

**City of Salem Planning Board
Meeting Minutes
Thursday, April 7, 2016**

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

Chair Ben Anderson opened the meeting at 7:08pm.

The Chair introduces Tony Mataragas, a new Board member.

Councilor at Large Thomas Furey and Ward 4 Councilor David Eppley are present.

I. ROLL CALL

Those present were: Ben Anderson, Chair, Noah Koretz, Bill Grisct, Dale Yale, Carole Hamilton, Helen Sides, Kirt Rieder, Matt Venio, and Tony Mataragas

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

II. REGULAR AGENDA

A. Location: 401 BRIDGE STREET (Map 25, Lot 74) and 44 Boston Street (Map 15, Lot 305)

Applicant: HIGH ROCK BRIDGE STREET, LLC

Description: A continuance of a public hearing for amendments to the approved 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. The applicant requests the following Special Permit associated with the North River Canal Corridor Neighborhood Mixed Use District (NRCC) Sections 8.4.5 and 8.4.13 North River Canal Corridor Neighborhood Mixed Use District). Specifically, the applicant requests a Special Permit per Sec. 4.0 of the NRCC to allow a multi-story arrangement of a multi-family residential use. The applicant requests amendments to the following approved Special Permits of the NRCC: A Special Permit per Sec. 8.4.12 Retail Use of the NRCC to allow ground level retail use to be amended from the original decision to exceed the 3,000 gross square feet for one retailer. A Special Permit per Sec. 6.0 to be amended from the original decision to allow an eating and drinking place on the premises to reflect the new plan. The applicant proposes to construct two separate buildings including the Community Life Center, a two-story building, and a five-story mixed-use residential/retail on the corner of Boston and Bridge Street with an associated revised parking and landscape layout.

A Civil Engineering presentation on the drainage plan and landscaping for the Gateway Center is made by Peter Ogren. Joseph Correnti of 63 Federal St. represents the applicant. Drainage and grading were the main issues, but Mr. Correnti feels they are being resolved. The applicant has also been before the Design Review Board and has received comments on the plans, which architects are addressing. They will return before the DRB in April.

Peter Ogren presents the Plan. Tony Capachietti is also present. Mr. Ogren outlines the previous Sylvania site. A comparison of the previously approved and amended plans is made. A reduction in total impervious space has been made; there is also a reduction in runoff volume but an increase in the building space. There are also

fewer parking spaces. Site hydrology is outlined; it is very complex. Several studies are outlined. Elevations and data used for flood determinations are described.

DEP and MEPA Concerns:

- Sea Level Rise
- Drainage on Adjoining Lands
- Determination of Land Subject to Coastal Storm Flowage

Mr. Ogren feels that these have been addressed; he outlines changes to the grading plan, including raised crosswalks that do not dip below the 100-year flood elevation. Other drainage features remain the same. The area that would be flooded in a 100-year event is shown. Existing drainage is shown and described, as is proposed drainage. The project is subject to Stormwater Management, and the Treatment Plan is outlined. It exceeds the 80% reduction in TSS that is required; 89% will be removed. Tidegates at the outfalls are also described.

Other utilities on the site are described. A Utility Mitigation Package is described:

- Sewer contribution of \$21,903
- Water Line: Check function of existing gates, replace if necessary
- Drainage improvements: Replace partially blocked culvert
- Tide-Flex Valves: Located on project discharges; another may be added

Site lighting has been added and submitted, and is outlined. There will be no overlap of light onto Federal St. as there is a retaining wall and lights are all downcast. A Project Summary is outlined.

Landscape architect Katya Podsiadlo of Blair Hines Design presents. There are several “unifying themes” throughout the site, as described. All plants, trees and shrubs selected are adapted to the specific conditions on this site. Native shrubs and trees will be used. Easy access for pedestrians is maintained throughout the site. Double plantings are planned for the Southern side along Federal St. as a buffer. Outdoor spaces are outlined. They will be concrete but will have special saw cut patterns to distinguish them.

Bill Ross, Peer Reviewer for the City, presents. He summarizes the process. Since Oct. 6th, there have been meetings re grading and floods. He outlines all plans and letters exchanged thus far. The majority of the old issues have been resolved, and there are a few new comments, with progress being made on an agreement regarding drainage.

Kirt Rieder asks for clarification on landscaping. He feels the plan is impossible to read; he approves of the plants suggested. He notes the saw cuts/scoring patterns and wonders if there will be colored concrete. There will be colored concrete, which Ms. Podsiadlo describes. A full sized set of black and white plans is available for Board members, and Ms. Podsiadlo shows a larger colored copy for the Board to review. Kirt Rieder feels the colors should play off the building.

Kirt Rieder also asks about the criteria for grading the parking lot, and Tony Cappachietti describes the slopes. Mr. Rieder also comments that certain areas seem steep. This can affect accessibility for those with mobility issues, whether or not it is an accessible route. Mr. Capachietti states that certain parking spaces were designed to accommodate drainage; others are ADA compliant.

Mr. Rieder asks about riprap on the Bridge St. sidewalk and Mr. Capachietti outlines the slope and elaborates. The state of the retaining wall along Federal St. is discussed; the applicant will look into the structural integrity of the wall.

Matt Venio makes some observations re use and scale. He is concerned that the project does not maintain the “urban village” concept as suggested in the Master Plan for this area.

Kirt Rieder is still concerned about pedestrian accessibility and suggests removing additional parking spaces to create a planting bed to make the space more amenable. The option will be explored.

Chair Anderson opens to the public with reminders of the new guidelines which are now in place.

Polly Wilbert of 7 Cedar St. asks the Landscape Architect about snow storage and whether the landscaping is compatible with that. Ms. Podsiadlo thinks that it should be but Kirt Rieder disagrees; in some cases snow may need to be removed.

Teasie Riley Goggin of 9 Wisteria St. is concerned about the adequacy of the infrastructure in the area, as well as whether the Master Plan will be adhered to by the developers. Mr. Correnti outlines the sewer capacity, the peer review process and how each developer views his or her project on an individual level, but works with the Master Plan to determine the “big picture.” The infrastructure is already in place and for each project the City points out how the project could improve that infrastructure.

Nina Cohen of 22 Chestnut St. thanks the Board for its thoroughness. She asks about the Bridge St. sidewalk, and Ms. Podsiadlo and Mr. Ogren elaborate. Ms. Cohen asks about guidance provided by the Master Plan, concerned that the purpose was to was to create a new district that would be attractive to residents, but that is not happening.

Joyce Wallace of 172 Federal St. asks how the construction, specifically the driving of piles, will affect abutters. She would also like the petitioner to examine the retaining wall and claims it has been replaced twice.

Public comment has also been received in writing from Nina Cohen, to be entered into the record.

A motion to continue to the May 5, 2016 meeting is made by Bill Griset, seconded by Kirt Rieder, and passes with all in favor, 9-0.

B. Location: 331-335 LAFAYETTE STREET, 5-7, and 11 WEST AVENUE (Map 32 Lots 231, 232, 233, 234)

Applicant: 331 LAFAYETTE STREET, LLC

Description: A continuance of a public hearing for a Site Plan Review in accordance with Salem Zoning Ordinance Section 9.5 to allow the construction of a three-story 24,388 square foot mixed use commercial building with retail on the first floor and offices on the upper floors. An existing two-family home on the site will remain in its current use.

Attorney Scott Grover represents Bob Burr, the developer. Most concerns have been addressed re landscaping and design of the plaza, so those elements are the focus tonight. James Emanuel, Landscape Architect, presents. Helen Sides is also working with the architect on design.

Attention should be paid to conserving and planting trees; and additional 11 or 12 trees, larger than those previously proposed, will be planted.

Enhancements include:

- Corner plaza:
 - Breaking up the area visually – options are described.

- Planter/retaining wall should allow access into plaza space while creating a sense of enclosure
- Special soil medium will be used to allow trees room to grow
- Bus stop will be accommodated with a bench
- As street slopes down, plaza should be level with the building and walls to terrace up to plaza should complement the building.
- Larger specimen trees will be planted; varieties are outlined
- More trees will be planted
- Perimeter fence and evergreens there are described
- Trash enclosure is described
- Hand rails will be installed on the steps

Kirt Rieder asks about the steps connecting the plaza to the sidewalk; one set was eliminated. Handrails are outlined. Structural soil will be used under the entire plaza. Mr. Rieder approves of the addition of shade trees but comments on the types of trees used in one area that should be replaced by Elms to provide canopy. The applicant will consider. Chair Anderson asks about the design of the retaining walls along Lafayette St; these should be a higher level of finish than on the building. Re the removal of the stair in the corner, he wonders if it will be a pinch point for exit in an emergency. The Building Department should review to make sure it meets code.

Kirt Rieder questions the applicant's placing of trees on their property and whether this is in lieu of street trees. Amanda Chiancola will follow up, but it is felt that the trees as proposed have a better chance of surviving than street trees would.

Mr. Emanuel outlines the light fixtures, which may be revisited as some board members do not feel they are completely appropriate. Stairs and the street walls are outlined in more detail. Kirt Rieder offers some possible suggestions re the trees and the stairs. Options will be explored.

Chair Anderson opens to the public.

Chris Burke of 65 Broad St. thanks the Board for planting Elm trees. He asks about placing Elm trees on Lafayette St. and describes locations of Elms in Salem previously.

Polly Wilbert of 7 Cedar St. shared a list of trees from Ron Malione of City Shade Tree Dept. She is concerned about the arching canopy and feels it should be replaced where possible.

The Board has also received written comments from Joyce Kenney of 285 Lafayette St.

Francis Rigieri of 450 Lafayette St. asks about a Grand Elm and a Horse Chestnut on the property. There is some question as to which trees these are and if the developer will hire an arborist to assess their condition; he will not as one of them is in the middle of what will become the parking lot, and is slated for removal. Mr. Rigieri wonders about the tree's status on the Endangered Species List.

Mr. Rigieri also asks about a previous deal in Aug. 2014, which did not take place, about a supposed oil tank whose location was not known. The Board will look into his request for information on this matter.

Steve Dibble, Ward 7 Salem City Councilor, was opposed project originally, but now feels Mr. Burr has made pleasing changes, though he does not go far enough. He comments on his desire for Dutch Elm Disease resistant Elm trees and asks about the turning lane on West Ave; it and the support post for the new light are shown on this plan.

Mr. Dibble also asks about shields for lights from parking lot so light projects down to pavement. These will be LED lights where you can direct the light very precisely. A photometric plan has been submitted.

A motion to continue to the May 5, 2016 meeting is made by Carole Hamilton, seconded by Dale Yale, and passes with all in favor, 9-0.

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

Applicant: NATHAN JACOBSON

Description: A 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.

Christopher Iannuzzi, Project Engineer, presents. He gives an overview of the project after having received comments from abutters and the City. He describes the site; all the proposed lots for a fully compliant subdivision, however some waivers are being requested including one for sidewalks and one for the center line radius of the roadway. A waiver for the extension of the dead end road, Bertuccio Ave, is also being sought.

One house has been eliminated from the plan, so instead of the seven lots referenced above, there will be six, with five houses on the Bertuccio Ave. extension and the sixth on Francis Rd.

Mr. Iannuzzi describes the area as having lots of bedrock and thus requiring excavation and blasting. He describes the blasting as being performed by licensed professionals, precisely, with the operation is monitored before, during and after by the state. He also comments that Massachusetts state law dictates that nearby structures must receive surveys prior to, during, and after blasting. He outlines additional blasting details.

The stormwater management policy and mitigation provided are described. A retention basin has been designed but is not shown. Outfall from detention basin will be piped into discharge on Francis Rd. There will also be some drainage easements on the site.

City standards for a cul-de-sac are reviewed. They will work with the Fire Dept. on hydrant placement, etc. There is a utility plan which is shown. All utilities will be in the roadway. Chair Anderson comments that stormwater will be peer reviewed. He is concerned that the road to the cul de sac is steep. The road will be curbed and all runoff captured. The grade meets the City standard as well. Chair Anderson asks about the sidewalk being on just one side; this is to reduce imperviousness but is simply a client preference.

The Chair also asks about the landscape plan and Mr. Iannuzzi elaborates. The applicant will work with the City and a landscape architect to decide on types of plants.

Helen Sides asks about center line radius. It must be smaller than required in order to accommodate the shape of the site.

Chair Anderson opens to the public.

Mary Elizabeth Zois of 32 Bertuccio Ave. is concerned about the extension of the roadway as well as the blasting. She is also concerned about the sidewalk and pavement widths, and suggests that the developer

instead move the point of access from the end of Bertuccio Ave. to the property off of Francis St. This would make it safer for emergency vehicles and allow for fully accessible sidewalks.

Mr. Iannuzzi outlines the current regulations and the minimum width for accessibility. The access point cannot be moved as it would decrease the density of the project, but he will work with the Planning Board and the City to address other comments.

Cliff Goodman of 22 Bertuccio Ave is concerned with drainage and the responsibility of maintaining the retention pond. Chair Anderson comments that the City will have its Engineer review the design. Mr. Iannuzzi outlines the DEP requirements for system design and reassures Mr. Goodman that there will be no increases downstream and that the pond will meet the 72 hour draw down requirement.

Curt Welling of 17 Bertuccio Ave. has security concerns re construction and asks about fencing. The Chair comments that the applicant must submit a construction control plan, which will be part of public record so these issues will be addressed.

Scott McLaughlin of 14 Francis Rd. comments on the cliff that borders many properties on that street. He is concerned about blasting and the impact to that ledge. Mr. Iannuzzi reiterates that blasting will be precise and adjacent properties monitored. Mr. McLaughlin wonders who will remove any boulders that fall. He is also concerned that the development will attract bikers, etc. who will come through the area; Joe Abesandra with TTI elaborates on security measures. Mrs. McLaughlin, who also resides at 14 Francis Rd., is very concerned about students falling off the cliff onto the properties below. Homeowners at the new development would be responsible for keeping trespassers off their property after construction is complete; during construction there is a control plan which is described.

Julie Hart of 21 Francis Rd. is concerned about water coming onto the adjacent properties and Mr. Iannuzzi elaborates on how this will be addressed. She is also concerned about rodents; this will be addressed by the construction control plan, but this is not a protected area.

Robyn Gianoppolo of 15 Bertuccio Ave., is concerned about safety with regards to the traffic and kids playing outside. She also complains of poor snow removal by the City; it gets plowed in front of her house, then melts into her basement. She is concerned it will get worse.

Mr. Iannuzzi outlines traffic calculations of an additional 54 vehicle trips per day; traffic control will be provided. He suggests Ms. Gianoppolo speak to the Police Dept. and City Engineer re cars running into the field at the end of the road and snow removal. Snow removed from the development will be stockpiled there.

Mike Janiac of Puritan Rd. is opposed to the development as being extremely disruptive to residents. He is very concerned about blasting and the cliff that borders the homes on Francis Ave.

Kelly Porter of 28 Bertuccio Ave asks about wooded area behind her house. She is concerned about wildlife and vermin, as well as the hours for construction.

Leslie White of 16 Calabrese St. asks about the route the heavy equipment will take, and Mr. Iannuzzi outlines. Chair Anderson reminds him to check the ordinances, as he believes construction cannot commence until 8AM.

Chris Burke of 65 Broad St. expounds upon the virtues of this open space, and states that some land would be saved if the lot at the top of the circle could be eliminated. He also suggests that this could be an acquisition using CPA (Community Preservation Act) funding, so the developer could be compensated that way. There is

also the historic Ancient Way, the original trail from Flint St. to Broad St. used to bring livestock to what is now Salem Woods, along the fence at Bertram Field.

Roger Barbrick of 23 Bertuccio Ave. is also concerned about traffic and blasting.

Steve Szpak of 27 Bertuccio Ave. is concerned about the buffer between football field and street. He would like to see trees added back in the landscaping plan. He wonders who will do the pre- and post-blasting surveys on nearby homes, and also why the entire parcel can't be preserved.

A letter from Kevin Theriault, formerly of 30 Bertuccio Ave., dated April 5, 2016 is read into the record. He is opposed to the project. Wildlife, drainage, and loss of this natural area are his concerns.

Nilla Majahalme of 10 Calabrese St. asks about the height of the houses and potential repercussions to homes further away from the blasting. She wonders about road placement and suggests other entrances.

Mr. Iannuzzi describes the reasoning for the access point, the homes, and requirements for blasting surveys. He reiterates the precision of blasting and cites the relevant law. Loss of habitat is coincidental to the project, as this is not an area that has rare, endangered or protected species or habitat.

Kurt Welling of 17 Bertuccio Ave asks about red tailed hawks. The Planning Board can request a wildlife survey.

Kathy Bimball of 26 Francis Rd. is concerned about blasting, which will occur directly behind and beside her. Blasting locations are elaborated. The slope of driveway off Francis Ave. is described.

Cliff Goodman of 22 Bertuccio Ave. asks about equipment for excavation. Once it is on site, it will stay up on the hill. It would be difficult to change the access point as he suggests. Mr. Iannuzzi outlines the procedure for filing complaints after construction.

The Chair reiterates that there will be other hearings where questions can be heard. The buffer zone at end of street between field will be preserved. Residents claim there are trees but Mr. Iannuzzi says the area is open.

Chair Anderson concludes the public portion of this hearing and outlines additional information that will be presented at future hearings.

Written comments have been received and entered into the record from:

Robert Dubee

Kevin Therriault

Barry Jordan

Clifford Goodman (two separate letters)

Jennifer Gerais

The Planning Board requested that the applicant provide an existing tree survey.

The applicant requested a continuance to April 21st. Kirt Rieder points out a conflict that will need to be addressed re sidewalks and root balls of trees.

A motion to continue to the April 21st meeting is made by Bill Griset, seconded by Matt Veno, and passes unanimously 9-0.

III. APPROVAL OF MINUTES

A. March 17, 2016

A motion to approve the minutes from the March 17, 2016 meeting, with a few minor corrections, is made by Helen Sides, seconded by Matt Veno, and passes unanimously, 9-0.

IV. OLD/NEW BUSINESS

A. Discussion of expanded DRB project review

This item is tabled until the May 5th meeting.

V. ADJOURNMENT

Kirt Rieder makes a motion to adjourn, is seconded by Carole Hamilton, and the motion carries with all in favor, 9-0.

The meeting ends at 10:02 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, Substitute Recording Clerk

Approved by the Planning Board on 04/21/2016

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