



## CITY OF SALEM PLANNING BOARD

A public hearing of the Salem Planning Board was held on Thursday January 19, 2023, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Vice Chair Kirt Rieder, acting as interim chair, opens the meeting at 6:30 pm

### I. ROLL CALL

*Present:* Bill Grisct (Chair), Tom Furey, Carole Hamilton, Zach Caunter, Jonathan Berk, Josh Turiel, Helen Sides (7)

*Absent:* Kirt Rieder and Sarah Tarbet (2)

*Also in attendance:* Elena Eimert, staff planner, Beth Forrestal

### II. REGULAR AGENDA

- A. 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), 315 Derby Street (Map 34, Lot 444), 9 Peabody Street (Map 34, Lot 232), and 15 Peabody Street (Map 34, Lot 435)**

**Applicant:** North Shore Community Development Corp (NSCDC) and 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), 315 Derby Street (Map 34, Lot 444), 9 Peabody Street (Map 34, Lot 232), and 15 Peabody Street (Map 34, Lot 435) for a Site Plan Review, Planned Unit Development special permit, Drive-Through 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 6.7 Drive-Through Facilities; Section 8.1 Flood Hazard Overlay District. The above properties will be improved through 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 St., applicant proposes a 6-story mixed-use building with commercial space on street level and 19 units of 100% affordable, supportive housing for the

elderly above. Along Derby St., applicant proposes a new approximately 41,500 sf community health clinic. At 9 Peabody St., applicant proposes 29 additional age-restricted units and a small gallery and commercial space. Additional site improvements include improvements to the underlying culvert, the harbor walk, and Peabody Street Park, the latter two of which the applicant would be responsible for ongoing maintenance.

**\*\*This item is heard second\*\***

- Attorney Grover is here for the Applicant. Also in attendance are Jonathan Evans, Chris Hardy, and Therese Graf from MassDesign, and Ilene Vogel from the North Shore CDC (NSCDC). Attorney Grover gives a brief history of the project timeline and the work accomplished.
- Helen Sides has a question regarding a particular area of slope from a conversation with Vice Chair Rieder.
  - Elena Eimert: there are areas of surface lot behind 73 Lafayette that the cross slope exceeds 2% meaning it is not fully accessible.
    - Therese Graf: The resiliency intentions to prevent flooding have raised the high point through the area and it has an effect on entry points. We are at 3% slope. We maximize the slope in vehicular entries and .... We are able to go a bit above 2% and allow for some occupation and we are close to that. We can refine the micro grading.
- Josh Turiel questions the ability for emergency vehicles to enter the site and the need for so many parking passes in the garage. How are we accommodating ambulances and medical vehicle coming in? Concerned about the number of passes required. 67 passes to the south harbor garage seems excessive.
  - Jonathan Evans: The pull-off space can handle additional required vehicles. They won't be handling ambulances a lot as it is urgent care, not an emergency room.
  - Attorney Grover: The parking pass condition was crafted through the city's Traffic and Parking Department. The passes will go to the staff at the medical center. We were asked to make a commitment to purchase passes in the garage. The capacity of the city garage was looked at by the Traffic and Parking department and the City's peer reviewer. The whole idea was to protect the supply of street parking for residents and businesses.
    - Elena Eimert: This discussion is referring to Section 4, conditions c-e. Conditions d and e stress that the developer is responsible for reviewing the impact of these passes on garage occupancy.

- Jonathan Berk: Wondering if the passes are something you will need or if you are being forced to obtain them. It seems like a lot. Can we limit the spaces and passes?
  - Ilene Vogel: They do a lot of telehealth, and this isn't an number they would need, it's an outside number. There are not as many employees in the building at one time.
  - Attorney Grover: This is a city requirement; we didn't request it.
  - Jonathan Berk: Can we lower that requirement or attach a study for usage for the first few months of occupancy.
    - Elena Eimert: This is through the parking study and the applicant. This was an alternative to having staff use street parking affecting residents and businesses. That was the number agreed on by Traffic and Parking. The Planning Board has the power to change that number. We can look at the utilization study that will follow.

#### **PUBLIC COMMENT**

No additional written comments since last appearance before the board.

No audience comments.

*Motion to close public hearing is made by Helen Sides, seconded by Tom Furey, and passes 7-0 in roll call vote.*

Bill Grisct	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y

- Elena Eimert shares the draft decision on screen.
  - Helen Sides: Is there a way to add language that the parking passes are reviewed after a year?
    - Attorney Grover: Yes, that is what I was thinking. We have \$2500 in escrow for this purpose. "The city and applicant will make a determination if this is necessary".
  - The Planning board agrees that reassessing will be acceptable with the suggestion from Helen Sides asking if they could evaluate every year to establish better data. She doesn't want to hold up approval for such an important project.
  - Attorney Grover: Subparagraph e is probably a good place to put in the language on reevaluating the parking passes.
  - Carole Hamilton: Does the purchasing of the pass guarantee a spot?

- Elena Eimert: No
- Elena Eimert: On section 6, there are requirements on the signage plan on there being adequate signage to get the user to the interior of the property.
- Elena Eimert: There is a new condition on the Site Plan Review that development applications must submit a net zero energy application to incorporate resiliency in the design.
- There is discussion around Section 8, the Affordable Housing clause. Carole Hamilton wonders why we wouldn't incorporate that the project is 100% affordable housing into the decision regardless of the standard Planning Board language on affordability and finds the current phrasing such that the developer could change their mind.
  - Attorney Grover: This language was added at the request of the city.
  - Elena Eimert: If that is acceptable and you share the affordable levels verbally, I can revise the language.
    - **Ilene Vogel: Right now, we are 50%/30%. Want to keep it at 60% as we go through DPHD funding. 60% or less fine with the NSCDC**
- Elena Eimert: There has been a slight change to the wording of condition G, "plan to rodent control"
  - Ilene Vogel: In section G., it talks about offering mandatory recycling.
    - Elena Eimert: This language is taken from a letter from the Health Agent. This condition is mimicked in an engineering condition. If the concern is the word mandatory, it could be stricken.
- Elena Eimert: There was substantial conversation on the language pertaining to improvement to the culvert underneath the property.

The discussion returns to the parking garage passes.

- Elena Eimert inserts language from the Traffic and Parking Director in section 4.b.

*Motion to accept conditions and approve the decision as presented and approve is made by Carole Hamilton and seconded by Tom Furey and passes in 7-0 in a roll call vote.*

Bill Grisct	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y

**B. Location: 250 and 260 Highland Avenue (Map 8, Lots 117 and 118)**

**Applicant:** Laine Chase Trustee 250 Highland Ave Reality Trust

**Description:** Endorsement of a plan believed not to require approval under the Subdivision Control Law (ANR).

**\*\*This item was heard first\*\***

Attorney Jim Mears attends for the applicant. Requested to withdraw application without prejudice as redrawing of line on the submitted plans depicts a bound in a paper street – Verona Drive. We have ownership to the midpoint. There is a concurrent right of an abutter, and we need to come to a resolution regarding use of the paper street and we haven't done that yet.

*Motion to approve the request to withdraw without prejudice is made by Zach Caunter and seconded by Helen Sides and passes in a 7-0 roll call vote.*

Bill Grisct	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y

**III. OLD/NEW BUSINESS**

**A. Updates from Staff**

- Elena Eimert: The Joint Public Hearing for rezoning 67 Derby from R2 to industrial will be Monday January 30, 2023. This will be a hybrid meeting.

**B. Receive and File: Receive and File Chapter 91 License Application Notification of the project located at 435 Lafayette Street**

**C. Receive and File Chapter 91 License Application, Notice of Project Change for the project located at 200 Fort Avenue (Recreational Fishing Pier, Salem Willows Park)**

**D. Open Space & Recreation Plan Update: Notice of Public Forum and Online Survey**

#### IV. APPROVAL OF MINUTES

##### A. Approval of the December 15, 2022, Regular Planning Board Minutes

Motion to approve the December 15, 2022, regular Planning Board minutes is made by Helen Sides, seconded by Jonathan Berk, and passes 7-0 in a roll call vote.

Bill Grisct	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y

##### B. Approval of the December 19, 2022, Special Planning Board Minutes

Motion to approve the December 19, 2022, Special Planning Board minutes is made by Helen Sides, seconded by Josh Turiel, and passes 7-0 in a roll call vote.

Bill Grisct	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y

Tom Furey inquires about the status of the HMA Car Wash space. Elena Eimert reports that the applicant has to submit an easement plan for the sidewalk with the city Engineering Department that must be approved prior to the issuance of the building permit. Once approved, they can move forward with a building permit.

#### IV. ADJOURNMENT

Motion to adjourn made by Helen Sides, and seconded by Carole Hamilton, and passes in an 7-0 roll call vote.

Bill Grisct	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y

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Josh Turiel	Y
Helen Sides	Y

Adjourned at 7:26 pm

Approved by the Planning Board on February 2, 2023