

**City of Salem Planning Board
Approved Meeting Minutes
Thursday, June 2, 2016**

A public hearing of the Salem Planning Board was held on Thursday, June 2, 2016 at 7:00 p.m. at City Hall Annex, 120 Washington Street, Room 313, Salem, Massachusetts.

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

I. ROLL CALL

Those present were: Chair Ben Anderson (arriving late), Noah Koretz, Bill Grisct, Carole Hamilton, Vice Chair Matt Veno and Tony Mataragas

Absent:, Dale Yale, Kirt Rieder, Helen Sides

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

II. REGULAR AGENDA

A. Location: City Property in front of 50 St. Peter St. (Map 35, Lot 179)

Applicant: City Of Salem

Description: Discussion and vote on the design of proposed City owned surface parking lot in front of the Old Salem Jail.

David Knowlton, City Engineer and Chris Roy from BETA Group present the project. Currently, only an access road and walkway exist. The proposed 17-space parking lot is described. There will be one handicapped space. They have received some input from the Design Review Board (DRB), and will be receiving more review from them; the project must also go before the Conservation Commission. The DRB requested a stone dust path, which will be added. Landscaping is described. Eight trees will be removed and replaced. The entire area will be ADA compliant. Six bike racks will also be installed.

Tony Mataragas comments that this is an excellent idea, that parking is desperately needed at that location, and he approves of the walkway. Matt Veno wonders, procedurally, the reasoning why this project is before their Board and it is explained as being heard in order to meet a requirement of the City Council.

Chair Anderson comments that the walkway should include benches. David Knowlton concurs. Matt Veno asks about some of the spaces next to the cemetery retaining wall; measures will be taken to protect it. Noah Koretz asks about circulation and Mr. Knowlton elaborates, citing the limitations of the site. Pavement materials are described. Matt Veno asks about the road width; it is 15'. Width as related to angled parking came into play in another project.

Chair Ben Anderson opens to the public.

Polly Wilbert of 7 Cedar St. is concerned about snow removal as it relates to the retaining wall and cemetery. Mr. Knowlton does not feel it will be an issue.

A motion to close public comment is made by Tony Mataragas, seconded by Noah Koretz, and passes with all present in favor, 6-0.

A motion to approve the project is made by Carole Hamilton, seconded by Bill Grisct, and passes with all present in favor, 6-0.

B. 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, 218 220; and Map 14, Lot 129)

Applicant: North Shore Medical Center, Inc.

Description: A continuance of a public hearing for a Site Plan Review, in accordance with the Salem Zoning Ordinance: Section 9.5 Site Plan Review; and a Stormwater Management Permit in accordance with Salem Code of Ordinances Chapter 37. Specifically, the applicant proposes to construct a new Emergency Department/Inpatient Beds building, a new front Lobby expansion, renovation resulting in an addition of 119,735 square feet and repurposing of 119,734 square feet of interior space, internal driveway and parking modifications, landscape and hardscape improvements and utility infrastructure modifications to their existing campus.

Attorney Joseph Correnti of 63 Federal St. presents for the applicant; also here are Shelly Bisegna, Mary Jo Gagnon and Justin Mosca. Procedurally, Attorney Correnti asks about Board member attendance; he would like to present after the next applicant as they wish to have as many Board available to vote as possible, and at least one will be arriving late.

This item, when taken later, includes the following PowerPoint presentation and board discussion:

An overview of the project was previously provided. Tonight's presentation will be regarding the civil engineering plans, provided by Justin Mosca of VHB, as well as Steve Doderian from VHB presenting on landscape architecture.

Mr. Mosca presents the site designs, including:

Site layout

- Overall site plan
- New Emergency Department (ED) & Dove Ave. – Layout: parking and circulation. Matt Veno asks about sidewalks and Mr. Mosca elaborates.
- Driveway and Upper Parking – Layout: reconfiguration, parking, accessible walkway
- Main Entrance – Layout: reconfiguration, wayfinding signage, accessible pedestrian route

Grading and Stormwater

- Overall Site Plan: Stormwater, grading
- New ED and Dove Ave – Grading: drainage features and rerouting, connections, mitigation, grading, stormwater treatments and recharge
- Driveway and Upper Parking – Grading: logistics of accessibility, blasting as excavation (Matt Veno comments that it will be a challenge)
- Main Entrance – Grading: front lobby area, grading from Highland Ave., stormwater flowage
- Stormwater Best Management Practices (BMPs): Outline

Site Utilities

- New ED and Dove Ave – Site Utilities: existing and relocated water and proposed water, electric and sewer; Fire Chief is in agreement with access and hydrant locations.
- Main Entrance – Site Utilities

Landscape Architecture by Steve Derdarian

- Overall Site Plan: Existing conditions, intent of landscape to provide an entrance experience, logistics of plantings
- New ED and Dove Ave – Landscaping: Mostly native, some ornamentals, seating area
- Driveway and Upper Lot – Landscaping
- Main Entrance – Landscaping: lends visual organization and direction, adding greenery, making the area pedestrian-friendly; examining making improvements to Highland Ave side

Chair Anderson is concerned about parking, especially the reduction of 88 spaces. He would like to know how many spots are adjacent to the ED. Also the combination of the two hospitals into one may lead to a need for a larger area for emergency parking. The plaza between Davenport and the new ED seems to be a foreboding space. The applicant will need to work to make it an inviting space, so that it will be used. The Chair feels that the front driveway to the new building entrance seems convoluted, with too many ways off of the main entry. Options for clarifying are discussed; the proposal seems to make sense as described but does not show well on the plans. A street view/rendering from ground level will be provided to give a more realistic perspective.

Carole Hamilton is also concerned about parking, in particular the distance to the ED entrance. Valet parking will continue to be offered for the majority of the hospital. Carole Hamilton comments on the difficulty of getting from the ED to Highland Hall, for example, if a patient is not ambulatory but is referred to a doctor there. She opines that the hospital should offer internal transportation of patients within the complex, and suggests that they are very close to needing a parking garage. Traffic and parking will be reviewed in more detail at the next meeting. The Chair reiterates his concerns about the amount of parking.

Matt Veno comments on the history of this space, frustrated at the piecemeal nature of these issues. He is disappointed at the closure of the Cardiac Surgery Unit (CSU) and wonders how it will impact both the broader programming of the site and the material impact on this particular proposal. Mary Jo Gagnon is uncertain, as health care and budget issues change often. She comments that the CSU could only accommodate eight patients to begin with, and the change, possibly to a private suite, will reduce staffing demands as compared to the CSU.

Chair Anderson opens to the public.

Steven Lovely, Ward 3 Councillor, is also disappointed that the CSU will be closed. Others are also disappointed. He echoes Matt Veno's comments, and wonders about landscaping on Jefferson Ave. and Dove Ave.

Ellen Pelletier of 3 Horton St. wonders about traffic and parking. She is also concerned about landscaping and makes the applicant aware of the fact that cars have been parked on the sidewalk on the other side of Jefferson Ave. Another concern is sewerage. However, she approves of the fact that acute and psychiatric services will all be together.

Polly Wilbert of 7 Cedar St. comments on the loss of accessible parking for those taking themselves to the ED. She is also concerned about pedestrian access from the bus stop to the main entrance; Mary Jo Gagnon highlights a sidewalk/crosswalk. A different perspective will be provided at the next meeting to show how traffic and pedestrians will circulate.

Noah Koretz compliments the applicant on their clear visual presentation and encourages them to continue in this vein.

A motion to continue to the June 16, 2016 meeting is made by Matt Veno, seconded by Noah Koretz, and passes with all present in favor, 6-0.

C. Location: 14 Bertuccio Ave. (Map 24, Lot 105)

Applicant: Nathan Jacobson

Description: A continuance of 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.

Ben Osgood from TTI Environmental, Civil Engineer, presents. He distributes revised plans. Comments from the review engineer were received at the last meeting and how those are being addressed is described; a letter detailing changes was just submitted today and has not been peer reviewed or seen by this Board yet.

Test pit findings are described. Street layout has been revised, including roadway and sidewalk widths and strips. Existing trees have been surveyed and are outlined. The sidewalk has been modified to accommodate a large maple they would like to save. Street lights are also shown on the utility plan. Chair Anderson asks for more detail and Mr. Osgood elaborates. The local utilities will dictate the design and exact placement of those.

Existing utility issues have been addressed. The applicant will need to investigate where a water main ends. The Engineer was concerned about existing drainage as a whole, so two catch basins have been added. Additional details on drainage and utilities have been provided but more work on drainage is needed to satisfy the peer reviewer. Snow storage is described; it will be provided near the cul-de-sac.

Stormwater management details have been adjusted; issues included:

- Relocation of the retention pond to a lower elevation; it has the same outlet location but is less steep
- Access for the pond via an easement from Francis Rd.
- Groundwater recharge has been increased by a little over 1%, so is very similar to predevelopment condition
- Soil type: It is type B so concerns will be addressed with soil testing

Outstanding issues:

- Traffic review must be completed
- Arsenic in the ground at Bertram Field (see docs on DEP website). A schematic of the field and areas of concern is provided. There are 250' between this site and the contaminated soil. Arsenic can only be moved with sediment or by wind/dust, however there would be a plume. No reportable contamination was found on the applicant's site.
- A letter from a blasting company re the ledge/susceptibility to damage is submitted. E.C. Akerley Corp does not have any concerns. This is an independent review by a local blaster, a separate company from the one that presented at the last meeting. This is the company that will most likely be on the job doing the blasting.

Noah Koretz asks about a certain lot and Mr. Osgood elaborates. Installation and location of the new catch basins is described, as is drainage to and from the detention pond. Noah Koretz also asks about the access to the retention pond; it will not be a road but a graded area. Topography is still too steep for an actual road up Francis St. Neighbors were concerned about seeing heavy equipment on the site; a backhoe was onsite for test pits, not for construction. Pits were backfilled.

Matt Veno has some overall comments on the project. He is not convinced that the benefits of the project outweigh the disruption it will cause, both during construction and because of site access once completed. He does appreciate a letter from a separate professional blasting company, which will allow him to reassess. However, he still also has concerns about drainage and flooding. He visited the site on a dry day, but there was water coming through the cliff wall. Experts will have to demonstrate that there is no additional burden. His main concern is safe access through neighborhoods, especially at the pinch point at the end of the extended road.

Specifically, Mr. Veno comments on the two waivers being sought:

- The project must be in the public interest, and not inconsistent with the subdivision control law. The purpose of that is to ensure safe and reasonable vehicular traffic through a neighborhood. He feels that the pinch point logistics do not meet that requirement.
- The second waiver is for the extension of a dead-end road beyond 500'. This also does not allow for safe vehicular access. The logistics of other projects (for example, Clark Ave.) were different; those of this project may be so limiting as to make it prohibitive.
- He also cites concerns from the neighbors; while many are not under this Board's jurisdiction, the relevant waivers above are of concern.

Chair Anderson suggests to applicant that they could address Mr. Veno's concerns by using software to show the fire truck turn radius at the corner in question. That will prove if it is a safe turn or not. Carole Hamilton comments that turn radius may not necessarily equate to safety. The Chair concurs but provided that as one possible way the applicant could address a portion of the above comments.

Mr. Osgood replies that roadway cross section is in compliance with regulations, so meets the bylaws. The waiver being requested is minimal, only one foot from 40' to 39', and merely affects a planting strip.

He believes the layout of the roadway and ability of emergency vehicle to access does speak to safety. Grading is within the parameters of the subdivision control law. He describes the logistics of the site. Traffic peer review will also address some items.

Tony Mataragas also expresses concerns about this project, feeling that it is cramped and that drivers who speed up Bertuccio Ave. now will continue to do so on the extension. He questions the practicality of the project as well.

Noah Koretz asks for clarification of the letter from Akerley Corp., wondering about their methodology and the logistics of their site visit. Those are unclear. The applicant comments on what he saw. He feels that blasting in general, from what he has seen, does not cause damage. He cites regulations and describes the blasting process. He can request more detail than what is in the letter. Noah Koretz also shares the concerns of Matt Veno and Tony Mataragas, commenting that there may be a reason the site was not developed the first time around. Mr. Osgood states that it is all residential, in an already residential area, and feels there will be no decrease in safety.

Matt Venio adds to Noah Koretz's comment about the letter from E.C. Akerley at, which indicates that no further assessment or mitigating steps are required. However, previously it was indicated that a detailed assessment of the cliff must be done, thus he does not have confidence in the letter. Chair Anderson comments that a 2nd opinion or review of letter should be sought.

Chair Anderson comments on some concerns raised in letters from residents of the neighborhood:

Lights at Bertram Field

Removal of existing trees

Mr. Osgood elaborates. The existing fence is off-property and a new one is not proposed. Chair Anderson wonders about the sidewalk being against the property line and how to mitigate the light from Bertram Field. Mr. Osgood offers some options such as planting of additional trees. The Chair suggests making an effort to mitigate. He has also not heard anything about the types of homes proposed and wonders about architecture, materials, etc. so is requesting further details in future meetings. They will be provided. The Chair also suggests flagging the property lines adjacent to the neighbors.

Chair Anderson opens to the public.

Clifford Goodman of 22 Bertuccio Ave. is especially concerned about the retention pond, as it is behind his home. He questions its new elevations and how it will be maintained. He still has concerns about blasting.

Mr. Osgood cites stormwater management requirements, which require that ponds drain in 72 hours or less; typically they drain in 12 hours or less. He outlines logistics and other requirements, including infiltration rates.

Kurt Welling of 17 Bertuccio Ave wonders how additional catch basins will help. Mr. Osgood reiterates that they were added at the suggestion of the peer reviewer, and will still keep water in the system rather than flowing down the street.

Mr. William Legault of 2 Ward St. is pleased that explosives are being addressed, but describes his history and that of another project at which there was blasting damage. He is very concerned about blasting.

Bob Camai of 10 Francis Rd. comments on ledge in his backyard, which sheds shards of rock. Water also comes out of the ledge on a regular basis. He is also concerned about blasting and offers access to his property to anyone wishing to examine the ledge. He comments that his property line goes beyond the top of the ledge

Bob Dube of 18 Francis Rd, is concerned about blasting, and submits a photo of water coming out of the cliff for the record. He comments on how the ledge appears different from various perspectives.

Chris Shane of 28 Calabrese St. is also concerned about drainage and flooding, as well as the loss of habitat and green space.

Beth Souza-Zois of Bertuccio Ave. comments on the indifference of the developer to the needs/concerns of the community. She wonders about arsenic on Bertram Field. She states that she has overheard the applicant joking about the logistics of the site and how people should slow down. She strongly feels this Board should not grant the requested waivers, as the City is planning open space and this land should be set aside for a greater purpose.

Barry Jordan of 25 Bertuccio Ave. asks about the test pits and possible erosion from the field. The Chair comments that grade and elevation will not change, and that the applicant will temporarily shore up the area during work but not ultimately change the road

Peter Lupo of 24 Bertuccio comments that the slope is very narrow. The Chair comments that the Board and local permitting authorities will rely on an engineer to design it.

Steven Lovely, Ward 3 Councillor, comments that the neighbors would like to see this project better the neighborhood and increase property values, but feels that they will have issues given the many concerns raised.

Arthur Sargent, Council at Large, comments that this is an ancient quarry which has already been disturbed years ago, and that future blasting will impact the ledge, which may not be as strong as it appears.

Letters from the public include:
Carol Michaud of 12 Francis Rd.

Bill Griset also has concerns about the project, many as mentioned tonight, however, addressing the comments of Ms. Souza-Zois, cites the fact that while the first applicant was the City of Salem, this is a private applicant whose intent is to make a profit. Both applicants must use the same process but will not have the same intent. If a private applicant can safely and legally use the land, they should be allowed to do so. It has not been shown to him that they can do those things.

The Chair suggests continuing to the July 7 meeting in order to give the applicant time to address the concerns raised tonight.

A motion to continue to the July 7, 2016 meeting is made by Noah Koretz, seconded by Carole Hamilton, and passes with all present in favor, 6-0.

D. Location: 70-92 ½ Boston St. (Map 15, Lot 299 & Map 16, Lot 139)

Applicant: 139 Grove Street Realty Trust

Description: A continuance of 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. requests a continuance due to the absence of some Board members.

A motion to continue to the June 16, 2016 meeting is made by Noah Koretz, seconded by Carole Hamilton, and passes with all present in favor, 6-0.

- E. Location:** 160 Bridge Street (Map 35, Lot 35)
Applicant: John R. Keilty, Esquire
Description: Board discussion and vote on an application for endorsement of a plan believed not to require approval under the Subdivision Control Law (ANR), proposing to divide one lot with two buildings on it into two lots.

This item is heard after Item F. Here for the applicant is John Keilty, 40 Lowell St. Peabody, MA. He cites the reasoning for the endorsement; both structures were built in 1850 and have remained on a single lot. A division of the lots would be advantageous from a mortgage acquisition standpoint.

Easements for access are provided. Parking is outlined. There will be no construction and no other changes. Matt Veno asks for clarification; it is one lot being divided into two. Carole Hamilton asks about frontage for the second lot; there is none, but adequate access through easements will be provided.

A motion to endorse the plan is made by Noah Koretz, seconded by Matt Veno, and passes 5-0, with Carole Hamilton not voting.

- F. Location:** 19 & 23 Congress St. 223-231 & 235 Derby Street; the parking lots at 13-15 Herbert St. and 25 Peabody St. and the remaining land of Pickering Wharf Condominium Trust (Map 34, Lot 408)
Applicant: The Salem Waterfront Hotel & Suites, LLC
Description: Request for a six (6) month extension to commence construction authorized by the July 23, 2014 Site Plan Review, Flood Hazard District Special Permit and Planned Unit Development Planning Board Decision for the Salem Waterfront Hotel.

This item is heard after the Item A (City Parking Lot). Attorney George Atkins, 59 Federal St, represents the developer. The applicant has been trying to obtain a Chapter 91 license in order to proceed with the project; supposedly the license is in process but it is a lengthy one. The applicant requests another six months to begin construction for this reason.

A motion to approve the extension is made by Matt Veno, seconded by Bill Griset, and passes with all present in favor, 6-0

- G. Location:** Osborne Hills/Strongwater Crossing
Applicant: Osborne Hills Realty Trust
Description: Discussion and Vote on the Request for Bond Reduction for Phase III of the Osborne Hills Subdivision

Here for the applicant is Paul DiBiase, Trustee. He describes the development and progress thus far; Phase III is 7 homes out of 131. A tri-party agreement was reached and is outlined. A reduction for street lighting was previously granted. This reduction is being requested for granite curbing, driveway inlets, street trees, etc. Work was examined by Clerk of the Works/FST who made a recommendation. Some areas of sidewalk may need to be re-graded, but the Clerk of the Works has approved \$112,640 leaving a balance of \$43,000 for final pavement, as-built plans plus 10% retainage.

A motion to approve the bond reduction is made by Noah Koretz, seconded by Matt Veno, and passes with all present in favor, 6-0

H. Location: 14 and 16 Alameda St. (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.

This item is heard after the Item E. The applicant requests to continue to June 16.

A motion to continue to June 16 is made by Matt Veno, seconded by Tony Mataragas, and passes with all present in favor, 6-0.

III. APPROVAL OF MINUTES

A. May 5, 2016

B. May 19, 2016

This item is taken first on the Agenda as the Chair arrived late (7:16PM).

A motion to approve the May 5, 2016 of minutes is made by Noah Koretz, seconded by Bill Grisct, and passes with all present in favor, 5-0.

A motion to approve the May 9, 2016 of minutes, with proposed amendments, is made by Carole Hamilton, seconded by Bill Grisct, and carries with all present in favor, 5-0.

Bill Grisct wonders about the appropriateness of rewriting the intent of the minutes; they are meant to accurately reflect what was said. Noah Koretz comments that the points he made were not in the minutes.

IV. OLD/NEW BUSINESS

V. ADJOURNMENT

A motion to adjourn is made by Bill Grisct, seconded by Carole Hamilton, and the motion carries with all present in favor, 6-0.

The meeting ends at 9:47PM.

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 06/16/2016

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