

**City of Salem Planning Board
Approved Meeting Minutes
Thursday, April 21, 2016**

A public hearing of the Salem Planning Board was held on Thursday, April 21, 2016 at 7:00 p.m. at City Hall Annex, 120 Washington Street, Room 313, Salem, Massachusetts.

Vice Chair Matt Veno opened the meeting at 7:14pm.

I. ROLL CALL

Those present were: Noah Koretz, Bill Grisct, Dale Yale, Carole Hamilton, Matt Veno, Vice Chair and Tony Mataragas, late: Kirt Rieder.

Absent: Ben Anderson, Chair, and Helen Sides

Also present: Amanda Chiancola, Staff Planner, and Stacy Kilb, Planning Board Recording Clerk.

II. REGULAR AGENDA

A. Location: 14 and 16 ALMEDA STREET (Map 14 Lot 116 and Map 14 Lot 117)

Applicant: TOWN AND COUNTRY HOMES, INC.

Description: A continuance of the public hearing for a Definitive Subdivision Plan to construct a roadway to serve two existing undeveloped lots.

Applicant requests to continue to the May 19 meeting and also for the Board to vote on a project extension of the 135 day deadline to July 12, 2016. Noah Koretz asks for the reasoning behind requests for continuance and details are outlined. Progress is being made with revisions to the plans, and the petitioner has met with the City Engineer.

A motion to continue to the May 19, 2016 meeting, and to grant the project extension of the 135 day deadline to July 12, 2016 is made by Noah Koretz, seconded by Bill Grisct, and passes with all in favor, 6-0.

B. Location: 14 BERTUCCIO AVENUE (Map 24, Lot 105)

Applicant: NATHAN JACOBSON

Description: The applicant requested a continuance to May 5, 2016 of the public hearing for a Definitive Subdivision Plan in accordance with the Salem Subdivision Regulations to allow the construction of a roadway to serve seven (7) residential lots, and a Stormwater Management Permit in accordance Sec. 37 of the Salem Code of Ordinances to allow for activity that results in a land disturbance greater than one acre of land.

The petitioner requests to continue to May 5th. According to the applicant, they have received comments from the initial hearing and site visit, and wish to respond to the peer reviewer regarding stormwater management.

A motion to continue to the May 5, 2016 meeting is made by Dale Yale, seconded by Tony Mataragas, and passes with all in favor, 6-0.

C. Location: 70-92 ½ BOSTON STREET (Map 15, Lot 299 & Map 16, Lot 139) Applicant: 139 GROVE STREET REALTY TRUST

Description: A public hearing for a Site Plan Review, Flood Hazard Overlay District Special Permit, 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 the redevelopment of the former Flynntan site consisting of removal of three structures on the property, the construction of 50 residential dwelling units within two separate buildings and a commercial retail space with parking provided on the site.

Attorney Joseph Correnti of 63 Federal St. represents the applicant. He mentions a previously proposed development for this site, which got fully permitted but did not move forward. Anthony Roberto represents the ownership group, Lar Properties LLC, which also operates Goodhue Properties, a nearby residential site just behind this one.

Attorney Correnti describes the topography of the site and options explored for development. He compliments the City on the improvements to the Grove/Goodhue St. intersection. This will be a residential development with a small commercial component. All parking requirements are contained on the site. A mix of housing and unit styles will be implemented. This is a main building with a second townhouse component along Bridge St. They have reached out to the neighborhood and the Ward 4 Councilor. They have also met with the Gallows Hill and Mack Park Neighborhood Associations.

Chris Sparages, Civil Engineer, presents, as does Tanya Carrera, Architect.

Anthony Roberto, one of three principals for Lar Properties, comments on the process he went through for the Goodhue Street Apartments. All units are full with a waitlist. The commercial side is a struggle but he feels further developments to the area will help.

Chris Sparages, Project Engineer, presents a PowerPoint. He outlines the location and logistics of the site, as well as its history. Three large buildings remain and existing conditions are described. Noah Koretz asks about the parcel on the corner; it is Dunkin Donuts and Witch City Cycles. Soils were found to be sandy, which ties into stormwater management design.

Mr. Sparages describes Boston Street and the sidewalk, as well as elevations. The site slopes down from Boston St. toward Goodhue St. A very small part of the area is in the floodplain, requiring a special permit and filing with the Conservation Commission, though the resource will not be filled. The area in question is to be a dog park. There are six existing curb cuts on Boston St. and some areas with no curbing on Goodhue St., though there are some access points there. The City created a driveway access on Goodhue St. with its reconfiguration and that will remain one of the vehicular access points for the site.

Mr. Sparages shows the proposed layout of the project and outlines. There will be a three-story apartment building with 44 units and parking underground, and six townhouse style units along Boston St. Two parking spaces for each unit will be provided. There will be one entrance in and out of the Boston Street side, at an existing curb cut. A circle will accommodate a ladder truck. 100 parking spaces for the residential components are proposed, and 8 parking spaces are proposed for the commercial part of the project. The rear of the building can be accessed via the entrance on Goodhue St. The townhouses will have six garage spaces.

Proposed grades are outlined; the parking lot is at a 1-2% grade. The proposed dog park along Goodhue St. is described, as are some retaining wall and a terraced garden area.

Stormwater management efforts proposed are described. Stormwater management standards are being met with catch basins and three underground infiltration chambers. The drainage design is similar to that of the previously proposed plan to simplify peer review. They will tie into existing utilities for water, sewer and fire suppression.

Tanya Carrier reviews the proposed architecture, first outlining the nearby existing buildings. Townhouse buildings are closer to Boston St. as they are smaller scale, while the larger building is nearer to Goodhue St. The proposed architecture mimics what is already in the area. Parking spaces on Goodhue St. that were recently added in the reconfiguration of the intersection belong to the City.

Ms. Carrier gives a brief overview of the landscape plan, which will be presented at a later date by a landscape architect. The garage plan of the main building is outlined. There will be 46 spaces in the garage. The layout of the buildings is described. It is a mix of one and two bedroom units. Space for two retail units is planned for the first floor. The three-bedroom townhouse units are described.

Noah Koretz asks about the underground parking and if there are limitations on digging due to topography of the site. Mr. Sparages elaborates, describing the elevations. How the spaces take advantages of the grade change, which goes from 38' to 10', is described. Topography of the existing conditions is described.

Pedestrian entrances for the town houses are on the street with garage entrances around the back. Noah Koretz asks about the sidewalk on the South side of the street and Mr. Sparages elaborates on the existing sidewalk on Goodhue St. That will not be changed and no additional sidewalk is proposed beyond where it ends. There is a crosswalk to the other side of the street, though, that continues to Boston St. Noah Koretz opines that it should continue to the end of the street on both sides. He also wonders about the roundabout and the dog park and questions if they are really the best use of that open space, citing the nearby Leslie's Retreat dog park.

Mr. Sparages and Mr. Koretz further discuss the fire truck turnaround. Mr. Koretz would like to see further details in cross section but comments that he does not approve of the "faux historicism" architectural style proposed. He feels that new structures should make an impact while fitting in with the scale of existing development, but not mimicking existing historic structures. Bill Grisct agrees and a discussion of architecture ensues. Vice Chair Matt Veno comments that this has been a topic of debate, and while he agrees, often nearby residents do want to see new architecture match the existing.

Mr. Koretz feels that this firm should be able to accommodate the Board's desires. Attorney Correnti anticipates presenting to the Design Review Board the fourth week in May.

Tony Mataragas also believes there should be a sidewalk on the South side of Goodhue St., as the additional housing will create a more pedestrian environment. The Board supports the applicant discussing the City right-of-way and the sidewalk. Tony Mataragas also feels that a dog park is not necessary.

Vice Chair Matt Veno is concerned about the Boston St. access and egress, as it is very close to the major intersection of Boston, Bridge and Proctor Streets and discussion on additional options for the access points continues. The Vice Chair acknowledges that there is no simple answer, but that their solution is one of the more problematic ones.

Carole Hamilton also comments on the entrance, and opines that a dog park onsite to accommodate late-night dog outings is desirable if dogs will be welcomed into the residences.

Vice Chair Matt Veno's questions for future meetings:

- Petitioner should provide a more detailed vision for the commercial space, as the nearby commercial space on Goodhue St. suggests it is a challenge
- Provide details on conversations with the owners of Dunkin Donuts, referring to the North River Canal Corridor Master Plan (NRCC) (Attorney Correnti comments that these begin and end with "drive through.")
- The "urban village concept" referred to on that plan should be the overriding vision for design if not site plan

Noah Koretz and the Vice Chair do feel that this is moving toward that "urban village" feel and acknowledge that the grade changes make site development difficult.

Vice Chair Matt Veno opens the meeting to public comment.

Rosemary O'Connor of 111 Mason St. states that the developer was very well received at the Mack Park Neighborhood Association meeting last month. Neighbors approved of the design as it matches the neighborhood; other designs nearby were not so popular. She agrees with the need for a dog park and opines that Goodhue St. should be made two-way. Vice Chair Veno states she should express her opinions on architecture to the Design Review Board.

Daniel Sousa of 83 Boston St. echoes Atty Correnti's comments. He appreciates the project, including the dog park, but also feels the design could be made to stand out more. He also opines that the proposed entrance/egress will not pose a problem, however currently residents on the odd side must park across Boston St., on the even side. They may be able to work with the City on that issue.

William Sousa of 83 Boston St. approves of the design as it is and feels that the entrance/exit proposed will pose a problem, as will possibly inadequate parking for the commercial space, depending on what type of business moves in. He is in favor of moving parking for Boston St. residences to the same side of the street as the houses.

Michael Kusik of 19 Putman St. wonders why two parking spaces per unit are required if the desire is to promote an urban context, walkability, etc. He feels the applicant has tried to reflect the neighborhood and has succeeded. Units will be dog-friendly.

Zoning is at issue in that regard and Vice Chair Veno comments that the Master Plan has called for flexibility with parking spaces for this site, acknowledging that topography will make it challenging. Vice Chair Veno would be open to sacrificing parking to address other amenities. The applicant comments that the proposed number of spaces is not ideal and would prefer 24 fewer spots. They are not currently planning to request a variance from the Zoning Board of Appeals, but the Vice Chair comments that it is a route they should consider, as this Board is requesting that they do it. The applicant notes that there are no studio apartments within any NRCC project proposed, as the requirement would be for two parking spaces regardless. The development at 28 Goodhue St. was a test; they did not seek a variance so there are two spaces per residence, with 45 units and 90 parking spaces. On average, only 48-50 are being used at one time.

Mr. Kusik comments that walkable cities, ridesharing, self driving cars, etc. will diminish need for personal cars. Vice Chair Matt Veno comments that there is a need to find the correct balance.

Kirt Rieder arrives 8:48PM and agrees that new architecture "should be of its time."

Jane Froncki of 5 Safford St. approves of the design. She agrees that Goodhue St. should be made two-way again but is concerned about tractor trailers coming down Beaver St. She requests signage for no trucks to go down her street. She is advised to speak to her Ward City Councilor.

Joan Sweeney of 22 Silver St. approves of the project but is concerned about the historic house on the corner of Grove St. and Boston St., which was built in 1790 as Daniel Fry's Tavern, adjacent to site and near the tattoo parlor. She provides documentation on historic nature.

Bill Grisct makes a motion to continue to the May 19, 2016 meeting, is seconded by Noah Koretz, and the motion carries with all in favor, 7-0.

D. Location: 114 DERBY (Map 41 Lot 14)

Applicant: 114 DERBY STREET NOMINEE TRUST

Description: A public hearing for a Site Plan Review in accordance with Section 9.5 of the Salem Zoning Ordinance to reflect the plan for the property located at 114 Derby Street (Map 41, Lot 14). The applicant proposes to convert the existing structure presently used by the City of Salem School Department to six (6) residential dwelling units with nine (9) exterior parking spaces.

Attorney Scott Grover represents Larry Freye and Joe Skomurski; Dan Ricciarelli of Seger Architects will also present. This is the team redeveloping the convent on 7 Howard St. This is barely at the threshold for site plan review as it is 6 units. Attorney Grover describes the "Settlement House" owned by House of Seven Gables. It has been used mostly for school purposes; now the City leases it for an alternative high school but the Gables would like to sell to fund other projects. They hope to close before the end of June.

Mr. Grover describes the two distinct buildings, the original Federal building and a 1980's addition. There are five parking spaces along Turner St. This would have six residential condominium units with nine parking spaces in compliance with zoning ordinance. There will also be substantial enhancement to the landscaping. Atty Grover describes the existing setup and proposed landscaping. The Zoning Board of Appeals has issued a variance, though relief was minimal. Use and density are allowed, however a coverage variance was required. An alteration of a nonconforming structure was also approved. This project was very well received by abutters and the Neighborhood Association. This is also in the Derby St. Historic District, so has been before the Historic Commission. All proposed changes were approved so this Board is the final step.

Vice Chair Matt Veno asks for clarification as to the site orientation and Attorney Grover elaborates.

Dan Ricciarelli of Seger Architects presents the plans in more detail, including layout and footprints of each unit, elevations and restoration. This is not a three story unit; it was once converted to a gym so the upstairs units will have 16' ceilings. Exterior views are shown and described.

The Vice Chair comments, and other Board members agree, that this is exactly what was discussed in the conversation regarding design in the last project, that it should reflect but not match exactly what is in the abutting area.

Dale Yale confirms that these are condominiums. Noah Koretz comments that he likes that they are being creative with small projects such as this. Kirt Rieder approves of the project and thinks the applicant has "very persuasive graphics" and opines that the Board should share them as an example with less accomplished applicants.

Kirt Rieder approves of the project in general but requests that the pear trees be replaced with another species that will last longer and be less.... fragrant.

Vice Chair opens to the public but there are no comments.

The Board has received one letter from Kara McLaughlin, Executive Director, House of Seven Gables, which is read into the record. She is in support of the project.

Kirt Rieder makes a motion to close the public hearing is made, is seconded by Dale Yale, and the motion carries with all in favor, 7-0.

A draft decision is before the Board. The only change requested is the substitution of the pear trees. It can be conditioned. The applicant previously participated in a one-stop meeting where lots of police, fire, and engineering input was received, so their feedback is built into the draft decision. They will work with the building department to satisfy their minor concerns, but the Planning Dept. has no unresolved issues. Amanda Chiancola outlines the City Engineer's comments and recommendations, which are conditioned. Plans will go back before City Engineer for approval pre construction.

All units are on Derby St.

Vice Chair Matt Venio reviews the draft decision with the Board, calling out items that are not standard, including:

- Sewer lines
- Snow storage – snow will be removed offsite; logistics are described
- HVAC units on roof with screening if visible
- Trees – Replacement of five pear trees (replace all pear trees with another species), to be sent to Kirt Rieder and confirmed by Amanda Chiancola, staff planner. A revised landscaping plan including this change is to be submitted to the Planning Department and confirmed by a staff planner before the Planner signs the Building Permit routing slip.

Carole Hamilton makes a motion to approve, is seconded by Kirt Rieder, and the motion carries with all in favor, 7-0.

III. APPROVAL OF MINUTES

A. April 7, 2016

A motion to approve the minutes from the April 7, 2016 meeting, with a few minor corrections, is made by Noah Koretz, seconded by Bill Grisct, and passes unanimously, 7-0.

IV. OLD/NEW BUSINESS

A. Review and Vote on the request to release the eight (8) remaining lots in the Witch Hills Subdivision.

Kirt Rieder is not present for this item.

George Atkins of Steadman Development presents. He outlines the development and progress so far; all requirements for release have been met, such as prior phase completion, completion of trails, and an ongoing process for wetlands replication conditioned by the Conservation Commission. Two parcels within the subdivision have been transferred to the Park and Recreation Commission.

A motion to release 8 lots for phase 3 is made by Noah Koretz, seconded by Carole Hamilton, and the motion carries with all in favor, 6-0.

B. Deliberate and vote on recommendation of an amendment to the City of Salem Zoning Ordinance Section 10.0, Definition of a Tasting Room.

Discussion of how square footage should be used in percentage calculation occurs. Alternate language is proposed to help clarify the ordinance. Procedural issues and jurisdiction are discussed. Possible interpretations made by the Building Inspector are discussed. This is an evolving process, but it may make sense to approve this as is so breweries may continue, but allow for changes.

Vice Chair Matt Venio suggests recommending adoption of amended ordinance as presented, expressing that the 50% limit seems unnecessary and problematic; Noah Koretz opines that if this is easier to do business in Beverly than Salem, that is not good. The Vice Chair also opines that we also recommend that the City offers some clarity on the definition of “main building” and Bill Griset suggests they examine the issue of adding square footage of all buildings on lot and using that number.

A motion to recommend adoption of the ordinance as presented is made by Carole Hamilton, seconded by Noah Koretz, and passes unanimously, 7-0.

In making this recommendation, the Planning Board unanimously recognizes that this is an evolving issue, and notes the following for future consideration:

1. The definition of the “main building” should be clarified. The board recommends that in a case where there are multiple buildings on one site, cumulative gross square footage of all buildings on the site shall be used to calculate the percentage.
2. The percentage requirements are likely to be unnecessary given other regulatory oversight. The Planning Board urges that the City Council consider eliminating the percentage requirement in the future.

V. ADJOURNMENT

Dale Yale makes a motion to adjourn, is seconded by Tony Mataragas, and the motion carries with all in favor, 7-0.

The meeting ends at 9:56 PM.

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-2016-decisions>

Respectfully submitted,
Stacy Kilb, Recording Clerk

Approved by the Planning Board on 05/05/2016

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