

SALEM PLANNING AND ZONING COMMISSION

(PZC)

REGULAR MEETING

February 19, 2013

7:00

Present: R. Amato, D. Bingham, V. Smith, W. Volberg,
K. Buckley, G. Fogarty, Alt, M. Darling, Alt., M. Chinatti, Town Planner/ZEO,

Absent: R. Savalle, G. Walter, H. Green Alt.,

Guests See File Copy

CALL TO ORDER: R. Amato called the meeting to order at 7:01.

ADDITIONS TO THE AGENDA: None

The Commission seated M. Darling for G. Walter, and G. Fogarty for R. Savalle

PUBLIC HEARING:

1. **SE #13-01-01** – Horace Lindo, owner, for property at 348 New London Road. Special Exception application for multiple family development, per Section 15 of the Zoning Regulations.

R. Amato read a letter from Wentworth Civil Engineers asking that the Public Hearing not be opened until March 19, 2013.

M/S/C (Buckley/Darling) to postpone #SE 13-01-01 until the March 19, 2013 meeting. Vote: Approved Unanimously

2. **SE #12-11-01** – Aaron Syman, owner, for property at 279 Buckley Rd. Special Exception application for multiple family development, per Section 15 of the Zoning Regulations.

D. Bingham read the legal notice to The Day paper concerning SE #12-11-01.

R. Amato reviewed the Public Hearing procedure.

M. Chinatti gave background to the Commission regarding the property at 279 Buckley Road. She stated the current owner bought the property not aware of the previous owner converting the property from a daycare to a multifamily property without approval.

M. Chinatti stated that the applicant received a waiver from the Board of Selectman for the driveway/town road standards as they relate to multiple family developments.

M. Chinatti stated the Sanitarian wrote that the septic system is not code compliant to today's standards but, noted that there is more than enough room for a code compliant septic system.

M. Chinatti stated A. Syman, applicant, is not proposing to make any changes or additions to the property he is just trying to back into the appropriate permits that were not requested or received by the previous owner. She stated there is an existing single family home, a daycare which has been converted to a single family residence and sometime in the future Syman may want to convert the basement to an apartment.

A. Syman, 279 Buckley, addressed the Commission, stating that the daycare was converted to a residence years ago and he is just trying to make it legal so his mother in law can live there. He agreed to M. Chinatti's explanation of the property.

D. Bingham noted that multifamily housing is legal in that zone, the Net Buildable Area is adequate, and no new construction is being proposed.

There was no Public Comment on the application.

The Commission asked the applicant if he would install a code compliant septic system if it was required/needed and he replied that he would.

M. Chinatti stated the codes have changed since 1989 when the septic was installed. She stated the Sanitarian was fine with the Commission approving the application without a new septic system installed before approval.

M/S/C (Bingham/Smith) to close the Public Hearing for SE 12-11-01. Vote: Approved Unanimously.

M/S/C (Buckley/Bingham) to approve waiver request of section 11. A. 4, site plant requirements for SE 12-11-01. Vote: Approved Unanimously

M/S/C (Bingham/Volberg) to approve SE 12-11-01, 279 Buckley Road with required common driveway with the condition that a code compliant septic system be installed within 6 months of the approval date for the special exception.

It was determined that the applicant has met all findings of the waiver request(s).

Vote: Approved Unanimously

M/S/C (Amato/Fogarty) to grant request of the applicant to pay a fee in lieu of digital data submission in the amount of \$250.00. Vote: Approved Unanimously.

PETITIONERS: None

PUBLIC COMMENT: Sean Michael Thomas, 344 New London Road.

APPROVAL OF MINUTES OF PREVIOUS MEETING(S):

1. January 15, 2013 Regular Meeting

M/S/C (Bingham/Volberg) to approve the minutes of the January 15, 2013 Regular Meeting. Vote: Approved Unanimously

2. January 22, 2013 Regular Meeting

M/S/C (Bingham/Volberg) to approve the January 22, 2013 Regular Meeting as amended.

Add, M. Darling was seated for W. Volberg

Vote Approved. In favor-Amato, Bingham, Buckley, Darling, Fogarty, Smith. Against-None. Abstaining-Volberg

OLD BUSINESS

None

NEW BUSINESS

None

ENFORCEMENT OFFICERS REPORT/INLAND WETLANDS AND CONSERVATION COMMISSION REPORT:

See File Copy

PLUS/DELTAS: The Commission discussed the positive and negative aspects of the meeting.

CORRESPONDENCE: R. Amato announced that G. Fogarty will receive a 12 year service award at the annual CFPZ meeting on March 14, 2013.

ADJOURNMENT:

M/S/C (Amato/Smith) to adjourn at 7.50 PM. Vote: Approved Unanimously.

Respectfully Submitted,

Sue Spang

Recording Secretary