

City of Salem Planning Board

Approved June 7, 2018

A public hearing of the Salem Planning Board was held on Thursday, June 7, 2018 at 7:00 p.m. at City Hall Annex, 98 Washington Street, Large Public Hearing Room, First Floor, Salem, Massachusetts.

Chair Ben Anderson opens the meeting at 7:00 pm. Minutes are voted upon first while awaiting the arrival of Noah Koretz, who joins the Board at 7:17PM

I. ROLL CALL

Those present were: Chair Ben Anderson, Dale Yale, Carole Hamilton, Helen Sides, DJ Napolitano, Matt Venio, Noah Koretz (Arriving late), Kirt Rieder, Bill Grisot (9)

Absent: None (0)

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

II. REGULAR AGENDA

A. Location: 132-134 Canal Street, 142 R. Canal Street, and 144 Canal Street (Map 33, Lots 5, 6, and 8)

Applicant: CANAL STREET WAREHOUSE LLC, CANAL STREET REALTY DEVELOPMENT LLC and CANAL FURNITURE LLC

Description: A continuation of a public hearing for all persons interested in the application of Canal Street Warehouse LLC, Canal Street Realty Development LLC, and Canal Furniture LLC for the properties located at 132-134 Canal Street, 142 R. Canal Street, and 144 Canal Street (Map 33, Lots 5, 6, and 8) in accordance with the following sections of the Salem Zoning Ordinance: Section 7.3 for a Planned Unit Development, Section 9.5 for a Site Plan Review, Section 8.1 for a Flood Hazard Overlay District Special Permit, and Section 6.7 for a Drive-Through Special Permit, and a Stormwater Management Permit in accordance with Salem Code of Ordinances Chapter 37. Specifically, the applicant proposes the redevelopment the site by razing the buildings at 132-134 and 144 Canal Street and constructing three (3) new buildings with associated driveways, parking spaces, landscaping, utilities, and drainage systems for stormwater runoff. Construction of a new three-story, mixed-use building with approximately 7,000 square feet of retail on the first floor and 20 residential units on the upper floors is proposed at the north side of the site. Construction of a three-story building with 30 residential units and parking below; and a 2,500 square foot retail building with a drive-through is proposed at the south side of the site. The existing buildings located at 138-142 Canal Street will remain with some site improvements.

This item is heard after the votes to approve each set of minutes.

Present for the Applicant are:

Scott Grover, Attorney

Steve Feinstein, Symes Associates

Landrew Symes, Symes Associates

Rich Williams, Civil Engineer, Williams & Sparages

James Emanuel, Landscape Architect

No new information will be presented tonight; outstanding issues are being resolved. A Draft Decision with conditions is being sought. Chair Anderson solicits additional Board input. Kirt Rieder asks for clarification on who will plant the area by the MBTA track; this will be the MBTA, who will plant with a grass mixture.

Kirt Rieder notes trees planted six feet away from the T fence, noting the irony that the developers of this project cannot are not allowed to plant trees Mr. Feinstein comments that he has an in house landscaper, and their landscape architect is attempting to work with the T and the City to try to plant some evergreens.

Chair Anderson notes some changes desired that are not yet shown on the Plans; these will be corrected and reported to Amanda Chiancola and reflected in the Decision.

Amanda Chiancola outlines Board members who are eligible to vote. These are:

Ben Anderson

Noah Koretz

Carole Hamilton

Helen Sides

Dale Yale

Not eligible:

DJ Napolitano

Matt Veno

Bill Griset

The Chair appreciates the drawing submitted for the Flood Hazard, alleviating his concerns.

Chair Anderson opens to public comments but there are none.

Noah Koretz motions to close the public hearing, is seconded by Carole Hamilton, and the motion carries.

The Draft Decision is reviewed. Attorney Scott Grover notes that in 7.3.8.1, the third line down is now incorrect as three buildings, not two, will be removed, the third being the Revere Tan building.

On page 5, Attorney Correnti suggests changes to Landscaping Subparagraph A: Landscaping in easement areas given to The City was discussed; the pocket park in South corner and path on North side will be easements to the City, so landscaping there will be responsibility of the City. Maintenance should be added as such. Wording could be: "Applicant shall install and City shall maintain henceforth..." Kirt Rieder asks about irrigation; some irrigation will be provided as per Landscape Architect input. Irrigation will be provided for trees, but the Chair would like more specifics; these can be submitted to the Planning Dept. This is already requested in the Decision as part of engineering decisions.

On page 7 Kirt Rieder asks about the timing of the submission of the Plan to the City; Amanda Chiancola will add that this must be done before the issuance of a Building Permit. Kirt Rieder wants to ensure there will be no "unhelpful" cross slopes, so slope in addition to spot grades re ADA accessibility in the parking lot should be annotated.

Also, on page 7 number 6A, Carole Hamilton notes that irrigation is proposed. Kirt Rieder is concerned about the word "some" and would prefer a specified quantity, which a drawing would provide.

There is also some clarification about tree caliper; most of the 70 trees will be 3.5" caliper, with 14 trees in one area only being 3" caliper due to their restricted planting area. A Plan is included that identifies the latter trees.

Bill Griset notes a typo in 20(b).

A motion to Approve the Draft Decision with amendments is made by Carole Hamilton, seconded by Helen Sides, and passes in a roll call vote with Ben Anderson, Noah Koretz, Carole Hamilton, Helen Sides, Dale Yale, and Kirt Rieder in favor. Three (Bill Griset, DJ Napolitano, and Matt Veno) are not eligible to vote.

B. Location: 16, 18 and 20R Franklin Street (Map 26, Lots 400, 401 and 402)

Applicant: JUNIPER POINT INVESTMENT CO LLC

Description: A continuation of a public hearing for all persons interested in the application 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; and a Stormwater Management Permit in accordance with Salem Code of Ordinances Chapter 37. Specifically, the applicant proposes to replace the existing junk yard with a residential development consisting of forty-three (43) units in five (5) buildings with parking under each building, in addition to an independent garage and some surface parking resulting in 69 parking spaces. The project also includes landscaping throughout, and public access along the riverfront with walking paths.

Joseph Correnti of 63 Federal St., represents the Applicant. Civil Engineering will be the focus of tonight's presentation. Bob Griffin of Griffin Engineering will present. Materials have been sent to the Peer Reviewer, Bill Ross, who is present tonight. His comments and the Applicant's responses will be reviewed.

The Applicant has appeared before the Design Review Board (DRB), and this Board also has the revised Site Plans. Once this Plan is recommended by the DRB, amended Civil Engineering drawings will be submitted. Some preliminary drawings will be presented tonight; reductions in several areas, notably massing and number of units, have occurred.

Bob Griffin presents the Civil Engineering aspects of the Plan in a PowerPoint

- Project Site
- Proposed Layout, April 2018
- Site Plan in front of DRB; a reduction in unit count has occurred, from 48 to 42 units, and massing has been reduced
- June 2018 (current) building footprints; footprints are now smaller, allowing for additional landscaping
- Figure 1: Limits of Site Above Flood Waters. Mr. Ross examined adequate convenience and safety. Elevations are reviewed at various parts of the site. The entire living area including parking lots (with the exception of the main entrance) is above elevation 10, but Franklin St. is between 7 and 8. It should be noted that this is a tidally influenced area, so will only flood for a limited time. Housing will be above garages
- Additional detail of grading and drainage was requested by Mr. Ross; a revised Proposed Grading & Drainage Plan is shown
- Proposed Demolition Plan was requested and is shown; all trees will be cleared and replaced, some structures and areas of pavement will be removed. Utilities are shown. Mr. Ross commented on an existing drain manhole, which is paved over; before building permits are issued, it should be opened and its location confirmed. This will be done
- Remediation Areas: Reports from Bruce Poole, LSP, have been provided. Soil along Franklin St. will be dug up and removed, as will contamination in Area B, further back. An Activity and Use Limitation (AUL) will be placed on the property; less contaminated areas will be covered. As living areas will be above parking garages, they will not be near the lightly contaminated areas. Stormwater infiltration will not be done; it is not needed for a variety of reasons. Monitoring wells are shown and will be abandoned

- Proposed Water & Sewer: Sewer line inspections were completed and no blockages detected. Some sewage generation details have been provided. 13,500 gallons daily use based on 48 units was anticipated, with 42 units this number will probably be closer to 12,000 gallons/day.
 - Garage parking floor drains are described; they must drain to an MDC trap, which is also described. Plumbing drawings will be provided
 - Two new outfalls are described and shown. One catch basin ties into the existing City drain. The discharge location will be improved with riprap at the outlet. Treatment and drainage from roofs are described
 - The proposed drainage easement for the City is shown; the location of the manhole must be ascertained and the easement will be adjusted accordingly
 - Some water line structures were opened and confirmed
 - Plumbing drawings of roof drainage will be provided
 - 83 gal/min to 73 gal/minute peak due to reduction in units
 - Can't get results of hydrant tests, no records available. Applicant will commit to looping water main if necessary for fire protection if 12" results are low. This can be included as a condition. Fire flow tests will be done prior to issuance of building permit
 - New valves on lines into the site are described; one old valve will be examined and another added only if it is not functioning properly
 - Utility ownership: city will own drain line, all others belong to applicant
 - Sidewalk: 6' sidewalk along Franklin St. w/tree grates; the Board wanted to ensure ample access around grates for accessibility, also tree grate details will be provided later, possibly permeable tree pavement will be used instead, revisions are upcoming
 - Transformer is pointed out, all are above flood elevation. Gas – meters are outlined
- Landscape Plan: some trees have been added, not yet shown but will be outlined in an upcoming Plan

Noah Koretz asks about paving the path vs. using stabilized stone dust; the Applicant feels it is better to leave as stone dust as it could be paved later if there is a connection; there is currently no connection to the paved path in Furlong Park.

Kirt Rieder asks about depressions where water will collect to area drains despite the fact that the Applicant has said there would be no infiltration; why not do it as less of a slope toward the path? Elevations are a reason, and fill is being imported, according to Bob Griffin. The areas will be vegetated but will have slope, and Kirt Rieder does not want it to be seen as an activity zone.

Chair Anderson solicits Peer Reviewer Bill Ross's comments. This Plan may change if fire flows need to be looped, but it is unlikely. A demolition plan was provided but did not demonstrate how existing water and gas will be abandoned.

Drain easement is an issue as the manhole is 1' away from the easement line, so this will need modification. As long as all conditions listed are met, he has no further comments.

Kirt Rieder asks about the easement, and details are discussed. He is concerned about the thinning of trees on the boundary of the project, but Bob Griffin feels there are many trees so the loss is not an issue.

Chair Anderson opens to the public.

Peter Posello of Salem Little League notes the field will be open during work, Bob Griffin notes that a new entrance to the property will be made, so all work will be done on the property and should not interfere with Furlong Park. Paving and curb work in the street will have to occur. Mr. Posello is concerned about elevations, but raising the area will not flood the park next door. He is concerned about parking; this is under the buildings and is all onsite.

Shoney Crasci, 15 Roosevelt Rd.

Concerns:

- Parking
- Traffic

Attorney Correnti notes the zoning amendment that is under consideration, to reduce the requirement of parking spaces per dwelling unit from 2 to 1.5 spaces. He outlines the results of the traffic study. The Chair describes the process the Board follows when considering a project.

Councilor Beth Gerard of Ward 6 discusses flood plain management and describes the reasoning for the reduction in parking requirements. She is concerned about puddling in two areas but Bob Griffin notes that any water standing will be temporary. The length of time the Ferris property gets flooded is unknown, but it is tidally related, so water should disperse once the tide goes out.

Kirt Rider notes that the rim elevation is at 6.9 and the pathway is 7.5, so there could be 14" of water, and the grate will determine how fast water will dissipate, so there is no cause for concern.

Mary Ellen Halliwell of 87 Orchard St.

Concerns:

- Height in relation to surrounding area; would like a visual
- Density
- Traffic

Attorney Correnti replies that elevations will be shown at the DRB, and then presented again at this Board. Town Homes are planned for the front of the site along Franklin St.

The police arrive to escort a member of the public from the meeting.

Councilor Gerard mentions re traffic, as she is working with the City's Traffic and Parking Commission as well as with MassDOT about how to address traffic and light issues on 114, since this is an ongoing concern.

Polly Wilbert 7 of Cedar St. asks for clarification on the Landscape Plan; fill and slopes are described.

George O'Brien, Locust St.

Concerns:

- Traffic, especially considering future development
- Parking

Anne Sterling, 29 Orchard St.

Concerns:

- Flooding, water remaining

Mr. Griffin notes that there are grates on Franklin St, meaning that, if there is ponding, a pipe may be clogged. In the tide cycle, elevation of the river may be same as the grate so water may not move at those points, but when the tide recedes, pipe capacity should drain it.

Megan Claire, 19 Foster St.

Ms. Claire asks about the number of units, which now stands at 43, the reduction being due to a decrease in building sizes. Some buildings have also been reduced in height.

Polly Wilbert, 7 Cedar St. asks about where cars will park if there is flooding during a snow emergency. Bob Griffin notes that all areas developed will be above flood elevation or will see at most 1' of water in a 100 year flood. Additional vehicles could be parked on the lawn short term if needed. There is enough space onsite to store all vehicles. The Applicant is not required to provide parking for non-resident vehicles during a snow emergency.

Mary Ellen Halliwell, 81 Orchard St.

Ms. Halliwell is concerned about density; compared to five other projects in the NRCC, including Flynnntan, 28 Goodhue, Salem Oil & Grease, the Suede Site, and 9 South Mason St., this is the least dense. However, she feels they are not comparable as those sites are not on the river.

Shoney Crasci, 15 Roosevelt Rd., asks how long cleanup will take. Decontamination will probably take a couple of months.

Judy French, 16 Foster St.

Concerns:

- Density
- Recent nearby developments are not comparable as those were 1 and 2 bedroom units, and this development will have 3 bedroom units
- Trash and recycling management
- Height of townhouses

Bob Griffin explains that each building has trash and recyclables rooms, and their locations are outlined. Town house units will have to store their bins in garage, and a private collection service will be hired. Pickup will most likely will occur twice a week.

Attorney Correnti notes that this project is before the DRB and architects are working on these issues, so it may be more productive to review final elevations in July. This Board has not seen those changes yet.

Councilor At Large Arthur Sargent asks about a buffer between this project and the Little League field. This is outlined. Maple trees are on the Little League side, with City trees on City property, so those will remain. A chain link fence along property line will be replaced by a wooden fence; a thin strip of vegetation will be at the base of the fence, then curb by the parking area. Alignment of said small strip may change. Distance from the fence to the face of the closest building is approximately 50'.

Disputed land is also outlined. This issue must be resolved in order for project to move forward. Councilor Sargent comments that this is the first time that he has seen a Plan on a property where there is no agreement. He wonders about the process. He also inquires how many units are proposed as affordable. Generally, the City asks that 10% be set aside. Councilor Sargent notes that the NRCC has a much higher requirement, if the developer wants to be considered for a density bonus. The Applicant is not sure if they will be seeking a density bonus, Attorney Correnti comments that their position regarding the land in dispute is that they own it clear to the fence. Anyone can see how it has been used and what is there (salvage cars), and notes that it has been that way since 1955. Thus the Applicant does not need a Purchase and Sale Agreement for land they say they own. The current owners, the Ferrisses say they own property so that is how the Applicant is proceeding. Councilor Sargent still has concerns about this, and he also comments that if 30 units are allowed by right but the Applicant is building 45, 15 of those would have to be affordable, not the 10%.

George O'brien comments that the land in dispute was filled 30 years ago, and wonders if the Coast Guard has been notified.

Victoria Ricadello of 5 Foster St. asks for clarification about the garage. Originally a separate structure was proposed but has been eliminated.

Concerns:

- Beauty of Salem must be maintained, and the proposed project will detract from that as it does not fit in with the neighborhood
- Height, which may be more than 50' including rooftop A/C units, compared to Canal St, which is very different but only being built to 3 stories high
- Density relative to usable land

Peter Posello asks about parking, still concerned about the lack of space between parking/buildings and the Little League field, as car windows get broken. Matt Veno mentioned a net in previous meeting; it is uncertain where that stands but the property owners may want to consider it.

Emails from Mary Ellen Halliwell were received on May 8 and June 7, 2018.

Timing of the continuance is discussed. The Applicant will not be ready for the meeting in two weeks, and wishes to continue to July 5th. However, some Board members may not be present as that is the day after a holiday. The Applicant is unwilling to continue to July 19th, as the Board is not meeting in August so would delay further progress on their project until September. Also at issue is the fact that the DRB meets on June 27, while the next Planning Board meeting is before that on the 21st.

There will be a quorum on July 5th so the item will be continued to that date.

A motion to continue to the July 5, 2018 meeting is made by Noah Koretz, seconded by Carole Hamilton, and the motion carries.

III. OLD/NEW BUSINESS

A. Location: 9 South Mason Street, 3A Buffum Street Extension; and 23 Mason Street (also including 23 1/2 Mason Street and 23R Mason Street) (Map 26, Lots 73, 74, 79)

Applicant: JUNIPER POINT 9 SOUTH MASON STREET LLC

Description: An insignificant change request to the previously approved Site Plan Review, and Special Permits under the North River Canal Corridor Neighborhood Mixed Use District and Flood Hazard Overlay District and report to the Planning Board regarding Design Review Board recommendation of said change.

Attorney Joseph Correnti of 63 Federal St. is here for this project, and Ryan McSherer of Red Barn Architecture, Ipswich, presents the changes.

- Changes to “ice cream” (large) building and 3A Buffum St.
 - Keeping existing concrete building in center, two additions on either end, top floor will still remain the same, adding a floor on top
 - Went back to what was originally approved at beginning of last year, metal panel siding to addition on top
 - DRB requested minor changes, notably the windows be consistently aligned over one another
 - Introduction of 2 windows on east and west ends of building
 - In keeping w/previous approval
- Buffum St. building was originally more linear, then a stepped solution was proposed in keeping with the grade change; this is the addition to the triple decker

- Windows will be more consistently sized and spaced
- Spacing in between dormers has been increased
- Fireplace on inside elevation
- Changes are minor and in keeping with original proposal

Chair Anderson states that the DRB recommendation letter was received and appears to meet the changes.

Extensive discussion occurs regarding what constitutes an “insignificant” change. If significant, the Applicant would have to file an amendment to the Plan.

Most Board members feel that these particular changes do qualify as insignificant. Changes that would be considered significant would be major edits to the dimensions or location of a building, or those that might be considered “visually repugnant.” Obviously, these changes are neither. Noah Koretz feels that if changes would cause a Board member who had previously approved a project to change his or her mind, they would not be insignificant. In this case, changes are minor and aesthetic. Kirt Rider notes the chronology of the project, which has been reviewed and encouraged, and that the Applicant is coming back for procedural consideration, rather than something already built.

Significance of the changes is a personal judgment, but the decision is made collectively by the Board.

Attorney Correnti notes that when an applicant requests an insignificant change, the item gets placed on the agenda but there is no notice in the paper, thus it is entirely a procedural question.

A motion to approve the minor change is made by Helen Sides, seconded by Carole Hamilton, and passes 9-0.

B. Planning Board discussion on meeting procedures, specifically regarding time management of agenda items.

DJ Napolitano feels that the public comment period should be limited to just that, public input with no follow up comments from the Applicant. The Board can answer for the Applicant if necessary but should mostly listen but not offer its feedback.

Chair Anderson understands, but personally feels it is helpful for the audience to understand the Applicant’s team’s responses. Respectful appropriate back and forth dialogue is desirable and helps both the Chair and audience understand the project better.

Regarding time management, the Chair notes that the length of the past couple of meetings was unusual. Meeting length is based in part on the number of items or Applicants on the agenda, so this should be discussed. Time management could be accomplished either by limiting the number of items/Applicants on the agenda, or limiting the time allotted for presentations made by each Applicant. It may be more desirable to follow the former course of action, to ensure that appropriate time is spent on the public process. In that case, Amanda Chiancola can inform Applicants of the need to limit the Agenda in the case of continuances.

DJ Napolitano comments that Congress has time limits to debate bills on each side, so in the interest of brevity, if point cannot be made in half hour, more work should be done on the project. Points made at previous meetings should not be repeated. Certain groups rehash progress each time. It is almost 9:30 and despite the incident, only two items have been discussed. The time limit should not include questions the Board asks. Helen Sides notes that typically audience members are advised to limit their comments to 3 minutes, and that sets the tone and the Chair can check them later. That is helpful that guidelines are set. This is also in the guidelines. Joint public hearings and City Council meetings have contributed to the length of the recent Planning Board meetings. Carole Hamilton

comments that the Board can limit public comment more tightly, as several people gave “the same speech”. Also, with each Applicant, the Board can tell them they must present something new, or that questions about older items from the Board or public can still be asked, but should not be offered.

Carole Hamilton also comments on the timing of continuance requests, in that many times, two weeks is not enough time to revise a set of Plans. Bill Griset notes that this is the culture, and that it is not usual for Applicants to provide quality presentations like they do for this Board. However, the culture means that the lawyers feel they must bring their client to the next meeting to “keep the process going” even if there are no updates. This needs to change. Already, some are pausing to consider to which meeting they ought to continue, rather than automatically requesting the very next one.

Noah Koretz feels that, regarding scheduling a certain number of items per agenda, here may be an issue with continuances, but that could be controlled by letting Applicants know that the Board is stacking meetings 2 or 3 in advance so they will lose their place. If there are consequences, they will think about when they can actually be prepared.

To DJ Napolitano’s point re questions, there is a fine line between productive dialogue and those who are litigious and fighting things. A balance must be struck. Clarification can be helpful in some cases but should absolutely come through the Chair, who should ask the question. Dialogue should go only through Chair, not through the Attorney and the Public. Contentious projects mean that people want to fight, and they are not trying to clarify a point, and this is not a good use of anyone’s time.

Helen Sides comments on the issue of bringing up repetitive issues setbacks, which have been discussed. Would it be possible to note that this issue was discussed earlier and that members of the Public should check previous meeting minutes to review the discussion? While that is possible, the Chair feels if it has been brought up in the same meeting it can be noted that it was discussed, if it had not been brought it up it should be part of public process. Again, there is a fine line. This is similar to clarification being needed, however some people also attend DRB meetings, so it is unclear why they are asking this Board for answers clearly under the purview of Design Review.

DJ Napolitano notes that tonight’s Ferris Project presentation was on Civil Engineering. If not germane to the current discussion, items such as comments/questions on the baseball field, fence, etc., which have nothing to do with Civil Engineering, should be submitted by email or discussed offline with the developer. The topic of the discussion can be stated at beginning and comments limited to that topic.

Amanda Chiancola notes that the Zoning Board of Appeals notes on the agenda which specific topic will be discussed at a particular meeting. This makes it transparent for the public as the item is read aloud.

Kirt Rieder disagrees, as he feels it is helpful for the public and the Board to ask deeper questions to dispel some tension. The Board needs the latitude but it is incumbent upon chair to get to the heart of the matter. He does not feel that Amanda Chiancola should be the “gatekeeper” keeping the discussion to a single topic. Public comments must be relevant and time limited and should not be allowed to veer off into historic misconceptions. Bill Griset comments that the Board balance economy and efficiency with the public’s right to inquire and know. While he understands desire to limit discussion to the topic at hand, this can make it limiting, so the public must have latitude, plus this makes for better projects.

Chair Anderson feels that the public must have the opportunity to ask questions, comment and respond. The Board sometimes gives more latitude than it should, but the passion is there, and is part of what Board members volunteered to do. This Board makes great decisions for the City and should be able to manage this. A few simple things must be tightened. The past months were outliers with projects enshrouded in passion.

If Board wishes, the Chair will pay more attention to the public comment time limit, and he opines that agenda items should be tighter, and that when an Applicant continues, they should be realistic about the time frame of what they can get done. The Board should set the expectation that the petitioner will not rehash the same material, comments Matt Venio. Chair Anderson feels that what Board is seeing should be something new. Carole Hamilton comments that Bob Griffin, at the beginning of his presentation, commented under his breath, "We won't do this again, we already did that," whereas some come in prepped to start at the beginning, and the Board needs to change that habit. Bill Grisct asks Amanda Chiancola if she ever tells a petitioner that the "agenda is full, sorry." She replies that the only item she controls is the first filing, so there has not been a point where they have to be pushed back two or more meetings. Bill Grisct notes that the Board can change the culture of expectation to be on each agenda. When each item is presented should be a mutual agreement between the Board and Applicant. I.e. if the agenda is full in July, but there is no August meeting, and the Applicants does not want to wait until September, if they get used to hearing "We can't accommodate your project because we have a full upcoming agenda," they will start being more strategic. The particular project in question has been before the Board and continued multiple times. If the Applicant takes break says Noah Koretz, they risk future agendas being full. Long meetings are unproductive for Applicants, the Board and the Public alike, since those items heard later do not get the same depth of analysis as those early on in the agenda, even if everyone has been on point.

Carole Hamilton asks if the Board can request that Applicants be present in order to request a continuance, since otherwise the Board has no option to tell them that this does not work from its perspective. Board members agree that this is a good idea. Chair Anderson notes that it must be a mutually agreed upon decision. There are implications to voting not to continue, and there are financial implications to the Applicant. It is questioned whether the Counsel really needs to be present for a request for continuance, but Carole Hamilton feels that it will make Applicants consider the request and take into account what they can actually get done. The Applicant and the Board can only mutually agree on a date for continuance if the Applicant is present.

Amanda Chiancola asks how the information of peer reviews should be presented. Some peer reviewers go through their letter line by line, some do a PowerPoint, and some simply state that whether or not they concur with the Applicant's response to their letter. All Board members agree that a complete re-hash of the items in question is unnecessary. They should also all read the peer review letters in advance, however Kirt Rieder comments that the public cannot do that, so it may cause tension if the Board tries to speed through things. Noah Koretz feels that the two peer reviews at the last meeting could have been cut back by 90%, and those weren't even finalized due to outstanding issues. He had suggested that after the initial presentation, which must happen and includes the report and issues that have been resolved, the Board is really only interested in the outstanding issues. Interim Peer Reviewer reports are not necessary.

Amanda Chiancola requests notification of what the Applicant will be presenting a week prior to the meeting, and again if there is no response. Updates can be given to the Board prior to the meeting.

Helen Sides notes the limits of control the Board has over these things, but when that control is used, can make the process more efficient. There is an ebb and flow, and some months have long meetings, while others have none.

A. Receive and file a letter from DEP regarding local Planning Board responsibilities in the permitting process of Ch. 91 General License Certification

The board received and filed.

Other:

Noah Koretz requests an executive session be added to a future agenda about an update on the pending lawsuits against the Board. Bill Grisct comments that his paralegal pulled dockets today, and everything is progressing on all three suits, which are ongoing and progressing.

Chair Ben Anderson states that this is Dale Yale's last meeting, and thanks her for her service. A new member, Matt Smith, was appointed by the Mayor. Mr. Smith is the former director of Traffic and Parking in City but no longer works for the City. His appointment is on the June 14th City Council agenda, if his appointment is confirmed by the City Council, he will be at the June 21st meeting.

IV. APPROVAL OF MINUTES

A. Special Joint Planning Board and City Council Meeting held on April 9, 2018

A motion to approve the minutes of the Special Joint Planning Board and City Council Meeting held on April 9, 2018 is made by DJ Napolitano, seconded by Helen Sides, and passes 8-0 with Noah Koretz not yet present.

B. Special Joint Planning Board and City Council Meeting held on April 30, 2018

A motion to approve the minutes of the Special Joint Planning Board and City Council Meeting held on April 30, 2018, is made by Helen Sides, seconded by Dale Yale, and passes 8-0 with Noah Koretz not yet present.

C. Regular Planning Board Meeting held on May 3, 2018

A motion to approve the minutes of the Regular Planning Board Meeting held on May 3, 2018, is made by , seconded by, and passes 8-0 with Noah Koretz not yet present.

D. Regular Planning Board Meeting held on May 17, 2018

A motion to approve the minutes of the Regular Planning Board Meeting held on May 17, 2018, with minor corrections, is made by Helen Sides, seconded by DJ Napolitano, and passes 8-0 with Noah Koretz not yet present.

V. ADJOURNMENT

A motion to adjourn is made by Kirt Rieder, seconded by Dale Yale, and passes 9-0.

The meeting ends at 9:53PM.

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-2018-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 06/21/2018

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