

City of Salem Planning Board
DRAFT Meeting Minutes, May 7, 2020

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

A public hearing of the Salem Planning Board was held on Thursday, May 7, 2020 at 7:00 p.m. via Remote Access. Public participation was possible via zoom video and conference call:

Watching the Public Meeting:

- Go to the website link:
<https://us02web.zoom.us/j/87972677215?pwd=Yk9YN280enVJSWVJRlhRVVp4M2dITZz09>
- Go to the website link www.zoom.us/join and enter meeting ID # 879-7267-7215 followed by meeting password 693085, if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID # 879- 7267-7215 followed by meeting password 693085, if directed. Those dialing in only will not have access to the direct video feed of the meeting, but can follow along with the project materials available for download at salem.com/planning-board or
- Watch the meeting live on Salem Access Television Channel 22.

I. ROLL CALL

Those present were: Chair Ben Anderson, DJ Napolitano (arriving late), Matt Smith, Kirt Rieder, Vice Chair Matt Veno, Helen Sides, Noah Koretz, Carole Hamilton, (8)

Absent: Bill Griset (1)

Also in attendance: Mason Wells, Staff Planner; Tom Devine, Senior Planner; Amanda Chiancola, Senior Planner

Recorder: Stacy Kilb

II. REGULAR AGENDA

A. 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 of JUNIPER POINT INVESTMENT CO LLC for the properties located at 16, 18, and 20R Franklin Street (Map 26, Lots 400, 401, and 402) for an amendment to 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 amend an existing Planning Board decision dated September 20, 2018. The original decision allows replacing the junkyard with a residential development consisting of forty-two (42) units in five (5) buildings and includes a strip of land running from Franklin Street to the river that is approximately 25,000 square feet and is part of an ownership dispute. The new application includes only a portion of the disputed land, referred to as Parcel B, and downsizes the project accordingly. The amendment proposes to replace the existing junkyard with a residential development consisting of thirty-seven (37) units in four (4) buildings with parking under each building, in addition to some surface parking. The project also includes landscaping throughout, and public access along the

riverfront with walking paths. Also included are slightly repositioned building locations. In order to accommodate the new building layout, the applicant proposes the relocation of the site entrance approximately 55-feet to the south; revised parking and walkway layouts; changes to grading, drainage, sewer, water, gas, electric, lighting, and landscaping; and a new proposed three-foot tall retaining wall along the disputed strip of land. NOTE: Alternatively, should Parcel B not be integrated into the project, then the Applicant requests the Decision be amended to reflect a further reduced plan, to 31 units, with no change to the building footprints, or site plan, as submitted herewith.

Present for the Applicant are:

Attorney Joseph Correnti, Correnti & Darling LLP

Attorney Kristin Kolick, Correnti & Darling, LLP

Bob Griffin, Engineer, Griffin Engineering

Marc and Anya Tranos, Principal

Ryan McShera, Architect

Attorney Correnti presents. This is a plan for a reduced number of units, so that the Applicant may apply for financing on the land that is not under dispute. 37 or 31 units are now proposed, depending on whether Parcels B and/or A are not obtained. Since the last meeting, the Applicant has worked with New England Civil Engineering for the peer reviewer, and satisfied most if not all of the concerns and conditions. There is no new presentation tonight. Bob Griffin will present the resolutions to some peer review concerns; for this meeting, the requested elevations are also provided.

Bob Griffin, Engineer:

- Removal of sewer for existing building; this is in April 27th letter and C1-10 revised plans
- Removal of retaining wall to north of building D to eliminate pressure on the sewer line
- Addition of street trees and tree grates; will use Rubberway material or equivalent that allows water and air to get through. Structural soil will be below as required by City
- Tree in planting area across from Franklin Court but removed because there is no room with utilities
- Water, sewer, manhole comments addressed

Kirt Rieder asks about street trees and the one being removed; the color version of the landscape plan is not updated; the 4/27 uncolored plan is updated with the elimination of the tree in the island. Mr. Rieder had understood that that tree would be relocated, not removed entirely. A little leaf linden has been added. There are four street trees; two in the right of way plus the little leaf linden to the right of the driveway as you are exiting the property.

Mr. Rieder asks about C-5 plan; if greater than a 30" drop it requires a 42" guard rail measured to the top of the picket, not the post (at any point along the fence). This is clarified.

Carole Hamilton is looking for the new elevations; they were in the folder. Kirt Rieder notes that part of the issue is that material arrived only yesterday. Mason Wells points out that this is the fault

of staff, not the Applicant, and clarifies which folder it is in.

Ryan McShera screen shares the building elevations. He reviews the sheets. Buildings are similar to those approved in 2018. Chair Anderson asks about the stucco siding; this was part of the original approval, which the Board does not usually approve. The Applicant will go before the Design Review Board (DRB) once it has Planning Board approval. Chair Anderson asks for clarification on a letter from Beth Rennard indicating that she did not feel, given the minor nature of changes, that it did not need to go before the DRB. Mason Wells replies that, after the fact is a condition that requires final construction documents to go to DRB.

Chair Anderson opens to public comment.

Victoria Ricciardiello, 5 Foster St., has sent an email and wonders if part of the land in dispute (parcel B) is used who will take care of landscaping the Franklin St. side (Parcel A)? Attorney Correnti replies that if Parcel A is owned by the City, the Applicant would take title to Parcel B which would become part of the development, fully landscaped, but Parcel A, as City property, would be the City's responsibility to maintain. Correnti notes it is by the playground and also the front door of their multimillion dollar project, so all want it to look good. Can the project be built without a retaining wall? Bob Griffin replies that the retaining wall is there because the site has been elevated above flood elevation, and Parcel A is still below, so the 3' grade difference, if it can't work on Parcel A, they need the retaining wall. If work on Parcel A is done, they would not need the retaining wall. What about going down to water? Wall would abut the playground and put playground in a "hole?" Griffin states that her understanding was incorrect. The retaining wall will not extend to the water.

Kirt Rieder asks if Parcel B is not under Applicant ownership, will 6' high fence in L shape disappear? This is at the terminus of retaining wall, toward the baseball diamond perpendicular to the water, along 5 trees. If neither parcel is included, the wall ends at building B. There is no wall from Building B toward path.

A motion to close the public hearing is made by DJ Napolitano, seconded by Kirt Rieder, and passes 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Veno	Yes

The Draft Amended Decision is reviewed.

- 6A: public shall have 24 hour unrestricted access to the waterside path. Attorney Correnti

notes that most parks are closed from sunset to sunrise; this is immaterial. If there is another development, we want residents to be able to use that pathway. Board does not want a new development to put up a dawn to dusk restriction. Matt Smith notes this is not a park but a public access way, more of a public transportation amenity. New asphalt put in may take you past tennis courts. You can't use the courts but could use through way.

- “No fence along Franklin St shall be erected that restricts public access to and across the property.” Developer’s intent is that public pedestrians may pass from Franklin St, traversing the site between buildings to water, so important that it says “public access to and across the property”
- p. 7: Noah Koretz asks about the Transportation Enhancement Fund contribution. Wells states that the previous decision did not specify \$500 per unit, so it had only a total; this changes language so the amount contributed will be lower in accordance with fewer units.

A motion to approve the Draft Amended Decision is made by Matt Smith, seconded by Kirt Rieder, and passes 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Veno	Yes

B. Location: 379, 383, and 387 Highland Avenue; 4, 10, 12, 14, and 16 Barnes Road; 9, 12, 14-16, and 18 Cedar Road (Map 7, Lots 18-21, 49-54, 59, & 60; Map 3, Lot 66 & 67)

Applicant: Overlook Acres LLC

Description: A continuation of a public hearing for all persons interested in the application of OVERLOOK ACRES, LLC for the property located at 379, 383, and 387 Highland Avenue, 4, 10, 12, 14, and 16 Barnes Road and 9, 12, 14-16, and 18 Cedar Road (Map 7, Lots 18-21, 49-54, 59, & 60; Map 3, Lot 66 & 67) for a Site Plan Review and Planned Unit Development Special Permit in accordance with the Salem Zoning Ordinance Section 9.5 and Section 7.3. Specifically, the applicant proposes a development on the approximately 15.5 acre site along Highland Avenue at Barnes Road and Cedar Road consisting of a mix of uses, including commercial, residential, and public spaces. There is one commercial building with an approximate footprint of 8,450 square feet, four residential buildings with approximately 324 units, and a residential club house. There are also approximately 500 parking spaces proposed on site.

Attorney Scott Grover represents the project.

Principals: Peter Lutts, Paval Espinale, Paul Herrick

Scott Cameron, Morin Cameron Group

Dan Ricciarelli Principal Architect Seger Architects

Michael D’Angelo MDL Landscape Architect

Robert Michaud, MGM Transportaiton

Attorney Grover presents. The plan has changed significantly after input by neighbors. They made a concerted effort to reach out to neighbors and respond to concerns. Traffic and landscaping are primary changes made thus far, and will be reviewed tonight. Civil engineering will be delayed until peer review and changes to architectural plans will be reviewed after DRB review at May 27 meeting.

Scott Cameron, Engineer:

- Addition of space between Highland Ave and commercial building (Building 5); now at 24' - 30' buffer.
- Wetland and central part of site; existing condition photos have been provided. Property has been intensely used for a long period of time; gravel has been taken and there is a lot of fill in most of the development. Filled areas must be cleaned out (photo: Fill near wetland flag 24). Multiflora Rose and Oriental Bittersweet (both invasive plant species) are rampant, typical of an intensely used site. Additional photos of trash and fill are shown.
- Potential nature trail to scenic vista is shown, as are additional vantage points .
- Calculations were done to see if Building 3 could be moved away from the wetland; limit of work has been pulled away from the buffer as shown. Average is 51' away from wetland.
- Went from 324 to 298 to 290 units; the number of 3 bedroom units has been increased to 17.

Bob Michaud, P.E., Managing Principal, MDM Transportation

- Comments were received from prior plans and responses have been submitted.
- The MassDOT Route 107 Long Range Plan includes multi-modal planning, addressed long-range needs, and looks at improving traffic flow, pedestrian and bike accommodations, and traffic enhancements
- Orientation primary means of getting to and from property is meant to be Highland Ave., not the neighborhood. Secondary site driveway is at Cedar Rd. Barnes Rd. driveway is right turn only egress, not a full access driveway. Those who want to can use signal to make left onto Highland Ave.
 - Barnes/Ravenna Improvements are described. The plan goes beyond MassDOT improvements and is consistent with MassDOT initiatives:
 - Improve geometry
 - Widen Highland and facilitate U-turns
 - Extend left turn lane, improve queue capacity
 - Modify signal phase, reduce queue impact to Highland
- Reduced Unit Count/Trip Generation Update
 - 338 reduced to 290 units with corresponding net reduction in trips
 - 110 entering trips during morning peak
 - 90 returning per hour evening peak
 - Site Generated Trips - AM & PM Peak Hours (trips per hour, by location; 1 vehicle per minute at most). This is less than a 1% change per hour on Highland Ave. relative to existing conditions.
- Proposed TDM (Transportation Demand Management) include sidewalk system improvements, path system through site and connections to park, car sharing spaces,

unbundled parking, preferential parking for low-emission vehicles, bicycle facilities, public transportation promotion and accommodation

Chair Anderson understands traffic counts, but would like clarification about the signals on Highland Ave., if they have already been adjusted, does volume of cars for number of units require another adjustment? Adaptive signal control equipment is used on these signals, “smart signals” that adapt to traffic conditions depending on the time of day. There can be a 5% change in traffic that is adjusted for by the signal. The impact of this project is measured in small percentages (1%) falling within the current ebb and flow experienced on Highland Ave, so adjustments made to make signals adapt without physically modifying timing annually. Chair Anderson asks if after completion of project it is found adjustments aren’t working, is there a mechanism for neighbors or City to request further adjustments? Conceptual improvements have been shown but are subject to design and engineering review by MassDOT, also subject to Environmental Review process.

Matt Smith notes it is good for public and board to understand changes on Highland Ave. are up to Mass DOT, not the City. Signals can be adjusted manually as well as automatically. Regarding TDM elements, he would like to see details on unbundled parking (eg. \$5 a month will not help; higher cost should actually dissuade people from driving). He also seeks details on car sharing spaces. It would be good to see them placed at various locations within the site, not concentrated at one place. Is bicycle parking interior or exterior? There are opportunities for internalizing but details have not yet been ironed out; this preference for indoor bike storage will be taken into account. Smith says Highland is not a super bike friendly corridor; context must be considered says. Don’t do just a menu of strategies typical of TDM, but rather include elements to reflect this development. Smith approves of sidewalks and movement within the parcel. How many EV charging stations will be provided? Project will provide 2-4 charging stations per building, and more can be added if demand increases. There is a plan for internal bike storage.

Michael D’Angelo, Landscape Architect

- Landscape goals are to create a walkable, safe community, create continuity and a neighborhood feel, and to create public amenity spaces for the community.
- Cross Sections show plantings at bases of all buildings and photos show tiering of retaining wall. The intention is for a variety of street trees to provide interest and avoid monoculture.
- Linear Park is shown and described.

Kirt Rieder:

- Has walked the sites; notes it is “hostile,” with invasives and pricklers.
- Landscape drawings are commendable; suggests trees rather than shrubs to better screen view.
- Do you keep invasive 32’ wide zone between retaining wall and Barnes Rd.? Many tree types and quantity there are damaged by salt spray and will never improve. However, topography shows water will move into the new landscape, thus replicating same problems unless the topography at road shoulder is kicked back to Barnes. D’Angelo says The abutter would also prefer a playground. The consequence is when existing vegetation is removed, buildings 2 and 4 will appear much closer to the existing houses along Barnes Rd. He applauds the design, but notes that it will take years for growth to appear as shown. What would

neighbors rather have? The new amenity or landscape as it exists today. Once 32' zone is blown out, buildings 2 and 4 will be present and neighbors will be fully exposed. Yes, the existing vegetation is low quality, but if it is removed, abutters will be stunned at exposure.

- Appreciates civil engineering efforts, with the pulling back from the wetland area, but it was cavalier to initially show the wetland impact.
- Proximity of building 5 to Route 107: Existing house is 17' away from existing right of way. Better that it is 24' away. Malone Fence is 7-8' away, which is extraordinarily close. Puleo's and the self-storage are 30' away; Board members should comment on this; is 24' adequate?

Matt Smith notes that 24' is good, especially since there is no parking in front. It gives the impression of a more narrow roadway if it is closer to Highland and makes people slow down. Parking behind the building is a best practice to avoid making major roadways giant parking lots.

Chair Anderson opens to public comment.

Ann DeLuca, 10 Clark Ave. sent comments to Board. Concerns:

- One way in and one way out (Highland Ave.) for those who live there. "modest numbers easily accommodated," but this is only one project. Building is going on in Lynn, and there are other areas of Highland Ave that may have future impacts.

Tony Brooks, 7 Clark Ave., appreciates trying to avoid traffic on Barnes Rd. but feels it will still impact residents there. Even though lights have been adjusted, he feels it has not had an impact. It can take a half an hour to get from downtown Salem to Clark Ave.

David Labbe, 18 Barnes Rd., directly across from playground, states that 500 parking spots equals 500 cars, and it does not seem right to say 150 cars will going to and from work. Additional concerns include traffic on the access road, possible bottlenecks, and impacts to those traveling to Boston. He does not want to lose privacy of trees. Building 2B is taller than his building by 10-12'; 2B and 4A are not the same size. Light pollution is a concern too?

Leanne Zeole, 388 Highland Ave. says bus stop southbound on 107 between 384-386 Highland Ave. should be moved so pedestrians don't have to cross Barnes and Highland. If promoting public transit, more people should be using it, but why is the bus stop between her property and her neighbor's? With no sidewalk, the street is dangerous, so people stand on her and her neighbor's property, which she allows because the street is dangerous. Also for Building 5, please consider where it is proposed are two single family residences. Developer has not discussed hours of businesses. Bank and Puleo's are only open until 6PM Thurs. and Friday. Down the street others are open later. There should be a stipulation limiting hours, otherwise will decrease quality of life.

Ward 7 Councilor Steve Dibble:

- Senior housing and assisted living should be built on this site.
- The business Park Development zoning district is intended to be for clean jobs like on Technology Way, rather than housing.

- Planned Unit Development is required to be 50% commercial and this proposal doesn't include that.

A discussion on when to continue the item ensues, given the need for peer review, DRB input, and addressing the comments and concerns raised tonight. Kirt Rieder notes that topography along Barnes should be tweaked and address salt water spray.

A motion to continue to the June 4, 2020 meeting is made by Kirt Rieder, seconded by Carole Hamilton, and passes 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Venio	Yes

C. Location: 23 Summer Street (Map 26, Lot 463)

Applicant: 23 Summer Street LLC

Description: A continuation of a public hearing for all persons interested in the application of 23 SUMMER STREET LLC for the property located at 23 Summer Street (Map 26, Lot 463) for a Site Plan Review in accordance with Salem Zoning Ordinance Section 9.5. Specifically, the applicant proposes the renovation and expansion of the existing multi-family residential property at 23 Summer Street in the Central Development district. The applicant proposes the demolition of the rear portion of the existing building and replacing it with an addition to create a total of 10 residential units. The project includes changes to the existing parking lot, new indoor garage parking spaces, utilities, and landscaping.

Architect Tom Mayo presents site context and elevations. Plans have been approved by DRB, SRA, and Historical Commission. The addition is secondary to and smaller than existing building, with simplified details. He shows the existing first floor plan and existing additions and access stairs on main building. He displays the proposed floor plans including new addition. with reduction in asphalt Sides asks if a second floor bedroom has a window and Mayo confirms. Mayo shows existing A/C units; condensers may be exchanged for heat pumps. In any case they are trying to avoid window units given the historic nature of the community. Eight or possibly nine are typically on the building in the summer. He shows sight lines for HVAC units.

Helen Sides asks how cars will come and go. She wanted to see turning radii entering and exiting. Applicant will review this further.

Helen Sides asks about the site plan as it relates to the neighboring parcel. Becker states that he is a partner in the group that owns it, but the group does not wish to include it in this project.; Mike and who else owns parcel at Norman St? Yes, partnership group and owners of this.

Bob Griffen presents plan updates. Parking spaces are shifting to a modified, new lot line. Swept path diagrams are shown. Dies says she was seeking this for interior parking spaces.

Helen Sides notes that as an architect she cannot imagine going in and out of the garage because it is different than parking in an open area. Kirt Riederer agrees. Helen says too many cars equals too many units resulting in too high a density. Spaces 7 and 6 are against a wall with other cars in there. Chair Anderson notes it is tight and would like to see turning radiuses. Griffin says you don't need to fit a parking garage to fit all vehicles in all spaces; those with large vehicles will not purchase a unit where they don't have adequate space to park their car. They may be able to stripe out the lot with tape to show maneuvering. Chair Anderson comments that they still need to prove it visually to the Board. Helen Sides notes these are tiny units; some will be short term rentals, and maybe people won't all have cars. But she still has a concern with the density.

Carole Hamilton: Will short term units be deed restricted as such? In the future, can they turn into permanent condos? No deed restriction will be placed, and they plan to continue the whole thing as rentals, with 7 long term, 3 short term.

Matt Veno doesn't 100% disagree with the maneuverability concerns, but says it is important to show via turning radius so that Board as site plan review authority can see that people can get in and out properly. Bbut there is nothing bad about rental units in urban setting having tight parking. We don't need to optimize housing to create the most convenient attached parking. Many discussions happen in city regarding the necessity of rental housing and small units; it is very clear as an Urban Planner, he does not see why 10 units on site is incongruous or too dense given what is in the neighborhood. Wouldn't we want additional units if it means making parking tighter? When this Board discusses downtown projects, we don't want parking to be the tail that wags the dog, we just need to establish that cars can get in and out safely. B it is okay for them to be less than perfect, tight spaces. Someone driving a suburban will probably not rent here.

Chair Anderson does not have an issue with unit count or density, but rather spaces 4 and 9 and whether someone can exit and enter from the driveway opening. Helen Sides also wishes they owned the piece of property adjacent outright and could combine it with the development to get some green space. It is a very important corner in the City. Holyoke "ruined" that part of downtown long ago, but she would like to see something nice on that corner when they are a part owner.

Tom Devine states that the Director of Traffic and Parking reviewed and submitted comments linked in a memo, it was shared with Board and Applicant and includes traffic count data from roundabout and an interpretation of it.

Chair Anderson opens to public comment

John Carr, 7 River St. is opposed. He states that the proposal makes an already difficult situation more intolerable for pedestrians and drivers. Traffic will be worse and density too high. This is a

historic home and the design of the addition is mediocre.

Carole Carr, 7 River St., thanks the Planning Board for its work but is still opposed to the project. She wants to confirm that all her submissions have been received. At the April 2 meeting the Board asked for emails, letters, and documents from the Historical Commission. The Historical Commission's letter states that the design contradicts NPS historic building addition standards.

Tom Mayo says letter was written in response to the first design, which was same size as the existing building when cornice and roof lines matched, which is why they now have the "secondary style" design.

Asks a

Carole Carr asks about fire truck turning radius. She is concerned about parking and the size of cars, since large cars may park on Chestnut St. if they can't fit in garage. She wants to see a perspective plan as if standing on summer St. She feels they should have reached out to neighborhood beforehand.

Valerie and Steve Fox of 4 Chestnut St. comment. To clarify 4 Chestnut Street is a single family #2 is 3 units. They Agree with Helen Sides regarding over-densification of the site and resultant parking problem. The lack of landscaping is a concern. They are dismayed by the 7' modification the of site plan that eliminates landscaping earlier described. Tom Mayo notes it does not eliminate landscaping; it will be the same as before. The magnolia will remain and its location is described. Pea stone was called out when plan was drawn, but they will need to coordinate with landscape architect to replace with grass. Mr. Fox says this is quibbling about minute landscaping in a prominent part of the city.

Bill Raye, 2 Chestnut St. is concerned about losing the corner virtually and with construction and short term rentals.

Janice LeBel is called upon to provide comment but no audio is heard.

A motion to continue to the June 4, 2020 meeting is made by Matt Veno, seconded by DJ Napolitano, and passes 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Veno	Yes

Chair Anderson asks about comments for ADU/IZ - by May 25th. Hear it or continue? this is discussed.

D. Location: 602 Loring Avenue (Map 20, Lot 11)

Applicant: Vavel LLC Description: *The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020 of the public hearing for all persons interested in the application of VAVEL, LLC for the property located at 602 Loring Avenue (Map 20, Lot 11) for a Site Plan Review in accordance with Salem Zoning Ordinance Section 9.5. Specifically, the applicant proposes the demolition of the existing two-story commercial building on the site and the construction of a three-story building containing 20 residential units. The project includes 34 off street parking spaces, 22 of which will be garage level spaces within the building and 12 of which will be surface parking spaces. Also proposed are landscaping, a ground level patio, a sidewalk from the building entrance to the existing Loring Avenue sidewalk, bicycle racks, utilities, grading, and drainage systems for stormwater runoff. The existing curb cut will be reconfigured into a 24' driveway.

A motion to continue to the May 21, 2020 meeting was made by DJ Napolitano, seconded by Matt Smith, and passed 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Veno	Yes

E. Location: 54 and 56 Swampscott Road (Map 07, Lots 65 and 64)

Applicant: Michael Buonfiglio

Description: *The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020 of the public hearing for all persons interested in the application of MICHAEL BUONFIGLIO for the property located at 54 and 56 Swampscott Road (Map 07, Lots 65 and 64) for a special use permit per Section 3.1.3 and Section 9.4 of the Salem Zoning Ordinance to allow a change in use from an auto repair shop to a contractor's yard and landscaping business in the Business Park Development District. Specifically, the applicant proposes to repair the shop for use as office and storage, with the addition of a second floor to the existing building.

A motion to continue to the May 21, 2020 meeting is made by DJ Napolitano, seconded by Matt Veno, and passes 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes

Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Veno	Yes

F. Location: 160 Federal Street (Map 26, Lot 0002-30)

Applicant: North Shore Community Development Coalition Description: *The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020 of the public hearing for all persons interested in the application of NORTH SHORE COMMUNITY DEVELOPMENT COALITION for the property located at 160 Federal Street (Map 26, Lot 0002-30) for Site Plan Review, Municipal or Religious Reuse Special Permit, and Flood Hazard Overlay District Special Permit in accordance with Salem Zoning Ordinance Sections 9.5, 6.11, and 8.1. Specifically, the applicant proposes the conversion of the former St. James Parochial School into 33 units of housing, with associated community space for residents. The applicant additionally proposes approximately 42 parking spaces on site to serve the residential units.

Carole Hamilton wonders about continuations. Devine states that 160 Federal Street and 13 Hawthorne Boulevard are undergoing peer review by Engineering Department staff and this will continue beyond tonight. 54-56 Swampscott Road needs to provide additional information and 602 Loring Ave. is being continued to free up space on this agenda.

A motion to continue to the May 21, 2020 meeting is made by DJ Hamilton, seconded by Matt Veno, and passes 7-0 in a roll call vote with Noah Koretz abstaining.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Abstain
Matt Smith	Yes
Matt Veno	Yes

G. Location: 13 Hawthorne Boulevard (Map 35, Lot 0287-0)

Applicant: North Shore Community Development Coalition Description: *The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020 of the public hearing for all persons interested in the application of NORTH SHORE COMMUNITY DEVELOPMENT COALITION for the property located at 13 Hawthorne Boulevard (Map 35, Lot 0287-0) for Site Plan Review and Municipal or Religious Reuse Special Permit in accordance with Salem Zoning

A motion to continue to the May 21, 2020 meeting is made by Carole Hamilton, seconded by Matt Veno, and passes 7-0 in a roll call vote with Noah Koretz abstaining.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Abstain
Matt Smith	Yes
Matt Veno	Yes

III. OLD/NEW BUSINESS

A. Deliberate and vote on a recommendation to the City Council on three (3) separate Zoning Ordinance Amendments relative to Accessory Dwelling Units and Inclusionary Zoning summarized below:

a. An Ordinance Amending Zoning Section 3.1 Table of Principal and Accessory Use Regulations of the City of Salem Zoning Ordinance to delete the “Accessory Living Area” Accessory Use in its entirety and inserting an “Accessory Dwelling Unit” Accessory Use in the RC, R1, R2, and R3 zoning districts.

A motion to recommend the above change be made to the City Council is made by Matt Veno, seconded by Noah Koretz, and passes 8-0 in a roll call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Veno	Yes

b. An Ordinance amending the Salem Zoning Ordinance relative to accessory dwelling units in the following three ways:

i. Amending Zoning Ordinance Section 10 Definitions by deleting the definition of “Accessory Living Area” in its entirety and inserting the definition of “Accessory Dwelling Unit” in its place.

ii. Amending Zoning Ordinance Section 3.2.4 Accessory Buildings and Structures by deleting paragraphs numbered 4 and 5 in their entirety and replacing them.

iii. Amending Zoning Ordinance Section 3.2.8 Accessory Dwelling Areas by deleting the existing text in its entirety and replacing it with a new ordinance.

Helen Sides is concerned that within R1 or R2, a separate building could be placed on a property. She does not understand it being for reasons of affordability and is uncomfortable with proposing it for purposes of affordability. She thinks it is only affordable if it is attached or within the existing building. Historic carriage houses can be converted by right and perhaps a garage apt be added, but we are requiring that this be connected to the main utilities of the house, so small units in a backyard, connecting all utilities, is not affordable. Councilor Turiel proposed, under paragraph 6 Item D, expansion of footprint or unattached require a special permit. Helen Sides feels attaching something of scale defined is possible by right, as long as it meets all criteria. By zoning, special permit is a very low bar though.

Noah Koretz and Matt SMith ask if language has changed since public hearings have started. Amanda Chiancola says yes, but Board does not have tracked changes. Edits are discussed. Two edits made per Turiel's comments regarding detached structures and additions will now be sections 4E and 6D. Another change was to definitions - either unattached or attached, as only allowed within primary structure, but intent was to allow as detached. Helen Sides says it is extremely expensive to convert an accessory building such as a garage to a dwelling unit.

Matt Smith thinks initially if built detached it is costly but down the road it could become more affordable, if someone builds detached for relative, then could be leased out at market rate. Chair understands Sides' concerns, but an existing garage would at least have electrical. It is hard for board to stipulate what an owner could afford or not afford. The intent of the ordinance is to define square feet of space. If they are willing to build 800 s.f. apartment for a couple hundred thousand dollars, they may not get a return, but is their decision. If it adds affordable housing we should support it. Matt Smith says this is also to add a source of income to help people stay in their homes and age in place. It is not just about creating a low cost unit. A bigger issue is the people forced to move away when can't afford to stay in their home later in life.

DJ Napolitano says opposition is coming from City Council members who have predominantly single family districts who are worried that, as Helen suggests, people will dig up backyards for ADUs. He supports Helen's concern, but more to take arguments out of why not to do it. If you live in R1 and don't have a preexisting structure, you cannot build a separate, detached, ADU. Sides comments that if you are in an R1 and you have enough property to build a separate mini house, you have enough room to attach it. Why make it separate? Smith agrees. Chair Anderson asks what if someone wants to build a garage and put a unit above it? Attach the garage? Noah Koretz would rather get rid of the detached provision rather than treating R1 differently. All Board members agree. There is most opportunity in R1, so it is only fair to include R1.

The Board discusses wording of their recommendation with Chincola.

A motion recommend the change to the City Council as discussed is made by Helen Sides and seconded by Noah Koretz and passed in a roll-call vote.

Ben Anderson	Yes
Carole Hamilton	Yes
DJ Napolitano	Yes
Helen Sides	Yes
Kirt Rieder	Yes
Noah Koretz	Yes
Matt Smith	Yes
Matt Venio	Yes

c. An Ordinance amending the Salem Zoning Ordinance by adding a new Section 5.4 Inclusionary Housing and amending Section 10 Definitions by adding definitions related to the Inclusionary Housing ordinance.

The Board tables this item.

IV. APPROVAL OF MINUTES

The Board tables review and approval of meeting minutes.

V. ADJOURNMENT

Kirt Rieder motions and Carole Hamilton seconds to adjourn at 10:55pm and all vote in favor by roll call.

The meeting ends at 10:55PM

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-2020-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on XX/XX/2020