

**City of Salem Planning Board  
APPROVED MINUTES  
February 21, 2019**

A public hearing of the Salem Planning Board was held on Thursday, February 21, 2019 at 7:00 p.m. at City Hall Annex, 98 Washington St., Large Public Hearing Room, First Floor, Salem, Massachusetts.

Vice Chair Matt Veno calls the meeting to order at 7:01PM.

**I. ROLL CALL**

*Those present were:* Bill Grisct, Matt Veno, Helen Sides, Kirt Rieder, Matt Smith

*Absent:* Chair Ben Anderson, Noah Koretz, Carole Hamilton, DJ Napolitano

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

**II. REGULAR AGENDA**

- A. Location:** 84 Congress Street (Map 34, Lot 218)  
**Applicant:** Gregory Investment Group LLC  
**Description:** The applicant has requested a continuation to the regularly scheduled meeting on March 7, 2019 of the public hearing for all persons interested in the application of GREGORY INVESTMENT GROUP LLC for the property located at 84 CONGRESS STREET (Map 34, Lot 218) for a Site Plan Review in accordance with the Salem Zoning Ordinance section 9.5 Site Plan Review. Specifically, the applicant proposes to demolish existing automotive service station and construct a four-story wood-frame structure containing twelve (12) residential units, a fitness space, first-floor commercial space, and fifteen (15) covered parking spaces. Associated improvements including landscaping and utility work are also proposed.

*A motion to continue to the March 7, 2019 meeting is made by Bill Grisct, seconded by Helen Sides, and passes 5-0.*

- B. 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, and 220; and Map 14, Lot 129)  
**Applicant:** North Shore Medical Center, Inc.  
**Description:** The applicant has requested a continuation to the regularly scheduled meeting on March 7, 2019 of the public hearing for all persons interested in the application of NORTH SHORE MEDICAL CENTER, INC. for an Amendment to the previously approved Site Plan Review decision and Stormwater Management Permit for the property located at 81 Highland Avenue (Map 24, Lot 1); 108 Jefferson Avenue (Map 24, Lot 88); Old Road (Map 24, Lot 19); 1 Dove Avenue (Map 24, Lots 216 and 218); 79 Highland Avenue (Map 14, Lot 129); 55 Highland Avenue (Map 24, Lot 220); and 57 Highland Avenue (Map 24, Lot 2). The applicant proposes changes to the area in front of the Davenport Building and Surgi-Center, where the old campus utility plant was located. Proposed improvements include changes to grading, additional parking spaces, and landscaping and creation of an accessible, multi-vehicle drop off and pick-up area. New signage is also proposed.

*A motion to continue to the March 7, 2019 meeting is made by Helen Sides, seconded by Matt Smith, and passes 5-0.*

- C. Location:** 73-75 Wharf Street (Map 34, Lot 408)  
**Applicant:** Pickering Wharf Complex LLC  
**Description:** An application of Pickering Wharf Complex LLC for the property located at 75 Wharf Street (Map 44, Lot 62) for a Flood Hazard Overlay District Special Permit in accordance with the Salem Zoning Ordinance Section 8.1. Specifically, the applicant proposes to demolish the upper two stories and construct three stories above the existing structure.

John Bobrick of Bobrick Engineering and John Seger of Seger Architects present the project. The location of the project is described. The existing slab is at 10.65 with flood elevation at 10. The new building will be four stories total. There is an existing architectural awning that will become structural. A new walkway to match the existing is proposed. Air conditioning compressors will be replaced and new slabs will be at elevation 11. The existing first floor will remain and likely be renovated.

John Seger describes the changes to the columns and the new awning; helical piles will be used to update the arcade. Existing use of the building will not change; it is currently first floor retail with residential above. Utilities currently terminate above the finished floor. Silt sacks will be installed in all catch basins and they have a negative Determination of Applicability from the Conservation Commission. This is an as-of-right project in a B5 zone; the work in the flood zone triggered Conservation Commission and the work on the arcade triggered the need for a special permit.

This is the building across from the Sea Level restaurant, where Salem Spice is. The new paving line will be the same as the current one. It will remain accessible. Kirt Rieder wonders about trees; the two existing trees will be removed. Kirt Rieder feels they should be replaced. Vegetation makes it amenable to pedestrians. Mr. Seger says no final decision on the trees has been made. Three trees are shown; this will be continued to the next meeting and the Board would like to know what the plan is to the trees. Kirt Rieder feels that the current trees are too close to the building and they would require horticultural trimming, as they grow above the gutter line than open up; this will not be possible with the new construction and their viability will be challenged during and after construction, so he would like to see them replaced. This will be discussed with the Applicant. Kirt Rieder suggests an upright shade tree, that goes up but not too far out.

Vice Chair Veno opens to the public, but there are no comments. Amanda Chiancola notes that the Applicant will seek a decision at the next Board meeting. The public hearing is left open.

*A motion to continue to the March 7, 2019 meeting is made by Helen Sides, seconded by Matt Smith, and passes 5-0.*

- D. Location:** 162 Federal Street  
**Applicant:** 162 Federal Street, LLC  
**Description:** Planning Board discussion and vote on the request to allow a certificate of occupancy to be issued prior to completing the landscaping plan. The owner proposes to provide a \$14,000 performance bond to the city as assurance that the trees will be planted in the spring.

Dan Botwinik and Ian Hissllp present. Mr. Botwinik explains that the St. James convent was redeveloped into condominiums, but its completion was difficult; a temporary Certificate of Occupancy was obtained for 4 units, while the final 4 are needed. Construction of the interior has been substantially complete for several

months, but exterior items remain to be addressed. They want to address those in the spring, but in the meantime it is a hardship to them and to the tenants who want to move in.

Issues include

- There were several mature trees onsite when the original Plans were approved in 2012, however the site was vacant for some time and some trees died or were leaning over, so several on the plan are no longer there
- Many have been replaced but those there now are smaller in diameter than what was originally proposed.
- The Applicant is proposing a \$14,000 performance bond until the required plantings are complete
- They are also waiting for Engineering to approve drainage, but need this performance bond in place

Matt Venio comments that there must have been an approved landscaping plan with the original permit; there was. Kirt Rieder notes that three Green Ash were originally approved in 2012; Mr. Hisslp replies that these were not planted because of the threat of Emerald Ash Borer. Currently planned are 16 3" caliper sugar maples. The original Plan had older, mature trees that were lost, so they are now trying to replace those trees as well. Kirt Rieder approvingly notes that 16 is a lot of trees that will become very large. The Applicant feels the site does not need that many but will plant them.

Helen Sides asks about precedent and the amount of money; Mr. Hisslp notes that a letter dated February 6, 2019 has been submitted showing breakdown in cost, etc. Amanda Chiancola notes that the Planning Board gave similar approval to Vesuvius because they could not plant in the winter. The Planning Staff has no issues with the performance bond, but notes that the infiltration basin should be approved by Engineering before the bond is released. This would be written as a condition of approval.

A motion to grant a performance bond in the amount of \$14,000 for the planting of trees as identified in the plan, and subject to the conditions below, is made by Kirt Rieder, seconded by Helen Sides, and passes 5-0.

- Issuance of a Certificate of Occupancy is contingent upon the approval of the infiltration basin by the City Engineer
- Said approval must be complete by June 1<sup>st</sup>, 2019

### III. OLD/NEW BUSINESS

- A. Location:** 57 Marlborough Road/Osborne Hills  
**Applicant:** Osborne Hills Realty Trust  
**Description:** Planning Board signature of the Osborne Hills Realty Trust's Triparty Agreement.

This item is completed first. Board members sign the agreement; it will then be signed by the bank and the copy signed by Board members returned to them.

- B.** Planning Board member appointment to serve on the Tree Commission.

Amanda Chiancola notes that City Council passed tree ordinance, and references section 43. One member of the Planning Board shall be designated; if not available or interested, the City Council can confirm someone else. The Board must nominate an individual.

Helen Sides nominates Kirt Rieder; the nomination is seconded by Bill Grisct. Kirt Rieder accepts and the motion carries 5-0.

- C.** March 5<sup>th</sup> Housing Forum Announcement

A housing Forum will be held at the Community Life Center on Tuesday, March 5<sup>th</sup>, from 7:00-8:30PM. The purpose is to discuss the housing landscape in Salem, what is needed, how much affordability is needed, etc. The inclusionary zoning Ordinance will be submitted to the City Council in the next several months, so Amanda Chiancola encourages Planning Board members to attend the Forum. She feels the recommendations are well informed, and the research for their development is outlined. The Planning Department worked with an advisory committee to determine a target Area Median Income (AMI). She feels that the City must provide benefits to developers to get affordable units built; Board members of course understand this, but the public must be educated.

#### **IV. APPROVAL OF MINUTES**

**A.** Regular Planning Board meeting minutes held on February 7, 2019.

*A motion to approve the minutes from the February 7, 2019 meeting, with minor corrections, is made by Helen Sides, seconded by Bill Griset, and the matter carries.*

#### **V. ADJOURNMENT**

*A motion to adjourn is made by Helen Sides, seconded by Matt Smith, and passes 5-0.*

The meeting ends at 7:45PM.

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: <https://www.salem.com/planning-board/webforms/planning-board-2019-decisions>

Respectfully submitted,  
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 03/07/2019

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