



The Salisbury Planning Board held its regular meeting on Tuesday, April 25, 2023, at 4:00 p.m. with the following being present:

PRESENT: Esther Atkins Smith, Larry Cartner, Yvonne Dixon, Jayne Land, David Midgley, Tim Norris, Jon Post, PJ Ricks, John Schaffer, John Struzick

STAFF: Victoria Bailiff, Senior Planner; Emily Vanek, Long Range Planner

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:00 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of March 14, 2023 were approved with corrections by Members present.

NEW BUSINESS

SE-09-2023: 2765 Faith Road Subdivision, 1417 Faith Road; PID: 064A012; Applicants: Berry Dee Isenhour, and Cynthia Isenhour

This case followed quasi-judicial procedures. Chairman read procedures aloud, and asked for conflicts of interest, or ex parte communication by members. Each member answered in the negative.

PJ Ricks made a motion to begin the hearing. Yvonne Dixon seconded the motion. All members present voted AYE.

Presenter: Wendy Brindle (Engineering Director)

Request

The applicants are requesting a Special Exception, as permitted by infill standards to subdivide the 175' wide lot into two parcels with frontages of 87.5' each.

Staff Presentation

Wendy Brindle was sworn in. She corrected the title of the case as SE-09-2023.

Ms. Brindle made a presentation including comparison lots within 300 feet to the lot in question, as required by LDO. Neighbors within 100 feet were notified.

Staff Findings

Staff finds the following to be true:

- The applicable comparison lots adequately represent the larger surrounding area.
- The minimum frontage width, as requested, is not less than 55 feet, which is the minimum frontage width permitted in GR6 for a House building type.
- The minimum frontage width, as requested is not less than 83.7 feet, which is 90% of the narrowest frontage width of the applicable comparison lots.
- The requested frontage width/subdivision will not create or increase any known non-conformities associated with the subject property.
- The minimum frontage width, as requested, is uniform from the front to the rear of the property.

Public Comment

None.

John Struzick made a motion to close the public hearing. Tim Norris seconded the motion. The motion passed with all members voting AYE.

Findings of Fact

The board reviewed each factor presented to determine if sufficient evidence was provided by staff:

- 1) Yvonne Dixon made the MOTION: The minimum frontage width, as requested, or some modification thereof and subsequent subdivision does not negatively impact the provision of city services or utilities.

Jayne Land seconded the MOTION; all members present voted AYE.

- 2) Tim Norris made the MOTION: The applicable comparison lots adequately represent the larger surrounding area.

Esther Atkins Smith seconded the MOTION; all members present voted AYE.

- 3) Tim Norris made the MOTION: Natural or man-made features of the land neither help nor hinder the minimum frontage width as required and requested.

Esther Atkins Smith seconded the MOTION; all members present voted AYE.

Action

Esther Adkins Smith made the MOTION to approve: The Special Exception as permitted by infill standards to subdivide the 175' wide lot into two parcels with frontages of 87.5' each is consistent with the Findings of Fact.

John Struzick seconded the MOTION. All members present voted AYE.

New Member, David Midgley was sworn in, and welcomed to the dais.

LDOTA-01-2023 Subdivision Development, Applicant: City of Salisbury

Request

To amend LDO Chapters 4, 5, 7, 8, 10, and 18; entailing changes to Townhome lot widths, tree spacing, sidewalk requirements, open space requirements, and other problematic language mostly related to subdivision developments.

Staff Presentation

Ms. Bailiff explained that multiple issues have arisen due to the influx of subdivision development, necessitating the requested amendments.

She reviewed the issues and chapters to be considered, and answered questions from the board.

The Technical Review Commission (TRC) reviewed this amendment at their meeting on April 20, 2023, and recommended approval subject to minor changes. Forward 2040 policies 8.3.2 and 8.4.2 are applicable to this request.

Public Comment

None.

Planning Board Recommendation

Tim Norris made a motion that the text amendment in petition LDOTA-01-2023 is consistent with the goals and policies of the adopted Forward 2040 Comprehensive Plan, and reasonable and in the public interest, therefore the Planning Board recommends **Approval** of the request. All members present voted AYE.

LDTOA-02-2023 Grading Permits, Applicant: City of Salisbury

Request

To amend LDO Chapters 9 and 15 so as to modify procedure for minor and major site plan review and include additional language to allow grading prior to construction drawing approval.

Staff Presentation

Ms. Bailiff explained that the request removes language from Chapter 9 and places it in Chapter 15, so pertinent information is in one location. The bulk of the changes are in Chapter 15.

She explained the permit approval process, and specifics of grading.

The TRC reviewed this amendment at their meeting on April 20, 2023, and recommended approval with no changes. Forward 2040 Policy 6.3.3 is applicable to this request.

Public Comment

None.

Planning Board Recommendation

PJ Ricks made a motion that the text amendment in petition LDOTA-02-2023 is consistent with the goals and policies of the adopted Forward 2040 Comprehensive Plan, and reasonable and in the public interest, therefore the Planning Board recommends **Approval** of the request. All members present voted AYE.

STAFF UPDATES

Ms. Bailiff welcomed Mr. Midgley to the board, and recognized Bill Burgin for his service.

OTHER BUSINESS

Election of Officers

Term is for 1 year, and officers can serve multiple terms, as long as it doesn't exceed tenure. Members must have a minimum of 1 year of experience on Planning Board to qualify for a position.

Nomination for Chair: John Schaffer

Nomination for Vice-Chair: Tim Norris

All members present voted AYE.

ADJOURN 5:15 p.m.



John Schaffer, Chair



Jennifer Pfaff, Secretary