



CITY OF SALEM PLANNING BOARD

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CITY CLERK
SALEM, MASS

Amended Decision

Site Plan Review, Flood Hazard Overlay District Special Permit,
and Planned Unit Development Special Permit Decision

1, 3 & 5 Harmony Grove Road and 60 & 64 Grove Street
(Map 16, Lots 236, 237, 239, 377 & 378)

January 26, 2018

Serafini, Darling & Correnti, LLP
c/o Attorney Joseph C. Correnti
63 Federal Street
Salem, MA 01970

RE: Site Plan Review, Planned Unit Development Special Permit and Flood Hazard District Special Permit Amended Decision for 1, 3 & 5 Harmony Grove Road and 60 & 64 Grove Street (Grove Street Apartments) (f/k/a Legacy Park at Harmony Grove Apartments)

On Thursday, December 21, 2017, the Planning Board of the City of Salem opened a Public Hearing regarding the application of LAR Properties, LLC for an amendment to the previously approved Planned Unit Development Special Permit, Site Plan Review and Flood Hazard Overlay District Special Permit, for the property located at 1, 3 & 5 Harmony Grove Road and 60 & 64 Grove Street, the former Salem Oil & Grease Company site (Map 16, Lots 236, 237, 239, 377 & 378). The application includes changes to the commercial building located at 60 Grove Street. No changes to the plans are proposed for the properties located 1, 3 & 5 Harmony Grove Road and 64 Grove Street.

Specific amendments proposed are the following:

1. Demolition of the office building located at 60 Grove Street (rather than restoration).
2. Construction of a two-story building with community space on the first floor and offices on the second floor, as shown on the plans referred to herein. Site improvements including walkways, a patio, parking lot, landscaping and utilities.

The hearing was continued to January 4, 2018 (the meeting was cancelled due to City offices being closed due to a snow emergency, no testimony was heard), January 18, 2018 and closed on that day.

The Planning Board, after a public hearing and review of submitted materials and testimony, hereby finds that the proposed amendment to the previously approved project meets the provisions of the City of Salem Zoning Ordinance, Sec. 7.3 Planned Unit Development, Sec. 9.5 Site Plan Review and Sec. 8.1 Flood Hazard Overlay District Special Permit as follows:

7.3.1 Purpose – Planned unit development is designed to provide various types of land use which can be combined in compatible relationship with each other as part of a totally planned development. The proposed amendment to the previously approved planned unit development is in harmony with the purpose and intent of this ordinance and the master plan of the City of Salem as this project will incorporate community space and commercial use into the mixture of housing and open space.

7.3.2 Applicability – The proposed PUD meets the minimum size requirement of 60,000 square feet; the development parcels total 362,000 square feet.

7.3.3 Uses – All proposed uses, including residential multi-family and commercial, are allowed in a PUD development.

7.3.3.2 – A commercial use (office space) is proposed within the PUD project site.

7.3.3.3 – In the Business Park Development district, residential uses and associated improvements cannot exceed 50% of the land area of the parcel. Residential development, including associated improvements such as driveways, parking and landscaping, will comprise less than 50% of the total land area of the project site. The new building at 60 Grove Street will not increase the residential development area.

The Planning Board hereby makes the following findings pertaining to the Flood Hazard District Special Permit:

1. The proposed use will comply in all respects to the uses and provisions of the underlying district in which the land is located.
2. There are adequate convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and property, particularly in the event of flooding of the lot(s) or adjacent lot(s) caused by either overspill from waterbodies or high runoff.
3. Utilities, including gas, electricity, fuel, water and sewage disposal, shall be located and constructed so as to protect against breaking, leaking, short-circuiting, grounding or igniting or any other damage due to flooding.

At a regularly scheduled meeting of the Planning Board held on January 18, 2018, the Planning Board voted by a vote of eight (8) in favor (Ben Anderson, Matt Veno, Kirt Rieder, Helen Sides, Carole Hamilton, Dale Yale), and none (0) opposed to approve the proposed amendments subject to the following conditions:

1. Original Decision

- a. All conditions set forth in the original decision for Site Plan Review, Planned Unit Development Special Permit and Flood Hazard District Special Permit dated October 26, 2012, and the amended decision dated December 11, 2014, shall remain in full force and effect, except as modified by the following plans:

| Sheet | Description | Last Revised | Prepared By |
|-------|-------------------------------------|--------------|---------------|
| C-3 | Overall Site Plan | 1/3/2018 | GEG, LLC |
| C-3A | Site Layout Plan | 1/3/2018 | GEG, LLC |
| C-4A | Grading, Drainage & Erosion Control | 1/3/2018 | GEG, LLC |
| C-5A | Utilities Plan | 1/3/2018 | GEG, LLC |
| C-11 | 60 Grove Street Landscape Plan | 1/3/2018 | GEG, LLC |
| A-000 | Architectural Cover Sheet | 11/29/2017* | Khalsa Design |
| A-100 | First & Second Floor Plan | 11/29/2017* | Khalsa Design |
| A-101 | Roof Plan | 11/29/2017* | Khalsa Design |
| A-300 | Front & Side Elevations | 11/29/2017* | Khalsa Design |
| A-301 | Rear & Side Elevations | 11/29/2017* | Khalsa Design |

*Revised SD set 12/29/2017

2. Amendments

- a. Any further amendments to the site plan shall be reviewed by the City Planner and if deemed necessary by the City Planner, shall be brought to the Planning Board. Any waiver of conditions contained within shall require the approval of the Planning Board.

3. Site Specific Conditions

- a. Exterior building materials shall be submitted to the City Planner for review and approval prior to the issuance of a building permit.
- b. Revised plans that reflect the agreed upon changes between the Planning Board and the applicant at the January 18, 2018 Planning Board meeting shall be submitted to the City Planner for review and approval prior to the issuance of a building permit, i.e.:
 - i. Deletion of the proposed stone wall on the southwest façade
 - ii. Revise the north edge of patio to be parallel to the railway

4. Violations

- a. Violations of any condition contained herein shall result in revocation of this permit by the Planning Board, unless the violation of such condition is waived by a majority vote of the Planning Board.

I hereby certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the Planning Board. The Special Permit shall not take effect until a copy of this decision bearing the certification of the City Clerk that twenty (20) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, is recorded in the Essex South Registry of Deeds and is indexed under the name of the owner of record is recorded on the owner's Certificate of Title. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.



Ben J. Anderson
Chairman