

**City of Salem Planning Board
Approved Meeting Minutes
Thursday, Dec 15, 2016**

A public hearing of the Salem Planning Board was held on Thursday, December 15, 2016 at 7:00 p.m. at City Hall Annex, 120 Washington Street, Room 313, Salem, Massachusetts.

Chair Ben Anderson opens the meeting at 7:03 pm.

I. ROLL CALL

Those present were: Chair Ben Anderson, Vice Chair Matt Venio, Bill Grisct, Helen Sides, Dale Yale, Carole Hamilton, Kirt Rieder, Tony Mataragas and Noah Koretz

Absent: none

Also in attendance: Tom Daniel, AICP, Director of Planning and Community Development; Amanda Chiancola Staff Planner; and Stacy Kilb, recorder

II. REGULAR AGENDA

A. Location: 81 Highland Ave; 108 Jefferson Ave; Old Rd; 1 Dove Ave; 79 Highland Ave; 55 Highland Ave; and 57 Highland Ave (Map 24, Lots 1, 2, 88, 19, 216, 218 220; and Map 14, Lot 129)

Applicant: NORTSHORE MEDICAL CENTER INC.

Description: A continuance of the public hearing for a Site Plan Review, in accordance with the Salem Zoning Ordinance: Section 9.5 Site Plan Review; and a Stormwater Management Permit in accordance with Salem Code of Ordinances Chapter 37. Specifically, the applicant proposes to construct a new Emergency Department/Inpatient Beds building, a new front Lobby expansion, renovation resulting in an addition of 119,735 square feet and repurposing of 119,734 square feet of interior space, internal driveway and parking modifications, landscape and hardscape improvements and utility infrastructure modifications to their existing campus.

Presenting for the applicant is Attorney Joseph Correnti of 63 Federal St. He describes changes to the project that have occurred and feels the Plan is a robust investment in the City. Mary Jo Gagnon, Senior VP, is also present, as is the Project Engineer, Justin Mosca from VHB and Kristin Kolick from Attorney Correnti's office.

Attorney Correnti notes that there is a condition in the decision regarding a Community Benefits Agreement (CBA) being negotiated between the hospital administration and the Mayor's office. While not directly related to this Board, it will benefit the community, neighborhood and hospital. No further presentations are being made but any additional questions will be answered tonight. Amended and revised landscaping plans have been submitted.

The Chair opens to the Board but there are no questions, so the Chair opens to the public. There are no comments.

A motion to close the public comment period is made by Bill Grisct, seconded by Noah Koretz, and passes unanimously, 9-0.

The Chair reviews the Draft Decision.

Discussion occurs under the Traffic Mitigation section; the applicant will join the North Shore Transportation Management Association (NSTMA) but the language is suggested to be amended to a TMA rather than the

North Shore specifically, in case there is another equivalent entity that does similar work in the future, such as a city TMA. Language is suggested and discussion occurs.

Currently, the language of the Decision states said the NSTMA membership shall be continuous and in good standing for 5 (five) years unless otherwise approved by the Board. Staff suggests a three year membership. Carole Hamilton does not agree with a sunshine date on the membership. Ms. Hamilton notes that the NSMC is the largest employer in the city, and she feels that the Hospital should be required to maintain its membership indefinitely. Attorney Correnti states that the cost of membership, at \$7,500 per year, comes out of the Hospital's already-strained budget and not the \$207-million budgeted for this project's capital improvements. It is money that must be "found" every year, in addition to the \$15,000 per year dedicated to the bike share program (also with a three-year cap). Mary Jo Gagnon states that she does not have the authority to dedicate the funding for TMA membership, from her budget, indefinitely.

It is noted that as the condition is currently written, the Applicant could appear before the Board if continuing its membership in the TMA is too burdensome. The Board notes that they would also be disinclined to allow them to discontinue membership, so it may be best to leave the three year cap in place and revisit the issue then.

Chair Anderson asks how tangible benefits to the City may be determined for Hospital membership in the TMA and Tom Daniel outlines.

Also of note is the fact that the other large area employers who are either members or set to join the TMA, including the City of Salem, the future Whole Foods in Beverly, an office development near the NS Music Theater, Footprint Power Station and the Gateway Center, are also operating under caps to their participation in the program. Ms. Hamilton explains that the larger the pool of employees involved, the more benefits the TMA is capable of offering. Although outside the purview of this Board, Attorney Correnti notes that the Hospital administration is discussing providing more than \$2 million through the CBA.

It is suggested that, while a 10-year cap on TMA membership would be ideal. A 5 year cap, equal to that of Footprint, would be more realistic. Attorney Correnti feels that a 5-year cap would be acceptable to the applicant. It is hoped that the Hospital will see some benefits to membership, and will continue indefinitely, as TMA membership.

Kirt Rieder speaks to the Hospital's mission of reaching out to the community and enhancing the quality of life for all, especially as this project will have repercussions on a regional level due to the closure of Union Hospital and movement of activity here to Salem. Thus, he hopes that the hospital would continue their membership after the 5 years.

Other comments on the Draft Decision:

13(D) City Engineer: Amanda Chiancola outlines the review process; it is a condition better related to the Community Benefits, so is being removed from this Decision.

18(A) Kirt Rieder asks for clarification on violations leading to revocation of the permit in years to come, for example, after occupancy. Amanda Chiancola notes the timelines the applicant will be held to, but the Board would need to speak to City Solicitor about what happens if an applicant is found to be in violation of their permit after they are already operating. This must be part of a larger discussion on enforcement.

Chair Anderson revisits traffic mitigation; seven of the nine members (Ben Anderson, Matt Veno, Kirt Rieder, Noah Koretz, Bill Griset, Dale Yale, and Tony Mataragas) would approve of a cap of five years for the Hospital's membership in the TMA, while Carole Hamilton and Helen Sides favor a continuous membership.

A motion to approve site plan review, with an amendment to Section 8(A) allowing for a 5-year cap on membership in the TMA, is made by Kirt Rieder, seconded by Matt Veno, and passes in a roll call vote with Ben Anderson, Kirt Rieder, Carole Hamilton, Matt Veno, Helen Sides, Bill Griset, and Noah Koretz (7) in favor and Dale Yale and Tony Mataragas (2) abstaining due to missed meetings.

B. Location: 9 South Mason Street, 3A Buffum Street Extension; and 23 Mason Street (also including 23 ½ Mason Street and 23R Mason Street) (Map 26, Lots 73, 74, 79)

Applicant: JUNIPER POINT 9 SOUTH MASON STREET LLC

Description: A continuance of a public hearing for a Site Plan Review, Flood Hazard Overlay District Special Permit, and Special Permits associated with the North River Canal Corridor Neighborhood Mixed Use District in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review; Section 8.1 Flood Hazard Overlay District; Section 8.4 North River Canal Corridor Neighborhood Mixed Use District. Specifically, the applicant proposes the redevelopment and expansion of the existing two-story concrete industrial building at 9 South Mason Street, expansion of the three-story residential building at 3A Buffum Street Extension; and construction of two new townhouse style buildings along with parking and landscaping throughout the site. The project when completed will total 29 residential units in four buildings with all associated parking on site.

Attorney Joseph Correnti, Bob Griffin, Project Engineer, and Kristin Kolick are present. Attorney Correnti describes progress on various aspects of project. The applicant has been before the Design Review Board (DRB) and will appear before them again with additional finished architectural and landscape plans. Landscape plans as they are will be presented tonight, along with Civil Engineering, Drainage and stormwater management. Of twelve items brought up in New England Civil Engineering's peer review, ten have been addressed; the final two have not yet been submitted and the applicant will return in January.

Bob Griffin presents.

- Overview
- Existing Conditions: Outlines questions answered re issues raised previously
- Proposed site layout: Porches added to main industrial building, some changes to other porches,
- Fire Truck Path
- Drainage Plan: Changes in flow and mitigation are described
- Existing Flood Zone Elevation 10.0
- Proposed Flood Zone Elevation 10.0 – pathways out are outlined
- Sewer & Water Plan
- Electric & Gas Plan: Gas will be extended from South Mason St. to provide gas heating to homes
- Landscape Plan
 - Approximately 18 trees needed per zoning, they are proposing around 32 so well above the zoning requirements
 - Perennials proposed in snow storage areas
 - Tree species are discussed
 - Mr. Rieder asks the applicant to identify the density and pot sizes
 - Zalcovas should be swapped for an Elm hybrid
 - Rosa Rugosa are invasive – prohibited species, Viburnum is OK but Burning Bush is not
- Architectural Plans
 - Changes to concrete building: flat roof remains, one story being added, porches added

Grading, fill conditions and topography are discussed. The Planning Board will require that potential purchasers be notified of Flood Hazard Overlay District (FHOD) issues. All finished floors are well above flood elevation.

Chair Anderson opens to the public but there are no comments. A Draft Decision will be sought for Jan. 5 pending Civil Engineering peer review and DRB final recommendations.

A motion to continue to the Jan. 5 2017 meeting is made by Noah Koretz, seconded by Dale Yale, and carries 8-0, with Tony Mataragas no longer present.

- C. Location:** 2 Paradise Road and 539 Loring Ave. (Map 21 Lots 231 and 232)
Applicant: 2 PARADISE RD. LLC
Description: A continuance of a public hearing for a Site Plan Review in accordance with Sec. 9.4 Site Plan Review of the Salem Zoning Ordinance for a proposed addition to the existing Vesuvius Restaurant building. The project will include demolition of the existing structure at 539 Loring Avenue, expansion of the Vesuvius Restaurant kitchen, and construction of a new street level, café-style restaurant and second floor office space.

Presenting for the applicant is Attorney Joseph Correnti of 63 Federal St. There is no presentation this evening, as it was concluded at the last meeting, and amended plans were submitted at that time. A draft decision is being sought this evening.

Chair Anderson opens to the Board but there are no questions for the applicant and no members of the public to comment.

A motion to close the public hearing is made by Tony Mataragas, seconded by Matt Veno, and passes 9-0.

Chair Anderson reviews the Draft Decision.

A motion to approve Site Plan Review is made by Noah Koretz, seconded Matt Veno, and carries with all in favor, 9-0.

- D. Location:** 60 & 64 Grove Street and 1, 3, and 5 Harmony Grove Road (Map 16, Lots 237, 236, 377, 239 and 378)
Applicant: MRM Project Management, LLC for the project known as Grove Street Apartments (f/k/a Legacy Park at Harmony Grove Apartments)
Description: The applicant requested a continuance to the regularly scheduled meeting on **THURSDAY, JANUARY 19, 2016** of a public hearing for application of, to amend the previously approved Site Plan Review, Planned Unit Development Special Permit and Flood Hazard District Special Permit Decision dated December 11, 2014, for the property located at. Specifically, the application proposes to modify the condition requiring restoration of the office building located at 60 Grove Street due to its unsafe condition and to instead demolish the building and temporarily create a landscaped open space until specific commercial development plans are developed. No changes are proposed to the total square footage or footprints of the buildings or number of dwelling units in the project. The 60 Grove Street property is to remain commercial in nature.

Tony Mataragas leaves at 8:23PM.

A motion to continue to the Jan. 19, 2017 meeting is made by Matt Veno, seconded by Dale Yale, and carries 7-0, with Tony Mataragas not present and Noah Koretz abstaining.

- E. Location:** 55 Highland Avenue and 1 Powder House Lane (Map 24, Lots 220 and 219)
- Applicant:** North Shore Medical Center, Inc., f/k/a Salem Hospital, and City of Salem
- Description:** Board discussion and vote on an application for endorsement of a plan believed not to require approval under the Subdivision Control Law (ANR), proposing to convey Parcel A, an unbuildable lot, from the Salem Hospital to the City of Salem and convey Parcel B, an unbuildable lot, from the City of Salem to the North Shore Medical Center, Inc., with each parcel to be incorporated into the larger contiguous lots.

This item is heard second, after the Hospital. Attorney Kristin Kolick presents the ANR plan. City Council voted to allow Mayor Driscoll to authorize transfer of the deed of Parcel B, park land, whose location is described as is legislation. The City will acquire a parcel belonging to the NSMC. This is an ANR because there is no decrease in frontage. Frontage and requirements are described. Ms. Kolick describes the importance of Parcel B as it is located in what will be the new roadway. Matt Veno asks about a particular area and Ms. Kolick describes. Noah Koretz states for the record that on a previous NSMC project, he filed a 23 (B) 3 form as his agency is a conduit bond issuer to this project, but he can impartially evaluate the project.

A motion to endorse a plan for which Approval is Not Required is made by Helen Sides, seconded by Matt Veno, and passes in a roll call vote with Ben Anderson, Kirt Rieder, Carole Hamilton, Matt Veno, Bill Grisct, Tony Mataragas, Dale Yale, Helen Sides, and Noah Koretz (9) in favor and none (0) opposed.

APPROVAL OF MINUTES

A. Regular Planning Board Meeting December 1, 2016

A motion to approve the December 1, 2016 minutes, with minor amendments, is made by Bill Grisct, seconded by Matt Veno, and carries with all in favor, 8-0

Carole Hamilton comments on the NSTMA, wondering if Board would like to have Andrea come in and present on the organization. That is desired; Amanda Chiancola will reach out to her. This was triggered by the traffic peer reviewer for the NSMC as traffic mitigation.

A motion to adjourn is made by Noah Koretz, seconded by Carole Hamilton, and carries with all present in favor, 8-0.

The meeting ends at 8:30 PM.

For actions where the decisions have not been fully written into these minutes, copies of the decisions have been posted separately by address or project at: <http://www.salem.com/planning-board/webforms/planning-board-2016-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 01/05/2016

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.