

**City of Salem Planning Board
Approved Meeting Minutes
Thursday, Nov 17, 2016**

A public hearing of the Salem Planning Board was held on Thursday, November 17, 2016 at 7:00 p.m. at City Hall Annex, 120 Washington Street, Room 313, Salem, Massachusetts.

Chair Ben Anderson opens the meeting at 7:03 pm.

I. ROLL CALL

Those present were: Chair Ben Anderson, Bill Grisct, Helen Sides, Carole Hamilton, Kirt Rieder, and Noah Koretz (6)

Absent: Dale Yale, Matt Veno, Tony Mataragas (3)

Also in attendance: Amanda Chiancola Staff Planner, and Stacy Kilb, recorder

II. REGULAR AGENDA

A. Location: 81 Highland Ave; 108 Jefferson Ave; Old Rd; 1 Dove Ave; 79 Highland Ave; 55 Highland Ave; and 57 Highland Ave (Map 24, Lots 1, 2, 88, 19, 216, 218 220; and Map 14, Lot 129)

Applicant: North Shore Medical Center, Inc.

Description: A continuance of a public hearing for a Site Plan Review, in accordance with the Salem Zoning Ordinance: Section 9.5 Site Plan Review; and a Stormwater Management Permit in accordance with Salem Code of Ordinances Chapter 37. Specifically, the applicant proposes to construct a new Emergency Department/Inpatient Beds building, a new front Lobby expansion, renovation resulting in an addition of 119,735 square feet and repurposing of 119,734 square feet of interior space, internal driveway and parking modifications, landscape and hardscape improvements and utility infrastructure modifications to their existing campus.

Presenting for the applicant is Attorney Joseph Correnti of 63 Federal St. Bob Norton, CEO is also present to discuss the amended plans.

Mr. Norton of 138 Bridge St. Manchester, presents. Mr. Norton says that he is retiring in just over three weeks.

Mr. Norton explains that due to economic factors, a phased approach will now be taken to development. Of the four new floors planned, only two will be completed now, with the other two (one floor of med/surgery and one floor of psychiatric beds) will be shelved for the time being. The other major change is that the new Highland Ave. entrance will not be built at this time.

The Highland Ave. improvements to the fence and plantings will still move forward. The original planned investment was \$240 million; current plan changes bring it down to \$207 million.

Mr. Norton feels the project is still viable, and the other two floors will fill in as demand requires. The lobby is the only major omission.

Chair Anderson asks about department reorganization related to the main entry; there are no other changes in the interior workings of the campus. Commitments to patient care areas are maintained.

Carole Hamilton asks them to review signage for how to get people into and out of the hospital, as it can be confusing, and the new lobby would have made it clearer. This will be done.

Mr. Steve Diderian, Sr. landscape architect with VHB, presents the landscape plan. The hospital is still committed to improvements along Highland Ave. and Jefferson Ave.

Powerpoint: Landscaping

- Highland Ave. – Axelrod entrance
- Highland Ave. – Lot A Frontage
- Highland Ave. – Lower Entrance
- Jefferson Ave. – Dove Ave. Intersection
- Jefferson Ave. – Employee Parking

Kirt Rieder is concerned that the fence will be susceptible to damage during snow removal. He asks the applicant to consider a more durable material, such as a vinyl dipped small chain mesh.

Mr. Rieder asks the applicant to identify the slope in the parking lot adjacent to the emergency backup; and says it should be indicated on the plans. Project Engineer Justin Mosca says he will indicate on the drawing. Kirt Rieder asks if the applicant would consider updating the Handicap graphic to the modernized International Symbol of Accessibility. The city has already started using it, for example it can be seen at the YMCA. It is more forward thinking easy thing to incorporate and would not cost additional money.

Mr. Rieder thanks the applicant for investing in the landscaping but has some suggestions. He recommends that more diverse tree species are used. He objects to the proposed pear trees, and explains that these trees are sterile and provide essentially no positive habitat to insects or birds. In addition pear trees are overplanted, small and only flower for a few weeks. In looking at the project holistically; he would like to see something other than pear trees. This is a big property with vast expanses of pavement and large buildings. For that reason he suggests dialing back on the other small ornamentals and investing in large shade trees. Mr. Rieder says that a large shade tree will provide pedestrian scale overtime and will make the place memorable. Again, he thanks the applicant for keeping landscaping along Highland Avenue in project.

Chair Anderson understands the economics and compliments the applicant on maintaining the streetscape and plantings on both fronts. He also comments on the other parking lot not owned by NSMC. He comments that one Council member mentioned bicycle racks. Mr. Mosca points them out. Chair Anderson asks how many racks are proposed and where they are located. Mr. Mosca responds he believes there will be 5% of full time equivalence which comes out to approximately 4-5 racks as they are seeking a LEED designation. A few board members comment that that sounds very low for a hospital, particularly since Jefferson Avenue will become busier and they would encourage people to bike to the campus. Chair Anderson asks Mr. Mosca to identify the location of bicycle racks at a future meeting.

Justin Mosca, Civil Engineer, presents:

Stormwater management

- Stormwater Management Design; Existing condition will remain; front entrance site modifications removed from scope. Revised info has been submitted, will still meet stormwater management requirements
- Test Pits in Infiltration Area – Have been performed, previously proposed is adequate, info is available
- Overall Site Plan: minor utility improvements regarding fire pump room, which will not be built here, thus utility improvements not necessary

Vinod Kalikiri provides a traffic study update:

- Original study remains valid as there are no significant changes.
- Overall Site Plan: all other changes regarding internal driveway, layout remain
- Highlights: since the last presentation there have been two rounds of traffic peer review, and meetings with the peer reviewer to discuss comments.
- Currently there is a 60/40 split between Highland and Jefferson; the traffic peer reviewer asked for a sensitivity analysis to show what would happen if the traffic shifts to Jefferson rather than staying on Highland. While they do not expect the 60/40 split to change, per the request of the peer reviewer, the model was reanalyzed to see what would happen if 100% of trips from the north and 75% of trips from the south shift to Jefferson. The applicant found that there is adequate capacity to support this shift.
- Ambulance Arrivals – review of current vs. post-project routes

Emergency Department Ambulance Visits: Salem vs. Union; not all Union ambulance visits will transfer to Salem.

Several Board members are unsure about the breakdown of numbers for traffic that will be coming to the entrance off of Jefferson Ave; Mr. Kalikiri elaborates.

A parking management plan will be implemented; this was previously presented. The balance must happen on the operational end so changes to the main entry do not affect parking, however with the lobby not being constructed; those spaces will not be lost.

Chair Anderson opens to public comment.

Joan Lovely of 14 Story St. is disappointed that the main lobby entrance will not be constructed. She feels the hospital is a high risk area with so many entrances. She will continue to push Partners to do something. She suggests re-using the ED area to guide visitors/ patients, and lock up some other entrances to limit access as the number of entrances into the hospital is unsafe.

Ms. Lovely also comments on the landscaping, while she likes the Highland Ave. landscaping she feels the Jefferson Avenue side needs more work. She makes some suggestions for that area, namely shade trees to buffer it.

Regarding traffic, she is concerned about the amount of traffic that will be generated onto Jefferson Ave. She asks for clarification and Mr. Kalikiri explains that today 40% of traffic to the hospital enters at Dove Ave. The project is not creating a new entrance, just an internal driveway. Employees already enter on Jefferson Ave. It is not that 40% of Highland Ave traffic will shift to

Jefferson Ave, but rather, of the 40% of the NEW traffic associated with expansion, will use Jefferson Ave. Currently, 60% goes to Highland Ave, while 40% goes to Jefferson Ave; this will not change. However, they found that even if 100% of the new traffic shifted to Jefferson Ave, that road has the capacity to handle such an increase.

The applicant only anticipates 13 additional ambulance trips per day (2 per hour) and not all of those will come to Jefferson Ave.; i.e. 40% of those 13 additional ambulance trips would continue on Jefferson Ave. to Dove Ave. entrance. Ambulance drivers say anyone coming from Lynn will stay on Highland Ave. Further discussion ensues. Ms. Lovely is also concerned about the Jefferson/Wilson intersection and would like to see the proposed traffic mitigation.

Ms. Lovely comments that there is movement on the site now: large dump trucks moving dirt and rocks. The site has been cleared; she asks whether that is permitted. She reiterates that she will be following the project closely and would like to see conditions and the decision.

Chair Anderson reads a letter into the record from Rich Stafford, Salem High School Track Coach, dated Nov. 16.

Kirt Rieder makes some additional suggestions to maintain tree health.

Chair Anderson comments on the lack of a visible main entry and reiterates that more investment in wayfinding could help alleviate that situation. Internal circulation is confusing. Mr. Kalikiri says there is a wayfinding component. Mr. Rieder asks if there the wayfinding plan will be provided to the board. Mr. Mosca points out new monument signs that points out where the emergency room is.

Chair Anderson says that they should have a plan that identifies the type of signage and where the sign is supposed to be directing people, and notes that a monument sign is not a wayfinding plan. Mr. Norton acknowledges that they have work to do regarding internal signage, particularly now that they do not have the front lobby. Chair Anderson responds that the Planning Board would feel more comfortable if they had something to see. Noah Koretz suggests they use visually clear signage with color coding and shapes to guide people as to where the best place to park is for the various pieces of the facility. Mr. Rieder suggests a wayfinding consultant provide a detailed wayfinding strategy.

A motion to continue to the Dec. 1, 2016 meeting is made by Helen Sides, seconded by Kirt Rieder, and carries unanimously, 6-0.

B. Location: 93-95 Canal Street (Map 33, Lots 164, 165)

Applicant: SCHIAVUZZO REALTY, LLC

Description: A continuance of a public hearing for a Site Plan Review in accordance with the Salem Zoning Ordinance Section 9.5 Site Plan Review and a Flood Hazard Overlay District Special Permit Sec. 8.1 Flood Hazard Overlay District. Specifically, the applicant proposes to repurpose the existing building and convert the candy factory into eight (8) residential units.

Presenting for the applicant is attorney George Atkins, of 65 Congress St. He outlines questions raised at previous meetings. Site plans were revised to address concerns of City

Engineer, especially regarding Canal St. improvements. The City Engineer has submitted and the applicant agrees to a list of conditions to be included in decisions.

He outlines the concerns that he feels have now been addressed, including:

- Curb cuts
- Landscaping changes
- Detail on the stormwater infiltration system
- Utilities
- Conservation Commission findings – project is not subject to Commission review (a negative RDA was obtained)
- Review of additions to plans:
 - Elevation, windows, basement
- Units will remain three bedroom for marketing purposes; 3rd bedroom could be used as an office, etc.

The logistics of the site during a major flood are discussed at length. Mr. Atkins states that Mr. Corcum (the property owner) is present, and that in the 50+ years his business has been in its current location, has never seen flooding.

Chair Anderson is still concerned with the convenience and safety of vehicular and pedestrian movement; the applicant believes there is adequate use of infiltration systems in the area and onsite. In a 100 year storm there may be City wide evacuations, so if such an event is anticipated vehicles can be moved. Also this is an existing building; the applicant states that the regulations can be applied to new construction, but in this case, the first floor is above the elevation indicated.

The Chair has some question regarding the zoning item related to utilities. Attorney Atkins provides further review of the utilities.

Helen Sides asks whether the applicant has rooftop screening materials to show the board, or if they have found a particular product. She reiterates from the last meeting that it should not look like a fence.

Chair Anderson says that while they are close, he still has concerns about FHOD issues.

Utilities: Based on the plans there are utilities in the basement. The applicant responds that utilities will not be located there in the future. The Chair notes that the plan needs to be fixed to indicate that the area will be storage or something else and not have utilities.

Pedestrian Movement: the grades are close. The finished floor is at 11.6 where the back of the building it is at 11.4, not quite at floor level but it's close.

Vehicular Movement: Still concerned about vehicular movement around the building during a flood. Parking lot on the right could be flooded.

Infiltration Pits: Not quite sure how an oil/gas separator for drainage would work with an infiltration pit. Not sure why the infiltration pits do not connect to the city. The applicant

points out drain manholes that run down the right hand side. While that is answered, the oil/gas separator remains a question.

Existing Utilities: He is concerned. FEMA recommends backflow preventers, shutoff at the street. The applicant says those were added per the requirement of the City Engineer. This issue has been addressed.

Utility Panels: The Electricity outlets should be on a separate circuit to be shut off in basement, the applicant will request that the electrician does that. The Chair also notes that the outlets in the basement need to be as high as possible

Kirt Rieder is also not comfortable voting on a draft decision tonight; as it has not been demonstrated how the project complies with the FEMA requirements. As such, he would prefer a peer review engineer authoritatively goes through this and says whether the project is in in compliance with the FEMA requirements. He has worked on a project in another city where they tried to put residential in a preexisting property, similar to this and it was rejected because it did not have a fully accessible *dry* egress route for emergency vehicles during the flood event. The explanation that the water probably is not deep enough to stop an emergency vehicle may not be good enough. Typically the finished floor of a residential structure must be 12 inches above the FEMA 100 year floor, not a couple inches. Rather than him making that determination, he would prefer a peer reviewer give the board an opinion.

Mr. Rieder notes Section 8.1.7 of the Salem Zoning Ordinance states that the Planning Board has the authority to include a written warning that the property is subject to flooding. He reiterates that he is still not comfortable making this finding:

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.

Mr. Rieder informs the applicant that the proposed “shrub” is not a shrub; it is a perennial while it is beautiful while it blooms, it goes away in January and does not come back until April. It a short lasting and has no presence, it is not the way to go, nor are Norway or Silver Maples. Red Maples or Sugar Maples or anything other than Norway or Silver are suggested.

Attorney Atkins says that the City Engineer determined a peer review would not be required. As a result, he and his assistant reviewed the plan. While there was not a specific suggestion around the floodplain, they approved the infiltration system. There was no other mention of any other issue. Mr. Rieder responds that the infiltration system is different than flooding. The pro’s written in the draft decision are unacceptable he cannot say they are in compliance with the FHOD findings. Noah Koretz asks Amanda whether she can ask the City Engineer to specifically address the flood issues as an intermediate step, rather than going through a peer review.

Chair Anderson points to the Mass State Building Code 780CMR Sec. G103: Permit Applications that reads the Building Official shall review all permit applications to determine whether proposed development sites will be reasonably safe from flooding. If a proposed development site is within the flood hazard area all site development activities.... Substantial improvements.... shall be designed and constructed to minimize flood damage. So the board

will be asking the Building Official when the applicant submits for permit. The Chair's sense is the Building Official may have some pause with this project. Mr. Rieder and Chair Anderson comment that they need more clarity.

Attorney Atkins responds that the quoted requirements for new buildings, but they are not changing anything. Chair Anderson disagrees, and says the requirements talk about "substantial improvement" which this is given that they have a shell and are basically building a new building. Mr. Rieder notes that this use is residential, so the project would be putting people at risk 24 hours a day, where the previous use was 6-10 hours a day, so the project is meeting the threshold. Mr. Griset notes that this is a change in use.

Mr. Koretz asks Amanda to check if the Building Inspector or Engineer has the engineering expertise to make this call, without the applicant having to hire an outside peer reviewer, which would stretch their resources, especially as the applicant was originally told they did not need additional peer review. She will follow up with the applicant.

The Chair comments that the FHOD designation is to protect the health and safety of occupants from the hazards of seasonal or periodic flooding. FEMA will require flood insurance, and any insurer will be happy if the applicant can prove they have met flood requirements so it would be better for the applicant in the end. Attorney Atkins comments that he appreciates the thought to ask the City to opine on this rather than having a peer review, since they want to break ground before the winter.

Carole Hamilton notes that while issuing a special permit, there is a 20 day appeal period, so no building permits will not be issued until that is over. Thus, the applicant will not be able to build in this current construction season by that time.

No members of the public are present, and the comment period is closed.

A motion to continue to the Dec. 1st 2016 meeting is made by Carole Hamilton, seconded by Helen Sides, and passes with all in favor, 6-0.

C. Location: 9 South Mason Street, 3A Buffum Street Extension; and 23 Mason Street (also including 23 ½ Mason Street and 23R Mason Street) (Map 26, Lots 73, 74, 79)

Applicant: JUNIPER POINT 9 SOUTH MASON STREET LLC

Description: A continuance of a public hearing for a Site Plan Review, Flood Hazard Overlay District Special Permit, and Special Permits associated with the North River Canal Corridor Neighborhood Mixed Use District in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review; Section 8.1 Flood Hazard Overlay District; Section 8.4 North River Canal Corridor Neighborhood Mixed Use District. Specifically, the applicant proposes the redevelopment and expansion of the existing two-story concrete industrial building at 9 South Mason Street, expansion of the three-story residential building at 3A Buffum Street Extension; and construction of two new townhouse style buildings along with parking and landscaping throughout the site. The project when completed will total 29 residential units in four buildings with all associated parking on site.

A motion to continue to the Dec. 1st 2016 meeting is made by Noah Koretz, seconded by Bill Grisct, and passes with all in favor, 6-0.

D. Location: 2 Paradise Road and 539 Loring Ave.

(Map 21 Lots 231 and 232)

Applicant: 2 PARADISE RD. LLC

Description: A public hearing for a Site Plan Review in accordance with Sec. 9.4 Site Plan Review of the Salem Zoning Ordinance for a proposed addition to the existing Vesuvius Restaurant building. The project will include demolition of the existing structure at 539 Loring Avenue, expansion of the Vesuvius Restaurant kitchen, and construction of a new street level, café-style restaurant and second floor office space.

A motion to continue to the Dec. 1st, 2016 meeting, is made by Noah Koretz, seconded by Carole Hamilton, and passes with all in favor, 6-0.

APPROVAL OF MINUTES

A. Special Planning Board Meeting September 19, 2016

A motion to approve the minutes with minor modifications is made by Helen Sides, seconded by Carole Hamilton, and passes unanimously, 5-0. Noah Koretz abstaining as he was not present at that meeting.

B. Special Planning Board Meeting September 27, 2016

A motion to approve the minutes with minor modifications is made by Helen Sides, seconded by Carole Hamilton, and passes unanimously, 5-0, with Noah abstaining.

C. Regular Planning Board Meeting November 3, 2016

A motion to approve the minutes is made by Noah Koretz, seconded by Carole Hamilton, and passes unanimously, 6-0

I. OLD/NEW BUSINESS

A. Receive and File: M.G.L. Chapter 91 license application for the Electric Transmission Line Maintenance/March Court, in accordance with the Code of Massachusetts Regulations (CMR) 9.10(d). Amanda Chiancola summarizes the application.

B. Other Business:

- a. Amanda Chiancola outlines voting eligibility for the projects on the agenda. She asks that the board members inform her whether they will be late or absent to the regularly scheduled meetings in December to ensure they will maintain a voting quorum for each of the items on the agenda.
- b. The board discusses the Salem emails which have been challenging to use. Access issues are described. Amanda Chiancola explains that the IT department will work on addressing these issues. Bill Grisct asks if access to these City emails will still be accessible by the individual even if they are no longer serving the City, however Members can also forward those

emails/responses to their personal email addresses. It is unlikely that the City would maintain the email account, but Amanda will find out. Several suggestions are made.

I. ADJOURNMENT

A motion to adjourn is made by Helen Sides, seconded by Noah Koretz, and carries with all in favor, 6-0

The meeting ends at 9:02 PM.

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-2016-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 12/01/2016

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