

**City of Salem Massachusetts  
Public Meeting Minutes**

**Board or Committee:** Redevelopment Authority, Regular Meeting  
**Date and Time:** Wednesday, July 10, 2019 at 6:00 PM  
**Meeting Location:** 98 Washington Street, First Floor Conference Room  
**SRA Members Present:** Chair Grace Napolitano, David Guarino, Dean Rubin, Russ Vickers  
**SRA Members Absent:** Gary Barrett  
**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**

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#### **Executive Directors Report:**

Daniel stated that;

1. Annual Goals: Will be added the August agenda
2. Municipal Special Permit for Religious Use conversion: Still at the City Council, there will be discussion on July 18<sup>th</sup>. It will either go to another committee and a special council meeting in August or it may take another path. Many spoke in favor of it at the special meeting on June 27<sup>th</sup> although there are still come outstanding questions that need to be addressed.
3. 289 Derby: They are working with adjacent property owner on the easement agreement and it may return for the August agenda.
4. Court Buildings and Crescent Lot: Interviews will be scheduled for the end of this month. They will be public meetings but with no public testimony. An Executive Session will be held on July 9<sup>th</sup> to prepare. They are still working with DCAMM .and met with them to discuss Ch. 91 issues.
5. Ms. Newhall-Smith stated that she attended a meeting to explore a pilot program for parklets (takings space in the public way to make places more pedestrian friendly.) The pilot will pop up around the City and will not require street closures but could take up 1 or 2 parking spaces. If the program is successful, the City may expand it in the future.

### **Urban Renewal Area Projects Under Review**

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#### **1. Presentation: Electric Scooter Pilot Program**

Tom Devine – Senior Planner, was present to discuss the project.

Mr. Devine stated that the City teamed with Zagster in 2017 to launch the bike share program. Other cities have had bike shares that left for one reason or another; however, Zagster has worked well here and hit 15,000 rides recently. Nationally there have been scooter shares and its ridership has exceeded bike shares so there is a demand for it as a mobility option, which is why Salem is pursuing a pilot program for electric scooters.

The Salem team has learned about the problems and safety concerns in other communities and the City Council approved an amendment to the Zagster bike share contract to allow the pilot. Zagster will be more of a micro-mobility manager and Spin will oversee the maintenance. The scooters

weight 40lbs and their motor is housed in the front wheel. All scooters will have GPS trackers and defined service areas. They can make them slow-down in lower speed areas and they will not be allowed on roads with higher speed limits. It's dock-less, but there will be dock-like staging locations that Zagster will put into place. The locations may change depending on the need and riders will require that each rider park their scooter in correct locations and provide a photo of it parked.

Mr. Devine provided a sample graphic of the 24" diameter vinyl decal to place in designated parking areas. There will be a soft launch on July 15<sup>th</sup> with rider training at 289 Derby Street park. There will be a minimum of 25 scooters and a maximum of 250 scooters with a proposed timeline through May 2020, with a seasonal contract.

Mr. Rubin asked if the City would be okay with its continued use in October. Mr. Devine replied yes, but there will be a new operations plan for October. If it doesn't work, it could end early and Police Chief Butler will have the authority to end the program early also. The City is confident that issues can be resolved, and it can be renewed. Mr. Vickers asked if they are allowed on sidewalks and if helmets would be required. Mr. Devine replied sidewalk usage is prohibited and police will have a fact sheet on the rules. Helmets are preferred and they will be made available early on for free, but people will be encouraged to buy on their own. Mr. Guarino asked if riders will be able to travel the opposite direction on one-way streets or if they will lose power if riders do. Mr. Devine replied that they can't stop them from going one way versus another and a portion of streets will be no-go zones and signage would be required at certain turns. Like the Zagster bikes, they can go either way, and this may highlight issues with 1-lane and 1-way roads.

Mr. Rubin noted that the Zagster app has connectivity issues and questions whether they are adding to that problem with the addition of scooters. Mr. Devine replied that the app should be updated but issues get sent to Zagster. There will be a different app for the scooters through Spin. Mr. Daniel asked if there is a relationship between the two programs. Mr. Devine replied no, because they may want total "interrupt-ability".

**2. Artists' Row (Small Project Review):** Discussion of installation for infrastructure for Comcast Service

Ms. Newhall-Smith was present to discuss the project.

Ms. Newhall-Smith stated that Comcast is working to install infrastructure to the stalls that will allow internet for the businesses. This was presented to the DRB last week and will involve an underground conduit, a new pole no more than 20-feet high, and conduits that run along the rear of each stall to minimize overhead wiring. The DRB recommended approval with conditions; 20-foot-high pole maximum, pole location should not next to the living tree, they must work with the landscape architect on the DRB on the location and running the wiring around the buildings to eliminate the overhead wires.

Mr. Rubin noted the existing lights across the stalls, and this will set a precedent for overhead wiring.

*Chair Napolitano opens public comment.*

No one in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Rubin: Motion to approve as redesigned by the DRB.  
Seconded by: Guarino. Passes: 4-0

**3. East India Square Fountain (Small Project Review): Modification of 'cut-outs'**

Ms. Newhall-Smith was present to discuss the project.

Ms. Newhall-Smith stated that this request came about through the process of designing new regulations for how private businesses use the public way for the display and sale of merchandise. The new regulations are administered by the Licensing Board. This current proposal is needed to help the mall businesses that put their tents in alcoves around the fountain and this will create an opportunity to do that with the grandfathered business that place tents there in October. Two of the existing alcoves have benches that aren't bolted down. The alcoves would be modified slightly to allow a 10'x10' tents without blocking the pedestrian path. They are currently 3' deep x 7' wide. The two benches will be relocated to the left of the Village Tavern and the tents won't block the Tavern's entrance. DPS will do the work and if this new configuration isn't working, then the existing conditions can be restored. No new paving is proposed and there are existing cobblestones in place. Stone dust will be used to level the surface

Ellen Talkowsky, Special Projects Coordinator, stated that this will keep the East India Mall façade clear like in front of the PEM. Also, not all the tenants use their spaces consistently. Mr. Rubin asked if the tenants have been informed. Ms. Talkowsky replied that it was part of the discussion with the licensing board and vendor regulations. The Licensing Board will assign the spots. Mr. Daniel noted that creating regulations was not an easy task though it's been needed for decades. Mr. Guarino asked if the spots are only open to mall tenants and if they would stay vacant if not used. Ms. Talkowsky replied that the space will only be used when the mall tenants want to use them. Mr. Guarino asked if the tents will have logo's or be plain. Mr. Daniel stated that the Licensing Board agreed to a regulation to limit the signage 3-square-feet and the Licensing Board agreed that that will be implemented.

*Chair Napolitano opens public comment.*

Ken McTague, Concept Signs. Asked how many total spaces there will be. Ms. Newhall-Smith replied 4, but a 5<sup>th</sup> may not be full in an alcove.

No one else in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Mr. Rubin asked if tenants can share a tent and their license. Mr. Daniel replied no.

Guarino: Motion to approve as submitted.  
Seconded by: Rubin. Passes: 4-0

#### **4. 217-221 Essex Street: Discussion of restoration of exterior façade**

Vu Alexander of Sousa Architects was present to discuss the project.

Mr. Alexander stated that the DRB meeting was positive. They discussed the alleyway door and two openings that are currently bricked in. They are considering opening the windows and door to move materials into the building and then reinstalling the windows after. They are using Federal Historic Tax Credits. The DRB made an amendment to remove the fire escape that the Architect and developer support. The yellow gas pipe needs to remain since its code required. The vault alarm will be refurbished and reinstalled. The digital bank clock might be removed since it will be a distraction when the building is cleaned up.

Mr. Alexander stated that within Higginson Alleyway, the string lights are powered to 10 Derby Square and controlled by them, so they will remain as-is. The outdoor space along Derby Square is now mulch that they would use for construction staging and could be re-landscaped afterwards with

possibly new landscaping. A trash room at the basement where they could reclaim and create a space where the trash can be accessed from the interior and exterior and then roll out when it's time. They will need to return for further review if anything in the plan changes.

Mr. Daniel stated that all future changes must be reviewed by the Boards and this will also get site plan review by the Planning Board. Mr. Alexander noted that if the fire escape gets removed, they will return to add an egress stair that connects to a 3<sup>rd</sup> floor existing stair. The roof above would slope with the stair and there would be minimal visibility through the balusters.

Mr. Rubin stated that he is excited to see this building restored. Mr. Alexander replied that they are still looking for someone to handle the cast iron restoration. Mr. Daniel and Mr. Guarino noted that they were in favor of the digital clock being removed.

*Chair Napolitano opens public comment.*

No one in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Rubin: Motion to approve and any changes must return to the SRA for review.  
Seconded by: Guarino. Passes: 4-0

## **5. 2 East India Square Mall: Review of Proposed Signage (continued from 6/12/19)**

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

Mr. McTague stated that they received DRB approval and there are no new changes to the proposal since the last meeting. Ms. Newhall-Smith noted that the sign fee has been paid by the applicant and the outstanding item of concern by the DRB and SRA was new directional signage for interior businesses. Mr. McTague replied that the owner is in favor but would implement that in Phase II. The current thinking is to add three signs on Church Street portico and one sign on Essex Street portico. The added signage will give the mall a better presence in the downtown area.

Ms. Newhall-Smith asked about the ghost letters that would remain on the garage façade when the existing exterior signage is removed. Mr. McTague replied that he will fill any holes in the façade that were due to the letters, but the owner doesn't want the liability of cleaning that one spot. The whole building needs cleaning and it's the City's façade, but they will see how it looks when it's removed. He suggested a mural be painted to cover it. Mr. Guarino asked if the City has plans to wash it. Mr. Daniel replied not at this time.

Ms. Newhall-Smith asked for the timeline of Phase II. Mr. McTague replied that the owner seemed willing to do it and requested a quote to do the work, so it could be done right away. Mr. Guarino indicated that the owner needs to know that he needs approval for Phase II work. Mr. Daniel asked how soon the work will be implemented after receiving approval. Mr. McTague replied that they will begin the work once he receives payment. They do need to resurvey the power sources where there are currently conduits. The neon lights will become LED and it could be done by October.

*Chair Napolitano opens public comment.*

No one in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Vickers: Motion to approve as presented.

Seconded by: Rubin. Passes: 4-0

**6. 173 Essex Street (Kakawa Chocolate House): Café Permit Application**

Rene Loughe of Kakawa Chocolate House was present to discuss the project.

Ms. Loughe stated that they want to add outdoor seating, at a 30” square area in front of each windows. There will be 4 tables since they own two units with 4 seats at each. It will extend 16-feet total and will protrude out no more than 4-feet. There will be some space between tables and poles and that won’t impact pedestrian’s walkway or the trollies. They will be taken inside in each night. Mr. Rubin asked about proposed trash receptacles. Ms. Newhall-Smith replied that it was not included in the proposal. Ms. Loughe replied that they can submit it and they will take responsibility for cleaning up the area.

Mr. Rubin asked if staffing issues will cause a concern when you are busy with customers and trash is left outside. Ms. Loughe replied that there is a City trash receptable a couple door down. Mr. Daniel noted that their trash would need to be maintained and the proposal needs to go to the DRB for review. Mr. Rubin encouraged the applicant to consider adding their own receptable. Ms. Newhall-Smith noted that the DRB will want to see the proposed trash can and its proposed location. Mr. Guarino asked if umbrellas were considered and if so, umbrellas with logos are not permitted. Ms. Loughe replied that it was discussed but there is existing shade there. Mr. Daniel suggested that it might not be advantageous as umbrellas would block the window. The feel of it is a concern (it may be too much furniture in the space), and it should be measured prior to the DRB looking at it, because it might not make sense. Ms. Loughe noted that the tables can be diagonal, so the chairs don’t take up too much space and so it doesn’t feel cramped. Mr. Daniel noted that October is busy on the weekends and they shouldn’t be placed out there at those times. Ms. Loughe replied they will use to-go containers in October and they have storage space to keep the furniture inside. Mr. Daniel noted that the DRB can review it or it can come back to the SRA again.

*Chair Napolitano opens public comment.*

No one in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Vickers: Motion to approve subject to approval by the DRB.

Seconded by: Guarino. Passes: 4-0

**7. 1 Derby Square: Discussion of installation of skylights (continued from 6/12/19)**

David Jaquith was present to discuss the project.

Mr. Jaquith stated that the owner wants to install 3 Velux skylights to provide additional light to the top floor. The skylights will only stand up off the face of the roof 3” and it shouldn’t be visually detracting. The Salem Historic Commission (SHC) sent him a letter stating that the previous owner had changed the windows to vinyl and the current owner will change the windows to wood and he will return to the Board for approval. He noted that another building on Front Street also had skylights. Mr. Daniel noted that the concerns of the SHC regarding the size of the skylights was the impact on the slate roof. Mr. Jaquith replied that they can reduce the size to the next size down in time for DRB review, like the old-fashioned size, and the slate will be restored by a proper roofer. Mr. Daniel asked why there is a need for these skylights. Mr. Jaquith replied that the owner came to him with this request because he is opening the second floor for rentals and wants to show off the beams and make the space more exciting.

Mr. Rubin was against the installation of skylights because when heading East on Essex Street towards the PEM, this is the prominent view and it will change the look of the roof dramatically. He didn't like this look on a historic building. Ms. Newhall-Smith noted that SHC provided a photo at pedestrian level. Mr. Jaquith replied that he can speak to owner about only adding one skylight. Mr. Rubin noted that he'd be open to it on the rear roof, but on the front, it would be visible, even when flush. Mr. Daniel added that this is a character defining element and there is precedent. The DRB also hasn't reviewed it and the proposal will be different by the time it's presented to the DRB. He suggested the SRA wait until they are comfortable with the proposal before referring it to the DRB. Mr. Vickers suggested their comments/concerns be sent the DRB. Mr. Guarino stated that he is not strongly opposed and would like to hear what the DRB thinks of the proposal. Mr. Daniel noted that only one board member is opposed, the DRB can review it and it be returned to the SRA. Chair Napolitano agreed. Mr. Guarino stated that they should have owners and DRB thoughts.

Ms. Newhall-Smith stated that the replacement windows are a violation and will need to be addressed and reviewed by the SRA and DRB and suggested the Board not consider more changes before the window issue has been resolved. Mr. Jaquith replied that he needs to determine what to change them to and will have to submit a proposal for that. Mr. Daniel agreed that this is an opportunity to get the process moving since the windows are out of compliance, and there is a threshold standard that buildings over 50 years old need to meet those standards, and the SRA must approve of all changes.

*Chair Napolitano opens public comment.*

No one in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Guarino: Motion to send to DRB with the SRA's concerns on the vinyl windows and skylight. Seconded by: Vickers. Passes: 3-1, Rubin opposed.

#### **8. 30 Federal Street: Discussion of construction of an addition (continued from 6/12/19)**

Mike Becker – Owner of Salem Waterview LLC, Attorney Scott Grover of Tinti, Quinn, Grover & Frey, and Dan Ricciarelli of Seger Architects were present to discuss the project.

Atty. Grover stated that this structure is the opposite corner of the District Court building and is physically connected to the neighboring property by a party wall. Salem Waterview LLC recently acquired this property and wants to construct an addition in the space behind the building. The existing office building will be renovated, the rear will have retail on the first floor and 3 floors of residential above. This addition will be smaller than the existing portion of the building. Parking requirements for commercial space in a B5 district is zero and parking requirements for residential can be satisfied within municipal parking within 1,000 feet of the property. They will buy parking passes in Museum Place Garage too and the remaining 2 spaces will be dedicated to the commercial use. There is an unused courtyard on Federal Street that could use improvement. They held off on speaking to the SRA in June so they could speak with abutters. They will meet with them again before they meet with the DRB, but the initial feedback was positive.

Mr. Ricciarelli stated that the addition is allowed as a right in terms of massing and it will attach to the exiting building. They will provide an elevator, remove an existing stair, and provide a new stair. Both buildings will not share an egress, but they will be physically connected. Retail space will be provided along Washington Street with a glass storefront. The existing residential entrance on Federal Street will remain. They will create an areaway and a patio to separate it from the retail spaces. Mr. Becker added that the retail could be a coffee shop or small café, and possibly two commercial spaces included in the existing portion of the building. Mr. Daniel noted that Salem

Main Streets would be a good connection to discuss the commercial space since they know what businesses are looking for in terms of space.

Mr. Ricciarelli stated that there will be two small 1-bedrooms on the first floor, micro-units on second and third floor with new decks, and a 1,200 SF penthouse unit. The existing panels on Federal Street will remain and they will use the same details on the new addition but will paint the façade dark grey for a contemporary feel. The result will be a four-story building addition on the existing three-story structure. They will keep the look separate but try to blend them through the details. Large windows facing the MTBA intersection will add interest to the façade and facing the patio, they will use copper to compliment the copper of the courthouse. The new courtyard will draw the eye down Washington Street to extend the downtown, while the colors will blend for a cohesive design.

Mr. Vickers asked if the units will be condominiums. Mr. Becker replied rentals to start. Atty. Grover noted that a commercial tenant could have the entire 2,400 SF or there could be two 1,200 SF units. Mr. Daniel noted that retail tenants seem to want less than 1,200, possibly 600 SF. Mr. Becker replied that they could break them up more or build them to suit the tenant. Mr. Rubin asked if basement storage would be available. Mr. Becker replied it could be included in the commercial spaces. Mr. Rubin asked about trash removal. Mr. Ricciarelli replied that it will be placed at the rear and could be brought inside. Mr. Daniel noted that there will be no Site Plan Review by the Planning Board, so the DRB will review those items.

*Chair Napolitano opens public comment.*

No one in the assembly wished to speak.

*Chair Napolitano closes public comment.*

Rubin: Motion to refer to the DRB.  
Seconded by: Vickers. Passes: 4-0

## **Executive Session**

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### **1. Superior Court and Crescent Lot:**

No Executive Session was called.

Mr. Newhall-Smith stated that she has been in contact with the SRA's consultant Matt Zahler. She will draft letter that need to be sent to those who were not selected to be interviewed, prior to the posting of the agenda on Tuesday.

## **Minutes**

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No minutes to review.

### **Adjournment**

Rubin: Motion to adjourn the meeting.  
Seconded by: Vickers. Passes 4-0.

Meeting is adjourned at 7:50PM.

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