

**City of Salem Massachusetts  
Public Meeting Minutes**

<b>Board or Committee:</b>	<b>Redevelopment Authority, Regular Meeting</b>
<b>Date and Time:</b>	<b>Wednesday, July 12, 2017 at 6:00 pm</b>
<b>Meeting Location:</b>	<b>120 Washington Street, Third Floor Conference Room</b>
<b>SRA Members Present:</b>	<b>Chairperson Grace Harrington, Christine Madore, Dean Rubin, Russell Vickers, and David Guarino</b>
<b>SRA Members Absent:</b>	
<b>Others Present:</b>	<b>Tom Daniel – Director of Planning and Community Development, Andrew Shapiro – Economic Development Planner</b>
<b>Recorder:</b>	<b>Andrew Shapiro</b>

Chairperson Grace Harrington calls the joint meeting to order. Roll call was taken.

**Executive Directors Report**

Daniel stated that the improvements to Artists' Row are underway and encouraged members to stop by to see them.

Daniel then updated the Board on the status of 289 Derby Street, noting that after the joint meeting held with the DRB in June, there was a community event that same evening where information was presented and feedback was again received. A subsequent meeting occurred with the landscape architect. Further revisions based on feedback from the City and community is being worked through and costs are being calculated.

\*Christine Madore arrived at 6:02 pm.

Daniel noted that the City is embarking on a project with consultant Karl Seidman to produce a new downtown retail market analysis and strategy/action plan. Seidman had produced such a document for the City back in 2007, which ended up serving well as a guiding document, for Salem Main Streets in particular. It should take about eight to 12 weeks for the document to be complete. The market has changed considerably; for example, social media did not exist or was not as prevalent as it is today. The 2007 plan called for Salem to become a dining destination and we can see now that it has become that. It also called for the establishment of a mid-summer festival, and we now have the Salem Arts Festival. It is exciting to be able to refresh the document.

Daniel asked Board Members whether they would like to in the future receive materials only electronically, or to continue to receive them in hard copy format.

Madore said that she likes having paper copies. Vickers says that it is helpful to have hard copies of oversized drawings so that it is easier to see small details. Guarino noted that he doesn't mind electronic but likes having a hard copy.

Daniel then remarked that it seems like there is still a desire to have hard copy packets, so that practice will continue.

**Urban Renewal Area Projects Under Review**

1. **203-209 Essex Street (Hotel Salem):** Discussion and vote on proposed café permit (outdoor seating area), signage, and lighting.

\*Rubin arrived during the discussion of this item.

Annette Popp of Winter Street Architects and Rich Cooper of Hotel Salem were present on behalf of the applicant. Materials provided to the Board included a cover memo, and a full set of plans with elevations, photos, renderings, floor plans, and cut sheets. A presentation was shown to the Board.

Popp noted that their presentation would cover updates to the project including signage, outdoor seating, and the installation of a/c units. The project is no longer seeking historic tax credits because MHC did not feel that the rooftop restaurant addition was in keeping with the historic nature of the building.

Popp showed some historic images of the building and pointed out the signage that had once adorned the building. She showed a photo of the building prior to demolition and a couple of iterations of past plans. She then showed all three locations where signage would be installed and where the outdoor seating area would be located, as well as its configuration.

Sign #1 would be brushed steel letters mounted on curved steel bars, above the front entrance. It would reference a sign that had been there many years ago. The second sign would be a custom made blade sign framed in black metal with an exterior light fixture attached to it. Sign number three is vinyl lettering affixed to glass to the left of the front entrance. Popp noted that they had reduced the size of the blade sign that was originally proposed to the DRB to 4.5'x4.5' (from 5'x5') in order to meet the dimensional requirements.

Popp showed locations and visuals of light fixtures. She noted that the rear lighting would only be down lit, as recommended by the DRB. String lighting would be mounted in the alley between their building and the building to the left of them.

Popp moved on to the outdoor seating, noting that there are 35 seats proposed. Seating would stretch into the alley. She noted the DRB's concern about movement of pedestrians through the area and the recommendation they provided to eliminate two sets of tables/chairs that were jutting out further into the Pedestrian Mall. Popp explained that there is a tree and some bollards that follow along that sightline, therefore she personally did not feel it would pose a problem to have those seats remain. She said that she would be interested to hear the SRA's thoughts on this issue.

Popp showed the proposed furniture for the outdoor seating area; blue chairs, with mostly black for the other furniture elements.

Popp pointed out the proposed new location of two outdoor a/c units that would be mounted not far above the seating in the alley. She explained that they were originally proposed for the roof but that the run of conduit would be too long to be feasible. The units will hum but should be no louder than a residential window unit.

Popp then showed a temporary banner that the applicant proposes to mount on the side of the building where a ghost sign currently resides. She noted the DRB's recommended stipulation of having it up for no longer than 90 days after the opening. The sign would be to advertise the grand opening of the hotel and the restaurants.

Madore asked why MHC was not willing to grant historic tax credits to the project. Popp said that MHC perceived the rooftop restaurant with its new structure to be a new story to the building. Guidelines dictate that a new story cannot be added to such a small building. One would not see it

when close to the building, but would when further away. That said, many historic elements of the building that had been covered up or removed are being restored.

Vickers asked about the DRB's commentary on "squaring off" the seating area and removing two sets of tables/chairs. How much additional sidewalk would there be for pedestrian access beyond the proposed bump-out. Popp noted that there is approximately eight additional feet from the edge of the seating area to the edge of cobblestone.

Gaurino asked for a characterization of the concerns raised by the DRB. Shapiro explained that the DRB felt generally, that the flow of pedestrians would be interrupted by the currently proposed configuration and that it could be especially problematic on busy days.

Guarino asked if the applicant would like to keep the two sets of tables/chairs in the configuration. Popp said that they would like them to remain.

Daniel pointed out that there are two breaks along the border of the seating area and believes that there can only be one. This will be an issue that will need to be examined by the Licensing Board. In regards to the jutting out of the seating area, Daniel noted that he feels as though the eight additional feet of pedestrian path beyond the seating area is more than adequate, and is therefore comfortable with it.

Vickers said that he proposes keeping the seating area as originally proposed. Guarino said that he would support that as well.

Madore asked if there was a decibel limit for the a/c units and what it was. Shapiro said he wasn't sure, but believes that there is decibel limit with respect to noise generally, but does not have that number. Cooper said that the units are mini-splits and would be relatively quiet. Madore expressed some concern given the neighboring residential units. She asked if the placement of the units was optimal. Popp said that the current proposed space was the only one that is feasible. A&J King has similar units outside their storefront and they are fairly narrow.

Guarino asked for details about the proposed temporary banner. Shapiro explained that there is no mechanism in the sign ordinance that allows for the permitting of a temporary sign. Businesses may hang a temporary sign for no more than 14 days inside a storefront window (does not require a permit), but this is a different scenario. The Planning Office expressed to the DRB that it would not be supportive of this portion of the proposal, but the DRB felt that it would be acceptable if up for a limited period of time – the 90 days. Daniel confirmed that the sign could not be permitted.

Shapiro pointed out that even if this sign could be considered by the SRA, it is still in violation of the ordinance given its proposed placement on the building, which violates height restrictions. The applicant would need to seek a variance from the ZBA to provide relief from the height restrictions. Daniel again reiterated that the sign as shown cannot be approved.

Harrington asked for confirmation that if the SRA were to approve this sign, that it could then not be permitted by the Building Commissioner. Daniel confirmed that was the case.

Daniel asked if the sign above the entrance has lighting. Popp noted that there would be some lighting within the soffit above, but that the sign would not be internally lit.

Vickers: Motion to approve proposed café permit (outdoor seating area) as originally proposed, signage as originally proposed, and lighting with the condition that it have down lit fixtures in the rear as recommended by the DRB at 203-209 Essex Street (Hotel Salem). No action is taken on the proposed temporary banner.

Seconded by: Gaurino. Passes 4-0 (Rubin abstains).

**2. 120 Washington Street (Peabody Block LLC c/o RCG LLC):** Discussion and vote on proposed replacement of windows, new roof deck, trash enclosure, and entryway improvements.

Jim Gagnon and David Steinbergh of RCG, LLC were present on behalf of the applicant. Materials provided to the Board included a full set of plans showing elevations, floor plans, photos, and renderings.

Gagnon noted that the upper floors of the building would be converted to 14 residential rental units after the City vacates the space (a total of about 18,000 square feet). Ground floor retail will remain. A small roof deck overlooking Lappin Park is being proposed. One parking space in the rear will be removed, leaving 21 spaces, in order to increase the area for trash.

Gagnon said that the proposed roof deck would be accessible through the second floor catwalk that connects the two buildings. He showed floor plans that outlined this and the upper floor residential units. In the rear, a new trash enclosure would be provided and new window openings would be punched for the new residential units. The entryway on Washington Street would also be improved with a new surface treatment.

Gagnon continued by noting that the new trash enclosure would take up one parking space and house a new trash compactor. The fence will be eight feet high wood and it will be stained a dark color, per the recommendation of the DRB. Six new windows will be added on the rear elevation, two of which would be a reintroduction of windows that were previously filled in. All windows on the second, third, and fourth floors will be replaced with windows that are similar to what is on the building now, but upgraded. They will be a Harvey Tribute Series window with simulated divided lites.

Gagnon explained that the DRB recommended that some new material/design choices be made with respect to the deck, which is why they requested that the applicant return to them for further review of that portion of the proposal. The building's entryway landing will be concrete, but in a way that will distinguish it from the existing sidewalk, which was a recommendation from the DRB.

Rubin asked whether the deck was reviewed by the Historical Commission, noting that he's seen other approvals scrutinized for how close they are to the front of the building and whether people on the ground can see into them. Shapiro explained that this project did not require Historical Commission review, but that the DRB was cognizant of the visual appearance of the deck. They asked that the deck be pushed back slightly and for the applicant to consider a thicker, balustrade style railing, to improve privacy.

Madore, echoing comments she heard from the DRB when she attended their last meeting, said that the applicant should consider a more inspired design for the deck. She also expressed not having an issue with the notion of seeing people on the roof deck from Lappin Park because this is an area that is quite lively.

Daniel then noted that the City's Preservation Planner, Patti Kelleher had been in touch with the applicant about the project. The Chair of the Historical Commission expressed concern to her about the proposed windows, which prompted the writing of a memo that has been provided to the Board. It notes that the proposed replacement windows are an improvement in that the muntins will be on the outside, but an aluminum clad window would provide a better aesthetic quality for such a historic building, rather than the proposed vinyl. Also, the inventory sheet from MACRIS notes that the building has eight over two windows as opposed to twelve over two's, and that they were black rather than white.

Shapiro made it clear that the Historical Commission Chair had not communicated her comments to the DRB prior to their discussion about this project. These comments arrived immediately prior to the SRA meeting. The project is not subject to Historical Commission review.

Harrington asked if it would matter that the building is on the National Register of Historic Places. Daniel noted that it does not, because tax credits are not being sought and it's not within a local historic district.

Gaurino asked the applicant if they had any reaction to what was being said. Steinbergh provided clarification by noting that all existing muntin profiles would be matched and that the windows would have simulated divided lites. Further, he noted that some of the windows are twelve over two, and some are eight over two. Considering changes from the current proposal could present considerable challenges.

Daniel explained that the DRB recommendation does not specifically reference the windows, rather it calls for further review of the deck, a dark stained trash enclosure, and a different treatment of concrete for the entranceway.

Guarino asked why the DRB requested a different treatment for the entryway. Shapiro explained that the DRB thought the transition from sidewalk to entryway might be too uniform, so stamping the concrete differently for instance, would provide a clear difference between the surfaces.

Gaurino asked whether it would be appropriate approve the project, but ask the applicant to return after further consideration of the deck and windows. Vickers noted that it could be worth further discussion, but that one must balance the issue of aesthetics versus what it will cost for an upgraded type of window.

Daniel suggested that the applicant could work further with the DRB and when ready, return to the DRB for consideration of the deck and windows. Shapiro clarified that the DRB's recommendation only calls for the applicant to return to the DRB (not the SRA as well) for final approval of the deck. Daniel said that there is a lot of ambiguity about the railing so it could be appropriate to have it reviewed by both boards.

Steinbergh noted that they could not move forward with the project without approval of the windows. The deck could wait.

Gaurino expressed disappointment that the issues raised by the Historical Commission Chair were not brought forth in a more timely way.

Daniel said that perhaps the best action for the Board would be to actually take no action, and refer the proposal back to the DRB. Steinbergh said that the clock is ticking somewhat on moving forward with the project, given that they need to gather financing before beginning construction.

Vickers said that it was questionable whether one would be able to tell the difference in material when standing further back from the building. It might not be worth the extra expense. Daniel acknowledged that the SRA's perspective is different than the Historical Commission's. It is balancing a different set of issues, which is understandable.

Rubin noted that it would seem that the historic "appearance" of the building is being maintained with the proposed window, but the purist might insist on a different product or material treatment.

Harrington says that she would not be interested in seeing the windows changed from white to black. Vickers agreed and said that he thinks the project should be able to move forward as proposed, although he appreciates the comments that were made.

Steinbergh said that they would most likely keep the same windows that are currently on the building if the project were not approved as proposed.

Gaurino asked that the approval of the deck return to the SRA in addition to the DRB, once the additional details for it are provided. Harrington agreed.

Madore: Motion to approve the proposed replacement of windows, new roof deck, trash enclosure, and entryway improvements at 120 Washington Street (Peabody Block LLC c/o RCG LLC), conditional upon the following:

That the applicant returns to the DRB and SRA for review and approval of detailed final drawings of the proposed deck area (deck, railing, privacy screening, and lighting).

That dark stain is used for the trash enclosure; not white.

That the front entry area be made to look different than the existing sidewalk area (i.e. concrete as presented may be used, but for instance, it should stamped in a different direction than the existing sidewalk).

Seconded by: Rubin. Passes 5-0.

## **New / Old Business**

### **3. 65 Washington Street (District Court): General update**

Daniel noted that not much has changed since the project was last discussed with the Board. An article about the HDIP being approved was published in yesterday's paper. Staff has met internally with the applicant to primarily discuss the ground floor treatment along Federal Street; Russ (Vickers) has been involved in those discussions as well, and there is another meeting scheduled for the near future as well. Opportunities for the incorporation of public art have also been discussed. They were at the DRB last month and will return in two weeks.

Shapiro said the design is "almost there" in terms of being able to be approved by the DRB. Once it is, it will allow the developer to delve into more details with respect to the design. The DRB asked for the applicant to consider changes to the ground floor that would make the retail more open and transparent, which could contribute to its success. If the DRB recommends approval of the proposal at their next meeting, the SRA would then see the project in August.

Guarino asked for more details about the idea of proposing public art for the Federal Street façade. Daniel said that some very interesting ideas have come forward with respect to public art.

Madore noted that some DRB members encouraged the applicant to move the building in a more modern direction. Shapiro acknowledged this.

Harrington asked whether the public art installation would be permanent or temporary/constantly changing. Daniel said that it would be permanent.

Conversation shifted about the public art installation that was recently approved for the corner of Front and Washington Street. Members wanted to know why it was moved without prior notice. Daniel explained that the installation was crowding the Zagster hub, it was blocking Eastern Bank, and the new space provided an opportunity to be more openly seen and interacted with. The decision was made by Daniel, the Public Art Planner, and the Mayor's Office. Typically public projects are

not subject to review by the SRA, but the City tries to offer review of these types of projects as a courtesy and to allow for public input – in this case an administrative decision needed to be made.

Madore asked if in the future the Board could be notified of such changes or decisions via email. Daniel said that the Board could indeed be notified in the future.

**4. 32-50 Federal Street (Superior Court and County Commissioners Building):** General update

Daniel noted that the DCAMM study is underway. It should be wrapped up by the beginning of September, so the hope is that they can present their findings to the SRA at its September meeting.

Vickers asked whether the Register of Deeds was being consulted with respect to space needs. Daniel explained that they had been consulted for past studies but that there is a disconnect between what the legislation calls for and what he has said he needs.

With respect to mothballing of the buildings on site, Daniel noted that the project is more or less set. The fence is required and the windows will be boarded. The fence will be an upgraded black powdercoated chain link, and the boards will have muntins painted on them to resemble real windows. Opportunities for future comments will be limited. Repairs will also be made as part of this project; there was water infiltration into the building, which will be mitigated. The HVAC system will be calibrated so as to reduce the likelihood of mold.

**Minutes**

The minutes from the June 14, 2017 regular and joint meetings were reviewed. Daniel noted that he would provide one small edit.

Rubin: Motion to approve the minutes.  
Seconded by: Madore. Passes 5-0.

**Adjournment**

Harrington: Motion to adjourn the meeting.  
Seconded by: Rubin. Passes 5-0.

Meeting is adjourned at 8:03PM.

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