



City of Salisbury

MINUTES

The Salisbury Board of Appeals met in regular session on July 10, 2025, in Room 301, Government Office Building at 6:00 p.m. with attendance as follows:

BOARD MEMBERS:

Shawn Jester, Chair
William Hill
Maurice Ngwaba
Miya Horsey

ABSENT MEMBERS:

Edward Torbert
Sandeep Gopalan, Vice Chair

CITY STAFF:

Betsy Jackson, City Planner
Beverly Tull, Recording Secretary
Laura Ryan, City Solicitor

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Mr. Jester called the meeting to order at 6:01 p.m.

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MINUTES:

Upon a motion by Mr. Ngwaba, seconded by Ms. Horsey, and duly carried, the Board **APPROVED** the minutes of the June 12, 2025 meeting as submitted.

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Mrs. Tull administered the oath to anyone wishing to speak before the cases heard by the Salisbury Board of Appeals.



City of

Salisbury

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RE: Case #SA-23-820 Pemberton Manor, LLC - Alteration of a Legal Nonconforming Use to Remove the Pool and Create a Picnic Area - 1017 Fairground Drive - R-SA Residential District.

Mr. Menachem Dubin and Ms. Carol Duffy came forward. Mrs. Jackson presented and entered the Staff Report and all accompanying documentation into the record. Mrs. Jackson explained that the applicant was requesting approval to remove the pool and create a picnic area.

Mr. Jester moved the Staff Report into the record.

Mr. Dubin stated that they were changing the pool into a 12-month use amenity.

Ms. Horsey questioned if the picnic area was just for the tenants in Pemberton Manor or would it be open to the public. Mr. Dubin responded that the picnic area would be for use of the tenants and their guests only.

Mr. Will questioned the age of the pool and if it was built in 1972 with the apartment complex. Mr. Dubin responded that he believed that the pool was built when the apartment complex was built and that it hadn't been used in several years.

Mr. Ngwaba questioned the size of the pool area and the size of the picnic area. The digital rendering in the Staff Report doesn't give dimensions and without plans how would the Board and Staff know it was built to what the rendering showed. Mr. Dubin stated that he didn't have an area size of the pool. Mrs. Ryan explained that the Board is only approving the pool being closed in and not the structures that are being proposed.

Mr. Jester questioned if the space that exists for the pool is only a concrete slab and when the pool was last used. Ms. Duffy believed it had been at least six (6) years since the pool had been used. Mr. Jester questioned if there was a cover over the pool. Mr. Dubin responded that there is just a hole where the pool is located. Mr. Jester questioned if there was any interest in restoring the pool to be used. Mr. Dubin responded in the negative.

Ms. Horsey questioned how the picnic area would affect traffic. Ms. Duffy responded that there will be plenty of parking as the fence that encloses the existing pool area will remain around the picnic area. Mr. Jester questioned how the picnic area would be accessed. Ms. Duffy responded that there is a side entrance for the area.

Mr. Hill questioned the positions that Mr. Dubin and Ms. Duffy held for Pemberton Manor. Mr. Dubin responded that he was a Regional Manager and Ms. Duffy responded that she was the Property Manager.

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Mr. Jester requested clarification from Staff on why this request was before the Board. Mrs. Jackson responded that this development was approved by a Special Exception, which makes it a legal nonconforming use. In order to alter the legal nonconforming use, the Board must approve the alteration.

Upon a motion by Mr. Hill, seconded by Mr. Ngwaba, and duly carried, the Board **APPROVED** the requested alteration of a legal nonconforming use, specifically to remove the pool and replace with a picnic area.

The Board vote was as follows:

Miya Horsey	Aye
Maurice Ngwaba	Aye
William Hill	Aye
Shawn Jester	Aye

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Mrs. Tull noted that there would be an August meeting and confirmed each member's availability.

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There was discussion about Board members responsibilities to attend meetings during their terms. Mr. Jester questioned Mrs. Ryan on the process to hold a vote for a Vice Chair. Mrs. Ryan explained that the Board's Handbook requires an election of officers every two years. Following a lengthy discussion, it was determined that the August agenda would have election of officers at the end of the meeting. Mrs. Ryan noted that she would discuss with the Mayor the possible need of filling a vacancy on the Board.

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ADJOURNMENT

With no further business, the meeting was adjourned at 6:30 p.m.

