

**City of Salem Massachusetts
Public Meeting Minutes**

Board or Committee: Redevelopment Authority, Regular Meeting
Date and Time: Wednesday, May 8, 2019 at 6:00 PM
Meeting Location: 98 Washington Street, First Floor Conference Room
SRA Members Present: Chair Grace Napolitano, Gary Barrett, Dean Rubin
SRA Members Absent: David Guarino, Russ Vickers
Others Present: Tom Daniel – Director of Planning and Community Development, Kathryn Newhall-Smith
Recorder: Colleen Brewster

Chair Napolitano calls the meeting to order. Roll call was taken.

Projects Under Review

Executive Directors Report:

Daniel stated that;

1. 289 Derby Street: The property was subdivided by the Planning Board and the owner of 285 Derby Street seems interested in pursuing future tenants' use of outdoor space facing the park. Whether they need to be advertised is the question.
2. 5 Broad Street: The recommendation to the City Council was approved on April 25th, 2019, and Mayor Driscoll will execute the documents to sell the property. Mr. Luster was concerned with the lack of a clear permitting path since the proposed overlay zoning district failed. The Council's Committee on Ordinances, Licenses and Legal Affairs discussed an alternative that Councilor Dibble proposed; however, the language was too broad. An alternative was suggested, the Committee was supportive of it, and that revision was submitted and will be presented at tomorrow's City Council meeting. This will create a new use group in the Use Table with a special permit in certain districts for municipal religious conversion. The Committee wanted to get this situation resolved by July at the latest, because the sale of 5 Broad Street can't proceed without it.
3. Salem Housing Authority: They are doing a window restoration project and when they reached out to see whether an approval would be needed they were told no. As a public entity, they aren't technically required to seek approval by the SRA, but design review is encouraged. They will go to the DRB this month seeking approval and the SRA will receive an update and feedback from the DRB.

Urban Renewal Area Projects Under Review

1. **133 Washington Street (Boston Burger Company):** Discussion on café permit application

Colin McGuire, Manager of Boston Burger Company, was present to discuss the project.

Ms. Newhall-Smith stated that the applicant went to the DRB in April, they received good feedback, and suggested a condition regarding the use of plain umbrellas with no logos. They need final

review and approval. She suggested some additional conditions that the DRB didn't include. The first regarding amplification, but there is already a sign that says "No amplification." The second is securing the furniture at night, and the third to maintain the 10' and 7 ½' foot wide path for pedestrians.

Mr. McGuire stated that the wheeled garden boxes will set that boundary for the pedestrian path. They will secure the tables and chair to the building as they did last year, and the 2 seats in the front will be brought into the building at night. There will be no amplification and they will buy umbrellas without logo umbrellas.

Mr. Rubin noted his continued concerns with the pedestrian face, the addition of seating creating an access barrier and not creating an inviting atmosphere for pedestrians. The trash area is also located at this end of the alley. Mr. McGuire noted that the planter creates a dead-end at Higginson Square and there is room to add posts and chains to their proposed garden boxes to make it less of a barricade. They can provide a more angled approach that doesn't face the foot-traffic to make it more inviting. A chain and post setup is required because they serve alcohol. Ms. Newhall-Smith noted that the DRB said it wasn't their purview, but they mentioned that it needs to be discussed with the Licensing Board. Mr. Daniel noted that Salem's law doesn't allow what is being proposed, despite it being allowed elsewhere in the state, and requested that the applicant discuss this with the Salem Licensing Board or their Clerk. Fines could be incurred and money shouldn't be spent on a design that the LB wouldn't approve of. This is why The Derby and previously The Tavern in the Square had to close off the sidewalk. McGuire replied the DRB reviewed and discussed the design only.

Mr. Rubin stated that creating an angled access and moving the seating closer to the neighbors might not create a comfortable space for their patrons. They could give a conditional approval if the LB Clerk approves. Mr. McGuire noted that moving the space up to the building blocks the foot path from Higginson Square. Mr. Daniel suggested an altered layout and he and Ms. Newhall-Smith can review. Mr. McGuire noted that the landlord mentioned there used to be an overhang above that area and suggested the planter be eliminated or reduced in size. Ms. Newhall-Smith suggested the applicant not serve alcohol at the rear space. Mr. McGuire agreed to not serve alcohol until the design gets finalized and approved by the City of Salem.

Chair Napolitano opens public comment.

No one in the assembly wished to speak.

Chair Napolitano closes public comment.

Rubin: Motion to approve the patio design as presented per the DRB's suggested design changes.
Seconded by: Barrett. Passes: 3-0

2. 10-12 Lynde Street: Discussion of restoration of residential structure

John Seger of Seger Architects, was representing the Owner, The Crescent Trust, and was present to discuss the project.

Ms. Newhall-Smith stated that the applicant received a positive recommendation from the DRB. The DRB wanted to discuss constructing a small roof over the two new rear entries but they didn't want it to jeopardize their opportunity to receive tax credits. This will be a positive addition to the neighborhood.

Mr. Seger stated that he presented new eaves over the back doors in their submittal for historic tax credits and the tax consultant determined that it would not be a concern. The application will move forward.

Chair Napolitano opens public comment.

No one in the assembly wished to speak.

Chair Napolitano closes public comment.

Rubin: Motion to approve as presented.

Seconded by: Barrett. Passes: 3-0.

3. 23 Summer Street: Discussion of residential redevelopment of existing structure

Attorney Scott Grover of Tinti, Quinn, Grover & Frey, Dan Botwinick a Co-Owner, and Tom Mayo, Architect from Thomas Mayo Associates, were present to discuss the project.

Ms. Newhall-Smith stated that the applicant received a positive recommendation from the DRB who suggested the applicant remove the window on Norman Street and install a single door. There was some discussion on purchasing a strip of land between Norman Street and the neighboring property that would allow them more space. If anything changes with the building and site it would need to be reviewed again.

Mr. Daniel stated that the project will also go to the Planning Board for Site Plan Review. If other land comes into play it will also need to return to the SRA. Atty. Grover noted that the additional section of land is owned by the garage owner.

Mr. Rubin asked if there has been any material change proposed. Atty. Grover replied that the DRB suggested significant changes, along with the DRB, SHC and HSI. They've made the suggested design changes.

Mr. Mayo stated that the SHC suggested the addition resemble a carriage house, so the addition has changed to an ell rather than an extension of the original building. The addition is lower than the main building and has dropped down one floor. They simplified the addition by using a different roof shape. There will be seven parking spaces below the addition and three will remain surface parking. The large and small windows of the addition will match those on the existing building. A new door facing Summer Street will provide secondary access. The unit count has not changed.

Mr. Daniel stated that SHC and HSI progressed this design to make the addition secondary and main structure prominent. Atty. Grover replied that the process worked well.

Ms. Newhall-Smith presented additional conditions. The perimeter fencing should remain along Norman Street to screen the parking space. The existing landscaping should be retained and the evergreens maintained during construction. Mr. Mayo replied that the tree is on the neighbor's property, they will attempt to save it, but will plant a new one if it can't be saved. Ms. Newhall-Smith added that the 6x6 simulated divided lite windows will be installed for continuity with the main building. Atty. Grover replied that they are fine with the proposed conditions and the PB will have a lot to say about landscaping, so he requested that any conditions set provide some flexibility to prevent them from coming back to the SRA for additional landscaping review.

Chair Napolitano opens public comment.

No one else wished to speak.

Chair Napolitano closes public comment.

Barrett: Motion to approve with the DRB's recommendations with and the additional conditions of; perimeter fencing to remain along Norman Street, retaining or replanting the existing landscaping, and the use of 6x6 simulated divided lite windows on all facades.

Seconded by: Rubin. Passes: 3-0

4. 285 Derby Street: Approval of façade improvements

Tim Clark of South Harbor Holding and Paul Durand of Winter Street Architects were present to discuss the project.

Ms. Newhall-Smith stated that the Owner is seeking façade changes along the street and the park. They want to replace the front storefront and the DRB has approved the design. The Architect wanted the DRB's approval to open another brick bay and to have it match the new facade design next to it. The DRB would like the applicant to return to the DRB to see their revised plan.

Mr. Clark stated that a structural engineer is reviewing the proposed openings to make sure the building is structurally sound. A future tenant may want some outdoor space.

Mr. Rubin asked if they were removing the white border to provide additional light. Mr. Clark replied yes.

Mr. Rubin asked why the applicant was only changing the right-side of the building and not the left side too. Mr. Durand replied that this building will evolve over-time and they are setting a new precedent for a better design. For the time being they are only looking at this one tenants' space. Mr. Rubin noted that additional façade proposals would have to return to the SRA for review.

Chair Napolitano opens public comment.

No one else wished to speak.

Chair Napolitano closes public comment.

Rubin: Motion to approve as proposed.

Seconded by: Barrett. Passes: 3-0

5. 2 East India Square (Witch City Mall): Discussion of proposed signage

Ken McTague of Concept Signs was present to discuss the project.

Ms. Newhall-Smith stated that the sign design has been revised. The letters are halo style backlit and stars are internally illuminated. The signage has been lowered to comply with zoning height requirements. Non-illuminated signage will be on only the front face of the porticos, not all three sides. The old signage and branding will be removed. The door decals will be replaced, the new decals proposed meet signage square-footage requirements. The applicant has paid \$20 of the \$125 required sign fee.

Chair Napolitano requested that the applicant return to the SRA after their DRB review. Mr. Rubin noted that he is happy this is moving forward and there will be a resolution. He asked why signage

wasn't being added to the other sides of the porticos where it will be visible by pedestrians. Mr. McTague agreed and will make the recommendation to the Owner, although he is unaware of their remaining signage square-footage amount. Mr. Daniel also suggested that there could be a zoning requirement allowing only one sign per entrance.

Mr. Rubin noted that the mall has been ignored and actions were taken without approval. The mall is a prominent destination in the City and Mr. Rubin is hopeful that changes will make the tenants feel welcomed and be a draw for visitors. Additional signage would be helpful. Mr. McTague replied that Marley Properties was open to the idea of additional signage but might pursue it in a second phase for budget reasons.

Chair Napolitano suggested eliminating the illuminated sign from high up on the wall and only using portico signage. Mr. McTague replied that Mr. Marley may want the impact from a distance and suggested eliminating the gold stars from the archways. Chair Napolitano wondered how the DRB will respond to the redesign and the swapping of the colors.

Chair Napolitano stated that the City property is the garage and the brick façade signage will be removed by the owner. Mr. McTague replied that he will remove the existing signage from the brick as well as the Museum Place sign on Church Street. The additional restaurant signage on the Essex Street façade will also be removed by Marley Properties. Mr. Daniel suggested Marley Properties consider an exterior directory at pedestrian level for the tenants. Mr. McTague agreed and noted that he recommended the same using the new branding. Chair Napolitano added that a directory can be included in the DRB's review.

Chair Napolitano opens public comment.

Gary Gill, Ward 3. Asked whether the stars will be above or below the mall name. Chair Napolitano replied that the DRB will review it. Mr. Gill asked if the exterior façade be reviewed. Chair Napolitano replied no. Mr. Gill suggested signage be added to all sides of the portico and the portico stars also be lit so they stand out. The proposed redesign should also include the exterior and interior of the mall.

Mr. McTague noted that the 9" high signage on the portico will be too small to light internally but could be highlighted externally. Ms. Newhall-Smith stated that design recommendations will be reviewed at the DRB.

Chair Napolitano closes public comment.

Rubin: Motion to approve and recommend to the DRB with the suggestion of adding signage to all three sides of the two porticos facing Essex and Church Street.
Seconded by: Barrett. Passes: 3-0

Old Business

1. Superior Court and Crescent Lot: Update

Mr. Daniel stated that the RFQ was published, and both DCAMM and ULI posted it on their websites. 97 organizations have downloaded it and 29 seem to be development entities, so the Planning Department is pleased with the level of interest. There will be a walk-through next Thursday at 1PM. DCAMM, Ms. Newhall-Smith, Planning Department members and others will be present; however, another tour could be set up if there is a high demand. The SRA will be reviewing their qualifications and experience and the goal will be to narrow the selection down to 3 teams.

Various reports were also made available in the RFQ so firms can see a high level of detail. The submission deadline is June 28, 2019. A survey of both lots is needed and Ms. Newhall-Smith has submitted an application to the CPA for funding to pay for predevelopment costs, including the survey. Mr. Daniel has been exploring other funding opportunities for an appraisal as well. The RFP should be out in September or October, which will be sent to the three selected development teams. Before the RFP is finalized, the SRA needs to determine how to best help the development teams succeed in this project. While portions of the RFP may be drafted in advance, Mr. Daniel will not finalize the RFP until all the feedback from the RFQ respondents is reviewed. The RFP will be live for 8 weeks before the full proposals are due. Formal inquiries must come through the Purchasing Department who oversees the RFP logistics.

The SRA could consider a long-term lease rather than selling it, but Mr. Daniel wants to hire a consultant to help with this review and to help them determine how the process will go forward since there are multiple alternatives to consider with each step of the process. The sale or lease question was included in the RFQ. He hopes this consultant can attend next month's SRA meeting. Mr. Daniel and the Board suggested possible meeting and interview dates for no more than 3 developers from the RFQ.

2. Design Review Board: Resignation and New Member

Mr. Daniel stated that Christopher Dynia has resigned from the DRB for work reasons. Helen Sides recommended Mark Perras of Jones Architecture. Mr. Daniel and Ms. Newhall-Smith met with Mr. Perras to discuss the SRA and the role of the DRB.

Rubin: Motion to recommend Mark Perras to the DRB to replace Christopher Dynia.
Seconded by: Barrett. Passes: 3-0

Minutes

The Board reviewed the minutes from the regular April 10, 2019 meeting were reviewed.

Rubin: Motion to approve the April 10, 2019 regular meeting minutes.
Seconded by: Barrett. Passes: 3-0

Adjournment

Barrett: Motion to adjourn the meeting.
Seconded by: Rubin. Passes 3-0.

Meeting is adjourned at 7:45PM.

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