

City of Salem Massachusetts Public Meeting Minutes

Board or Committee: Design Review Board, Special Meeting
Date and Time: Wednesday, August 28, 2019 at 6:00 pm
Meeting Location: 98 Washington Street, First Floor Conference Room
DRB Members Present: Chair Paul Durand, David Jaquith, Glenn Kennedy, Marc Perras, Helen Sides, J. Michael Sullivan
DRB Members Absent: Catherine Miller, Marc Perras
Others Present: Kate Newhall-Smith
Recorder: Colleen Brewster

Chair Durand calls the meeting to order at 6:00PM. Roll call was taken.

Signs

1. **9-11 Dodge Street, 217-219 and 231-251 Washington Street (Hampton Inn/Mixed Use Development):** Residential Address Sign (request to continue to 9/25/19)

Jaquith: Motion to continue to the next regular meeting.
Seconded by: Chair Durand, Passes 5-0.

2. **1 East India Square, Witch City Mall (Silver Moon Comics):** Discussion and vote on A-frame sign.

Christopher Berry, Owner and Leslie Smith were present to discuss the project.

Sides stated that an A-frame in front of the mall has been an issue in the past; the Board determined that if other businesses wanted an A-frame, then they would need to work with Thai Place and Essex Pizza to create a group sign. The property owner said he would be willing to install a directory. Newhall-Smith confirmed this but stated he did not provide an installation date. Berry stated that they have no exterior signage and no other form of advertising, which hurts their business, and they too don't know when the owner will provide a directory. Chair Durand noted that signage must be in front of the establishment and allowing an A-frame not in front of the business sets a precedent; however, the ordinance wasn't meant for this and the landlord should do a better job of promoting the tenants. Newhall-Smith suggested they speak to other business owners to create a group A-frame with all their names. She noted that both Essex Pizza and the Thai restaurant have them. Mr. Berry replied that he has an A-frame on the inside that the owner removes when he's in the building. Newhall-Smith noted that the SRA indicated support for adding a directory sign and encouraged the owner to pursue this. Chair Durand stated that the tenants could all chip in on the cost of a group directory. Berry noted that the current directory signage is very small. There is also no bathroom signage but there a symbol directing people to phone, which the mall no longer has. No advertising is provided for the tenants with interior units. Kennedy stated that this a landlord issue not the DRB's. Chair Durand agreed.

Berry stated that the owner said he will let them out of their lease if they aren't okay with no signage other than the one in front of their establishments. Newhall-Smith noted that signage will go to the DRB then to Executive Director Tom Daniel for approval. Chair Durand suggested they approve of signage and location, although the Ordinance didn't include A-frame signs for the mall. Berry replied that there are other signs out there so they should go too. Newhall-Smith added that they can work on the enforcement.

Chair Durand stated that they would approve of a larger freestanding directory not individual signs for various tenants. Sullivan suggested an A-frame that includes all tenants. Sides noted that they could start it and if other businesses want to be included, they could be added on. Chair Durand noted that the pizza and Thai restaurants received approved for sign in the 2011. Sides stated that they accepted a condition to allow other businesses to add their names to the A-frame. Newhall-Smith read the approval language from the Thai restaurant and offered to share the document with the applicants to show the other tenants. Chair Durand stated that they don't want to clutter the pedestrian right-of-way with too many signs and they also can't allow the applicant to continue using their sign. Sullivan noted that this is an avenue to start that conversation. Newhall-Smith noted that sign enforcement is through the Building Department and anyone can make a complaint. Sides noted that they can't approve them because someone else is doing it. They need to present a sign that shows the multiple tenants but it doesn't have to be overly large

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Kennedy: Motion to approve as submitted.

Seconded by: Sullivan. Motion failed 0-5.

3. 2 North Street: (John Casey Fine Arts Signs): Discussion and vote on sign.

John Casey was present to discuss the project.

Casey stated that the dimension of the sign will be 2-feet x 3-feet. Kennedy asked if there will be a white box around the palette. Casey replied the icon is his logo, he doesn't want the box around it as it was printed, but he will clarify that there is no box. Sullivan noted that the box would be out of place. Kennedy suggested the spacing between the letters is tight and the S & E are too open, the C should be moved left and the A moved right. The Board agreed.

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Kennedy: Motion to approve sign as submitted, minus the white line around the palette, and the letters spaced evenly.

Seconded by: Sides. Passes 5-0.

Urban Renewal Area Projects Under Review

1. 30 Federal Street: Review of Construction of an addition – *Continued to September 25, 2019.*

Chair Durand: Motion to continue to the next regular meeting.

Seconded by: Jaquith. Passes 5-0.

2. 1 Derby Square: Review of Installation of skylights – *Continued to September 25, 2019.*

Chair: Motion to continue to the next regular meeting.
Seconded by: Sides. Passes 4-0, 1 recusal by Jaquith.

3. **300 Derby Street (Casa Tequila):** Review of Patio Improvements

Attorney Chad Colarusso was present to discuss the project and represented the Owner, Gilberto Reyes.

Atty. Colarusso stated that his client was asked to camouflage the retaining wall. Both plants are perineal that will provide more coverage. Option 1 is Creeping Thyme and Option 2 is English Ivy. They have plans for small juniper trees in front of the retaining wall to provide further coverage. Sullivan asked if the creeping type was seasonal. Atty. Colarusso replied yes, it will still camouflage but won't be in bloom, and the English Ivy will change from green to blue. They also want a tree that is an evergreen to also provide coverage, but will do whatever the Board requests.

Sides read Miller's comments, which included a suggestion to continue this item to the September meeting.

Sullivan stated his concerned with the relationship of juniper tree to the retaining wall. Jaquith noted that the applicant should have selected a species by the planting location and what the height should be. Chair Durand suggested the applicant confer with a nursery. Sides added that the spacing between the plantings is important. Sullivan asked if there will be a curb between the planting bed and patio. Atty. Colarusso replied that the terrace has two tiers and the existing patio is level with the tree planting bed. Sullivan suggested a graphic showing the location of the creeping plant. Kennedy stated that this is becoming a much bigger issue than it needs to be. Sides replied when things are done without oversight they need to be rectified. They also asked that a landscape architect to submit plans so there is time to provide more information. Sides noted that English Ivy gets planted at the bottom, not at the top, given the way it grows.

Kennedy noted his concern for the spacing between the trees. Atty. Colarusso stated that English Ivy will cover the wall, but the trees are for aesthetics. Kennedy recommended a smaller size tree to let the ivy do the work it's supposed to do. They don't need to encroach onto the patio more than necessary. They also need to determine the tree and diameter of the root ball that will grow within the soil.

Atty. Colarusso suggested they eliminate the trees and use the English Ivy. Sullivan asked whether English Ivy could be planted in the bed. Chair Durand noted that Miller mentioned planting Juniper trees. Sides suggested the applicant follow up with the Board on sizes and spacing of trees. Chair Durand noted that with six shown spaced at 1/3 of the distance creates approximately two-feet in diameter and two-feet between them, which was based on Miller's suggestions. Atty. Colarusso noted his concern with the cost. Kennedy suggested they approve without Juniper and if the applicant wishes to return, they can. Sides asked what will fill in the flat area, if not Junipers, a planting that doesn't require maintenance? Atty. Colarusso replied seasonal potted plants.

Chair Durand stated that the species can be handled administratively; however, Ivy grows upward and should be planted at the bottom. Kennedy agreed and noted that it will grow out, up, and along light strings, and will fill-in the area within a year. He suggested that Creeping Thyme not be used, a two-foot deep lower planting bed is enough for the English Ivy; however, an extra foot should be added to the depth of the lower planting bed if trees are planted.

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Kennedy: Motion to approve the English Ivy, tree approval shall be handled administratively, and if planted the planting bed shall be increased to three-feet deep. Seconded by: Sullivan. Passes 5-0.

4. 15 Crombie Street: Review of replacement of rotting columns on rear porches of 3-unit residential structure

Cairo Charsi, treasurer for the condo association, was present to discuss the project.

Sides asked if the columns being replaced with pressure treated posts will be wrapped with trim and painted. Charsi replied that they will be painted white. Jaquith stated that they will need trim that is also painted – pressure treated wood can't be painted. Sides noted that adding trim will make the column larger and may be troublesome to just replace. Charsi replied that they contacted many contractors with many not able to take on the job for various reasons. Sides stated that the project looks like an entire rebuild not just columns. Charsi noted that their estimate was for ground to first floor only, and a couple of beams that have rotted out. The middle ornamental beam will stay and the other two will be square. It's in the rear and not visible to the public. Sides noted that the new post, when wrapped, will be too big to fit the railings into. Sullivan noted the difficulty of understanding what's being done with photos only, since some items are changing and others are not. The end result will look like a patchwork of repairs. Charsi agreed and noted that the other owners just want to fix it and have no issue with the different posts.

Sides stated that a pressure-treated post is not acceptable. Sullivan added that pressure-treated posts can be used but will need to be wrapped in trim. Jaquith stated that he will provide her with some help on how to move forward. Kennedy added that if there is a safety issue immediate support bracing is needed before they resolve the aesthetics.

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Kennedy: Motion to continue.
Seconded by: Jaquith. Passes 5-0.

5. 87 Washington Street (Opus): Review of Café Permit Application for rear patio seating and proposed partial demolition of rear façade

Tom Peterman, Architect was present to discuss the project.

Peterman stated that the restaurant suffers from poor visibility and the rear area is not very attractive. They want to create more visibility and to enclose a rear seasonal outdoor dining area. They want to enlarge the rear masonry opening and install a NanaWall next spring to open the rear. They presented this to the SRA, which approved but suggested some changes.

Peterman noted that there will be one 12-foot-wide masonry opening for the NanaWall. The fence enclosure will have 6-foot-tall horizontal board slat fence with 3 ½-inch gap between the red cedar boards to see through it. There will be a gate and chairs for outdoor seating. There are also two trees at the rear, one within the fence and one outside. The restaurant will install awnings and lights from the building to the top of the fence. The NanaWall will be bronze aluminum finish to match the existing aluminum windows. The fence posts are 8-feet high because they support the awnings and lights above. It's open above horizontal board at the 6-foot-3-inch height to top of the structure at 8-feet. The removable walls will be installed in a steel base to allow for their easy removal, and the new structure will be connected to the existing fence enclosure at the rear of the building.

Peterman noted that at the front elevation there is existing outdoor seasonal seating. They will reconfigure the vestibule internally to provide direct access into the restaurant and the same anodized bronze aluminum entry will match the NanaWall to open the front façade. They may want to expand that to the left side masonry opening. The storefront will be slightly different with a 3-inch width not the 2-inch width at the entry door. The transom will remain, as will the wrapped 18-inch high metal base. They will only remove the storefront.

Sullivan asked for the patio anchoring. Peterman replied weighted sleeves to receive the panel posts that will also be connected to the wall. To make it seasonal, it will all be removable and stored off site. Sullivan asked for the plate size. Peterman replied 18-inch square heavy metal plates with an 8-inch tall sleeve for the posts to fit into. It won't change the pavement but it will be connected to the back to the building. Chair Durand noted that this is good in the front but at the rear public property is being captured for private use, which he doesn't want to be repeated elsewhere. Sullivan asked if this will occur on City property. Newhall-Smith replied that some will extend onto public property; however, the current and future condition need to maintain enough clearance. Peterman replied that there will be five-foot clearance between the wall and the curbing.

Newhall-Smith noted the tree wells at the front where there may not be enough space. Peterman replied that there will be 5-feet clear at the front façade and the associated seating is not included in this proposal.

Jaquith requested the beam size of the rear enclosure panels. Peterman replied it's a W8. Sides asked if there will be HC accessibility. Peterman replied the one panel of the NanaWall is operable as a door and will provide handicapped access. At the front façade the existing 18-inch high base wall will not allow the wall to be an egress. Sides asked if they considered replicating the 18-inch-high below the rear NanaWall. The rear NanaWall to the floor line at the rear façade will create a lot of exposure in the winter which seems strange. Kennedy replied that it could work and opening the front with 18-inch high base eliminates the need for the barrier. Sullivan noted that two rows of 24-inch wide tables only leaves 24-inches for an aisle.

Peterman stated that the rear is not very active, and the proposed improvements will bring some life and make it more appealing to sit. Kennedy requested the new wood material. Peterman replied Cedar, 3 ½-inch spacing, 4-inch spacing on the panels, 4-inch x 4-inch red cedar posts or two 2-inch x 4-inch posts bolted together and dropped into the sleeve 8-inch high sleeve.

Sullivan noted his concern with the private use of public land. Chair Durand agreed. Newhall-Smith replied that it's SRA-owned land and the applicant is seeking a café

permit. Newhall-Smith noted that the SRA approved the concept and are okay with the footprint if the access was maintained at the rear. Peterman confirmed that the 5-foot clearance at the rear will remain. Sullivan noted it would be a nice use of the space.

Newhall-Smith stated that if the client didn't extend the patio it wouldn't require city approval, it wouldn't require a permit because it would be all on private property. The Building Department will request an architectural review of the NanoWall to make sure the doors meet safety codes.

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Jaquith: Motion to approve as presented and only the NanoWall at the front façade to be implemented, with the following conditions; an architectural review of the NanoWall, and a 4-foot clearance is maintained outside the rear enclosure.

Seconded by: Kennedy. Passes 5-0.

6. 168 Essex Street (Village Tavern): Review of installation of awning over patio

Alex Ingemi, owner was present to discuss the project.

Ingemi stated that they are proposing an awning, from Action Awning, to go over their existing patio, that currently has umbrellas over each table; however, their patrons needs to move inside when it rains. This would be a good addition to the patio.

Sullivan asked if the canopy would cover all the seating. Ingemi replied yes, it will end at the brick wall and they can provide color samples for the awning but would prefer red to match the existing branding. Sullivan asked if it would be attached to the building. Ingemi replied yes, to the brick façade above and the 2-inch x 2-inch 14-gauge steel posts will be 2-feet into the ground. The new archway will be over the patio entrance. Sides asked if side curtains were proposed. Ingemi replied that there will be no side or rain shields, but it will get used 3-seasons. Sides noted that in the winter, the restaurant interior will be dark and they will lose their solar gain. Ingemi noted that only half the windows are restaurant, the others are their offices.

Kennedy stated that the proposed awning is 25-feet-8-inches deep and 77-feet long. Half of it is also cantilevered out. This a large awning and a lot of red. Ingemi noted that the trees will also cover it. Chair Durand asked where the awning ends. Ingemi replied at the double entrance. Sullivan noted that the proposed graphics could be better, and the trees are missing. It's an important item to place and this is very large. Sides noted that clearer plans are needed. Chair Durand added that elevations and plans with dimensions would also be required. Sullivan noted that more accurate 3D images drawn to scale should also be included. Kennedy questioned the relationship between the fountain and the courtyard.

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Jaquith: Motion to continue to the next regular meeting.

Seconded by: Sides. Passes 5-0.

Entrance Corridor Projects

1. **435 Highland Avenue:** Continuation of a new, three-story, self-storage facility

Attorney Scott Grover of Tinti, Quinn, Grover & Frey, Tim McBeedie (Manager) and Josh Dillon (Architect), were present to discuss the project.

Atty. Grover stated that the existing facility is across from Walmart on Highland Avenue. Two buildings are permitted but they've had many floods and can no longer use the first floor. They will demolish the building, resolve the flooding, and raise the building height on the site, since this is the lowest point of Highland Avenue. Chair Durand asked if the underground storm storage would be addressed. McBeedie replied that the DOT has been clearing the lines and exploring the system via cameras. They will raise the elevation of the building and flood water will be discharged out towards the stream at the rear of the building, to stop the run-off toward Highland Avenue. Atty. Grover noted that this project is also subject to Conservation Commission, from which they've already received approval.

Atty. Grover noted that the applicant has had a series of neighborhood meeting, the original building was 47-feet high, but it was lowered it by 1-story, from 47-feet to 34-feet high. They went to the ZBA for a variance for the additional 4 feet of building height. They are currently undergoing Site Plan Review by the Planning Board (PB) and because it's on an entrance corridor, it requires DRB approval. They will return to the PB in September. They can't act without this approval and the PB has been focused on lighting and landscaping but felt that the other issues could be handled by the DRB. They've redesigned the lighting and lowered the fixture placement on the facades to eliminate lighting spillage. The big elevation change is between Highland and Park Avenue.

McBeedie noted that on the landscape plan, the rear of the building is 37-feet from the property line. Sides noted that the rear neighbors were concerned with the lighting and that's been mitigated. Atty. Grover noted that they will work with new Tree Commissioner and will adjust the plan accordingly. Chair Durand asked about screening or a fence at the rear of the property. McBeedie replied that there will be a 12-foot high concrete retaining wall and a 10-foot high stockade fence on their property. It's a natural wood fence that will be replaced in kind and the grade changed. He noted the photometric plan with light fixtures installed 12-feet above grade. Access to the building will be limited, with keypad access to gates and sliding doors. Not allowing 24-hours access was a condition of their ZBA approval.

Atty. Grover noted that the rear building material is a black corrugated siding that changes to a light grey EFIS system. Kennedy asked for the front façade material and color. McBeedie replied composite white metal panel rain screen system with no grout lines for a clean look. As well as a light grey EFIS system and an aluminum curtain wall system to see the interior. Their Life Storage blue and yellow brand colors will be used as trim accent pieces, as well as mechanical screening elements favoring Highland Avenue to eliminate noise and add some design elements. It should be a good addition to the City and will help set the standard to the entrance corridor.

McBeedie stated that the channel lettering and 7-foot x 7-foot icon will also be blue and yellow, with the a new 6-foot x 6-foot icon being installed above the storage entry door, which puts them just under the allowable signage limit. Top of sign is 25-feet by code, but they want the top of the icon to be 29-feet, since 25-feet looks odd. Sides agreed

that the higher placement looks better. Newhall-Smith stated that the DRB doesn't have the authority to waive the sign ordinance, that's the ZBA's jurisdiction. Chair Durand noted that as an advisor to the PB, they can only say that which height they prefer.

Kennedy asked what will occur at the voids between the panels. Dillon replied that the panels return for a 1 ½-inch depth, then a 1 ½-inch gap to create a shadow line. Kennedy noted that the lettering and icon shouldn't occur at a panel joint, they should try to land them in the middle of a panel. McBeedie noted that the lettering will be placed on a raceway, they will be placed away from the face of the building, the letters are 5-inch-high. Sullivan noted that the lights should also be placed in the middle of the panels. Dillon replied that the grid sizes are fixed but there are variables to shift the 2-foot x 6-foot panels. The light fixture height is 16-feet at the front façade and 12-feet at the rear.

Chair Durand opens public comment.

No one else in the assembly wished to speak.

Chair Durand closes public comment.

Jaquith: Motion to recommend approval to the Planning Board.

Seconded by: Sides. Passes 5-0.

Old/New Business

Minutes

The minutes of the June 26, 2019 meeting were reviewed.

Chair: Motion to approve.

Seconded by: Jaquith. Passes 5-0

The minutes of the July 24, 2019 meeting were reviewed.

Chair: Motion to approve.

Seconded by: Jaquith. Passes 5-0

Adjournment

Jaquith: Motion to adjourn the meeting.

Seconded by: Sides. Passes 5-0.

Meeting is adjourned at 7:55PM.

Know your rights under the Open Meeting Law M.G.L. c. 30A §18-25 and City Ordinance Sections 2-028 through 2-2033.