



CITY OF SALEM PLANNING BOARD

City of Salem Planning Board Meeting Minutes, November 19, 2020

Chair Ben Anderson calls the meeting to order at 7:00pm.

A public hearing of the Salem Planning Board was held on Thursday, November 5, 2020 at 7:00 p.m. via Remote Access. Public participation was possible via zoom video and conference call.

I. ROLL CALL

Those present were: Chair Ben Anderson Vice Chair Kirt Rieder, Carole Hamilton, Helen Sides, Bill Grisct, Tom Furey, DJ Napolitano (7)
Absent: Matt Smith, Noah Koretz (2)
Also in attendance: Mason Wells, Staff Planner, Tom Devine, Senior Staff Planner
Recorder: Stacy Kilb

II. REGULAR AGENDA

A. Location: 32-50 Federal Street (Map 26, Parcel 0413)

Applicant: Tom Daniel, City of Salem

Description: Endorsement of a Plan believed not to require approval under the Subdivision Control Law (ANR).

A motion to Endorse the Plan is made by Helen Sides, seconded by Bill Grisct, and passes 7-0 in a roll call vote.

| | |
|-----------------|--------|
| Ben Anderson | Yes |
| Bill Grisct | Yes |
| Carole Hamilton | Yes |
| DJ Napolitano | Yes |
| Helen Sides | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Matt Smith | Absent |
| Noah Koretz | Absent |

B. Location: 0 Story Street (Map 23, Parcel 2)

Applicant: Stephen Lovely, Castle Hill Group, LLC

Description: *The Planning Board will consider a possible continuation to a future meeting due to concerns with the number of eligible Board members attending.

A continuation of a public hearing for all persons interested in the application STEPHEN LOVELY, CASTLE HILL GROUP LLC for the property located at 0 Story Street (Map

23, Parcel 2) at the west end of Cleveland Street bounded by St. Anne's Church, City of Salem, St. Anne's Park and land of Bradbury and Chasse, for a Definitive Subdivision Plan. Specifically, the applicant proposes to allow construction of an extension to Cleveland Street which will create a tee turning area and the construction of 3 single family dwellings on the approximately 5.65 acre site.

A motion to continue to the Dec. 3rd, 2020 meeting, is made by Bill Grisct, seconded by Kirt Rieder, and passes 6-0 in a roll call vote.

| | |
|-----------------|------------|
| Ben Anderson | Yes |
| Bill Grisct | Yes |
| Carole Hamilton | Yes |
| DJ Napolitano | Yes |
| Helen Sides | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Ineligible |
| Matt Smith | Absent |
| Noah Koretz | Absent |

DJ Napolitano asks if the item is being continued b/c Noah is absent or b/c the documentation is incomplete? Mason Wells explains that it is b/c Noah Koretz is not here, meaning there is a low threshold of eligible members. The Applicant did not request the continuance for any other reason, though the Plans submitted are still the ones from March.

C. Location: 0 Story Street (Map 23, Parcel 2)

Applicant: Stephen Lovely, Castle Hill Group, LLC

Description: *The Planning Board will consider a possible continuation to a future meeting due to concerns with the number of eligible Board members attending. A continuation of a public hearing for all persons interested in the application of STEPHEN LOVELY, CASTLE HILL GROUP LLC requesting a waiver of frontage requirements of the Subdivision Control Law for Lots A and B located at 0 Story Street (Map 23, Parcel 2) at the west end of Cleveland Street bounded by St. Anne's Church, City of Salem, St. Anne's Park and land of Bradbury and Chasse.

A motion to continue to the Dec. 3rd, 2020 meeting, is made by Kirt Rieder, seconded by Helen Sides, and passes 6-0 in a roll call vote.

| | |
|-----------------|------------|
| Ben Anderson | Yes |
| Bill Grisct | Yes |
| Carole Hamilton | Yes |
| DJ Napolitano | Yes |
| Helen Sides | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Ineligible |
| Matt Smith | Absent |
| Noah Koretz | Absent |

III. OLD/NEW BUSINESS

A. Location: 217-221 Essex Street (Map 35, Lot 251)

Applicant: Essex Street Lofts, LLC

Description: The applicant is returning to review the placement of an electrical box. The applicant has also submitted their revision to the Salem Redevelopment Authority for their concurrent review.

Joey Arcari represents the project; the Applicant came to the Dept. several weeks ago noting the need for the electrical box installation. They have been before the DRB as well.

Plans are reviewed:

- Power for 20 new residential units will be needed; it was assumed it could be brought in underground; the National Grid inspection revealed that they will need a bus enclosure to amplify power into units. Enclosure is 4' x 4' x 4' and b/c property is built on zero lot line, the only place to put it is on public property
- Met with SRA, who sent them to DRB, all DRB requests were taken into consideration, Plans submitted again, and DRB member approved upon review.
- Old Plans shown, new plans have been submitted but are unable to be shown. The Chair requests that the Applicant return to a future meeting with current Plans able to be shared on screen, if it cannot happen during this meeting

The Board returns to this item closer to the end of the meeting, but Plans have not come through.

DJ Napolitano wonders what is on the agenda for Dec. 3rd. This is outlined. He asks that 0 Story St. be required to come to the Dec. 3 meeting, not the Dec. 17 meeting. The extension ends Dec. 7th so they must come to the Dec. 3 meeting. Planning Board could take action on Dec. 3rd if the extension runs out.

This item will be resumed at the next meeting.

B. Location: Witch's Hill Subdivision

Description: Planning Board review and vote on a request to correct a scrivener's error from 2016 to release lot 221 (16 Nurses Way) in the final phase three of the development.

No vote needed, moved to next meeting

C. Location: 51 Canal Street

Applicant: Salem Car Wash LLC)

Description: Planning Staff update noting that the applicant has not gone forward with the demolition and reconstruction as presented and approved by the Planning Board. The revised renovation that is under way does not fall under the Planning Board's purview.

Chair Anderson expresses his disappointment; what is being built is not as nice as what was approved, but it is within the Applicant's rights to modify/renovate the existing. The Board wonders why the change; the approved Designs were more attractive. Bill Grisct notes that the Board specifically said, "don't make it look like a car wash" and revised Plans were interesting, now we are back to the "retail strip center" look.

The Plan that triggered PB review involved demolition and reconfiguration of the lot, but now they are working with what was there, so it is a renovation. Why the change/decision? Chair Anderson can guess that it was probably cost. Helen Sides asks if it is in the Entrance Corridor Overlay District (ECOD). There are sign requirements, but these will only go to the Building Commissioner and Planning Director, however the actual design, siding, materials are not under anyone's jurisdiction. Curb cuts, trees to remain as they exist today? Yes, these will remain.

Helen Sides asks about the project being within the ECOD, and if it would have been PB's discretion to send to DRB, but it was handled by this Board? Mason Wells replies that the Planning Board Review applies to new construction of 10K sf or more, if in ECOD 2K sf will trigger SPR; between 2 and 10K PB can send projects to DRB, but this is discretionary. The Board comments that the project is "awful" and "disappointing," and is a bit surprised because the Applicant seemed enthusiastic about the project.

D. *To be rescheduled for the December 3, 2020 Planning Board Meeting due to a scheduling error made by City Staff* Update on Clark Avenue (Map 6, Lots 7, 8, and 9) – Woodlands Subdivision

Mason Wells notes it was an error on his part, which had nothing to do with the Applicant. Update: Finalizing Clerk of Works (John Hayes) to provide onsite clerking services. Bill Ross, Civil Engineer, continues to provide COW responsibilities as outlined in the decision in the meantime.

E. Vote on the appointment of a Planning Board representative to the Community Preservation Committee. Carole Hamilton's current appointment expires on December 7, 2020 and she is eligible for reappointment to a term of three years.

Carole Hamilton agrees to be re-appointed.

A motion to re-appoint Carole Hamilton as representative to the CPC is made by Kirt Rieder, seconded by Bill Grisct, and the motion carries 6-0.

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| Ben Anderson | Yes |
| Bill Grisct | Yes |
| Carole Hamilton | Abstain |
| DJ Napolitano | Yes |
| Helen Sides | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Matt Smith | Absent |
| Noah Koretz | Absent |

Chair Anderson adds to Old/New Business

- CVS development Jefferson/Canal/Bertinis, dumpster is in disrepair, leads to rodents, please send them a letter, get doors hinged correctly. Mason Wells will prepare and send
 - Carole Hamilton notes that their landscaping in front was bad through last summer - dead on the “mulch hill.” Chair comments leaves are removed 2x/week
- New Hampton Inn at the corner, there is a transformer, fence around the transformer “lets the project down.” Kirt Rieder agrees. Helen Sides asks, they did present it and they put a black fence around it, was something else added? Kirt Rieder comments that it went through DRB which went in that direction; he was “astonished” to see how it turned out
 - Disappointed how fence and street trees were changed. The building should have been ringed by street trees, but now they are “spotty” and there is a “picket wall” around the transformer.
 - Helen Sides comments that there were special meetings for this Applicant, but they are not putting in the effort
 - Chair Anderson notes a letter should be put together, expressing disappointment in the enclosure of the transformer. DJ Napolitano asks if this is another situation like the development on Boston St. where they came to the City and asked for change that was then approved by Tom Daniel? Helen Sides notes they did come to the DRB but it was presented to them as, “we cannot put it anywhere else.” She does not remember if it was on PB’s plans. Functionally, they did not have flexibility, but it could have been done more tastefully
 - DJ Napolitano notes this also pertains to the Essex St. project, on hold from above. If says he will do ABC but does XYZ, how do we hold the Applicant accountable and make them remedy the issue? A Zoning Board Opinion on a sign is being appealed by another Applicant
- Helen Sides comments that this has come up before, that the Applicant is going back to the “wrong” board; they went to DRB rather than back to the PB, while the PB had a more in depth understanding of what was going on
- Mason Wells can look up the record; re actions Board can take: Board can request compliance with what was approved, can ask for a presentation, and from there, can pursue further legal remedies, such as fines or legal action
- 221-217 Essex St. (Old/New Business Item A): Is the Applicant coming back as courtesy or requirement? As a requirement, staff requested they come before Board to take a look at the change to determine if significant
- Chair Anderson would like to formally request that the Hampton Inn come in and explain how the fence came about. Kirt Rieder notes it is different b/c Essex St. is making changes to City property, vs Hampton Inn’s private property
- Helen Sides asks why it went to the DRB not PB? HS was recused from reviewing that project on the DRB so was not as connected from it as everyone else
- Mason Wells will send a letter requesting the Applicant provide further information. He notes this should become routine. Helen Sides adds that it should be made clear that if changes are made, the Applicant should return to the Planning Board

DJ Napolitano asks about Trader’s Way

- Huge piles of rock, earth and dirt are being stored all over the lot; he thought an

Ordinance limited their size. These are mammoth mountains that have been there 6-9 months

- Chair Anderson notes this is a question for Tom St. Pierre but there are requirements for dust control. Mason Wells notes there is a civil Clerk of the Works (COW), and while there was discussion re having a more generalized COW, it was just beginning
- Kirt Rieder asks when the Board approved the project, it asked, “How to you plan to plant trees in 3-4’ of soil when you are on top of rock?” They were creating space to accept loam soil for tree planting, but he does not see a lot of over-excavation for that purpose. Mason Wells will draft a letter to Civil COW with these questions.

IV. APPROVAL OF MINUTES

A. Regular Planning Board meeting minutes for September 17, 2020.

A motion for approval of the minutes, with a minor correction on the last page, is made by Helen Sides, seconded by DJ Napolitano, and the motion carries 7-0 in a roll call vote.

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|-----------------|--------|
| Ben Anderson | Yes |
| Bill Grisct | Yes |
| Carole Hamilton | Yes |
| DJ Napolitano | Yes |
| Helen Sides | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Matt Smith | Absent |
| Noah Koretz | Absent |

B. Regular Planning Board meeting minutes for October 1, 2020.

Not ready yet

C. Regular Planning Board meeting minutes for October 15, 2020.

Not ready yet

D. Special Planning Board meeting minutes for November 12, 2020.

Not ready yet

IV. ADJOURNMENT

A motion to adjourn is made by Helen Sides seconded by Bill Grisct, and passes 7-0 in a roll call vote.

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| Ben Anderson | Yes |
| Bill Grisct | Yes |
| Carole Hamilton | Yes |
| DJ Napolitano | Yes |
| Helen Sides | Yes |
| Kirt Rieder | Yes |

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| Tom Furey | Yes |
| Matt Smith | Absent |
| Noah Koretz | Absent |

The meeting ends at 7:50 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: <https://www.salem.com/planning-board/webforms/planning-board-2020-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 2/4/2021