

CITY OF SALEM
CONTINUATION OF PUBLIC HEARINGS
MARCH 30, 2016

Continuation of Public Hearings of the Salem City Council was held in the Council Chamber on Wednesday, March 30, 2016 at 6:00 P.M. for the purpose of discussing conveying a portion of 297 Bridge Street for the sum of \$10,001.00 and land disposition agreement and conveyance of land to Sun King LLC for the sum of \$990,000.00. Notice of this hearing was posted on March 10, 2016 at 10:03 A.M.

Councillor Gerard arrived at 6:20 PM. All other Councillors were present

Councillor Josh H. Turiel presided.

In attendance were the following: Mayor and representatives from F.W. Webb

Councillor McCarthy moved to take up the matter of Land Disposition Agreement first. There were no objections

#8 - LAND DISPOSITION AGREEMENT AND CONVEY A PORTION 297 BRIDGE STREET 52,491 SQUARE FEET (FORMER UNIVERSAL STEEL) AND 311 BRIDGE STREET, 2,015 SQUARE FEET TO SUN KING LLC AFFILIATE OF F.W. WEBB CO. FOR THE SUM OF \$990,000.00

#7 - CONVEY A PORTION OF 297 BRIDGE STREET 1,260 SQUARE FEET KNOWN AS PARCEL B TO SUN KING LLC FOR THE SUM OF \$10,001.00 WITH A PERMANENT PEDESTRIAN AND VEHICULAR ACCESS ON THE ENTIRE PARCEL FOR THE BENEFIT OF 30-32 BECKFORD STREET

Councillor Famico made a statement that Robert Goss Kennedy also recording with a video camera form inside the room

Mayor Driscoll gave an update. She stated that the maximum TIF cannot exceed \$1,400,000.

Also:

- 1) Regarding soils management after the City and F.W. Webb LSPs spoke at last meeting there are still concerns. The city feels it will be worthwhile to add additional oversight of monitory by our LSP Weston & Simpson as construction takes place. We will put our own LSP on the site, it's an extra set of eyes.
- 2) Design, rendering submitted is not likely to come out the same way. F.W. Webb designer works with the DRB even if not required have used this before where the architects get together to vet out problems and to brainstorm views and opinions.

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Planning Board also does a good job of overseeing design to make the project much better.

3) Hazardous Materials, for long term liability the city retained council to work with our City Solicitor. Since it was taken by tax title not a contributor to the site and are taking future steps.

4) Follow up with direct abutters on new concerns and provide additional information
Councillor Dibble – asked the Mayor, how we can make your comments part of the Package of the selling price sand TIF. How can we make them meet with the DRB and Historic Commission and make this concrete, and the liability issue working with counsel how can we make this part of the package?

Mayor Driscoll responded the Purchase & Sales agreement is recorded at the Registry of Deeds the conditions will be wrapped into the LDA. Environmental Counsel exist within how Brownfields can be redeveloped and why we obtain extra protection because of tax title.

APPEARING IN FAVOR: None

APPEARING OPPOSED:

Cindy Johnson, 13 River Street – she read a letter from the Federal Street Association Opposed. 5 actions, detrimental to quality of life. She also read her own statement. See Next Page.

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Dear Salem City Councilors:

I have concerns regarding the proposed sale of a portion of land at 297 Bridge Street for \$10,001 to FW Webb. In regards to this matter, I ask you to take another look at the bid description of the property being advertised for sale.

When the city took the Universal Steel property for unpaid taxes, there were 3 lots: 297 Bridge Street, 305 Bridge Street, and 30 Beckford Street Lot A (a 2007 square foot lot which is in the historic district). There is also an easement on this lot through the public way, which provides access to Bridge Street. **297 Bridge Street does not have a 1,260 square foot lot behind it. The lot being advertised is actually behind 305 Bridge Street.** 747 square feet was added to the Universal Steel lot and put out to bid for \$990,000 and a bid was put out for \$10,001 for what is actually 1260 square feet of Lot A.

As a result, I have concerns about the legality of both the \$990,000 and \$10,001 bids. Per *The Chapter 30B Manual: Procuring Supplies, Services, and Real Property*, "The property description must be detailed enough for interested parties to understand what you are offering." (Page 100.) I have communicated this concern to the MA Office of Inspector General.

When you vote on the sale of Universal Steel property, **please ensure that you are voting in regards to the land the city took from Universal Steel for unpaid taxes** and that you are not subdividing a parcel without going through the appropriate subdivision process.

Sincerely,

Cynthia M. Johnson
13 River Street
Salem, MA 01970
508-527-1219
cynthia.m.johnson@gmail.com

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Invitation for Bids, Sale of 1,260 S.F. of land at 297 Bridge Street, Page 7:

“1.1 DESCRIPTION

The City of Salem is offering for Sale **1,260 square of land located at 297 Bridge Street**, shown as Parcel B on the attached plan.

The lowest acceptable bid shall be: \$4,300.00. The property is zoned as: Residential Two-Family (R2).

This parcel is undevelopable due to zoning and the need for a vehicular and pedestrian easement.”

Lisa Spence, 17 ½ River Street – is opposed to the sale. It raises human health and safety risk. Piles being driven still contamination under the cap AEG- disclaimer does not and cannot guarantee safety. Dust monitoring will not stop dust. SunKing LLC did not sign EPA Financial.

Jeremiah Jennings, 18 River Street – is opposed. The bid should be rejected due to non-conforming. Showed pictures of how he was dressed on five different contaminated sites.

Jane Arlander, 92 Federal St., Salem read the following statement see next page:

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WHY THE CITY OF SALEM SHOULD NOT ACCEPT F.W. WEBB'S BID TO PURCHASE AND REDEVELOP THE FORMER UNIVERSAL STEEL PROPERTY

I return to the podium tonight, not because I want to, but because I have to. Like many other people who have come here to oppose Webb's bid to buy and redevelop the former Universal Steel site, I do not want another release of PCB's and other toxins into this Community.

During the last 4 public hearings held in this room, I have taken no solace in the statements made by the environmental experts hired by Webb and the City, that claim the redevelopment of the Universal Steel site will cause no further risk or harm. Lisa Spence, an environmental risk analyst, and Jere Jennings, a licensed hazmat professional, have provided pro bono, credible testimony that environmental cleanups are fraught with error. These errors include the reporting of incorrect toxin levels and risk and the failure to carry out strict hazmat protocol. Yes, environmental cleanup involves a science and a skill. Both are subject to error.

When the PCB-coordinator for the federal EPA, Kim Tisa, stated that she oversees many concurrent PCB cleanups in 6 states but is available by phone on a weekly basis, it is worrisome. **When Ms Tisa was not able to guarantee that there will be NO RISK if Webb uncaps the contaminated Universal Steel site, it is time to say no more redevelopment. It doesn't matter how many different environmental consultants watch as Webb uncaps and builds on this site. We have no guarantee. Let sleeping dogs lie!**

Webb's Licensed Site Professional, Felix Perriello, stated that he would never have bought a home in my neighborhood before the EPA cleanup of the Universal Steel site. In essence, he told us that this site was seriously contaminated. Why was his expert testimony so horrifying? Let me explain. City officials discussed the cleanup of the Universal Steel site with the EPA, Mass DEP and Mass Development for a number of years prior to the actual remediation. During this long period of time, the residents in the abutting neighborhoods were never included in these discussions. In fact, they were told about the cleanup just several months before it began. Worst of all, neighboring residents were never fully aware of the extent and nature of the PCB contamination until after the cleanup. **From a public health standpoint, this is unconscionable! Since when is building a temporary parking lot for MBTA commuters or a second plumbing warehouse worth sacrificing the health of children and parents?**

Several months before the Universal Steel site was cleaned up by the EPA in 2012 and 2013, many promises were made by the EPA and George Naslas, the Project Engineer for Weston and Sampson, that every effort would be made to protect the surrounding neighborhoods from contamination. **The best cleanup practices were not used:** Piles of contaminated soil were left uncovered; There was onsite mixing of tons of PCB-laden soil with other chemicals to stabilize the heavy metals prior to soil disposal (this was like putting flour and sugar in a mixing bowl and turning up the speed of the beaters); Fugitive dust was noticed everywhere in the neighborhood; Vibrations shook our windows, knocked pictures off the wall and made us feel unsafe; Finally, frightening notices were passed out randomly, by unknown workers, telling us

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to keep our children inside and out of harm during the cleanup. **If we can't trust the EPA and the City's environmental consultants to protect us, who can we trust?**

In conclusion, I want to share with you the lessons we have learned from the redevelopment of another brownfield site in Salem. Like the Universal Steel site, this site also abuts the Federal Street Neighborhood, Leslie's Retreat Park and North River.

This brownfield site is located at 72 Flint Street. We all know it as the old Salem Suede site. In October of 2009, the Salem Conservation Commission gave the developers an Order of Conditions regulating the demolition of buildings on this contaminated site so as not to release harmful substances into the North River and nearby neighborhoods. During the demolition, a 60-foot tank holding about 28,000 gallons of chromium sludge developed a leak. The result was an immediate response from the Mass DEP, EPA, Homeland Security and many local officials. As a result of the leak and serious threat to the River, the developers hired a Licensed Site Professional from Alliance Environmental Group, the same environmental firm that has been working with F.W.Webb. Alliance's LSP, Jacob Butterworth was entrusted with the task of overseeing the remediation of the 3 chromium sludge tanks on site and to make sure that the regulations set forth by the Salem Conservation Commission and Mass DEP were upheld during the remainder of the demolition phase. **These regulations were not followed.** In fact, over a 5 to 6 month period, the developers violated 8 of the regulations put in place to protect the North River, the largest source of fresh water into Salem Sound. These violations were so egregious that the developers were fined thousands of dollars. Unfortunately, the City never received this compensation because the Conservation Commission failed to send out a timely notice of violation prior to announcing the fine.

What are the important lessons learned from 72 Flint Street ? First, Licensed Site Professionals make mistakes. Whether intentional or not, these mistakes can harm the public and the environment. Second, the oversight of environmental cleanups by local, state or federal agencies is often too late to be proactive and protective. These agencies are very busy and place too much trust in their environmental subcontractors and Licensed Site Professionals. **Finally, if Webb's environmental experts failed to uphold the environmental regulations at the Salem Suede site, a brownfield with no PCB's, how can we trust them to protect our Community during an uncapping and redevelopment of the contaminated Universal Steel site? The idea of this City hiring Weston and Sampson to oversee Webb's environmental consultants would be like hiring another fox to watch a fox guarding the henhouse. Please vote NO to F.W. Webb's bid because you don't uncap a contaminated site because you want to but because you have to!**

Dr. Jane Curtis Arlander
March 30, 2016

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David Hart, 104 Federal St., Salem – Stated he was a member of the Historical Commission but tonight he represents himself. He stated that the pile driving vibrations transmitted may cause damage to nearby houses and the other potential problems are noise factors and soil sediment.

Elizabeth Nugent, 12 River St., Salem – Asking Council to please consider the current and future residents. The site has been capped see no reason to uncap it.

Melissa Hankens, 16 River St., Salem – Urges safety of children please vote no.

Peter Nugent, 12 River St., Salem – Opposed for various reasons: Finance, Economics, Spot Zoning, Health Reasons and Risks, Airborne Toxins, nothing makes sense doesn't add up. Hand written flyer passed out from people who worked on the site. He use to pass the site walking to the train and started talking to the workers; maybe that's why they sent flyers. Thanks to the Council for letting everybody speak. You took this job to make Salem better not just to follow the Administration. Vote for Vision, What you Think, Legacy.

Patricia Ranen, 190 Bridge St., Salem use to live at 82 Federal St for 36 years. They had no air conditioning so windows were open and kids played in the backyard. Had Pituitary Brain Tumor at 16 years old. Had 2 surgeries and radiation. Chief of Neurosurgeon at Boston's Hospital. Entered son into research study for Environmental concerns very rare to be diagnosed as a child. Very bad to allow this proposal and to put children at risk.

Connie Arlander, 91 Federal St., Salem read a letter from Jim McAllister (86 Federal St., Salem) – See Next Page

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To Whom It May Concern:

Just fifty yards from my side porch, in the garden of the PEM's Peirce-Nichols House, is a granite memorial to Anne Farnham. Anne served as the director of the former Essex Institute from 1984 to 1991, and for most of those years lived in the Peirce-Nichols House. Tragically, this brilliant, accomplished young woman died of brain cancer in her early fifties.

Anne was just one of the 18 enumerated (but unnamed) victims of cancer or other debilitating diseases that were identified at a previous hearing and who had lived within a few hundred yards of the terribly toxic Universal Steel site. I knew, or in the case of the luckier victims, still know, many of those folks. But for me the cancer issue is even more personal. Three of the dogs I have owned while living almost adjacent to the Universal Steel site need to be added to the victim list to make it more complete.

The first, a rough, tough seemingly indestructible lab-bull mix appropriately named Motley, died at nine years old, the direct result of a cancerous tumor on his aorta. His replacement, a loving, gentle street dog from Puerto Rico, didn't even make it to nine. He died of a cancer that took the form of malignant tumors that eventually broke through the skin on different parts of his body. I had to put him down one Christmas Eve morning. An hour later I left for New Jersey suddenly alone and with tears streaming down my face.

The third of these canines, a wonderful Staffordshire terrier named Ivy who I adopted when she was ten, died of old age but not before developing what was suspected of being a nasal tumor that affected her brain and her balance. Medication kept her going for a few more years.

I still live in the same house and have yet another dog. But now, due to the information about the site brought forth over the past two years, I fear for her health in addition to my own and that of my neighbors. So does my 93 year-old father, a chemist who until a few years ago taught environmental chemistry at a college level. The list of toxins found in the Universal Steel site concerned him greatly when he saw it. He could only shake his head when I mentioned there was a plan to develop the capped, partially cleaned site for business.

I am done with shaking my head. For the first time in nearly 30 years I am breaking my silence on a community issue to go on record as being opposed to any development of the Universal Steel site. For me, this project is no longer a business development issue but a referendum on our values as a community. In the coming months we are going to find out if our elected officials choose money - and not a whole lot of it - over the physical health and welfare of some of Salem's citizens.

I personally will be paying very close attention and will take whatever action I can to stop the F.W. Webb project from moving forward. Because for me, my current pet, and my neighbors, it may well be a matter of life or death.

Jim McAllister
86 Federal Street

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Resident from 190 Bridge St., urged the Council to vote No. Has lived in Salem for over 40 years and loves its history, even earns a living from the tourist industry. Do not allow city to rezone and redevelop to destroy a historic neighborhood.

Ian Cox, 2 River St., Salem – His house is completely exposed to the project. He is expecting his 3rd child. They have capped the site and asks Councillors to vote No and protect his family.

Steve (?) – Real Estate Appraiser for 28 years. This project will have an impact on the value of homes on River St. and abutting streets. After walking around the neighborhood and the project feels will have a negative effect of 10-15% on home values because utilities are on the roof and causes noise. The design of the building is like a Canyon created to magnify sound. When windows are open because of no A/C you can hear sounds like the beeping of trucks backing up.

Chuck Von Bruns – 3 River St., Salem – Opposed to the sale of Property and Beckford Way. FW Webb is not bid compliant. Bidder to meet conditions or the bid should be rejected – did not meet requirements “as is” bid. They put conditions in there RFP. Their RFP itself paid out of escrow fund, states Webb payment held in escrow, then rescinds escrow provisions and asked for TIF instead to equal the cost of remediation. Despite what the Mayor says not a Limited TIF. Still a non-compliant bid, should have been rejected, preferential treatment given to Webb. Minimum bid \$600,000 not \$1M. Nobody knew. At the last meeting, he gave a 10-year analysis; update of his 10-year financial plan only paid if property sold not repaid if not uncapped. Best Business Decision would be for them to move within Salem. Why is the administration bending over backwards? Why is the city willing to offer a \$1Billion Company a tax credit of \$400,000?

Fred Biebesheimer, 17 ½ River St., Salem – Opposed to the Project and the TIF. The sealed bid was non-compliant. Why offer a TIF if not leaving Salem; every business will want a TIF – Giving away public property at no cost. Spot Zoning is being proposed will forever change feel of Salem. Once zoned B-4; always be zoned B-4, it will be destructive to the McIntire District. Reject the bid, keep residents safe and keep the parking lot.

Steven Sass and Ellen Golub, 92 Federal St., Salem – Read the letter below:

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Dear Salem City Council:

The Council has heard from a host of witnesses far more expert than I on environmental, urban design, and other concerns raised by the F.W. Webb proposal. I would like to address two other issues based on my own experience:

- My wife and I purchased 92 Federal Street a little over a year ago and have since invested a very significant sum improving the property. Much of what we have done – replacing the roof, painting the exterior, adding gutters, repaving the driveway and parking lot, and restoring the entryway to an original Federalist design, which was done under the supervision of the Salem Historical Commission. Rather than view this supervision as a nuisance, we see it as an asset, as evidence that the City is committed to preserving Federal Street and the larger McIntyre neighborhood as one of America's unique historical treasures. There is no way to view the F.W. Webb proposal other than a fundamental test of that commitment. We have no objection to the commercial development of Bridge Street and applaud the administration's interest in strengthening the City's tax base. But the cost of the Webb proposal to the future development and preservation of this historical treasure, even in crass dollars and cents terms, is simply too high. When a representative of the administration defended the proposed structure by claiming it was not a "big box store" indicates, I fear, that this cost is not understood.
- Our building, like most on Federal and River Street, is very old. Elements of its construction, such as the joining of the joists and beams, are now quite fragile. I have been informed that the proposed F.W. Webb structure will require the driving of some 500 piles into the ground. This strikes me as presenting a clear risk to the structural integrity of my building and others in the neighborhood – risk of damage well beyond cracks in the plaster, damage such as weakened joists that might not become apparent for many years. To preserve the historical houses on Federal and River Street, as well as a matter of simple equity, I urge the Council to require F.W. Webb to pay the cost of an independently selected structural engineer, expert in historical buildings, to conduct a survey of all buildings potentially affected, provide a conservative estimate of the potential damage, and require F.W. Webb to place that amount in a trust, earmarked to repair any such damage that could materialize over the next fifteen years, with any amounts remaining at the end of that period reverting to F.W. Webb.

As an economist and an investor in historic Salem properties, I urge the Council to reject the Webb proposal. This project is likely to diminish tax revenues in the long run, as well as present environmental hazards, consist of poor urban design, poses structural damage and lastly, diminished confidence in the city's commitment of preservation, by *leveraging* its great historical asset.

Sincerely,

Steven Sass and Ellen Golub

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Resident (?) – Speaking for herself and 9 other Tenants - For 6 years has served as the “super” a lot of work has been done in the interior and exterior. Tenants concerned about health risk. A lot of people are afraid.

Anne Whittier, 10 River St., Salem – She is against Webb. She also read a letter from her neighbor Carol Carr, 7 River St., Salem who is opposed to the bid.

Tim Jenkins, 18 Broad St., Salem – Read his following letter – See Next Page

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Timothy R. Jenkins
18 Broad Street
Salem, MA 01970

March 30, 2016

Dear Salem City Councillors:

Why are we in such a rush to sell the Bridge St. parking lot to F W Webb?

- If we sell the Bridge St. lot now we will net only \$620,000
- Simply by waiting until October 2017, we will net \$1,000,000. This is a \$380,000 (61%) GAIN in 19 months.
- That is a lot of money to leave on the table!
- What do we lose by waiting? Why the great hurry?

Just as importantly, why sell the lot at all, if doing so will result in a **severe parking shortage starting this September** when the Probate Court returns downtown?

- A memo from the Mayor's Chief-of-Staff and Finance Director, dated February 1, 2016, says there are 218 unused parking spaces on avg. daily at the MBTA lot (171) and City station parking lots (47). But not all parking spaces are the same:
 - Most of the nearby on and off-street lots are not available for all-day parking.
 - Most nearby lots (Essex/Crombie, YMCA, Church St. lots) and on-street parking already operate near capacity.
 - Halloween, summer tourist season and snow emergencies make matters worse downtown at certain times of the year
 - When parking operates near capacity drivers spend more time searching for spaces congesting the downtown streets.
- **This September the projected surplus parking spaces drop to zero when parking lots operate at 100% of capacity.** It is simple math:

Probate Court lot users return	135+
If Bridge St. lot closes	<u>80+</u>
Total cars needing spaces	215+ (vs. 218 surplus)

But it is going to get much worse. Demand is growing rapidly. Here is why:

Proposed Salem Residential/Business Development within 500 yards:

- | | |
|---|----|
| ○ Former District Court Redevelopment—residential units | 60 |
| • When construction begins- lose existing parking | 25 |
| ○ Superior Court & County Commissioner's buildings | ? |
| ○ Essex Street Hotel—44 rooms | ? |
| ○ Red Lion Building | ? |
| ○ Salem Jail Apts., adding 14 units to 23 existing | ? |

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- There are more than 400 housing units currently proposed in NRCC residential developments:

○ Gateway Center –	117
○ Salem Suede-Riverview Place –	130
○ Salem Oil and Grease – Grove St./Legacy Park Apts. –	140
○ Flynnntan –	50
○ What % will drive to the station? 5%?-10%?	22-44
- Regional development especially Peabody and Danvers uses the Salem station/courts. We will have no surplus parking to handle growth if the Bridge St. lot closes.

How much will it cost Salem taxpayers to build new parking spaces in this area of the downtown?

- Undeveloped large parcels of land don't exist in Salem's downtown.
- This means that a garage is likely the only option.
- \$18,038 was the 2014 median national parking garage construction cost per space, and slightly higher in Boston at \$21,212, not including land costs. (See carlparker.com) The cost of 117 parking spaces in the Boston area would be about \$2.5 million before land costs.
- It cost the MBTA \$42,000,000 to build the 714 space Salem parking garage/station facility. This was a net increase of 375 parking spaces, as there were 339 spaces pre-construction. Any way you slice it, these were very expensive spaces. \$40-80,000+ each.
- One of the comps in David Hark's appraisal for the Bridge Street lot site was .76 acres in Topsfield near the train station and a commercial office building. It sold for \$845,000. 74 parking spaces were built- Cost \$11,419/space for land plus \$3,000 development cost. Total cost about \$14,000 per space.

In summary:

If the City waits until October 2017, there is no longer an obligation to repay MassDev. \$500,000. A parking kiosk costs less than \$10,000. The total cost per space is \$83. The City retains its \$620,000 lien, in any case. Taking no action avoids a self-inflicted critical parking shortage.

What is the best option for Salem's future parking needs? I hope you agree with me that it is to hold onto the Bridge Street parking lot.

Respectfully yours,



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Constance Arlander, 91 Federal St., Salem –
Read her letter – See Next Page – Opposed because of Parking

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**REASONS WHY THE UNIVERSAL STEEL PARKING LOT SHOULD NOT BE SOLD TO F.W. WEBB:
SALEM'S DEVELOPMENTAL PRESSURES AND ANTICIPATED DOWNTOWN PARKING NEEDS**

I am opposed to selling the Universal Steel Parking lot to F.W. Webb for 3 reasons; parking, parking and parking.

Our City is experiencing an unprecedented time of growth and redevelopment that will significantly stress our ability to provide adequate, convenient parking for all those who visit, live, work and shop in the Downtown area.

Once proposed to be large enough for 1,000 cars to meet Salem's long term commuter parking needs, the MBTA garage was scaled back due to MBTA budget woes. There is no doubt that this garage will outgrow its current 714-car capacity once the Probate Court returns to the downtown and the multiple developments along the North River and in the Downtown area come on line. (Refer to handout showing Salem Garage Proposal in June 23, 2008 Salem News article.)

It may appear that we have plenty of parking right now. We can't be content. There are so many developments in the works that any current parking excess will quickly disappear. What are these developments?

1. PROBATE AND FAMILY COURT

The Essex County Probate and Family court will be moving back to Federal Street later this year. It is the third busiest Probate Court in the State. With its 60 employees and dozens of cases filed on a daily basis the Court's parking needs are great. Its current 140-car parking lot at Shetland Park is filled every day. It has no parking lot on Federal Street.

2. SUPERIOR COURTHOUSE AND COUNTY COMMISSIONER'S BUILDING

The State has commissioned two studies to look at the reuse of the historic Superior Courthouse and adjacent County Commissioner's Building. The recommendation is to use the brick courthouse for institutional purposes and the Commissioner's building for residential apartments. The study cited that the major difficulty with the property is "that it is physically and financially impractical to provide parking within the structures". I have heard that Salem State University has been interested in the old Superior Courthouse.

3. 94 WASHINGTON STREET – THE RED LION SMOKE SHOP BUILDING

The Red Lion Smoke Shop building across from City Hall was sold last fall for redevelopment. Only the first floor of this 3-floor building has been utilized for the past 20 years. The building has no parking of its own out back.

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4. THE SALEM HOTEL ON THE ESSEX STREET PEDESTRIAN MALL (209 ESSEX STREET)

The old Newmark's Building on the Essex Street Pedestrian Mall is soon to be repurposed as a 44- room boutique hotel with a café, bar, bowling alley and rooftop restaurant. What a fabulous idea. Unfortunately, this stately building has no onsite parking.

5. PEABODY ESSEX MUSEUM EXPANSION AND REOPENING OF THE PHILLIPS LIBRARY

The Peabody Essex Museum plans to break ground later this year to build a 40,000 square foot wing on the western side of its current building on the Essex Street pedestrian mall. With the 15% increase in gallery space, PEM will need more parking for employees and visitors.

Following extensive renovations, the Phillips Library, famous for its research library and Witch Trial documents, will be reopening on Essex Street in the near future. The Library has no designated parking of its own.

6. PHASE 2 REDEVELOPMENT OF THE OLD SALEM JAIL

A new 3-story building with 14 luxury apartments is being built on the Old Salem Jail site as Phase 2 of the redevelopment. Furthermore, an arcade pub has just agreed to locate in the restaurant space. Despite tearing up the green space on Bridge Street in front of the jail to create a metered parking area, this complex still needs more parking.

7. DOWNTOWN SALEM DURING THE HALLOWEEN SEASON AND SNOW EMERGENCIES

The Universal Steel parking is a significant source of revenue during the Halloween season and a short walk to the downtown activities. Imagine that in October 2014, the Salem High Band Boosters raised \$19,000 over 3 weekends leasing out the parking spaces at the lot. In October 2015, Salem High School clubs raised \$18,000 over 3 weekends.

During snow emergencies, the MBTA and other parking garages are full. One courthouse employee told me that she drove around the City for 40 minutes looking for a parking space during a snow emergency last year because all the garages were full. She expressed how relieved she was when she found a space at the Universal Steel lot and was able to get to work.

CONCLUSION

In conclusion, selling the Universal Steel parking site to Webb is shortsighted, premature and fails to consider the amazing developments that are occurring within one-half mile of this site. Remember, parking spots are very expensive to create. It cost \$37 million to build the new MBTA garage. This garage has 714 parking spaces. You do the math. That comes out to \$52 thousand per parking space.

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Jim Kearney – 1 ½ Cambridge St., Salem – Spoke about the Universal Steel Parking Lot
Analysis Needs vs Supply – See Next Page:

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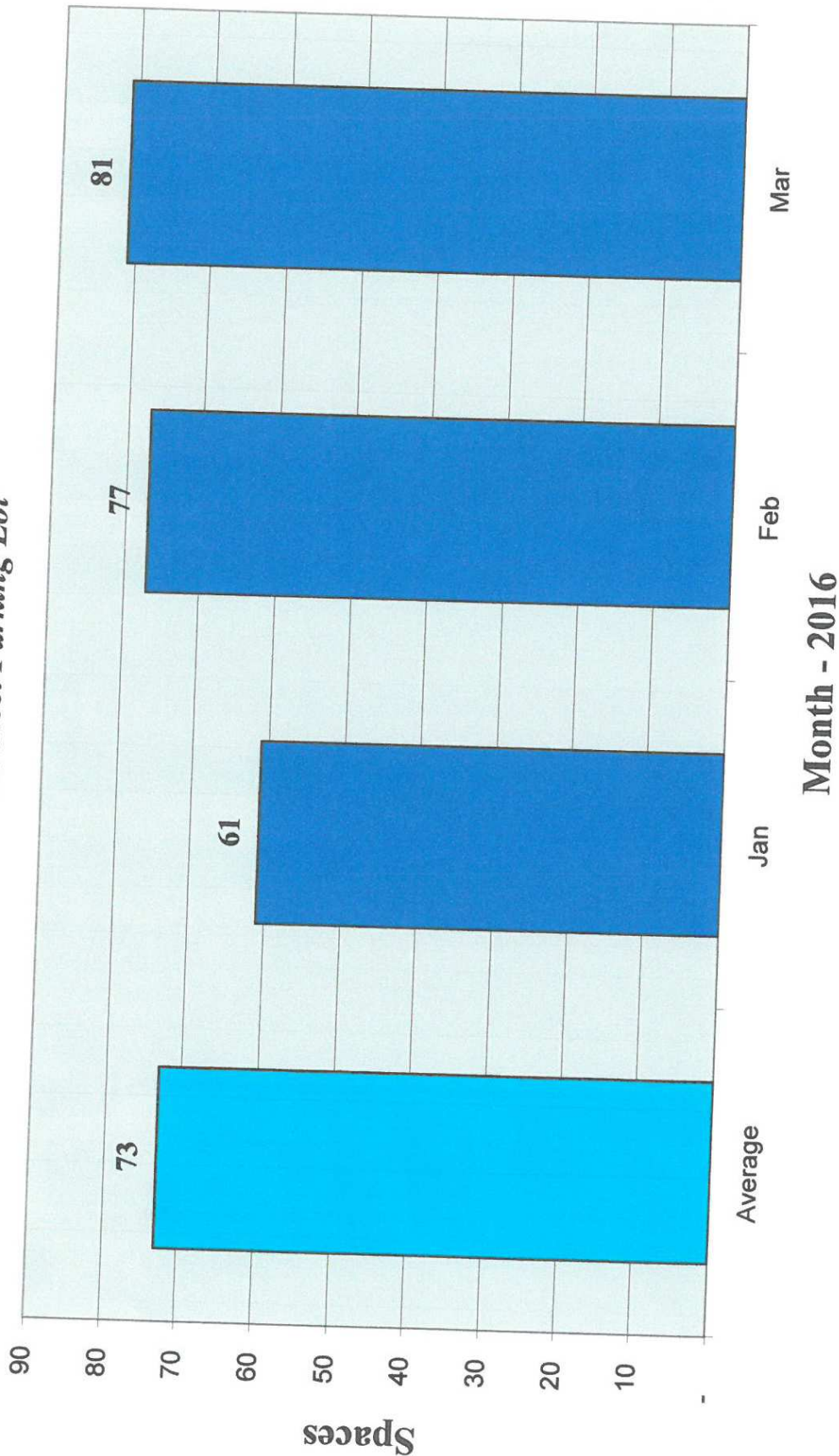
**Universal Steel Parking Lot Analysis
Needs vs Supply**

•	Current Universal Steel Parking Lot Usage – Q1 2016		73
•	Probate and Family Court – Reopens September, 2016		140
•	Webb 5 Story Brick Building Conversion		
•	Current maximum parking spaces on property -	30	
•	Expected Condo Units		
○	5 Floors X 6 units per Floor X 2 cars* =	60	
▪	Additional Spaces Needed		30
•	Former District Court Outdoor Lot		25
•	Proposed Salem Business Development within 500 yards		???
•	Superior Court Redevelopment		
○	Salem State currently only Bidder		
▪	Significant Student Parking Needs		
•	County Commissioner Office		
•	Former District Court Building		
•	Red Lion Building		
•	Salem Hotel		
•	Halloween Parking		
•	Snow Emergency Parking		
•	Proposed NRCC Residential Developments		
•	Gateway Center	117	
•	Salem Suede	130	
•	Salem Oil and Grease	140	
•	Flynn Tan	50	
	Total	437	
	City Parking Usage %	5%	
	Parking Spaces Needed		22
	Total Need		290 + ?
	Supply		249 (1)
	MBTA garage @ 24%	171	
	City lot near MBTA @ 71%	47	
	Universal Steel @ 100%	112	
		249 (1)	
	Parking Deficit		51

* NRCC parking requirement is 2 spaces / unit

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*Average Spaces per Day
Universal Steel Parking Lot*



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**SUMMARY OF PARKED CARS AT UNIVERSAL LOT FROM
JANUARY 4, 2016 TO JANUARY 31, 2016 - 18 DAYS COUNTED**

<u>Date</u>	<u>Day</u>	<u>Time</u>	<u>No. Of Cars</u>
1/4	Monday	9:30 a.m.	55
1/5	Tuesday	11:14 a.m.	54
1/6	Wednesday	11:17 a.m.	57
1/7	Thursday	10:55 a.m.	57
1/8	Friday	9:52 a.m.	48
1/11	Monday	Noon	66
1/12	Tuesday	10:07 a.m.	71
1/13	Wednesday	2:19 p.m.	65
1/15	Friday	3:45 p.m.	50
1/19	Tuesday	Noon	57
1/20	Wednesday	1:14 p.m.	61
1/21	Thursday	2:00 p.m.	59
1/22	Friday	2:30 p.m.	62
1/25	Monday	10:33 a.m.	62
1/26	Tuesday	1:30 p.m.	69
1/27	Wed	9:38 a.m.	75
1/28	Thursday	12:50 p.m.	72
1/29	Friday	3:39 p.m.	60
Total			1,100 cars in 18 days
Daily Average			61.11 cars

FEBRUARY 1, 2016 TO FEBRUARY 23, 2016 - 17 DAYS COUNTED

2/1	Monday	10:19 a.m.	77
2/2	Tuesday	10:56 a.m.	76
2/3	Wednesday	1:19 p.m.	70
2/4	Thursday	9:00 a.m.	88
2/9	Tuesday	11:20 a.m.	93
2/10	Wednesday	10:17 a.m.	98
2/11	Thursday	11:06 a.m.	82
2/16	Tuesday	10:14 a.m.	55
2/17	Wednesday	9:46 a.m.	73
2/18	Thursday	9:53 a.m.	64
2/19	Friday	3:40 p.m.	51
2/22	Monday	11:55 a.m.	79
2/23	Tuesday	9:44 a.m.	84
2/24	Wednesday	3:26 p.m.	76
2/25	Thursday	10:14 a.m.	76
2/26	Friday	10:34 a.m.	77
2/29	Monday	11:11 a.m.	90
Total			1309 cars in 17 days
Daily Average			77 cars

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MARCH 1, 2016 TO MARCH 29, 2016 - 21 DAYS COUNTED

March 1	Tuesday	10:04 a.m.	84
March 2	Wednesday	11:39 a.m.	89
March 3	Thursday	11:50 a.m.	86
March 4	Friday	9:40 a.m.	81
March 7	Monday	12:26 p.m.	80
March 8	Tuesday	10:07 a.m.	103
March 9	Wednesday	10:15 a.m.	105
March 10	Thursday	10:12 a.m.	88
March 11	Friday	2:31 p.m.	65
March 14	Monday	12:51 p.m.	79
March 15	Tuesday	9:30 a.m.	55
March 16	Wednesday	11:22 a.m.	84
March 17	Thursday	11:22 a.m.	79
March 18	Friday	10:02 a.m.	68
March 21	Monday	10:30 a.m.	64
March 22	Tuesday	9:32 a.m.	85
March 23	Wednesday	1:12 p.m.	87
March 24	Thursday	11:10 a.m.	87
March 25	Friday	11:10 a.m.	70
March 28	Monday	10:55 a.m.	83
March 29	Tuesday	11:08 a.m.	81

Daily Average

1,703 cars in 19 days
81.1 cars

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Lou Sirianni, 6 Botts Court, Salem – The RFP should not be accepted based on two principles. First, the RFP state any response should be compatible with the surrounding neighborhood. And this is the wrong use. Secondly, the RFP requires “As Is” no qualifications in proposal but two were submitted with FW Webb’s proposal a) TIFF; b) Remediation Costs. Webb is still free to redevelop red brick building into condos for example but the 35’ high plumbing supply building is detrimental and should not abut our oldest historic streets.

Victoria Sirrianni – 6 Botts Court, Salem – Opposed to the Proposal. Only you Councillors can stop it the general public does not receive benefits from this and it puts our health at risk. Ms. Sirrianni read her letter. See next page:

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30-Mar-16

Salem City Council
Salem, MA 01970

Dear City Councilors,

I continue to regret you must wade through a mountain of information about the disposition of the Universal Steel site. Nevertheless, the City will weigh the consequences of your decision for decades to come. I believe this to be the most important planning decision the City of Salem has faced in the last fifty years. It was only then with the interjection of outside forces that the City came to its senses and reversed its course. Well-meaning city leaders and professionals thought they were doing the right thing then. Yet they were decidedly wrong. If the course had not been corrected, this special city with its historic fabric would have been completely decimated. As it is now, the City already suffers from the irreparable damage done to its downtown. Now, we have neither the New York Times nor world-renowned planning and architecture critics publically goading the City to stop what it is doing. Now we only have you to make the call.

The opportunity to speak to the issues is closing, yet I have remaining thoughts I would like to share. Five minutes in the City Council meeting is not adequate time to present more than "I support or I object" and a few sentences. While I understand why you created this rule, the result is that it is impossible to present substantive thoughts or dialog. Something of this order of magnitude warranted a great deal of public discussion and information gathering prior to being sent to the Council. I believe that decision was wrong. Just as wrong as the proposal itself.

So, then, my thoughts-

I oppose the Webb proposal and ask that you reject it outright. At face value, "the general public does not receive considerable benefit- tax dollars, services and jobs" as outlined in the City Solicitor's letter to the Planning Board dated February 1, 2016. Rather, it puts the health of the immediate neighbors at risk, it destroys an ancient public way, it diminishes home values, it threatens the surrounding historic neighborhood, and it seriously hampers efforts to restore the North River Canal Corridor.

The proposal itself is non compliant with the minimum conditions of the RFP; does not follow the sequential steps pursuant to the RFP; provides appraisals for divergent zoning areas; is conditional rather than non conditional; is unclear in its details of major financial issue; and is non-compatible with the surrounding neighborhood. Fundamentally you are presented with a proposal, which is not allowable within the tenents that you as a Council established eleven years ago.

Why? What has changed to warrant this dramatic request? The Mayor has said that it is because the extent of the contamination of the soil on this site precludes the immediate development of residential properties. Instead she suggests it should be used for a large plumbing supply house, showroom and self service commercial business. This simply does not equate. Knowing the extent of the soil contamination on this particular property, one can easily conclude that the best use the land for the near term is exactly what it is being used for now- a parking lot. Sufficient revenue can be met, flooding on the site is a non-issue, the zoning can remain in place and the public good will be served. The plumbing supply house can be accommodated in a more appropriate location in Salem and provide the City with increased tax revenue and jobs. A reasonable and thoughtful conclusion yet, it appears to be unacceptable to its proponents and the Mayor. Why is something so clearly in the public good not being considered? I can only surmise that a long-standing commitment to Webb precludes any due consideration. How long ago this commitment was made is unclear. What is clear is that making this "work" for Webb is the only thing that matters because this proposal in its current form does not conform in any reasonable way to the City's vision for this location nor the zoning requirements you approved and are now being asked to simply throw away. Make no mistake. You have been asked to dismiss an extremely thoughtful urban design plan that cost

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more than a hundred thousands dollars and years worth of time to produce and that was specifically designed to address a significant urban problem. This plan could ultimately make a difference in the city's future. You may be being told the plan isn't relevant anymore- that there are "smarter" planning approaches. Well I can tell you that placing a large plumbing supply house on a site across the way from a Courthouse campus that will be in place for at least the next hundred years, that is adjacent to a Museum Home that is featured on Salem's newest tourist magazine, and that immediately abuts one of the most historic housing districts in the country is certainly far from smart, and in fact, is just about as dangerous a planning move one could be asked to make.

As citizens we place our trust in city government to do the right thing. The concept of the **public trust** dates back to the origins of democracy itself. Its seminal idea is that true power lies with the public and the future of a society; therefore, whatever *trusts* the public places in its officials must be respected. As citizens we judge this proposal as a betrayal of that trust. We have produced irrefutable evidence that this proposal is deeply flawed and potentially dangerous, yet its proponents continues to push forward with what appears as a blind eye and deaf ears to the evidence. We continue to be told that it is in the public 's welfare. It is not; not for the neighbors, not for the City's. This dogged commitment to accommodate a business, which could be accommodated elsewhere in the City, has created polarity within the community and a great deal of distrust. I am angered by it and deeply regret it.

I regret that the neighbors and a great number of citizens throughout the City are universally rejecting F. W Webb, with whom they peacefully coexisted for 60 years and that Webb invested substantial resources in an additional property before the RFP was let in 2015 anticipating their future expansion on Bridge Street.

I regret being at odds with the City Planner and City Solicitor with whom I have enjoyed a good working relationship.

I regret how this City Council Chamber has been used over the last few months. This is not a court of law. As a municipal body you have legislative and administrative powers. You should not have to wade through evidence to discern the truth and adjudicate civic discord.

But mostly I regret that a proposal so fundamentally wrong was fostered and most certainly encouraged by the City's administration. It is unconscionable, knowing, how many resources have been extended, how much time has been spent, and how this has divided the community. As citizens we honor democratic principals and expect the same from our city government. We expect our city leaders to serve at our will, be responsible to the city's constituents, and to be able stewards of the City's resources. The parties affected by this proposal all deserve this. So far they have not gotten it. Please don't let them down now.

Thank you for listening.

Sincerely,



Victoria V. Sirianni
6 Botts Court
Salem MA 01970
978 740 -0952

XC: Mayor

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Jan Eschauzier, 15 ½ River St., Salem – Opposed to project
See her letter on the next page

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March 30, 2016

Jan Eschauzier

15 1/2 River Street

Salem, MA 01970

978-594-1439

janeschauzier@gmail.com

Good Evening, Mayor Driscoll, President Turiel, Members of the City Council and representatives of F. W. Webb. My name is Jan Eschauzier and I reside at 15 1/2 River Street. I am opposed to the acceptance of Sun King's bid, (although as of this writing I'm not sure what the exact terms of the bid are,) to purchase the former Universal Steel site and the adjoining property for all the reasons stated earlier tonight and in prior meetings. While my primary concerns are the health and safety aspects associated with this expansion, I would like to confine my remarks to the longterm negative implications of allowing this project, a retail/wholesale distribution center to be constructed on this particular site.

The challenge of addressing land use and development lies in finding a balance between new growth and redevelopment and with finding compatibility between growth and preservation while respecting a community's heritage as evidenced by its historic structures and existing community character. It is important to guide future development to appropriate locations, maximizing density in some areas and minimizing the effects on the natural environment and preserving open space corridors and recreational opportunities as well as respecting existing neighborhoods. Appropriate zoning is the primary tool with which a municipality has the capacity to guide redevelopment based on an agreed to community vision.

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The North River Canal Corridor presents an amazing redevelopment opportunity. Most of it lies within 10 or 15 minutes' walking distance to public transportation. Some of it borders on the water, or abuts the Canal or Leslie's Retreat Park, three natural amenities which should be capitalized on. It includes vacant lots, or lots which will be able to be redeveloped, providing a range of housing types, sizes, and prices in close proximity to parks, recreation, and services, encouraging pedestrian centered walkability, creating a friendlier, healthier and more convenient place to live. Just as other areas within the city have their own unique neighborhood character, I believe the North River will someday have its own identity and a strong sense of place. It will however, be an evolutionary process by which this area undergoes transformation. Great neighborhoods are not built overnight, and they do not happen by accident. They are guided and nurtured by good city planning, community participation, appropriate land use practices, and zoning that reflects those uses.

Allowing a Business/Wholesale Automotive land use in the middle of this very strategic location is not only incompatible with the existing neighborhood, the NRCC Master Plan, (it is a use expressly prohibited in NRCC zoning,) it is antithetical to the vision of the future redevelopment of that entire corridor. A warehouse/distribution center is not pedestrian centered. It does not create less traffic. It offers no green space. It does not promote small business incubation. It does not offer human scale architecture with an emphasis on beauty and aesthetics. It does not connect neighborhoods. In fact it reroutes one of those connections, Beckford Way, through tractor trailer lanes. In short this project does not belong on this site; and to try to argue otherwise, by suggesting that somehow, through the design of the building, the fundamental inappropriate use of the site, the

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context, mass, and scale of the project will be mitigated, is a flawed premise. And what is worse, it will then become the standard by which other projects could be approved. If you allow the Webb expansion, why not a drive through or fast food restaurant? It is also my belief you will cripple and degrade the redevelopment opportunities of the surrounding parcels by changing the zoning.

Bridge Street Neck is confronting the legacy of B-4 zoning. I draw your attention to the Salem Bridge Street Neck Neighborhood Revitalization Plan, page 6. "Some of the existing wholesale / automotive and industrial properties may not be fully compatible with the vision of a residential and neighborhood scale commercial district as the one herein described, and this plan offers a possible strategy to facilitate the relocation of businesses willing to move to a more advantageous location, where they could enjoy better access, visibility, or site conditions." In a subsequent study prepared by the Metropolitan Planning Area Council for technical assistance in preparing new zoning for the neighborhood using the Revitalization Plan as a starting point, and the goal to "enhance business compatibility with the neighboring residential areas", I call your attention to the Executive Summary of that study wherein it recommends removing "incompatible Wholesale and Automotive underlying uses." It is clear from both the working group visioning process and the consultants' conclusions, B-4 zoning uses are incongruent with the Bridge Street Neck neighborhood just as they are incongruent with the McIntire District and the future revitalization and redevelopment of the North River Canal Corridor.

Additionally, If F. W. Webb were to move, as they are now doing from Amherst, NH to Londonderry, NH, after having built their warehouse, we could be stuck with a rezoned parcel and an

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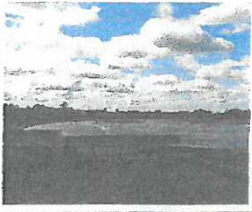
MARCH 30, 2016

empty behemoth warehouse. Once these two parcels are rezoned B-4 you can't put Pandora back in the box. As Lynn Duncan admits, "Some of the uses under B-4 are more of a concern than the Webbs (sic)." The problem is you won't have a choice.

Ada Louise Huxtable writes, "What counts overwhelmingly today are the multiple ways any building serves a very complex and sophisticated set of environmental needs. What is it part of? How does it work? How does it relate to what is around it? ...What does it add to, or subtract from, the quality of life?"

You have a huge responsibility. You are the stewards and conservators of our neighborhoods and city. You can help to guide the creation of places and streetscapes that either diminish our lives or inspire, uplift, and enrich them. Please choose the latter and vote "no" on this proposed sale.

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Salem Bridge Street Neck
Neighborhood Revitalization Plan

Prepared for:
City of Salem, MA

Prepared by:
The Cecil Group, Inc.
GLC Development Resources
Peter Smith Associates
Tetra Tech Rizzo

August 2009

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Some of the existing wholesale/automotive and industrial properties may not be fully compatible with the vision of a residential and neighborhood-scale commercial district as the one herein described, and this plan outlines a possible strategy to facilitate the relocation of businesses willing to move to a more advantageous location, where they could enjoy better access, visibility or site conditions.

The revitalization vision for the Bridge Street Neck neighborhood also considers the possibility that some of the large commercial properties currently used for automotive repair businesses and boat storage could in the long term be redeveloped for residential uses. This could result in the creation of new townhomes and moderate-scale residential development that would increase home buying and rental opportunities for young families and smaller households. The importance of encouraging homeownership and the creation of owner-occupied housing to promote good neighborhood maintenance and appeal was repeatedly emphasized at meetings and conversations throughout the planning process.

Future residential development should be complemented with the creation of new open space, and bicycle and pedestrian connections through the neighborhood. These could be designed and constructed in conjunction with the redevelopment of large sites, linking Bridge Street to the surrounding residential areas and waterfront. An ultimate goal for physical improvements would be the creation of an interconnected network of pedestrian and bicycle paths leading to the water and extending along the entire length of the waterfront perimeter.

These ideas are further developed and supported by the plan strategies and recommendations. The proposed revitalization vision is illustrated in *Figure 2*.

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Bridge Street Neck Zoning

Funding provided by the
District Local Technical Assistance program
Boston Region MPO Unified Planning Work Program

2012



Prepared for
The City of Salem
120 Washington Street, Salem 01970

Mayor Kimberley Driscoll, Salem
<http://www.salem.com/Pages/index>

Prepared by
Metropolitan Area
Planning Council
60 Temple Place, 6th Floor
Boston, Massachusetts 02111
www.mapc.org



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Executive Summary

In 2012, Salem received a District Local Technical Assistance grant from the Metropolitan Area Planning Council for technical assistance in preparing new zoning for the neighborhood, with the basic recommendations from the 2009 Bridge Street Neck revitalization plan to be used as a starting point.

As noted in the 2009 *Bridge Street Neighborhood Revitalization Plan*, the Bridge Street Neck neighborhood has both strengths and weaknesses:

Strengths: "The Bridge Street Neck neighborhood has significant strengths in its amenities, location, planned projects and existing assets and is well positioned for improving upon its already strong neighborhood character and resources. The neighborhood possesses an excellent location, adjacent to downtown Salem, with direct access to Beverly and an MBTA commuter rail station. Additionally, the planning area presents many positive such as open space recreation options, access to the waterfront, access to the City wide bicycle path, and a mixed use commercial district along Bridge Street. The Bridge Street Neck neighborhood is a densely developed, primarily residential neighborhood, mainly comprised by individually owned small parcels of land. The absence of large land parcels or individuals and entities owning multiple parcels of land in the neighborhood significantly reduces the likelihood of a major unwanted development." (2009 *Bridge Street Neck Revitalization Plan*, pg. A27)

Weaknesses: "The Bypass road project was successful in achieving its designated goal of eliminating the debilitating congestion that existed on Bridge Street. However it also removed a lot of the traffic that many of the Bridge Street businesses relied upon to generate business." (2009 *Bridge Street Neck Revitalization Plan*, pg. A28)

In considering both the strengths and weaknesses of the Bridge Street Neck neighborhood, MAPC tried to contribute to the strengths of the neighborhood while mitigating its challenges as it developed zoning proposals for key commercial parcels within the study area. MAPC worked to match the tone of the 2009 neighborhood plan's recommended zoning change to "enhance business compatibility with the neighboring residential areas" (2009 *Bridge Street Neck Revitalization Plan*, pg. 27).

To accomplish this, MAPC and Salem DPCD staff developed and introduced for discussion the following zoning options for the Bridge Street B-4 and other key parcels-Brake and Clutch, Coffee Time, Mobil Gas and, in some scenarios, the Business Highway parcels on the northern end of Bridge Street:

- A. Rezone the B-4 parcels, and the R-2 Coffee Time, Mobil Gas, J&W Marine, and Brake and Clutch parcels to B-1 Business Neighborhood, which currently does not allow for mixed use, as suggested in the 2009 neighborhood revitalization plan. This approach would allow for the existing uses allowed under B-1 but would not allow for the mixed use buildings envisioned under the neighborhood plan.

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- B. Re-zone the B-4 parcels, and the R-2 Coffee Time, Mobil Gas, J&W Marine, and Brake and Clutch parcels to B-1 to remove incompatible Wholesale and Automotive underlying uses, then adopt the Mixed Use Village Overlay, including the Business Highway parcels on the north end of Bridge Street.
- C. Re-zone the B-4 parcels, and the R-2 Coffee Time, Mobil Gas, J&W Marine, and Brake and Clutch parcels to B-1 to remove incompatible Wholesale and Automotive underlying uses, then adopt the Mixed Use Village Overlay, but do not include the Business Highway district parcels.
- D. Rezone the B-4 parcels, and the R-2 Coffee Time, Mobil Gas, J&W Marine, and Brake and Clutch parcels to a newly created Bridge Street Neck Neighborhood zoning district.

MAPC and DPCD staff also conducted a review of dimensional and allowed uses within the B-4 district of the Bridge Street Neck Neighborhood District. Finally, MAPC developed a “before and after” automobile trip generation scenario for one location within the Bridge Street corridor, shifting land uses from uses from land uses not expected to be common (vacant land, automotive center and warehousing) to those expected to be used more frequently under the overlay: retail and residential uses.

MAPC worked closely with Salem DPCD staff to develop land use recommendations based on past studies, historic uses, field observations, Bridge Street Working Group input, and existing land use regulations within the Bridge Street Neck Neighborhood. Progress was made towards evaluating all of the options presented but the results were somewhat inconclusive as none of the options presented garnered strong support from the Working Group. In light of that fact, MAPC offers the following suggestions and recommendations as next steps to the work performed under this study:

1. Re-evaluate Business Neighborhood Zoning and consider changing the following:

- allowing first floor dwelling units above certain commercial uses;
- changing the allowed building height to thirty-five feet;
- Requiring site plan review for all projects involving a change of use and for all non-residential projects of 2,000 square feet or greater.

2. Adopt the modified B-1 zoning for the Bridge Street Wholesale and Automotive B-4 parcels and the Coffee Time, Brake and Clutch, Mobil Gas and the J & W Marine R-2 parcels.

If the City chooses not to modify existing B-1 zoning:

3. Complete and adopt the Mixed Use Village Overlay for the Bridge Street B-4 parcels, Coffee Time, Brake and Clutch, Mobil Gas and the J & W Marine R-2 properties, and the north Bridge Street Business Highway B-2 parcels. Do not change the underlying zoning prior to adopting the new overlay district.

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Justin Whittier, 10 River St., Salem – Opposed to proposal for two reasons – 1. NRCC Master Plan and 2. Flood Hazard Overlay District. FW Webb is not allowed by use and no B-4 in the NRCC.

Alex Marks, 8 Botts Ct., Salem – Two comments regarding Sun King's Proposal. First, Sun King's bid is likely below the land's fair market value because the City of Salem appraised the land based on B-1 Zoning. The city's land appraisal of \$990,000, which was used to estimate a fair market value and to establish the RFP's minimum bid, was based on zoning that limits lot coverage to 40% and building height to 30 feet. Sun King met the minimum bid but also asked for B4 zoning, which allows up to 80% lot coverage and 45' building height. The City did not re-appraise the land based on B4 zoning to more accurately reflect the fair market value of the parcel in this transaction. If approved, the City will be conveying this parcel below its fair market value. Secondly, Sun King's bid creates a "buildout" risk. Sun King and any subsequent owner can build with 80% lot coverage, no setback in front or on the sides, 45' high and use enclosed parking to meet those requirements. If Sun King were to resell the land or if another company purchased the business, the value of these more generous building rights might be exploited. A review of the Planning Board's deliberations before approving the zoning change shows no discussion of this buildout risk. While it is clear that FW Webb does not plan to buildout to a B4 maximum, I think it is important for the City to consider today, the potential unintended consequences of B4 zoning before ceding ownership. The images on the following (showed images) are hypothetical examples of buildout closer to what is allowable under B-4 zoning. Potential buildout when compared to current proposal could double the lot coverage and increase building volume by 140%.

Barbara Cleary, 104 Federal St., Salem – Is opposed to the sale of the Universal Steel Site to FW Webb and to the vote to allow the Mayor to enter into a Land Disposition Agreement. See letter below

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Barbara Cleary
104 Federal Street

Remarks at City Council Public Hearing March 30, 2016

I am opposed to the sale of the of the Universal Steel site to F.W. Webb and to the vote to allow the Mayor to enter into a Land Disposition Agreement.

There are many reasons to turn this proposal down, ranging from the improper RFP process to the environmental issues, but I would like to focus on three items, first, whether you or the public has sufficient information to understand the terms of the sale to Webb, second, planning and zoning issues, and third, economics.

To the first issue, I have worked for over 30 years advising non-profit organizations on real estate transactions, including educational and health institutions. Typically a Board of Directors taking a vote on a project of this size and complexity would have a detailed written description of the key features of the transaction. That document, in this situation, would be the Land Disposition Agreement. In my opinion, you should have seen at a minimum a summary of that document with ample time to review prior to this hearing, and the public also should have been provided with the same information in advance of this hearing.

As to the planning and zoning issues, several years ago, as Justin Whittier has pointed out, the City undertook, with expert technical advice and the full participation of the affected neighborhoods and businesses the multi year process which resulted in the North River Canal Corridor Master Plan and the North River Canal Corridor Zoning Ordinance.

I was one of many who participated in meetings for both the plan and the zoning, and spoke at the City Council hearings in support of changing the zoning.

The Universal Steel parcel was clearly part of that planning process as Justin has also pointed out. The Universal Steel site was discussed at length and at many public meetings. The only options ever considered for that site was leaving it as R-2 or rezoning to NRCC. The only reason it wasn't rezoned to NRCC was that the neighborhood preferred the R-2 zoning, not knowing at the time the extent of the contamination. Any statement or suggestion that the Universal Steel parcel was "forgotten" or "orphaned" or not carefully discussed or considered in this process is simply not true.

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B-4 was never considered for this site and to rezone it now will allow for types of use, excessive lot coverage and lack of setbacks, which will have a devastating effect on the adjacent neighborhood. Voluntary design review cannot mitigate these effects nor can it protect the neighborhood in the case of different owners.

Further this rezoning would send three very negative messages.

First, to our neighborhood that our elected officials do not care about our quality of life and property rights. There is nothing that can compensate me and my neighbors for the negative impact on quality of life that this proposal represents.

Second, it would say to current residents and businesses throughout the City that you might participate in meetings after meetings where your input is supposedly sought after, then encoded in law, but if the result doesn't fit the agenda of the next administration, it is all meaningless.

Third, for current and prospective property owners, again of whatever type, the City risks losing the trust that they may rely upon the integrity of the planning and zoning process in Salem

I'm sure you are all well intentioned people and these messages may not be your intent but I believe they will be several among many other bad results if you approve this proposal.

As to economics, much has been made about the financial benefits to the City from this sale. As has been discussed in these hearings, upon careful and unbiased review of the facts, these benefits are illusory or in fact negative in the long run. There is no public or economic benefit associated with this project that can mitigate or outweigh the loss of value to homeowners and the negative impacts to this City due to the degradation of the McIntire neighborhood that will be caused by this project

I respectfully ask you to vote no.

Thank you.

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Linda Jenkins read the following letter from Meg Twohey – See Next Page

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March 30, 2016

Dear Councilors:

My name is Meg Twohey. I live at 122 Federal Street.

I am sorry not to be able to attend tonight's meeting.

I oppose the sale of the Universal Steel site and other parcels to FW Webb.....actually not to Webb, but to their shell corporation, Sun King, LLC. In selling to Sun King, you relieve Webb of all liability. And you relieve Webb of any sense of responsibility to the City that has nurtured their business for many years.

As Councilors, when you vote, this will be one of the moments when you hold the future of Salem in your hands.

This City depends on tourism. Tourism depends on Salem's extraordinary historic character, embodied in the very neighborhood that this project proposes to damage — along with many of the people who have committed to live there and serve as stewards of the historic homes that are uniquely preserved in Salem and in very few other communities across the country.

Except for the very recent master plan for the Point, the NRCC master planning and zoning are the newest in the City.

The NRCC Zoning Ordinance was adopted by two votes of the Council and approved by the Mayor in 2005. The NRCC Master plan was approved in 2003. The NRCC master plan was developed with considerable thought, public input and leadership from Goody Clancy. The R-2 parcels along Bridge Street abutting the River and Federal St neighborhoods, which have been zoned R-2 for 50 years, were deliberately left as R-2 because the size of the parcels does not make anything other than residential use practical.

Yes, there are grandfathered commercial uses along Bridge St. abutting the neighborhood which continue as properties change hands through the special permit process and have often been supported.

There is therefore no reason to change the R-2 zoning along Bridge St. It is only being changed for this ONE bidder, Webb, for this ONE project. With all deference to City officials, it is SPOT ZONING.

The City is moving consistently away from business zoning near residential neighborhoods. In the NRCC, the many principally-residential parcels built or permitted along Bridge St. between Boston and North Street prove that this is a step backward for this key entrance corridor to Salem.

I would be surprised to find any Councilor voting for a change from R-2 to B-4 in your own neighborhood.

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Doing so here damages the abutting neighborhood, violates all the planning and permitting that has been made, and sets an alarming precedent for the rest of the City.

The strong opposition comes to you with very good reasons: health and safety, unprecedented and confiscatory zoning, an inappropriate industrial building in a flood zone, a proposal that will diminish the value of nearby properties enough to offset any tax revenue increase, and a precedent-setting zoning and use change for one developer. Remember Lowe's.

It is also a clear warning that is beginning to be understood elsewhere in the City that if this proposal is allowed, it sets a precedent for zoning changes anywhere in the City for reasons that may be perceived at that moment as benefiting the City, but over the long term will degrade it.

Master Plans and Zoning are the compact between the City and its citizens and tax payers. They define who we are, what we look like and where we are going. The sale to Webb does not fit the planning for this corridor. In fact, it violates it and does irreparable damage to the very historic neighborhood next to it that the City so values. And that the City relies on as an economic engine.

As one of the many homeowners who rely on zoning to protect our property not only in terms of value, but in terms of the uses and dangers that could otherwise occur near it, I urge you to vote against the sale to FW Webb.....actually Sun King LLC.

Thank you.

Tim Dogget, 9 Lynn St., Salem – Opposed to Sale. The Urban Renewal of 1970's, almost 50 years ago, was to preserve the Historic aspects of Salem. It wanted to develop Historic Districts. Please think seriously about changing zoning - if change arbitrarily for one project then everybody's zoning is at risk.

Jane Stauffer, 28 Beckford St., Salem – Spoke about history of Beckford Street and Way. The sewer pipes and gas main are not effected as is. It's a safe way for pedestrians to get to Bridge Street.

Anne Knight, 11 River St., Salem – Has lived there since 1978. Opposed to sale of land and Beckford Way to FW Webb. We need to preserve the ordinary things like our pathway to Bridge St. It's like repainting a masterpiece. When you walk down the path, you are reminded you are walking down a path for the 1600's – need to preserve it.

David Whittier, 10 River St., Salem – Opposed to Sale. Objections as a carpenter – we need to repair and preserve Salem's past. Deal with train shaking homes but to deal with construction damage to homes. We accept restrictions to live in a Historic District and pay more for renovations and changes. Now Salem is going to give money away.

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Jennifer ? – 3 River St., Salem – Opposed to Sale – not compatible with neighborhood. Historic Neighborhoods are bread and butter to city; plumbing stores are not. Stores can be relocated, historic neighborhoods cannot.

Sandra Roberts, 190 Bridge St., Salem – Opposed to Sale - Has lived in Salem for 50 and has worked in the travel and tourism for 20 years. Listed as Historic Landmarks. Tourists dismayed by lack of parking and leave city with their money. Vote NO. Will not enhance entrance corridor. There are health factors as well.

Danielle (?) from Watertown, MA – Opposition to project. On a state level and national level well known as a Historic Place. Trade that flourished between Salem and China. Take Visitors to Salem because of history. Preserve past, present and future.

Susan Weldon, 106 Federal St., Salem – Read a letter from a new resident (letter not on submitted for record)

Lillian Hsu – 17 Cambridge St., Salem – Statement as a private citizen not as a member of the Public Arts Commission. Oppose the sale of FW Webb. New comer to Salem about 2 ½ years ago. Salem offers quiet neighborhoods as well as urban districts, you can walk to the train station, the growth of restaurants that has been happening. Keep considering this long-term vision instead of short-term only.

David Hart, 104 Federal St., Salem read a letter from Darrow Lebovici from 122 Federal St. opposing the sale.

A letter was read from John Carr, 7 River St., Salem – Opposed to sale. There have been procedural flaws. Councillors need to have the political courage to make the right decision. FW Webb has choices; the neighbors do not.

Josiah Fisk – residential 358 Essex St., Salem; Business 8 Front St., Salem. Still feels as though he does not know enough and have enough information. What build out would look like and future implications of changing the zoning. Have not heard from Webb why so important to them. Why then the City offer them a break of this is so important to them. This is in your hands – I have faith that you will make the right decision.

Robert Kennedy, 17 Carlton St., Salem – As discussion progressed over time, TIF still hasn't been set to \$400K. They want to get best deal, the more they get the more we are on the hook. Webb has done \$1.4B in sales/yr – they don't need the \$400K TIF. Give the money to someone who needs it. Will they put on the addition and then sell the building? Safety Issues – EPA has serious issues – lead in water in Flint Michigan. We are relying on same agency to protect us from airborne contaminates. He lives near the plant, city doesn't care about noise and construction. Worry about how things progress. There is a special meeting right after this.

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Mike Cusick, 19 Putnam St., Salem – Neither for nor against this because there are too many unanswered questions. 1. Any provision to improve Bridge St. i.e. sidewalks, shoulders 2. Dumping is a problem any provisions to clean this up 3. Area infested by rats; the whole corridor infested when property capped on Boston & Bridge rats came up. Cancer research denominator what are those numbers need a baseline for numbers. Toxic Waste not just Universal Steele but other factories. Parking don't know the capacity until real numbers are obtained. The garages are empty. There was only 1 bid on this site – why only 1 bid? Power Plant in Boston dozens of bids to redevelop why only 1 here. The Master Plan written many years ago, plan is not wrong

Councillor Arthur Sargent – need to act more like a business. If sell property give up total control as of now as the owners, we have the ultimate control. The parking lot brings us 30-50K/yr. We shouldn't disturb a capped site and open it. Webb could have bought this from Universal Steel but they let the city pay the \$3M to clean up. They formal Sun King LLC to buy it, not FW Webb and then they can walk away. Then they get the leverage. If it goes bad, then we get it back. We need to maintain leverage and ownership. Maximize revenue to pay more for parking. I'm asking my colleagues to maintain ownership treat people as you would to live. Consider their property values and quality of life – do not sell.

After everyone spoke, Mayor came back up to podium to make a number of comments on what she heard tonight. Thanked everyone for being here. But would like to clarify a few points. Just because she is for this project does not mean she doesn't support quality of life issues or that she is bending over backwards to help a private business. Many of you did not want this parking lot, it was only meant to be temporary. Shared the RFP with the neighbors and nobody against it. The city could have just auctioned this off but decided to go this way to give more public input. Webb was the only proposal submitted. Then we negotiated with them. They included requirements – doesn't mean we accept them. TIFs have been used many times to provide relief when reinvesting in the city. The TIF will not be higher than \$400K. Could be less, not just writing them a check or billing them \$40,000/yr for 10 years. Heard additional Public Health Concerns. I would never put public health above people. It pains me to hear about those affected with Cancer nor do I expect Councillors to put a project above health. Over the years, not one person called about clean up. This was not a big neighborhood issue. EPA had a process. We have homes living near this contaminated site. If we were to have a No Build Policy for every brownfield we would not have any redevelopment. We have all these sites from years past and if we didn't redevelop we would have not growth. This is not a failed city planning experiment. This is a good proposal and planning board will make it better. I don't like being in the middle of a hostile projects with neighbors. I care I want to make this better. Talked about reinvesting resources into Bridge St., then Boston St., then Canal St. Sorry this is hostile but this corridor is commercial may be zoned residential but I see it as commercial. My motives are pure I care about the neighbors. This is the process; there are no hidden agendas. Webb has been a good partner. I'm listening – I'm keeping track of the comments from the 40+ speakers

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Councillor Sargent – Zoning what you want and what you don't want. Made R2 from commercial. The Planning Board decided years ago and they were good people as well as good vision for down the road. Other Brownfields are not owned by the city

Justin Whitter – Care about the outcome. We oppose – The Mayor has talked about hostility; there's no hostility just disagreement – don't agree with proposal development. Receiving a TIF is like getting something in return for sale and purchase. The NRCC does allow increase in height but not setbacks.

Tim Jenkins – City Could have done this a different way. If an auction – R-2 Zoning only thing that could be built was R-2. Could not do that because can't be residential. Not fair that the Mayor spoke again.

Councillor Famico moved that both hearings be closed. Councillor McCarthy seconded the Motion. So Voted.

Councillor Famico moved both matters to the full council and the special meeting be held next. Councillor Eppley seconded the Motion. So Voted.

On the motion of Councillor Furey the meeting adjourned at 9:50 P.M.

ATTEST:

CHERYL A. LAPOINTE
CITY CLERK