



CITY OF SALEM PLANNING BOARD

A public hearing of the Salem Planning Board was held on Thursday, February 17, 2022, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Chair Bill Grisct opens the meeting at 6:31 pm

I. ROLL CALL

Present: Chair Bill Grisct, Vice Chair Kirt Rieder, Tom Furey, Carole Hamilton, Zach Caunter, Helen Sides, Sarah Tarbet, Todd Waller, Noah Koretz (9)

Also in attendance: Elena Eimert, Hannah Martin, Amanda Chiancola (3)

II. REGULAR AGENDA

- A. Location: 373 Highland Ave (Map 7, Lot 58), 355 Highland Avenue (Map 7, Lot 46), 2 Cedar Road (Map 7, Lot 57), 3 Cedar Road (Map 7, Lot 47), 5 Cedar Road (Map 7, Lot 48), 6 Cedar Road (Map 7, Lot 56), and 10 Cedar Road (Map 7, Lot 55)**

Applicant: Joe Correnti f/b/o Berman Properties, LLC/Tropical Products

Description: A continuance of a public hearing for all persons interested in the application of JOSEPH CORRENTI f/b/o Berman Properties, LLC/Tropical Products for the property located at 373 Highland Ave (Map 7, Lot 58), 355 Highland Avenue (Map 7, Lot 46), 2 Cedar Road (Map 7, Lot 57), 3 Cedar Road (Map 7, Lot 47), 5 Cedar Road (Map 7, Lot 48), 6 Cedar Road (Map 7, Lot 56), and 10 Cedar Road (Map 7, Lot 55) in the B2 and BPD Zoning District for Site Plan Review in the Entrance Corridor Overlay District in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review, Section 8.2 Entrance Corridor Overlay District, and 8.3 Business Park Special Permit. The applicant specifically proposes to construct a warehouse with an approximately 70,000 square foot footprint and all associated improvements. The proposed work includes razing any existing improvements, construction of the new building, and pavement.

Item heard third.

Attorney Correnti: No further presentation here. We have been working on a draft decision with planning staff. Would like to go through the conditions and address issues/questions.

Sarah Tarbet: Regarding bicycle parking; know there is outdoor/uncovered parking for now. Salem guidelines request more than that. What was the rationale for not including that?

- Attorney Correnti: Salem guidelines discuss short term and long term parking. Long term is required to be covered, preferably indoor and overnight. We take that as being more applicable for residential use. We are running one shift a day. There is never an instance when employees stay overnight.
- Paula: Of note, each rack holds two bicycles. Six racks holding a total of twelve bicycles.

Todd Waller: Is the employee lunchroom being provided free of charge?

- Attorney Correnti: Yes, the space is being offered to the surrounding neighborhood as a meeting spot. No charge, just need to schedule ahead.
- Todd Waller: Will that be in the site specific conditions?
- Attorney Correnti: We have no objection to updating how you see fit. Might suggest updating from order to agreement.

Public comment:

Patti Morsillo: Rock crushing is awful for neighbors. Conditions listed here have gone a long way in addressing the issue. Time limitations and hybrid crushing are pros. Glad wet methods are being discussed. Should be used all of the time to avoid dust spreading. 72 hour notification is huge. Hope the board will continue to do this going forward. Neighbors want to know these things. Also appreciate the owner making the cafeteria available off hours. Understood that enough notice and agreement is required for use. Neighbors will certainly work within that.

- Bill Grisct: Want to thank you for working so closely with neighbors. Helps to make this a better project and better experience for neighbors.

A motion to close the public hearing, is made by Sarah Tarbet, seconded by Helen Sides and passes 9-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Yes |

Tom Furey: Want to extend appreciation to Mr. Berman. Three different projects have been previously discussed on this site. This by far is the superior of the three. A win-win for the city.

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

Ward 3 is very lucky to have such an involved councilor. Rock crushing is an inconvenience but will bring overall improvement and opportunity.

Planning Board reviews the draft decision. Discussion highlights, include:

Kirt Rieder: Back to the lunchroom topic. Does it make sense to stipulate some notice here so it doesn't become perceived as a demand and those wishing to use the lunch room?

- Mr. Berman: 24 to 48 hours is plenty of notice. Just want to make sure the break room is clean and ready.

Kirt Rieder: This is where we would add in the wet methods. Don't think we need to get into the means and methods right now. But the key is to suppress the silica that becomes airborne.

- Elena Eimert: We did revise condition 16K in construction practices to include wet methods.

Elena Eimert: Redline in the certification paragraph was proposed by Attorney Correnti and team. Will allow them to speak to that change.

- Attorney Correnti: This is not registered land any longer so there is no certificate. Simply an old reference to the fact that this was a piece of registered land, which is no longer accurate.

A motion to approve the decision, is made by Tom Furey, seconded by Kirt Rieder and passes 8-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Yes |
| Zach Caunter | Ineligible to vote |

- B. Location: 373 Highland Avenue (Map 7, Lot 58), 5 Cedar Road (Map 7, Lot 48), 10 Cedar Road (Map 7, Lot 55), 355 Highland Avenue (Map 7, Lot 46), 2 Cedar Road (Map 7, Lot 57), 3 Cedar Road (Map 7, Lot 47), and 6 Cedar Road (Map 7, Lot 56)**

Applicant: Berman Properties, LLC/Tropical Products

Description: A public hearing for all persons interested in the application of BERMAN PROPERTIES, LLC for a Modification of a Definitive Subdivision Plan for the property located at 373 Highland Avenue (Map 7, Lot 58) and currently shown on "Salem Heights, Subdivision Plans of Land in Salem" and dated May 1, 1918. Specifically, the applicant proposes to relocate a portion of Cedar Road.

Item heard fourth.

Attorney Correnti: Second part to the above item. Voting to formally move Cedar Road. The plan that you've seen for the last seven months, but now two separate plans that need a separate vote. Vote will allow us to have a recorded subdivision plan at the registry of deeds.

Bill Griset: It is to my understanding that there is an agreement or almost an agreement with the abutters around this?

- Attorney Correnti: Modifying a subdivision is a very unusual thing to see. While everyone agreed that it needed to be done, it was more so how to do it. Has been signed off by majority of abutters, one signature remaining but were unable to sign in time for tonight's meeting. This signatory is the current landowner that will be selling to Berman/Tropical Products. Authorized to report that they have reviewed, have no objection and are in agreement.

Carole Hamilton: With the creation of Cedar Road, on the side where Northeast Animal Shelter is, there is now some frontage as well.

- Attorney Correnti: That would make that a corner lot if it became a public road.
- Carole Hamilton: Should they also be included in this agreement? It is a possibility that they would need to pull utilities from the road?
- Attorney Correnti: What you are asking is correct. They would have as much right as anyone else. We don't need them to be part of this agreement as this discusses how the owners of the deeded parcels are going to handle the build out.
- Carole Hamilton: I have some reservation around the waiver for not including utilities in the roadway. I understand this agreement is to cover this in the future but do think the potential of someone else using this road in the future complicates things. Concerned about the fact that we are not looking far enough in the future.
- Bill Griset: I don't see it as quite the same. This is some potential future project for a potential future development, none of which has ever been discussed. Makes it a little bit different. Is there anything that could satisfy you here?

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

- Carole Hamilton: Not looking for anything in particular. I just question allowing the waiver for utilities. The road is being constructed and probably should be constructed to the highest quality and that's not happening because of the list of waivers.
- Kirt Rider: If I may provide a counterpoint to that. The challenge is when a development happens in the back the will have to re-open Cedar Road and utilities will be sized appropriate to that development. We can't suggest that any engineer knows today what is appropriate for that, as an unidentified development.
- Bill Grisct: I would agree with your conclusion. Any follow up?
- Sarah Tarbet: I do want to weigh in on this because I had shared Carol's concern. Justified it by thinking: how could we possibly know how to size the utilities if we don't know what is going in there. I imagine this happens elsewhere, where everything is not built at once. There must be some sort of standard.
- Kirt Rieder: To your point, this subdivision was originally created in 1918 and here we are in 2022 talking about a future development that may not happen for another hundred years.

A motion to close the public hearing, is made by Kirt Rieder, seconded by Todd Waller and passes 9-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Yes |

A motion to endorse and authorize Tom Daniel to sign on behalf of the Planning Board, is made by Tom Furey, seconded by Kirt Rieder and passes 9-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Yes |

C. Location: 1 Harmony Grove Rd (Map 16, Lot 377), 3 Harmony Grove Rd. (Map 16, Lot 239), 5 Harmony Grove Road (Map 16, Lot 378), 60 Grove Street (Map 16, Lot 237), and 64 Grove Street (Map 16, Lot 236)

Applicant: Joe Correnti f/b/o 116 Bennington Street Realty Trust

Description: A continuance of a public hearing for all persons interested in the application of JOSEPH CORRENTI f/b/o 116 Bennington Street Realty Trust for the property located at 1 Harmony Grove Rd (Map 16, Lot 377), 3 Harmony Grove Rd. (Map 16, Lot 239), 5 Harmony Grove Road (Map 16, Lot 378), 60 Grove Street (Map 16, Lot 237), and 64 Grove Street (Map 16, Lot 236) in the I, R2, and BPD Zoning Districts for Site Plan Review in the Entrance Corridor Overlay 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 8.2 Entrance Corridor Overlay District, and 8.3 Business Park Special Permit. The applicant is requesting an amendment to a previously approved plan by reducing the number of units to 124 in three buildings, adding a fitness building, dog park, and basketball court. The proposed work includes razing any existing improvements, construction of the new buildings and amenities, and pavement.

The above description corrects the Map and Lot identification numbers for the property addresses related to the project, which were previously erroneously identified in the Planning Board Meeting Agendas posted for meetings on September 9, 2021; October 21, 2021; November 4, 2021; December 2, 2021; December 16, 2021; January 6, 2022; and January 20, 2022.

Item heard fifth.

Attorney Correnti: Goal for tonight's meeting is to lessen the load and get a vote. Last meeting concluded our presentation and now happy to address questions that the board may have.

Kirt Rieder: Can we hear more about the screening of the air conditioning units?

- Zach Silvia:
 - Fitness building: Rooftop units will be visible from all four sides. Proposed screening all rooftop units from all four sides.
 - Community building: Minimal site lines from the ground and abutting neighborhood. Not proposing any screening.

Helen Sides: Wish community building units could be grouped differently or screened. They will be seen by someone. Would be nice to always screen these things.

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

Kirt Rieder: Appreciate seeing the added one-foot contours. Surprised to see two contours that appear to cross. Also see a contour that never quite meets the curb, among other things that just aren't pulled together. Needs to be cleaned up before accepted.

- Bob Griffin: Going to disagree with your interpretation on that grading. The two contours that appear to cross are two V's that come together. There is no requirement for one-foot contours everywhere. I believe we have some one foot, some two foot.
- Kirt Rieder: Elena do you mind clarifying what the requirement is for frequency of contours for submissions? It was recently changed.
- Elena Eimert: Section 9.5.3 of the zoning ordinance outlines those requirements.

A motion to close the public hearing, is made by Tom Furey, seconded by Todd Waller and passes 9-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Yes |

Noah Koretz left the meeting.

Planning Board reviews draft decision. Updates include:

- Lockable gated access to AUL portion of the site, per previous discussion.
- Language around HVAC screening.

A motion to approve as written, is made by Carole Hamilton, seconded by Tom Furey and passes 8-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Absent |

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

D. Location: 38 Norman Street (Map 26, Lot 0464)

Applicant: Christina Granese f/b/o 38 Norman Street LLC

Description: A continuance of a public hearing for all persons interested in the application of CHRISTINA GRANESE f/b/o 38 Norman Street LLC for the property located at 38 Norman Street (Map 26, Lot 0464) in the B5 Zoning District for Site Plan Review in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review and 7.3 Planned Unit Development Special Permit. The applicant specifically proposes to construct a four-story mixed-use building with approximately 1,583 square feet of retail space on the first floor and 1,419 square feet of related commercial space in the basement and 20 residential units above the retail space. The proposed work includes razing any existing buildings and improvements, construction of the new building, and pavement.

Item heard sixth.

Scott Grover: Happy to share that both traffic and peer reviews are almost finished. Here to discuss the engineering peer review and conditions that have been proposed by the city engineering department. At the next meeting we will have our traffic consultant to discuss the traffic peer review. On track to have a draft decision ready by the second meeting in March. Some minor changes to plan since December meeting.

Phil Sima: Minor changes to plan since December meeting include:

- Trash and recycling completely enclosed.
- Moved residential entry over 15ft or so.
- Reduced traffic coming from Crombie Street that is not directly related to parking.

Kirt Rieder: Can you speak to what the paving is near the trash enclosure? Assuming those are grates in ground?

- Phil Sima: This area will be flushed with the sidewalk, including transformer pad. Concrete with manholes.

Scott Cameron: Submitted a request to alter suggested conditions made by the civil peer reviewer to the city engineer. Mainly with respect to the timing in which some of them would become due. At this site there will be a period of time where the building is still an active building, and would be abandoned prematurely. Simply pushing back from a "required prior to building permit" to "required prior to occupancy." Being done to benefit all involved.

Public comment:

Anna Gordan, 12 Crombie Street, written comment received on 11/18/21

Roberta Hussey, 18 Crombie Street, written comment received on 12/9/21

A motion to continue to March 3, 2022, meeting, is made by Kirt Rieder, seconded by Helen Sides and passes 8-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Absent |

E. Location: 9 and 11 Franklin Street (Map 26, Lot 375)

Applicant: 11 Franklin, LLC

Description: A continuance of a public hearing for all persons interested in the application of 11 FRANKLIN, LLC for the property located at 9 Franklin Street (Map 26, Lot 375) in the B1 and R2 Zoning District for a Site Plan Review and Flood Hazard Overlay District Special Permit in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review and Section 8.1 Flood Hazard Overlay District. Specifically, the applicant proposes to construct twelve (12) townhouse style units located in three (3) buildings on the portion of the parcel known as 9 Franklin Street and consisting of approximately 36,450 square feet. The proposed buildings are three (3) stories. Six (6) surface parking spaces and twenty-four (24) garage parking spaces are proposed for a total of thirty (30) spaces. Proposed vehicular access to 9 Franklin Street will be provided through a twenty (20) foot wide drive aisle from the existing westerly curb cut. Proposed pedestrian access will be provided through a sidewalk extending from Franklin Street into the site.

****Request to Continue to March 3, 2022****

Item heard second.

Scott Grover requesting continuance to first meeting in March.

A motion to continue to March 3, 2022, meeting, is made by Todd Waller, seconded by Helen Sides and passes 9-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Yes |

- F. Location: 73 Lafayette Street (Map 34, Lot 430), 75 Lafayette Street (Map 34, Lot 431), 85 & 87 Lafayette Street (Map 34, Lot 432), 89 Lafayette Street (Map 34, Lot 433), and 9 Peabody Street (Map 34, Lot 232)
Applicant: North Shore Community Development Corporation (NSCDC)
& North Shore Community Health Center (NSCHC)**

Description: A continuance of a public hearing for all persons interested in the application of NORTH SHORE COMMUNITY DEVELOPMENT CORP (NSCDC) and NORTH SHORE COMMUNITY HEALTH CENTER (NSCHC) for the property located at 73 Lafayette Street (Map 34, Lot 430), 75 Lafayette Street (Map 34, Lot 431), 85 & 87 Lafayette Street (Map 34, Lot 432), 89 Lafayette Street (Map 34, Lot 433), and 9 Peabody Street (Map 34, Lot 232) for a Site Plan Review, Planned Unit Development special permit, and Flood Hazard Overlay District special permit for a project in the Entrance Corridor Overlay District in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review; Section 7.3 Planned Unit Development; Section 8.1 Flood Hazard Overlay District.

Specifically, the applicant proposes a project that will consist of three buildings, two of which will occupy the corner at Lafayette and Derby, and a third at the nearby site at 9 Peabody. At 73 Lafayette Street the applicant proposes a 6-story mixed-use building with commercial space on street level. Along Derby Street, the applicant proposes a new approximately 41,500 sf community health clinic. The applicant proposes that North Shore Bank will remain in its current ground floor location. Along Lafayette Street there will be 50 units in approximately 48,200 sf of age-restricted affordable housing with commercial storefront, resident lounge, pharmacy, urgent care, and art gallery space. At 9 Peabody Street the applicant proposes an approximately 38,300 sf arts and non-profit space, as well as 6 residential units.

Revised Project Description: The above properties will be purchased by a collaborative joint venture between NSCDC and NSCH. Specifically, the applicant proposes a project that will consist of three buildings, two of which will occupy the corner at Lafayette and Derby, and a third at the nearby site at 9 Peabody. At 73 Lafayette Street the applicant proposes a 6-story mixed-use building with commercial space on street level. Along Derby Street, the applicant proposes a new approximately 41,500 sf community health clinic. The applicant proposes that North Shore Bank will remain in its current ground floor location. Along Lafayette Street there will be 18 units of age-restricted affordable housing, 6 compact studios and support for artists, with commercial storefront, resident lounge, pharmacy, urgent care, and art gallery space. At 9 Peabody Street in lieu of the original approximately 38,300 sf arts and non-profit space, as well as 6 residential units, they are now proposing 29 units of age-restricted affordable housing, 2 micro-commercial storefronts, parking, and an art gallery. All buildings have been reduced in massing.

****Request to Continue to March 17, 2022****

Item heard first

Scott Grover: Request to continue to the second meeting in March to allow time for peer review to be completed. Turning out to be more involved than typical peer reviews.

A motion to continue to March 17, 2022, meeting, is made by Kirt Rieder, seconded by Carole Hamilton and passes 8-0 in a roll call vote.

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| Bill Grisct | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Abstains |

III. OLD/NEW BUSINESS

A. Zoning Ordinance Amendment, Landscaping in the ECOD

Elena Eimert: This is to let everyone know that, upon suggestion from Board member Rieder, an amendment to the Zoning Ordinance in the works. This would consist of a change to the

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

language concerning landscaping in the Entrance Corridor Overlay District. This change would allow for the planting of smaller caliper tree species in the ECOD. This would be done by creating a new design waiver that would be offered by the Planning Board at their discretion. This will come before the board at the next meeting.

Additionally, the Governor's order enabling remote meetings has been extended to July 15. Been asked to poll you all and report back to the planning director if you are interested in pursuing hybrid meetings.

- Bill Griset: Believe public participation is solid in these zoom meetings and that society is moving too quickly because we are tired of this pandemic. Where we have control, I would like to see us exercise that control and keep a Zoom only format.
- Board agrees.

Helen Sides: One last piece of very exciting news. Was told by a neighbor that developer and architect presented last night at the SRA for the former senior center on Broad Street. Something is going to happen there. Proposed to replace all windows, repair the cupola, very excited to see this moving forward.

IV. APPROVAL OF MINUTES - held until March 3, 2022, meeting

- A. Approval of the January 6, 2022, Regular Planning Board Minutes**
- B. Approval of the January 20, 2022, Regular Planning Board Minutes**

V. ADJOURNMENT

A motion to adjourn, is made by Helen Sides, seconded by Sarah Tarbet and passes 8-0 in a roll call vote.

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| Bill Griset | Yes |
| Kirt Rieder | Yes |
| Tom Furey | Yes |
| Carole Hamilton | Yes |
| Zach Caunter | Yes |
| Sarah Tarbet | Yes |
| Helen Sides | Yes |
| Todd Waller | Yes |
| Noah Koretz | Absent |

The meeting adjourned at 9:13 p.m.

Approved by the Planning Board on March 3, 2022.

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