

**City of Salem Planning Board
Approved Meeting Minutes
Thursday, November 2, 2017**

A public hearing of the Salem Planning Board was held on Thursday, November 2, 2017 at 7:00 p.m. at City Hall Annex, 120 Washington Street, Room 313, Salem, Massachusetts.

Chair Ben Anderson opens the meeting at 7:01 pm.

I. ROLL CALL

Those present were: Chair Ben Anderson, Kirt Rieder, Noah Koretz (arriving late), Dale Yale, Bill Griset, Matt Venio, Helen Sides

Absent: Carole Hamilton

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

II. ROLL CALL

III. REGULAR AGENDA

A. Location: 91 Orne Street (Map 28, Lot 16)

Applicant: THE CABOT FAMILY TRUST

Description: Board discussion and vote on an application for endorsement of a plan believed not to require approval under the Subdivision Control Law (ANR), proposing to divide one lot into two lots on a way that was in existence on the effective date of the Subdivision Control Law.

This item is heard third, after Noah Koretz arrives.

Presenting is Scott Grover of 27 Congress St. Rachel Lutz, trustee, is present, as are Bob and Jennifer Strong, who built the house on the lot. The logistics and history of the lot are described. The original lot was 30 acres and over the years, family members have divided and built on separate lots. This house has existed since the 1980's but it was never split off as its own lot. The proposed lot meets all zoning requirements, including frontage, etc.

It is not on a public way but is on a private way that was in existence when the Subdivision Control Law was enacted. Findings must also be that the way in question is adequate. It has been adequate for the first house that was moved there in the 1940's, and now serves that house and this house on the lot in question, which was, as stated, built in the 1980's. Garbage trucks have no problems.

A motion to endorse the ANR Form A is made by Kirt Rieder, seconded by Bill Griset, and passes 7-0.

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

Applicant: JUNIPER POINT INVESTMENT CO LLC

Description: *The applicant requested a continuance to the regularly scheduled meeting on **THURSDAY, NOVEMBER 16, 2017** 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; 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.

This item is heard first.

A motion to continue to the November 16, 2017 Planning Board meeting is made by Matt Veno, seconded by Helen Sides, and passes 5-0.

Noah Koretz arrives at 7:05PM

- C. Location:** 19 & 23 Congress St; 223-231 & 235 Derby Street; and the parking lots at 13-15 Herbert Street (Map 34, Lot 408)
Applicant: THE SALEM WATERFRONT HOTEL & SUITES, LLC
Description: A continuance of a public hearing for all persons interested in the application of The Salem Waterfront Hotel & Suites, LLC for an amendment to the approved Planned Unit Development Special Permit, Site Plan Review, and Flood Hazard District Special Permit. Specifically, the applicant proposes to reduce the building from 5 stories and a height of 67 feet to 4 stories and a height of 54.5 feet, a reduction in the total number of hotel rooms from 42 to 34, and adjustments to the façade.

This item is heard second.

A motion to continue to the November 16, 2017 Planning Board meeting is made by Dale Yale, seconded by Bill Grisct, and passes unanimously 6-0.

- D. Location:** 48 Bay View Avenue
Applicant: KRIS AND JAMES KLEIN
Description: A public hearing for all persons interested in the application of Kris and James Klein for a Flood Hazard Overlay District Special Permit in accordance with Section 8.1 Flood Hazard Overlay District on the property located at 48 Bay View Ave. (Map 44, Lot 141). Specifically, the applicant proposes to raise the existing single-family dwelling approximately two (2) feet in height to install a new foundation and gain extra height on the ground floor; site work to create a two-car driveway and a new walkway; and removal and replacement of an existing fence with a stone wall.

Susan St. Pierre represents the Applicant; Kris Klein is also present. She describes the property in the Salem Willows area, adjacent to Juniper Cove. It is in the 100-year flood zone under the revised Flood Maps. The dwelling and lot are described. An existing conditions plan is described. The house will be raised and the foundation will be within the overall footprint but beyond the current foundation, outside of the porches. The Applicant wishes to use the basement as living space, so elevations are discussed. Foundation walls will be at or above the flood elevation. Thus, the whole structure will be protected from floodwaters, except where there are doors.

Grading and driveway creation are described. Most work will not be in the flood zone. The fence will be removed and replaced with a low stone wall. Noah Koretz asks about the parking area in front; Stephen Livermore, architect, says the pavers will be dry laid to allow infiltration, but they are not pervious pavers.

They will be going before the Conservation Commission at their next meeting. Kirt Rieder asks about the curb cut; it was not part of the ZBA petition. There is not a curb cut today, and they are paving to the sidewalk. As long as the curb cut complies with zoning, no approval is required. Kirt Rieder believes it is a 20' maximum, and that would be the largest the applicant would do.

A discussion of pavement ensues. The Applicant will abide by all requirements. Current pavement goes right up to the property line.

Chair Anderson asks who owns the concrete curb on the North side. That belongs to an abutter. The current owners had an agreement with the neighbor to drive down and park in back; ultimately that area with the boat ramp will become lawn, which is why they want to build a driveway in front. Neighbors are fine with leaving the curb. There may be some disruption to abutting property during construction, but it will be restored to original conditions.

One ornamental tree will be lost and there are no others on the property. James Klein, owner, states that he would like to move the tree to the other side of the lawn.

Matt Veno asks about the Flood Zone; it is A zone, elevation 11. Currently the basement is not used for living space, so the floor level will be at elevation 9.56 but the surrounding foundation will be at or above the flood level. All utilities will be above the flood level; the foundation will have flood proofing.

Kirt Rieder asks if existing the concrete entry walk will be removed/replaced with pavers. It is not known. He suggests that the walkway and driveway coincide, with no grass strip, but it is planned that way even though not shown. They will not be able to get a 20' curb cut because of the utility pole.

Bill Grisct comments that he lives nearby, and is pleased to see them preserving the outside of this true 19th century gem.

Chair Anderson assumes that drawings and foundation plans will be stamped by the architect, as required. Noah Koretz asks why the pavers on the south side vs. North side of the walkway. The owner feels it is more aesthetically pleasing, plus there is more room. It is also more level with less of a grade change, and would allow them to keep some lawn between the neighbor's driveway and theirs.

Kirt Rieder again comments that two driveways in close proximity divided by grass will just result in a dead zone, no matter which side the driveway is on.

Chair Anderson opens public comment Kathleen Driscoll-Gauthier of 52 Bayview wonders why a 12-18" gap is necessary; this is so that your abutter is not walking across your property to get to their house. She is thrilled that client purchased this property, she is excited about seeing this done and does not care about the 18", and urges Board to approve project. She notes that their property across the street is top-quality.

The stone wall is in the same location as the fence.

A motion to close the public hearing is made by Helen Sides, seconded by Dale yale, and passes 7-0.

Kirt Rieder suggests replacement of the tree in the front yard. He hopes for a shade tree vs. small ornamental, but it is at the owner's discretion. They are amenable.

A motion to approve the FHOD Special Permit made by Helen Sides, seconded by Matt Veno, and passes 7-0.

A decision has not yet been drafted so Amanda Chiancola asks if there are any special conditions.

Special conditions:

Assurance that flood proofing will be around foundation and ground floor

Utilities to be located above the flood plain

III. Old and New Business

A. Receive and File Chapter 91 License Application Notification of the project located at 10 White Street

This is the Brewer Hawthorne Marina. Comments on the Chapter 91 license can be submitted to Amanda Chiancola and she can submit them to the DEP. No vote is needed.

B. Discussion on of Vacant Planning Board Seat

Matt Veno notes that he has spoken to the Mayor and suggested that the Board may want to provide input on what type of expertise/background/skills would make Board more effective, and that she was open to that feedback. He feels that one area the Board could benefit from having a member with a background in traffic design and engineering. The Mayor did have someone in mind who would fit that bill.

A Planner of any sort would be a good addition. Chair Anderson is not as concerned about the technical expertise, but would like to have a resident, who is passionate about the future of Salem and willing to dedicate their time to the Board. Having a variety of viewpoints is beneficial.

The Mayor is not poised to “pull the trigger” but she should be followed up with as this was several weeks ago.

C. Review and Vote on the 2018 Planning Board Meeting Schedule

Noah Koretz points out that Purim is not a very somber Jewish holiday, he would be surprised if anyone objected to a public meeting that night. There will be one meeting in October and an August recess, following the City Council’s schedule. Next year the offices will be moving across from City Hall so will see about skipping the first Thursday/meeting day of the parade in 2019; it may not be necessary any longer.

The Chair comments that Dec. 21st is a busy week for 2017, but that was approved last year. Dec. 20th is for 2018. The Form A deadline affected the Nov. 21 meeting.

A motion to approve the schedule is made by Matt Veno, seconded by Kirt Rieder, and passes 7-0.

IV. APPROVAL OF MINUTES

A. Regular Planning Board Meeting held on October 19, 2017

Minutes are not yet available. This will be on the next regular Planning Board Agenda.

Amanda Chiancola comments that Ferris Junkyard was continued but there is a staff memo in Board members' packages for the next meeting, for continuation, regarding potential development of the remaining Franklin Street parcels.

V. ADJOURNMENT

A motion to adjourn is made by Kirt Rieder, seconded by Matt Veno, and passes with all in favor 7-0.

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: <http://www.salem.com/planning-board/webforms/planning-board-2017-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 11/16/2017

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