



The Salisbury Planning Board held a called virtual meeting on Tuesday, January 11th 2022, at 4 p.m. with the following being present:

PRESENT: John Struzick, Tim Norris, John Schaffer, Bill Burgin, Dennis Rogers, Jayne Land, Yvonne Dixon, and Jon Post.

STAFF: Teresa Barringer, Elizabeth Burke, Emily Vanek, Michael Hana, Craig Powers, Wendy Brindle, and Graham Corriher

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4 p.m. on 11/09/2021

APPROVAL OF MINUTES

Planning Board Minutes of December 16, 2021 approved as submitted. Motion by Bill Burgin, seconded by Dennis Rogers. All in favor.

STAFF PRESENTATION

CASE NO. LDOTA-02-2021 MULTI-CHAPTER AMENDMENTS

Petitioner(s): Teresa Barringer

CHAPTER 4: SUBDIVISIONS AND INFRASTRUCTURE

Teresa Barringer provided the proposed amendments with additional discussion identifying the purpose for each amendment. Ms. Barringer and additional staff members answered questions and provided clarification of each.

DISCUSSION

4.5: Mr. Schaffer inquired about inspections to provide support to enforce the new amendment. Mrs. Barringer and Mr. Schaffer had conversation regarding the process of accepting projects. Mrs. Barringer further clarified that acceptance is a separate process and is enforced through the constructions standards. Staff also explained the current functionality of the existing code.

4.9: The proposal includes changes to LDO 4.9.B relative to sidewalk alternatives to existing streets. Section 4.6.C was then discussed relative to changes to the sidewalk payment in lieu program. The current program allows a developer to choose to pay in lieu of installation with a potential reduced fee per the SPI scoring. Mr. Schaffer inquired if the City Employees who uses the funds are in support of the proposal. Mrs. Barringer did confirm that the departments and employees involved are in support. Staff also explained the current functionality of the existing code. Staff and board further discussed the intent of the text amendment and the legality behind it. Staff explained that funds previously collected prior to this meeting will still not be able to be utilized due to when the funds were collected, but it allows future funds to be used in the general area rather than the specific designated pedestrian zone. Staff and the board discussed the application of pedestrian zone, how it currently works and how it would work getting rid of it. Mr. Schaffer inquired if it applies to ETJ and Mrs. Barringer confirmed that it does not. Mr. Schaffer inquired about the effectiveness of the proposed text amendment to assure it will not comeback due to ineffectiveness. Mr. Corriher clarified that there is a constitutional standard regarding charging developers and how it should benefit the development.

CHAPTER 6: LOT, INFILL, AND ACCESSORY PROVISIONS

Request for a text amendment associated with content in sections 6.3.E, 6.3.G., and 6.5.D relative to frontage width compatibility standards.

DISCUSSION

6.3.E: Mr. Schaffer inquired about the sequence of b and c. Mrs. Brindle assured that it would not make a difference due to 6.1.c providing the standards and b and c are following for clarification.

CHAPTER 9: ENVIRONMENTAL PROTECTION

Request for a LDO text amendment associated with content in section 9.3.

DISCUSSION

The board inquired where the number \$5,000 came from regarding fines. The staff stated that the number is based on other ordinances within the City; which also states up to \$5,000. Mr. Burgin had a concern that it was too severe and staff responded that it is to prevent harm to the environment. Mr. Tester confirmed that the state and the proposed text amendment confirmed that they were similar in restriction which is permitted but the City cannot be less restrictive. Staff also highlighted that there are multiple steps prior to fines being applied. The procedure is outlined in the stormwater ordinance. Mrs. Barringer recommended that the text amendment states upon notification prior to the paragraph. Staff and the board further discuss the difference between the current text and the proposed text amendment. Mr. Corriher highlights that there is a cap/max penalty and that is \$25,000 within 180 days and can be placed in the text amendment. Mr. Burgin recommends referencing the stormwater standards. Mr. Powers highlighted the intent of the text amendment to inform and educate. The board recommends separating the paragraph moving to #1: failure to install or maintain erosion control will result in fines and renumber the others.

CHAPTER 16: DEVELOPMENT PLAN REQUIREMENTS

Request for a LDO text amendment to remove section 16.2 regarding the number of plans required for submittal and to remove the requirement for hard copy plans.

DISCUSSION

Mr. Schaffer inquired should it be replaced with requirements regarding electronic submittals. Staff responded that it is included within the application process and does not need to be in the ordinance.

CHAPTER 18: DEFINITIONS

Request for a LDO text amendment associated with the definition of a Bar, Tavern, & Nightclub.

DISCUSSION

Proposal to eliminate the requirement to have a SUP approval in order for permitted by right primary uses to have the ability to have on site alcohol consumption available for their patrons. The issuance of a beer and wine license and regulatory enforcement will be governed by ABC board.

MOTION

Mr. Burgin made a motion to recommend approval to City Council of the LDOTA-02-2021 Multi-Chapter Amendments of Chapters 4, 6, 9, 16, and 18 request contingent upon revisions to relocate the verbiage relative to the fine to item #1 as a standalone statement while stating the proposal is consistent with Vision 2020. Seconded by Mrs. Dixon. All members voting AYE.

**STAFF PRESENTATION
CONSTRUCTION STANDARDS AMENDMENT: RESIDENTIAL STREET CROSS SECTION
Petitioner(s): Craig Powers**

Request to amend the City's Construction Standards for Residential Street Cross Section regarding asphalt and compacted stone requirements.

DISCUSSION

The board and staff discussed the difference between the existing standards and proposed changes due to the substandard street construction. The staff also discussed that the amendment will apply to all new projects after approved. Projects that received master plan approval prior the adoption of the new standards will have the option to choose old code or new code.

MOTION

Dennis Rogers made a motion to recommend approval to City Council as proposed. Seconded by Bill Burgin. All members voting AYE.

**STAFF PRESENTATION
CONSTRUCTION STANDARDS AMENDMENT: SINGLE FAMILY EROSION CONTROL AND
SEDIMENTATION STANDARDS
Petitioner(s): Michael Hanna**

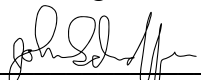
Request to amend the City's Construction Standards' Single Family Erosion Control and Sediment Standards section regarding requirements for developments less than an acre.

MOTION

Mr. Burgin made a motion to recommend approval to City Council contingent upon penalty comment shown in 9.3.B.3 be relocated to become a standalone comment as 9.3.B.1 with subsequent numbers following. Seconded by Mr. Rogers. All members voting AYE.

MEETING ADJOURN 6 p.m.

There being no further business to come before the Planning Board the meeting was adjourned.



John Schaffer, Chair

Sheighla Temple, Planning Board Secretary