

**City of Salem
Joint Planning Board & City Council
Special Meeting Approved Minutes
Monday, June 12, 2017**

A special meeting of the Salem Planning Board was held on Monday, June 12, 2017 at 6:00pm at City Hall, 93 Washington Street, Council Chambers, Salem, Massachusetts

Council President Milo calls the meeting to order at 6:00pm

I. ROLL CALL

Those present were:

City Council: President Elaine Milo, Councilors: Arthur Sargent, Thomas Furey, Jerry Ryan, Robert McCarthy, Stephen Lovely, David Eppley, Josh Turiel, Beth Gerard, and Stephen Dibble. Heather Famico arrives late.

Planning Board Members: Chair Ben Anderson, Carole Hamilton, Dale Yale, Noah Koretz, Kirt Rieder and Bill Grisct.

Also present: Tom Daniel, AICP, Planning Director, Beth Rennard, City Solicitor, Illene Simons, Assistant City Clerk and Amanda Chiancola, AICP, Staff Planner.

II. REGULAR AGENDA

Agenda items are taken out of order. Zoning Map Amendment 15 Green Street (Map 33, Lot 567), 72 Leach Street (Map 33, Lot 566), 76 Leach Street (Map 33, Lot 565), 80 Leach Street (Map 33, Lot 564), 2 Glover Street (Map 33 Lot 563), 4 Glover Street (Map 33, Lot 562), and 6 Glover Street (Map 33, Lot 561) is first.

- A. A joint public hearing with the Planning Board and City Council on the proposed Zoning Map Amendment to rezone the following properties from Business Neighborhood (B-1) to Residential Two-Family (R-2): 15 Green Street (Map 33, Lot 567), 72 Leach Street (Map 33, Lot 566), 76 Leach Street (Map 33, Lot 565), 80 Leach Street (Map 33, Lot 564), 2 Glover Street (Map 33 Lot 563), 4 Glover Street (Map 33, Lot 562), and 6 Glover Street (Map 33, Lot 561).**

Councillor Turiel explains this amendment. Recently a developer came in with a proposal that would have been a variance under B-1, they wanted to turn a 3-story residence into a 5-story residence with a big extension on the back and hot top in the backyard. There was a neighborhood meeting with the petitioner and the neighbors, after discussion they agreed to a smaller proposal. They put this amendment in to rezone this area to match the rest of the neighborhood.

Councillor Gerard comments that she is a former resident of Glover, and concurs that R-2 is the same zoning throughout the neighborhood, she supports the proposal.

Councillor Dibble asks why the map shows 2, 4, 6, and 8 Glover but the list only shows 2, 4, and 4. Councillor Turiel explains that 8 was initially included but Planning researched it and found that 8 is not part of B1, even though the map indicates it. Councillor Turiel notes he has no problem including 8, the reason it was not included is he was informed that it was already R-2. Councillor

Turiel moves to amend to include 8 Glover Street to be safe. Tom Daniel, Director of Planning and Community Development asks Assistant City Clerk, Illene Simons whether 8 was advertised. Ms. Simons responds that 2, 4 and 6 was advertised, not 8. Tom responds that the zoning amendment would need to be re-advertised to include 8. Tom Daniel asks who said 8 Glover is in the R-2. Councillor Turiel explains that the City Clerk had asked the Planning Department, who informed her that 8 Glover was R-2, so it was not included in the advertisement. Councillor Turiel suggests that if the research that was done was incorrect, then we could go through a cleanup process to include 8 Glover at a later date.

Council President Milo asks if anyone from the public is hear to speak in opposition. No comment.

Councilor Turiel moves to close the public hearing, and the motion passes unanimously.

Councilor Turiel moves to refer to Planning Board for a recommendation, and the motion passes unanimously

- B. A joint public hearing with the Planning Board and City Council on the proposed Zoning Map Amendment to rezone the following properties from Residential Two Family (R-2) to Central Development (B-5): 204 Derby Street (Map 35, Lot 290), 206 Derby Street (Map 35, Lot 289), 214 Derby Street (Map 35, Lot 276), and 222 Derby Street (Map 35, Lot 275).**

Attorney Scott Grover of Tinti, Quinn and Grover introduces the project, presenting on behalf of Attorney Bill Quinn. Julianna Tache owner of 206 Derby is here this evening. The petition also involves 204, 214 and 222 Derby Street.

This is for four individual parcels that front on Derby Street. The subject parcels are located in the R-2 zoning district.

These buildings have historically had businesses, but when the zoning map was created, rather than carving out zoning for them, the R-2 zoning was carried forward. Each property consists of commercial uses on the first floor. By adoption of this amendment it would make the non-conforming uses conforming. Because they are non-conforming uses, the property owners need a special permit with the Board of Appeals in order to change their use, which is a time-consuming process. The proposed amendment would result in a zoning designation consistent with the surrounding properties. The proposed zoning would allow restaurants, professional office, retail store and residential. These uses are the type of uses we think are appropriate for a main thoroughfare rather than 2-family residences, which would not be appropriate on this main thoroughfare.

Councillor McCarthy asks is the building on the historic register, how will that effect going through a zoning change. Attorney Grover says that he does not think it is on the historic register.

Councillor McCarthy talked to the building inspector and understands rational of not wanting to have to go through a special permit every time there is a new tenant. Councillor McCarthy asks Attorney Grover to explain the rational of going to B5 rather than a different zone. Attorney Grover explains that B5 opens up more uses for the applicant, the other thing the B5 does is it allows parking to be satisfied with parking not on the site. Even if you had the use allowed on B-1

or B-2 if you do not have parking requirements it still takes you back to the Zoning Board of Appeals, which is not easy. Councillor McCarthy comments that understands this. He remembers when 206 was a restaurant. But if we put this in the B-5 and an owner wants to go up, now they are going to meet the parking requirement in the South Harbor garage which is at capacity every day. Attorney Grover says that for residential you still have to have to meet the requirements 1.5 parking spaces on the 1.5, you can only use the municipal parking garage for commercial uses, and it is not automatic, parking has to be available.

Councillor Dibble asks for a walking tour of the properties, existing businesses and residential units. Attorney Grover explains the commercial: Herbert Street one story building only use is Bunghole liquor store, next building is Tache Real Estate with 2 residential units on the second floor. Pyramid book store is a two-story building with 2 residential units, Fox Realty is a three story building with two residential and 2 commercials spaces (Mary Fox Realty and the Photography store).

Councilor Dibble asks, if it were switched to B-5 how many residential units could go in? Attorney Grover responds that you would have to look at the density. Councillor Dibble asks that the planning board take the maximum allowed into consideration. Attorney Grover says that they can supply that information. He explains that the lot size itself and parking requirements will limit the number, but they will provide the analysis to the Planning Board. Given the small size of the lots doesn't seem likely alternative. Councilor Dibble explains that several developments around town have been built out with no parking, so while he is not against it, he is interested in understanding what the maximum buildout is. There is already no parking.

Councillor Eppley explains that across the street, the entire area is zoned B-5 and that goes up all the way to Hodges Court on that side of the street. Hawthorne Blvd is all B-5, there are a couple carve outs (e.g. dry cleaners). In this proposal, he sees a parallel version of that for what has historically been commercial enterprise, which has apparently worked out okay for the past several decades. He thinks this fits into the overall neighborhood especially if you look at the overall flow.

Councillor Turiel comments that he gets the rational for B-5 and on the face of it, it makes sense for flexibility. But he is concerned about the height. Is there a process to put a restriction on the maximum vertical height, or is it by right in the B-5? Mr. Daniel responds that the allowed height would likely trigger a site plan review. If it were zoned B-5 and what they are doing would conform to the minimum dimensional requirements it would not need planning board review.

Attorney Scott Grover says this is not a precursor to redevelopment. But almost any redevelopment would be subject to the Site Plan Review so Planning Board would have purview to review elevations, plans etc.

Councillor Furey comments that things are changing in this neighborhood, he asks if the church could be changed to B-5 too. Attorney Grover says they certainly could sell it, he would like to see the school building be put to productive use.

Council President Milo asks if there are comments from the Planning Board.

Kirt Rieder preferences his questions with two points this is a pivotal spot along Derby Street where there is an inflection point from downtown to this historic neighborhood. There is also an odd topographic sidewalk change with a rail that is not ideal. In light of those two observations, he asks what mechanism is there for Planning Board and the Design Review Board to review and approval anything that goes forward? It would be advisable to have both site plan review and design review for all four of these properties.

Tom Daniel responds that this property is not in the urban renewal so the Design Review Board does not have jurisdiction. Site Plan Review is not required if the development does not meet the thresholds for Site Plan Review (6 units or more, or 10k sq. ft. of new development).

Mr. Rieder says there ought to be a mechanism applied to these properties.

Attorney Grover notes that the site plan review thresholds are small thresholds, so it is likely any development would trigger site plan review.

Chair Anderson asks how many square feet each lot is and notes that if it is new construction you are limited to the square footage.

Attorney Grover lists the following based on the assessor records:

- 204 Derby: .021 acres
- 206 Derby (Tache building): .076 acres
- 214 Derby (pyramid bookstore): .076 acres
- 222 Derby on the corner: .078 acres

Attorney Grover says that all four parcels are about a ¼ of an acre.

Chair Anderson explains that B-5 talks about the minimum lot area per dwelling unit in square feet. For mixed use new construction, the minimum lot area per dwelling unit is 500 square feet, there is no minimum lot area for residential or mixed use in existing buildings. So new construction is limited by the lot area, at 500 square feet per unit.

Attorney Grover says that the minimum lot area and parking controls the density for residential and mixed use *new* construction.

Public comments:

Tim Jenkins, 18 Broad Street: For the record notes he also submitted public comment in writing. He is opposed with reservations. It makes sense to rezone from R-2 but, the scale at B-5 (six stories, 70 feet) is too large with little control over it. If you were to extend the urban renewal area you could at least have design review over it. There are large buildings, the church, the

school, the Hawthorne Hotel. But if you look northeast, it is almost all residential. He would prefer B-1 or B-2, but not B-5 due to the scale. He says that B-5 creating an economic incentive to knock down buildings, particularly if you put these parcels together. The bottom line is this is too close to a residential district to go to B-5, he recommends something lower that allows the commercial uses on the ground floor so they do not need special permits. He also comments that he wants the hearing to stay open so the applicant can answer questions raise. He notes that while it is not legally required to notify abutters, it would be nice to have more discussion and notify abutters. He found out about the hearing late, so does not feel informed enough and believes more people would have attended had they been notified. Commends the previous proposal to expand the site plan review to a single unit and the SRA small projects, it seems like a good expansion of the zoning bylaw.

Councillor Turiel asks what is the process to add this to the urban renewal area.

Tom Daniel explains there is a process for a minor change and major change to the boundary. He thinks this would be a major change. There is a process that includes notification, and working with the state. There would need to be rationalization for including the property, Planning Board would vote on it as would the state. It can be amended but he recommends a discussion with the state first.

Councillor Turiel asks in his opinion would expanding the urban renewal area be a better option to ensure we have oversight, given the concerns expressed thus far.

Tom Daniel says that having design review would be a good thing. For you and the planning board to consider is what the density would under B-5 and if it would be appropriate. Not all of the B-5 is in the urban renewal area, most of it is.

Councillor McCarthy asks where the urban renewal area district ends in relation to these properties. Tom Daniel describes the boundaries of the map.

Mr. Rieder asks if he can share the urban renewal area map that he is looking at- he shows Tom the map. Tom Daniel responds if we were to include these properties in the urban renewal area we would need to include the little traffic island/circle, it cannot be an island.

Tom Daniel says that expanding the urban renewal area would be one way to add more oversight, but the density buildout is what should be considered. We need the analysis on that.

Councillor Sergeant asks at what point will the abutters be notified.

Amanda Chiancola explains the zoning requirements in Massachusetts General Law.

Tom Daniel reads public comments into the record from Barbara Cleary and Meg Twohey.

Councillor McCarthy asks if there were any conversations with the direct abutters. Attorney Scott Grover and Julianna Tache respond No.

Councillor Famico apologizes for being late. She asks the Council President where the petition came from. The last page of the packet says the rezoning is to B-1 not B-5. Tom Daniel replies that the application is filed with the City Clerk's office. Attorney Grover says the page she is looking at is an earlier version, all the notifications say B-5. Councilor Famico reads from the zoning ordinance "The plan shall be drawn accurately, sufficiently clear to show clearly the following data: number 3 is: All abutting lots, including the names and addresses of the present owners. She asks if this information has been provided. Councillor Famico says she has concerns because it does not have what our zoning ordinance requires for the proposed zoning change and the petition itself is incorrect.

Councillor McCarthy comments, with everything that has been said tonight, there is an understanding of why these owners would like to amend their zoning to something other than R-2. These specific properties do not fit into R-2, so every time the owner of the properties wish to do anything, e.g. if the bookstore moves out and a new tenant wants to go in, they need to go through a lengthy process. But there have been a lot of questions and concerns, specifically regarding density. He asks the process to refer to planning and keep it open. He thinks they need to keep it open before referring to planning. There have been a lot of questions, what would be allowed by right, how to trigger design review, legally who owns those abutting properties so they can be notified. He was under the assumption that the direct abutters would have been notified. Councillor McCarthy moves to keep the hearing open so those questions can be answered. He understands the business zone, but B-1 might be more consistent. He asks for a full table that shows the differences between B-1 and B-5. If B-5 is a better fit, he wants to know the density that would be allowed with the lot sizes, e.g. height. He wants to understand what the ultimate ramifications are. While notification is not required by law, he wants to at least notify the abutters shown on the map.

Councillor McCarthy makes a motion for the hearing stay open and continue to a date certain.

Councillor Eppley asks if there are commercial changes that are in order that the owners are looking at? Attorney Grover says not that he is aware of. This is just to avoid the issues Councillor McCarthy discussed, e.g. needing a special permit. Councillor Eppley explains the process. After the hearing is closed there will be a referral to Planning Board then two Council passages. If there is no urgency the process is okay. Providing the info about what can be done in the B-5 district will rely about the concerns that are coming up. Councillor Dibble asks to include B-1 in that conversation. With the 4 uses that are there now, would they fit under B-1.

Jennifer Firth- speaking as a resident, her 90 year old mother is an abutter. This is a large change- to correct something that was said that is not correct. The zoning on Derby street is b1 not b5. Derby street going down to the house of the 7 gables is B-1 which keeps the height down. It is unfair and unkind to do a zoning change without notifying the abutters. She asks that we keep this open until we notify the abutters.

Tom Daniel- says that under B-1 the residential uses would become non-conforming.

There is a lengthy discussion on when to schedule the continuance date.

Councillor McCarthy makes a motion for the hearing to be continued to July 20th at 6pm. Councillor Eppley seconds, and motion passes unanimously.

- C. A joint public hearing with the Planning Board and City Council on the proposed Amendment to the City of Salem Zoning Ordinance for the purpose of deleting Chapter 7.3.6 of the City of Salem Zoning Ordinance and replacing it with the following:

Any petition filed for a planned unit development und this section shall be accompanied by fifteen (15) copies of a site plan, which shall be at a scale to be established by the Planning Board and shall include fifteen (15) copies of all the information required for a definitive plan under Salem Zoning Ordinance Section 9.5.3 through 9.5.6 and such petition shall also be accompanied by fifteen (15) copies of an environmental impact statement as set out in Appendix A of the subdivision regulations of the Planning Board of the City of Salem.

Councillor Famico explains that she is looking to show recycling, ramp, dimensions of snow storage areas, vegetation and street trees within 25 feet, when only looking to curb could be issues with flood. Complete streets policy is to make sure we are consistent, and thinking beyond the automobile, while can't have the Traffic and Parking Commission approve they can review. The Traffic and Parking Commission has expertise to review, and provide input. Beverly requires their Traffic and Parking Commission to review. Topography at 1 foot contours for more detail, one or more residential units, no longer places to left to build wants oversight. Would like Salem Redevelopment Authority project review, but there is not a description of those reviews, this would not be able to stay. Showing more and requiring more. Even signs could be a minor planning change.

Councillor Famico notes that she skipped onto the second amendment. For this amendment, there are no changes. She explains that due to her conversation with the Director of anything that would change with the site plan would change with the Planned Unit Development too. Councillor McCarthy asks for clarification on what they are reviewing. President Milo clarifies that we are on the first item on the agenda.

Councillor McCarthy asks if there are no changes then do we need to do anything. Tom Daniel explains that there are changes proposed, which are highlighted. Tom Daniel says that Councillor Famico informed him the intent was to make sure that any changes that occur to the site plan review also carry forward to the planned unit development requirements.

Tom Daniel's suggestion is that the public hearing still needs to occur, but the recommendation should be for Planning Board to recommend non-approval.

Councillor Famico makes a motion to close the public hearing, the motion passes.

Councillor Eppley says that if this petition gets tabled then it goes away. There is no need for the Planning Board to do anything with this, it just dies, that is all that needs to happen.

Councillor Famico says that she is uncertain. If nothing takes place it will automatically happen.

Councilor Famico makes a motion to refer to Planning Board, and the motion passes (10-1) Councillor Eppley opposes.

- D. A joint public hearing with the Planning Board and City Council on the proposed Amendment to the City of Salem Zoning Ordinance for the purpose of deleting Section 9.5.2 Applicability, Section 9.5.3, Application and Section 9.5.6 Review Criteria of the Salem Zoning Ordinance in their entirety and replacing with the following new sections:

9.5.2 9.5.2 Applicability. Site Plan Review shall be required for: 1) Nonresidential structure or premises exceeding (10,000) gross square feet; or 2) Residential structure containing one (1) or more residential dwelling units. 3) Salem Redevelopment Authority Development Project Reviews 4) Planned Unit Developments.

9.5.3 Application. Any application for approval of a site plan review under this section shall be accompanied by fifteen (15) copies of a site plan, which shall be at a scale to be established by the Planning Board and, according to the size of the development, shall include fifteen (15) copies of all information required for a Definitive Plan under Section III B of the Subdivision regulations of the Planning Board of the City of Salem, and such petition shall also be accompanied by fifteen (15) copies of an environmental impact statement as set out in Appendix A of the subdivision regulations of the Planning Board of the City of Salem, as requested. The plan shall contain the following information:

1. Location and dimensions of all buildings and other construction;
2. Location and dimensions of all parking areas, loading areas, bicycle racks or bicycle storage areas, walkways and driveways; Plans shall clearly identify pavement grade changes exceeding 5% and any vegetated slopes steeper than 1V:3H, identify all pedestrian and vehicular pavement materials
3. Location and dimensions of internal roadways and access ways to adjacent public roadways;
4. Location, function, photometric intensity, color temperature, and fixture type of external lighting;
5. Location, type, dimensions and quantities of landscaping and screening; This shall include: retaining walls, fences, utilities such as drain inlets, manholes, drainage tanks, back flow preventers
6. Current and proposed locations and dimensions of utilities, wireless communication facilities, hydrants, security cameras, signage, gas, telephone, electrical, communications, water, drainage, sewer, HVAC-related mechanicals, transformers, switchgears, generators, storm water, intake and exhaust features including: ventilation, stacks, fans, louvers, steam, and recycling and other waste disposal locations;
7. Location and dimensions of snow storage areas;
8. Location of all existing natural features, including ponds, brooks, streams, wetlands, street trees, and existing vegetation within 25' of the project boundary
9. Topography of the site, with one foot contours;

10. Conceptual drawing of the buildings to be erected, including elevations, showing architectural styles.

9.5.6 Review Criteria. The Planning Board shall review such submitted information in accordance with the accepted site planning standards and attempt to promote such standards and make certain that the development, if approved, takes place in a manner which shall in all aspects be an asset to the City. The Planning Board shall request changes in such plans and information be submitted to promote the quality of the development and its impacts upon the health, convenience, and general welfare of the inhabitants of the City. The Planning Board shall review and amend all such submitted plans in accordance with the following criteria:

1. Adequacy of parking facilities and number of parking spaces proposed for each development;
2. Adequacy of loading facilities;
3. Adequacy of traffic circulation system for all modes of transit, consistent with Salem's Complete Street policy;
4. Adequacy of access point and routes to and from the land parcel to adjoining streets and ways;
5. Adequacy of type and amount of external lighting to be providing on the parcel;
6. Adequacy of type, quality, and quantity of landscaping to promote an aesthetically pleasing environment and to properly screen the development from adjacent land uses;
7. Adequacy of type, quality and quantity of vegetative screening to protect adjacent and nearby land parcels from structures not aesthetically pleasing or wholly compatible with such parcels;
8. Adequacy of the methods and storage dimensions for disposal of sewage, refuse, recycling, and other waste;
9. Adequacy of the method of surface drainage across and from the site;
10. Adequacy of the method of water distribution to and from the parcel and its structures;
11. Adequacy of pedestrian circulation systems to and from parking areas and structures consistent with the City of Salem's Complete Streets policy;
12. Adequacy of protection or enhancement of natural areas;
13. Compatibility of the architecture of structures with architecture of surrounding or nearby buildings;
14. Subsections 3 and 4 set forth above shall be subject to review and approval of the City of Salem Parking and Traffic Commission.

Councillor Famico refers back to everything she just said.

Councillor McCarthy acknowledges that these are suggestions, he asks how much of this does the Planning Board already do and consider? He asks do we need to make these changes for the Planning Board to keep doing what they are doing.

Tom Daniel walks through the changes and his recommendations:

9.5.2.1- one or more residential unit: this is setting a different threshold, currently it is as 6 units.

9.5.3.2- The Salem Redevelopment Authority Reviews, as Councillor Famico explained, this is not defined anywhere so it is not a threshold that can be included in this ordinance.

9.5.3.3- Planned Unit Developments, the threshold is 6+ units or 10,000 square feet, this is not necessary.

Criteria- #3 asks for more detail, #4 photometrics is something the planning board already asks for this, #5 he recommends screening language be moved to #6, #6 is more detail- he sees signage and security cameras different, these are not permanent. The concern is changes to these items would trigger additional review, signs are not known at the site plan review stage, and there is a separate process for signs so says signs are not appropriate here. #8 he suggests 25 feet to the curb line rather than the property line, as going on someone else's property could be problematic, #9 1 foot contour creates another expensive, if the planning board felt there is a need for greater detail they could request that.

9.5.6.3 and 9.5.6.11- Mr. Daniel recommends or succeeding policy in case the complete streets policy changes its name.

9.5.6.8 explains the amendment

9.5.6.14 Mr. Daniel explains that the Traffic and Parking commission does not have authority to approve, this proposal should be at a review level. What that looks like requires more thought and discussion. He talked to the Traffic and Parking about this, he needs to understand what is in their purview. These types of things are currently reviewed by the City Engineer, the Director of Traffic and Parking, the City Planner, the Planning Board and when needed a Peer Reviewer.

Mr. Daniel goes back to the first item- requiring a site plan review for a single-family residence. A site plan is a much more intense level of application than a single-family residence, this is a significant change.

Councillor McCarthy takes his Councillor hat off puts on his builder hat and says that to trigger all these requirements for a single-family residence is over burdensome. If they are not asking for relief from dimensional requirements then they should be able to build by right. He is not supportive of going to 6 units to 1. He doesn't know if there is a number in between that makes more sense, he will leave that to the Planning Board. These are tough changes, some are not, some make sense like consistency with complete streets. But these are big changes, especially when you look at changes going from 6 to 1. Some of what is in here doesn't even apply, you're not going to ask a 1 unit situation where the snow storage is.

Councillor Famico asks how many single-family homes have been built in the last five years? Is it possible to include Salem Redevelopment Authority reviews? Can we define what the reviews are? Tom says he can get the info on houses, would like to talk to City Solicitor regarding defining the Salem Redevelopment Authority review.

Councillor Furey comments that he has 32 years of public service, attending many meetings, respect law and authority of the board. They are professionals that dedicate their time, unpaid.

He believes this is micromanagement, and tells the Planning Board that this document will burn them up. He informs the Planning Board that they should say no. He says that the Planning Board members are the experts, be careful what you do with this. If I was on the planning board I could not work with this, it is too restrictive.

Councillor Gerard agrees with her colleague looking at Councillor Furey. Speaking to her experience as the clerk for the Planning Board, she knows the Board asks questions when needed. This seems like overkill.

Councillor Eppley comments that he appreciates the intent. He agrees with McCarthy regarding the number of units. But he would ask the board to look at these and see if we can provide you with more tools for your toolbox. He asks the Planning Board to let the City Council know what you need, this is the time to ask.

Councillor Famico says that in speaking to the solicitor, this is not an all or nothing process. Some things can be taken out. She knows that some of these things are consistently asked for by the Planning Board. And there have been situations where the board has asked for more and have been told that the Department would not support them. With that, think about the residents. She would like it if they add some of these things, a lot of other communities require these things. She hopes she can at least get the recycling.

Noah Koretz asks some clarifying questions. Can the pick and choose language and/change.

Mr. Daniel explains that they can pick and choose, but they cannot add or expand beyond the four corners of what was advertised. Moving things around is okay.

Mr. Koretz asks about the site plan review trigger, is it the change of use? Changing from 6 to 1, but all the time people are flipping houses, would that sort of modification trigger a site plan review. Not only is the 6 to 1 burdensome, but if that stuff gets triggered its overly burdensome.

Kirt Rieder says that he sees trends- topics come up over and over. It is not uncommon for applicant to give a frown when they ask for more information. So while he is sympathetic with it being burdensome, there is a balance. He is partially supportive.

Councillor Furey comments that if this were coming from Planning Board to council he would be fine with it. Nut since it is coming from us it is micromanagement.

Mr. Rieder agrees with staff on not surveying adjacent properties, but if there is a mechanism for the applicant to provide that data either with an aerial photo or site photos.

Councillor Famico reads an email from City Solicitor.

Chair Anderson says that he is concerned with 1 unit, asks what the concern is that necessitates the pb reviewing a single residence? Is it building placement, setbacks etc? We already have an ordinance that defines that, so if there is a concern, there should be a discussion of dimensional requirements not Site Plan Review. If it is an aesthetic issue, then we should be talking about design guidelines. Maybe that needs to be looked at further. There are avenues to look and address some potential concerns with single family homes but does not feel that a site plan review is the appropriate avenue.

Tanya of 10 Birdside street- not here on behalf of traffic and parking commission but is on it. 9.5.6 relate to T & P commission. She thanks Councillor Famico for providing them teeth and supporting the complete streets policy. But is an advocate of not slowing down the process. Would like to see included in the process but the timing and process should be clarified. Comment period.

Attorney Scott Grover- represents small developers in the city, often before the planning board with site plan applications when thresholds are triggered. If you propose extensive civil engineering requirements for a one or 2 family it makes a longer process. Next wed he is at the board of appeals for a special permit request, for a historic carriage house, if this ordinance were applied the full site plan review would be required. Given perspective of the applicant.

Councillor Gerard- concurs with Grover's comment.

5 letters are acknowledged:

- Matt Smith, Director of Traffic and Parking
- Barbara Cleary
- Meg Twohey
- Eric Papetti
- George Atkins of Ronan Segal & Harrington

Councillor Furey says that he opposes.

Councilor Famico moves to close the public hearing, and the motion passes unanimously.

Councilor Famico moves to refer to Planning Board, and the motion passes unanimously.

The meeting ends at 8:50pm.

For actions where the decisions have not been fully written into these minutes, copies of the decisions have been posted separately by address or project at: <http://www.salem.com/planning-board/webforms/planning-board-2017-decisions>

Respectfully submitted,

Amanda Chiancola, AICP
Staff Planner

Approved by the Planning Board on July 6, 2017

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.