

**City of Salem Planning Board
Approved Meeting Minutes
Thursday, Jan. 5, 2017**

A public hearing of the Salem Planning Board was held on January 5, 2017 at 7:00 p.m. at City Hall Annex, 120 Washington Street, Room 313, Salem, Massachusetts.

Chair Ben Anderson opens the meeting at 7:07 pm.

I. ROLL CALL

Those present were: Chair Ben Anderson, Bill Grisct, Helen Sides, Dale Yale, Carole Hamilton, Kirt Rieder, Tony Mataragas and Noah Koretz (8)

Absent: Vice Chair Matt Venio

Also in attendance: Amanda Chiancola, Staff Planner, and Stacy Kilb, recorder

II. REGULAR AGENDA

A. 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 of 63 Federal St. speaks. Mark Tranos, Principal is here, as well as Bob Griffin, Site Engineer, with a brief update. Peer review has been completed. Laura Rutledge will present landscaping. Ryan McShera, Project Architect, will also present the final result after Design Review Board (DRB) input.

Bob Griffin, Civil Engineering outlines updated plans that changes per the comments from the peer reviewer:

- Existing Flood Zone El. 10.0
- Proposed Flood Zone El. 10.0: The peer reviewer noted one unit did not have a dry pathway in front of their unit, so the plans have been updated. The revised plans now have a dry pedestrian pathway to South Mason Street. Updated drainage and grading plans are provided. That affected the grading and drainage plan, so updates were made to Sheet C-5.
- Sewer & Water Plan: Fire flow test: something was inversed in one of the reports. Hydrant water flowed out at Mason Street and pressure was tested at the other hydrant. While the results show there is sufficient pressure for a fire suppression system, it doesn't say what the flow conditions are at the end of the 6 inch line. As such, the peer reviewer suggested another hydrant test prior to final design. A condition has been included in the decision in this regard.

Laura Rutledge, Landscaping updates:

- Landscape Plan: Shade trees along the perimeter of the site to buffer the neighbors. Two open lawn spaces are within the site. Shrubs and perennials have been added so shown on the planting schedule; Zalcovas have been replaced with disease resistant Princeton Variety American Elms. There is limited space behind the units, but Arborvitae will be placed along the edges where possible.
 - Kirt Rieder asks how big the Arborvitae are expected to be in ten years. Ms. Rutledge responds that they will grow to 10' tall and 4-5' in width. Mr. Rieder is worried that there is little grass space on the left side, and you will not be able to walk around the arborvitae. Mr. Rutledge says they might be able to be shifted closer to the building, as that would work better. Mr. Rieder notes it would be great to get a shade tree over there, if possible.
 - He is also concerned about the location of the bike rack in the lawn area, as it is the primary pedestrian pathway during a flood. He is concerned about the bike rack being on the lawn, it should be on a concrete pad, and the location of it should be off center. Applicant notes that it will be moved to a concrete pad near the pedestrian area, off center so it is not a visual focal point.
 - Chair Anderson asks about plantings surrounding the transformer; they are described as perennials, two shrubs in the back and a tree. The pad for the transformer is raised up out of the floodplain per the requirements of the electric company. Bollards will be around it as well, making it a tricky planting area. Chair Anderson recommends more thought to the planting when taking the bollards into consideration. Attorney Correnti comments that they want to move it out of the main entrance, but National Grid is going to dictate where they have to put it, they are going to advocate to shift it, but it may have to stay at the entrance. But wherever it goes, it will be landscaped. Mr. Rieder notes that day lilies would not have any presence in February, so they need to think about plantings that will provide presence in the winter too. Shrubs are behind the transformer. Chair Anderson notes that this is the entry so they should really work on it in thinking about the seasonal considerations and the neighbor across the street.
- Ryan McShera, Architectural Presentation
- They had a couple rounds with the DRB. Most of the attention was focused on the concrete building in the center. Each building is discussed:
 - Building 1 – Floor Plans: Concrete building in the center. Early 1900's industrial buildings were looked at for inspiration. Introduced outdoor covered porch space on 1st and top floors has been introduced,
 - Building 1 – Elevations: Balconies/outdoor spaces outlined. DRB input on proportions was sought and is outlined. Windows, grill bars, new elements attached to the building were all considered during the DRB discussion.
 - Building 1 – Colored Elevations: Precedent studies shown. The building will be a very light grey.
 - Buildings 2-4 are the wood frame townhouse units, colonial style.
 - Building 2 – Floor Plans: Minor changes to entryways and trim details to break up buildings 2 and 4
 - Building 3 – Floor Plans: exists on the northeast corner of the site, they are going to add on to it. It is similar to buildings 2 and 4.
 - Building 4 – Floor Plans: L shaped building in southeast corner, minor changes only
 - Chair Ben Anderson asks what “adding on” to the existing building means, are they saving the foundation or gutting the building? Mr. McShera says they are going to save as much as

possible will be saved, some interior partitions, floor plates, but they will be taking it back to bare bones and building upon to ensure it is cohesive with the rest of the development. Siding materials are described as composite, and the hardy vinyl window package.

Chair Anderson has received several questions related to the North River Canal Corridor (NRCC) Sec. 8.4.2:

- Connection to Commercial Street: Access through the site is discussed. Attorney Correnti says this is important to the applicant as well as the neighborhood; possibilities are still being discussed. There are a couple of possibilities and while they do not have a recorded easement yet, they are pursuing it. While they are working on getting an easement, Attorney Correnti does not want the Decision to be dependent upon getting access over someone else's property. The Chair is uncertain how to resolve the issue but feels that perhaps some update on progress to the Planning Department could be required, so that the Board knows that the matter is being actively pursued as an important component of this Approval. "Developer will report to City Planner regarding progress on pedestrian access to Commercial St." is the suggested language to ensure it does not get forgot about. Kirt Rieder comments that one site nearby is for sale, and is concerned about burdening that potential sale as it could reduce the neighbor's property value. Attorney Correnti notes that they would be happy to keep the Planning Department informed on their efforts on getting a public access easement to Commercial Street.
- Driveway Access to 23R Mason St: The building seems to be landlocked because of this property, removing access to that site is disconcerting to him as it will now be "landlocked" with no driveway access. Attorney Correnti explains that they did not terminate access, while there was physical access through the site being discussed now, there has never been legal access via a covenant or easement, thus the applicant has not technically terminated access.
 - A recorded easement goes to the driveway but terminated right at the building on 3 South Mason, the multi-family now on Buffum St. Ext. The applicant is exploring the possibilities for access the current /potential owners of 23/23R; curb cuts off of Mason St. are under discussion. The applicant is not the owner but 23-23R are under agreement.
 - Attorney Correnti reminds the board of a letter provided to the board at the first meeting from the property owner of 23 Mason that gives permission to include his property. He explains the logistics of the permitting process as related to Purchase and Sale agreements.
 - Kirt Rieder comments that there is precedent for "stacked" housing units such as this, so he is not concerned with not having a new curb cut and more paving, as it just feeds into more housing units relying on mass transit.
- Mechanical equipment locations: Bob Griffin outlines. HVAC logistics are described. They will be hung off the backs of the buildings, above flood elevation. Carole Hamilton is concerned about the placement of the condensers, as there is not a lot of room to hang the unit between the windows for this to occur. Mr. McShera feels there is just enough space, he says there will be one per unit. Ms. Hamilton points out that it may not be feasible to hang them on the building due to the lack of space. Extensive discussion ensues. Mr. Griffin notes they will not be on the roof. Chair Ben Anderson follows up on Ms. Hamilton's concerns and feels that the Decision should contain language stating that the units will be attached or adjacent to the building, not pushed out near the fence and a nuisance to the neighbors. He agrees that they will be challenged to find locations for the units.
- Fence: The chain link fence will be removed. A Special Permit for a 6' fence (wooden, decorative – solid board w/top treatment, up to applicant whether painted or stained, however it should be natural. The board suggests that cedar would last where pine would deteriorate. A special permit is included in the decision for the height of the fence as the NRCC stipulates that the fence must be no more than 4' tall.

Chair Anderson opens for public comments but there are none.

A motion to close the public hearing is made by Carole Hamilton, seconded by Tony Mataragas, and passes unanimously in a roll call vote with Chair Ben Anderson, Bill Grisct, Helen Sides, Dale Yale, Carole Hamilton, Kirt Rieder, Tony Mataragas and Noah Koretz (8) in favor and none (0) opposed.

Chair Ben Anderson reviews the Draft Decision. Additional comments and amendments:

- Kirt Rieder comments that some landscaping may evolve despite issuing a Draft Decision tonight; he does not want to additionally burden the applicant but would like to add that adjustments to landscaping should follow suggestions outlined tonight. "Final landscaping plan shall be revised subject to the discussion at Jan. 5, 2017 Planning Board meeting in regards to the location of the bicycle rack, concrete pad under bicycle rack, landscaping around the transformer, fencing, ac units. The revised plan shall be submitted to the City Planner for review and approval prior to permit issuance" will be added to the Decision.
- Proposed signage will not be reviewed by the Planning Board, but must go before the DRB because this in the NRCC.
- The Planning Board adds the condition: "Prior to obtaining a Certificate of Occupancy, the applicant will update the City Planner on progress in obtaining pedestrian access to Commercial Street."
- HVAC units are attached to, as close to the building as feasible. The applicant needs some flexibility, for example the middle units may need to have condenser perpendicular between the decks. The Chair says they need to be inconspicuous. The applicant says they will not be on the fence, and will be as close the building as feasible.
- Mr. Rieder asks about details for the walks – the applicant confirms that the walks will be concrete. This detail will be delineated on the revised plans.
- Mr. Rieder also asks about shade tree size discrepancy; diameter should be 3.5-4 inch caliper or greater for each shade tree, not 3-3.5 inch caliper as listed which would be undersized. Elm, Linden, Oak, Gum, and Red Maples, especially, should be of a larger diameter. This will be updated on the revised plans.

Chair Anderson note for the record: Matt Veno is not attending tonight's meeting.

A motion to issue the Decision approving Site Plan Review is made by Helen Sides, seconded by Bill Grisct, and carries 8-0 in a roll call vote with Chair Ben Anderson, Bill Grisct, Helen Sides, Dale Yale, Carole Hamilton, Kirt Rieder, Tony Mataragas and Noah Koretz in favor and none opposed.

APPROVAL OF MINUTES

A. December 15, 2016

A motion to approve the minutes with minor edits is made by Dale Yale, seconded by Carole Hamilton, and carries unanimously, 8-0.

III. OLD/NEW BUSINESS

A. Discussion on an update to the Subdivision Regulations

Amanda Chiancola outlines the need for updates, as the regulations have not been changed in almost 30 years. Options include inline edits or a complete overhaul of the entire ordinance. The Board feels the entire ordinance should be re-examined, as not only is it outdated, but it does not fit Salem's development needs. Good planning practices have evolved greatly since the ordinance was written and it does not address the current situation. The ordinance should be re-worked to be more forward-thinking. Amanda Chiancola will explore the availability of funding to hire a consultant to perform review.

Issues not addressed by the current ordinance are discussed at length, including the requirement of minimums where there should be maximums, the inclusion of car safety but not pedestrian or bike safety, and the lack of acknowledgement of Salem's urban context.

Additional discussion occurs regarding other issues:

- Current parking regulations are not realistic in the NRCC. However, it is noted that the Zoning Board of Appeals (ZBA) consistently grants variances in this area, given that most NRCC projects are already permitted/being developed, so this may not require Board attention.
- Subdivision regulations and zoning code are two different things, so must be addressed separately.
- Changes to the zoning language would happen in a joint public hearing with the Planning Board and the City Council, not the ZBA. Changes to subdivision regulations only require Planning Board approval, not City Council.

DRB Oversight will be on an upcoming agenda.

IV. ADJOURNMENT

A motion to adjourn is made by Noah Koretz, seconded by Helen Sides, and carries 8-0.

The meeting ends at 8:17 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-2017-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 01/19/2017

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