

**City of Salem Planning Board**

**Approved March 12, 2019**

A public hearing of the Salem Planning Board was held on Tuesday, March 12, 2019 at 7:00 p.m. at City Hall Annex, 98 Washington St., 3<sup>rd</sup> Floor Large Public Conference Room

Chair Ben Anderson calls the meeting to order at 7:00PM.

**I. ROLL CALL**

*Those present were:* Chair Ben Anderson, Bill Grisct, Matt Veno, Helen Sides, Carole Hamilton, Kirt Rieder, DJ Napolitano, Matt Smith (8)

*Absent:* Noah Koretz (1)

*Also in attendance:* Mason Wells, Staff Planner

**II. REGULAR AGENDA**

**A. Location: 73-75 Wharf Street (Map 34, Lot 408)**

**Applicant: Pickering Wharf Complex LLC**

**Description:** A continuation of the public hearing for all persons interested in the 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 presents. Outstanding issues include the removal of three trees out front. These will now be replaced, and replacement trees are described.

Chair Anderson opens to public comment, but there are none.

*A motion to close the public hearing is made by Matt Veno, seconded by DJ Napolitano, and the motion carries.*

Chair Anderson reviews the Draft Decision.

*A motion to approve the draft Decision is made by DJ Napolitano, seconded by Matt Veno, and the motion carries.*

**B. Location: 84 Congress Street (Map 34, Lot 218)**

**Applicant: Gregory Investment Group LLC**

**Description:** A continuation 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.

*Present for the Applicant are:*

Dan Ricciarelli, Seger Architects

Sanir Lutfija, Seger Architects  
Dorias Gregory, Applicant  
Rich Williams, Williams & Sparages

Mr. Williams presents first. One major change has occurred, the addition of a tree along Congress St., for a total of four trees. Engineering comments are included in the Draft Decision; some have been addressed already. Some conditions in the decision may need to be changed and will be discussed as the Decision is reviewed.

Kirt Rieder asks about the landscaping underneath the trees; it will be grass as opposed to mulch. Mr. Ricciarelli describes changes to the sign proposed. The vertical sign has been eliminated and windows added along a stairwell. Helen Sides asks about the return on the other side; Mr. Ricciarelli elaborates. There are three options for signage.

Kirt Rieder approves of the changes. Chair Anderson commends the Applicant for seizing the opportunity to reuse this parcel, and for taking the Planning Board's comments into consideration. Bill Grisette feels that the Applicant has been uncommonly responsive to the Board.

Chair Ben Anderson opens to public comment, but there are none.

*A motion to close the public hearing is made by Helen Sides, seconded by Kirt Rieder, and the motion carries.*

The Applicant discusses the changes desired as the Draft Decision is reviewed.

- P.2:
  - 5. Landscaping: provision of an as built landscaping plan. As only 6 street trees are proposed, Mr. Sparages feels this is unnecessary, and that a provision to monitor the trees is sufficient. Kirt Rieder feels that this is a standard condition and that Mr. Sparages, as an engineer, could very easily write that letter.
  - 7(A) A lighting plan has already been submitted, so this can be omitted.
- P. 4:
  - 12(A) Approval of underground utilities by City Engineer: Utilities will go in as part of building construction, so it would be better if this was prior to issuance of a Certificate of Occupancy as some foundation work must occur before installation of utilities. Chair Anderson would like the City Engineer to weigh in, and notes that a condition can be made stating that it is pending approval of suggested language by the City Engineer. Mr. Sparages comments that this does make sense, unless it holds up the building permit in a catch-22. If the Applicant has to wait for utilities to be in the ground to start building, the timing won't work. This is understood, but Mr. Sparages thinks that this may be a case where boilerplate language was carried over from the subdivision regulations, where utilities must be in the street before a building permit for the houses can be obtained, and is not applicable in a situation like this. Chair Anderson would still like the City Engineer's comments and clarification
- P. 5:
  - (K) Conduct dye testing on roof drainage and provide results: Mr. Sparages notes that other methods may be appropriate to meet the intent of understanding current pre-construction distribution of drainage, and would like the flexibility to use the method that works best for the Applicant. Whether the City Engineer should have some input on updating the boilerplate language is discussed
  - Bill Grisette notes that this is not approved boilerplate language, but rather, serves as suggestions for how to approach all projects. The Board is not being asked to change anything as the project is not approved yet; if the Applicant is self-reporting anyway, the methodology does not matter as long as it is an industry-accepted process

A motion to approve the Draft Decision is made by Noah Koretz, seconded Kirt Rieder, and the motion carries 7-0 with DJ Napolitano ineligible to vote on this matter..

A motion to approve the project is made by Helen Sides, seconded by Matt Veno, and passes in a roll call vote with those in favor being:

Ben Anderson

Bill Griset

Carole Hamilton

Kirt Rieder

Helen Sides

Matt Smith

Matt Veno

DJ Napolitano is ineligible to vote and Noah Koretz is not present.

- C. 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:** A continuation 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.

Attorney Joseph Correnti presents. Also present are:  
Paul Avery, Civil Engineer, Oak Consulting Group  
Paul Worthington-Barry

Paul Avery, Civil Engineer with Oak Consulting Group, presents the changes.

- Enhancements to stormwater just made this afternoon; peer reviewer is present
- Response letter has been prepared
- Two trees on north island have been added
- Beta Group commented re addition of signage; signage plan has been enhanced
- Striped crosswalks tended to run into vehicle stop bars; no simple fix, so these were eliminated; routes are all accessible
- Trees were undersized and caliper notes now cite that trees are 3.5-4"
- Widening of the walk in the drop off area is described, at the expense of a small landscaped area
- Number of accessible parking spaces; was already at 10%; a facility doesn't need to go to 20% accessible spaces unless it specializes in mobility impairments. Nonetheless, two spaces were added so are now at 11%
- Grading: one stormwater basin has been removed; it would have overflowed onto a walk and was not significant
- 2' of bumper overhang was eliminated in one area, now is in place again due to reconfiguration

- Stormwater issues: double grates on catch basins – numbers have been clarified but Bill Ross (peer reviewer) may have additional comments
- Diagrams of grading are explained
  - Running slope (slope in direction of travel, perpendicular to contour lines): 91% of running slopes proposed are 5% or less, with 2% being the cutoff for the running and cross slope of an accessible route. 5% is the maximum running slope allowed for an accessible route. Upper section cannot be made more flat without compromising the rest of the parking lot
  - Cross slope (relevant to ability to control the opening and closing of car doors, parallel to contour lines). Cross slopes up to 5% are acceptable with 2% being the limit for accessibility. Most of the aisle cross slopes are accessible, with only those around the perimeter at 5%
- Stormwater infiltration system is outlined; this was just completed today so the difference this will make has not yet been quantified. Storage volume is provided, sized to catch the first 1/2" of runoff over the impervious area

Kirt Rieder asks about one of the new proposed 15" pipes discharging into an 8" pipe; the smaller pipe is beyond the limit of work and will eventually need to be replaced, as that system is already undersized. The bottleneck situation will continue for now, though upgrades currently proposed should at least help alleviate the situation in smaller storms. Mr. Rieder commends the Applicant on the provision of the parking slope diagrams. Portions of the lot could be slightly raised by eliminating some parking spaces, but what is proposed is acceptable.

A lengthy discussion on trees, signage and wayfinding occurs. The design of wayfinding measures are not yet complete so this will be presented at a future meeting. Kirt Rieder asks about the intended audience for the signs; this would be visitors and patients, vehicles passing along Highland Ave and also those in the parking lot. Mr. Rieder notes that the Applicant has 300' along Highland Ave. but has not taken the opportunity to capture drivers' attention 200' -300' before their decision point. The proposed sign, he fears, will not perform as desired. Mary Jo Gagnon notes that the hospital has 14 entrances, and they are trying to narrow down entry point choices for those arriving. Wayfinding is not yet complete but objectives are described. Those coming to the hospital need to remember which entrance, where to park, and which door to go in.

Kirt Rieder laments the lack of trees and feels that the distribution of trees currently proposed appears to be "in service to the sign" even though it is 400' away from Highland Ave., with a dead zone bereft of trees in the middle of the property to increase visibility of the sign. Earlier, in Phase 1, more trees were approved in a limited area (28 trees for 58 spaces) vs. now, a total of 29 trees are proposed for 210 parking spaces. He reiterates the importance of trees and their ability to mitigate visual impact of a sea of parking. The current design team has no landscape architect, and this hurts the project application.

Ms. Gagnon asks how many trees would be desired; Kirt Rieder counters that it is not a numerical question but an experiential one, a Landscape Architect would be able to guide that. How to achieve the number and location of trees desired by the Planning Board is discussed. Landscape services did not come with the change in Civil engineers, hence the loss of the landscape architect. The Planning Board is asked to evaluate each project on its aesthetic improvements, not just that it met a threshold of the ordinance. Precedents successfully negotiated in this project have been presented; the approach has been changed and downgraded so no longer meets the desired threshold.

DJ Napolitano agrees that the number of trees is too few, but feels that the Board should provide guidance beyond noting that it is "experiential", a specific number of trees it is seeking to have planted. This is also a hospital, not a condo complex with people living in it. He does not want the Applicant to feel like it is "hit or miss," and have to return in two weeks if they don't meet the Board's unspecified standard.

Helen sides comments that the team, not the Board, that is responsible, but they've lost the Landscape Architect. She agrees with Mr. Rieder that the sign will be visible and is not tied to trees. People and cars are moving, so it will be seen. The sign is something viewed from inside the site, not something that brings people in from the street. It is more important to notify them sooner from the road that the hospital is coming up.

Matt Smith comments that planners must provide predictability in a process that can be met. To be asked to be given direction is an appropriate question, and to merely ask that they "do better" is disrespectful to Applicant. The Board should give direction and examples, but doesn't need to provide an exact prescription. Their job is to move the process forward, and this can be done by providing direction.

Bill Grisct feels that Salem is the most open to development and embracing of change, noting that the history of the process is not to give so much guidance. Typically a landscape architect has presented a plan that will be more or less acceptable to the Board. Matt Smith comments that if the guidance is "get a landscape architect," then the board should tell that to the Applicant.

Carole Hamilton feels the problem is the lack of a landscape architect, who would understand the logistics of the heat effect at the heart of the problem.

Kirt Rieder has provided guidance in his work, currently proposed is 1 tree per 7.6 parking spaces vs. 1 tree per every 2+ parking spaces previously proposed. He notes that there ought to be 1 tree per 4 or 5 parking spaces.

Peer Reviewer Bill Ross, NE Civil Engineering, comments:

- Models modified to provide more accurate results: Current condition overwhelms system, and overflows to pond. Proposed: surcharge and flow over parking lot; number is the same but he is concerned that proposed flow is concentrated in one location and coming out of one location, so could blow off catch basin cover, so the plan is now modified to a double catch basin
- Technically the project met pre and post runoff anti – degradation, however he felt they had not gone far enough; tanks will now remedy that problem, at least in small storms, by capturing the first 1/2" of runoff, which is the dirtiest
- Further review is necessary
- Need to coordinate w/Engineering re pipes in the street
- Revised models support new submission, but must still be reviewed by City Engineer, etc.

Attorney Correnti comments that additional information is forthcoming, and issues raised tonight will be addressed. He seeks a continuance to the next meeting.

Chair Anderson opens to the public but there are no comments

A motion to continue to the March 21, 2019 meeting is made by Bill Grisct, seconded by Matt Smith, and the motion carries.

### **III. OLD/NEW BUSINESS**

- A. Receive and File: On February 28, 2019, Salem City Council confirmed Mayor Driscoll's reappointment of Noah Koretz to the Planning Board for a term of 5 years to expire March 1, 2024.
- B. Kirt Rieder asks about the Executive Session to discuss litigation in progress; this will occur at the next meeting

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

- A. Regular Planning Board meeting minutes held on March 7, 2019.

Meeting minutes are not yet available.

**V. ADJOURNMENT**

*A motion to adjourn is made by Helen Sides, seconded by Kirt Rieder, and the motion carries.*

The meeting ends at 8:23PM.

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 04/18/2019

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