occupation represented by Attorney, Maria Dolder.

No application has been submitted. Applicant requested Conceptual discussion with comments made from both parties being Non-Binding Maria Dolder, an attorney representing Thomas and Jennifer Thibeault, presented a conceptual overview of the project, being a Major Home Occupation, which is described in Zoning ordinance appendix A. Applicant is looking to set up an inspection station and basic auto repair. Residence has an established garage with 3 bays, 2 bays would be for commercial use while keeping the other bay for personal use. There is a wall and door that separates those two commercial bays from the residential bay. Zoning Ordinance discusses square footage requirements. Home currently is 3,575 sq feet and the proposal will be for a 1200 sq foot business which will be under the square footage stipulated by the zoning ordinance of 50%. Hours of operation will be Monday - Saturday 8 am to 5 pm - by appointment on Sunday which is a state requirement. They are estimating 5 to 10 car appointments per day. The property is an 1/8 of a mile from the town road and a substantial wooded buffer occurs between town road and proposed uses so the applicant states it does not impact the neighborhood. Application will be from Thomas Thibeault and one other person. Anticipating parking on the lot and estimates 1-2 cars at a time because of the use of the garage bays.

Lawyer asked about the site plan and what the planning board is going to look for. Chair Greiner discussed waivers and the necessary documentation. Start with enlargement of property on a tax map, then illustrate the location of driveway and building. Other avenues to supplement that base plan, plot map, septic system site plan and images from Google Map. Applicant talked about the google map image and the additional bay that has been added since the image was taken. There is a shared driveway. Ray Deary asked to get information from abutters and include any deeded easement regarding shared access. Chair Greiner stated that they need an agreement on who is responsible for the easement and maintenance of the driveway. Thibeault does not believe the application will increase the use of the driveway.

Ray Deary asked about hazardous waste and disposing of those materials. Ray Deary asked for pictures of that and suggested secondary containment. The board wants to be assured that those materials are not going to impact the environment and groundwater. Chair Greiner asked for the application to include narrative as well as the photos. Ray Deary asked about a site walk. Chair Greiner said after the application is received, we can schedule a site walk. Lawyer asked for a deadline for application. April Rollins stated by end of the week or early next week, so it is received by necessary parties prior to the next meeting. Chair Greiner is going to provide a redlined checklist for the applicant so that it could streamline the process.

John Herbert asked for clarification on service stations. Chair Greiner discussed the history of this application and past issues. Conditional use permit vs major home occupation. Zoning states conditional use permit for major home occupation. Chair Greiner considered it commercial in an agricultural area. Chair Greiner asked about state licensing. Applicant said he needs to fulfill square footage of the garage and hang the inspection number sign. Chair Greiner anticipates a more complete application after this discussion.

OTHER BUSINESS - Conceptual Conversation. Carl and Geoffrey Erickson from Hopkinton interested in land on West Salisbury Road. Land purchase is pending approval

of the building design. They would like to know rules around the Accessory Dwelling Unit. - Carl stated it is a normal house but wanted to know about rules around finished space above the garage, attached vs detached. Ray Deary asked about an additional kitchen and bathroom in that space. Carl Erickson said it is for additional family from out of town. Ray Deary said to make sure the septic design is appropriate for the number of bedrooms regardless of where the rooms are. Chair Greiner advised Carl to research the accessory dwelling ordinance. Ray Deary asked who the architect and designer is. Carl said he typically draws it out and brings it to a firm. Chair Greiner suggested to bring zoning and accessory dwelling ordinances to the architect, and they would be able to follow the guidelines and codes. Bill McDuff speculates that an accessory dwelling unit would probably fall under the detached living space vs if the space is attached. Language for zoning ordinance on page 11 and 12. Chair Greiner read the language. Chair Greiner summarized that if it is an attached garage there is no issue with finished space above, if it is detached then it would be an accessory dwelling limited to 850 sq feet. Chair Greiner suggested that Carl talk to the building inspector.

April Rollins had Chair Greiner sign the EOP.

NEXT MEETING – December 7th, 2020 7:00

ADJOURNMENT – Ray Deary made a **motion** to adjourn, John Herbert made a **second** to the motion, **motion passed unanimously** 8:25 p.m.

prepared by Kate Wilson, Secretary