



CITY OF SALEM PLANNING BOARD

Vice Chair Kirt Rieder calls the meeting to order at 6:30pm.

A public hearing of the Salem Planning Board was held on Thursday, July 8, 2021, at 6:30 p.m. via Remote Access. Public participation was possible via zoom video and conference call.

Kirt Rieder opens the meeting at 6:30PM.

I. ROLL CALL

Present: Vice Chair Kirt Rieder, Tom Furey, Noah Koretz, Todd Waller, Sarah Tarbet, Helen Sides, DJ Napolitano (7)
Absent: Bill Grisett, Carole Hamilton has resigned from the Board (2)
Also in attendance: Mason Wells, Staff Planner
Recorder: Stacy Kilb

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), and 9 Peabody Street (Map 34, Lot 232)
Applicant: North Shore Community Development Corporation (NSCDC) & North Shore Community Health Center (NSCHC)

Description: *The applicant has requested a continuance to the regularly scheduled meeting on September 23rd 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

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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.

This item is heard second.

A motion to continue to the Sept. 23, 2021 meeting, is made by Helen Sides, seconded by Sarah Tarbet, and passes in a roll call vote.

Kirt Rieder	Yes
Noah Koretz	Yes
Sarah Tarbet	Yes
Todd Waller	Yes
Helen Sides	Yes
Tom Furey	Yes
DJ Napolitano	Yes
Bill Griset	Absent
Carole Hamilton	Resigned

B. Location: 81 Highland Avenue (Map 24, Lot 1); 108 Jefferson Avenue (Map 24, Lot 88); Old Road (Map 24, Lot 19); 1 Dove Avenue (Map 24, Lots 216 and 218); 79 Highland Avenue (Map 14, Lot 129); 55 Highland Avenue (Map 24, Lot 220); and 57 Highland Avenue (Map 24, Lot 2) - Amendment

Applicant: MASSACHUSETTS GENERAL BRIGHAM SALEM HOSPITAL

Description: A public hearing for all persons interested in the application of MASSACHUSETTS GENERAL BRIGHAM SALEM HOSPITAL for an Amendment to the previously approved Site Plan Review decision and Stormwater Management Permit for the property located at 81 Highland Avenue (Map 24, Lot 1); 108 Jefferson Avenue (Map 24, Lot 88); Old Road (Map 24, Lot 19); 1 Dove Avenue (Map 24, Lots 216 and 218); 79 Highland Avenue (Map 14, Lot 129); 55 Highland Avenue (Map 24, Lot 220); and 57 Highland Avenue (Map 24, Lot 2). The applicant proposes changes to the project work to include the enclosing of an existing open-air space at the Davenport 4 entrance beneath the Surgi-Center, creation of a new indoor lobby without expanding the building footprint, and construction of a new canopy over the existing drop-off area. No changes to the underlying driveway, or sidewalk areas are proposed.

Noah Koretz leaves the meeting at 7:40PM.

Attorney Joseph Correnti represents Salem Hospital. This Amendment will allow the construction of a front door!

Mary Jo Gagnon, Senior VP, notes that they were under budget.

Also present:

Shelley Bisegna, Director
Brad Williams, Project Manager
Ed Jendry, Architect
Paul Avery, Civil Engineer

Ms. Gagnon notes:

- Project background
- Tonight: proposing to enclose “wind tunnel” at Davenport 4 as a new lobby and construct a large canopy for patients and visitors dropping off and picking up
- Photos of Davenport 4 are shown and proposed layout described.
- Rendering of proposed is shown. 14 entrances exist; trying to draw patients/visitors to this one. Canopy is wide to protect from elements.
- Nighttime rendering is shown. Will be less lighting than in the long, dark, wind tunnel.
- Entrance will enhance branding.
- Level dropoff was approved in 2018 and came out well.
- Interior plans are shown. Additional interior renderings are shown and the layout described.

Paul Avery, Civil Engineering

- No changes to parking lot or drop-off area.
 - Stairs will be enclosed.
 - Existing walk will be removed, restored w/loam and seed
- Net loss of 230 sf impervious surface.
- Drainage is described.
- No new site lighting, small trees planted recently will be relocated.

Ed Jendry, Architect

- Rendering from west side of building.
- Construction of canopy is described.
- 15’ high to accommodate fire trucks.
- Wide enough for multiple cars.
- Materials and choices for them are described. Neutral approach to a complex problem of mixed types on existing campus.
- Façade is described.
- Other Mass Brigham locations have similar canopies, if not as large as this one, so there is consistent branding.

Tom Furey

- Project shows compassion for patients and families.
- Would the Hospital Consider contributing to a traffic light at its lower entrance?

- A study was done that concluded that, because of the distance between the upper and lower entrances, it would cause more traffic. Route 107 Corridor study, done 3-4 years ago, did consider this, notes Shelley Bisegna.

Helen Sides

- Change in plane on part of building where canopy projects? It is flat all the way across. Sign will not have a “box” look. Individually illuminated letters will be installed.
- Kirt Rieder asks if the rhythm of the panels (vertical lines) continue through the letters? This is still under discussion – run lines through or put a flat fascia under the sign.
- Helen Sides recommends continuing lines vertically and dropping the sign down so they are intersected by the horizontal line as well.
- Kirt Rieder: Don’t “force justify” the sign, have it float lower? Yes. They didn’t want it to be “chopped off” by the canopy, but it will still be visible.
- Letters are individual, three dimensional, but it is unknown if they are translucent on sides, though they will be on the face.
- Shelly Bisegna notes the canopy is so high, if they bring the sign down, people coming from the Lynn side will have difficulty seeing the sign. Kirt Rieder and Helen Sides disagree, noting it will be visible due to offset of 107 and visibility of the canopy that will make the entrance obvious.
- Kirt Rieder reiterates that the sign should float just a bit lower, not be pulled down. Shelley Bisegna asks if the grid pattern could be shifted. Options will be explored. Kirt Rieder does not want to reopen the grid pattern.

Todd Waller

- Monitor roof – did it previously have windows? Yes, and they will remain.

Kirt Rieder

- Runs through the campus regularly.
- Commends Applicant for patience with permitting process, and feels it yielded a better parking environment than originally proposed. It helped the identity of the facility.
- Re-sheathing this volume as white metal panel vs. bricking in windows and ungainly sign was not working, and this does. Building massing as sign is a step forward.
- Questions:
 - Why does Application say no changes to sidewalks proposed? Anything outside the building is a sidewalk change. Mary Jo Gagnon notes this was a typo, and will be struck from the final Decision.
 - Kirt Rieder watched people walk diagonally following a sinuous pathway to Highland Ave. There is no pedestrian pathway elsewhere in the parking lot. He is fine with the new sidewalk, which will not be accessible, but you are asking people to walk off sidewalk onto non striped non ped asphalt to get to

this main entrance [from the lower parking lot]. People perceive it to be the path of least resistance even though they currently need to use stairs.

- Is there a landscape architect on team? No. "Bummer." Take the green area, do an accessible route from top of drawing to main entrance in an ADA compliant way, weaving through trees and shrubs.
- Renderings do not accurately show topography, plantings, the configuration of sidewalks. Please reposition 6 shrubs in addition to 2 trees.
- Vast stormwater collection lawn w/ 5-6 trees, how to differentiate between various architecture onsite, there is a vegetated slope, if loaming and seeding area of former concrete walk, please provide shade trees. Differentiate between the new white architectural mass and that to the East. Architecture layers on itself, missing an opportunity to make it a more comfortable place.
 - Paul Avery: looked at accessible route, but it gets tricky w/slopes. Could be done but may require retaining walls, etc. Trying to create an accessible walk would diminish the opportunities for vegetation.
 - Shrubs will be replaced.

Applicant is willing to examine repositioning of sign. Landscaping is "big," and they would prefer to finish tonight.

Helen Sides agrees with Kirt Rieder's comments re importance of landscaping. The Applicant will already be examining the sign.

Kirt Rieder: Hiring a landscape architect is vital. Previous presentation: Board members made comments regarding going above and beyond mandated requirements of accessibility. This Board has been working w/ City staff to expand tree canopy across City, and State has offered to put in several thousand trees. When instances beg for additional shade trees, it benefits the Hospital's clientele. This will be considered.

Kirt Rieder notes the several-hundred-year institution on this property, vegetation will make environment and campus better, and help its identity.

Board conditions:

- Relocate 2 trees and 6 shrubs
- Add 8 shade trees to this zone

Kirt Rieder is happy to discuss tree choices. They may not be small, flowering trees; he is going for height.

Public comment: none

A motion to approve the Amendments, with the above conditions as discussed, is made by Helen Sides, seconded by Tom Furey, and passes in a roll call vote.

Kirt Rieder	Yes
Noah Koretz	Absent
Sarah Tarbet	Yes
Todd Waller	Yes
Helen Sides	Yes
Tom Furey	Yes
DJ Napolitano	Yes
Bill Griset	Absent
Carole Hamilton	Resigned

C. Location: 4 Franklin Street (Map 26-0407)

Applicant: CAS Salem LLC

Description: A continuance of a public hearing for all persons interested in the application of CAS SALEM LLC for the property located at 4 Franklin Street (Map 26-0407) for a 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; Section 8.4 North River Canal Corridor Neighborhood Mixed Use District. Portions of the site are also in the Entrance Corridor Overlay District. Specifically, the applicant proposes the construction of a business office and ambulance facility with associated employee parking area, utilities, landscaping, and harbor walk path along the North River. The business office and ambulance facility is the first phase of site redevelopment and occurs on the Franklin Street side of the site. The second phase, the plan for which has not been developed, will occur on the North River side of the site.

This item is heard first.

Attorney Joseph Correnti represents the Applicant. Other team members include:
Mr. Cataldo
David Stockless, Architect

- 3rd meeting with DRB last month; they made a recommendation.
- No further presentation though questions were rec'd last week re grades, sidewalks, etc. Mr. Bob Griffin, Civil Engineer, can briefly outline answers if desired.
- Helen Sides, as a DRB member, notes:
 - Applicant has addressed most of DRB input.
 - Feels changes could still be made in Planning Board re aesthetics.
 - She still has questions about color.
 - Up to this Board to approve with, DRB's recommendation.
- Kirt Rieder notes comments rec'd from residents; is it possible for the Team to show any graphic regarding materials and color?

- Renderings are shown and Dave Stockless, Architect, outlines.
 - Office and garage wing of building; dark garage is Hardie Plank, white trim. Office is Hardie panel, light gray, with dark gray between floors/windows. Dark brick proposed at base.
 - Enhanced cornice has been designed for office to tie into garage portion, also Hardie Plank.
 - Entranceway appearance retained but materials changed to Hardie panel.
 - Glazing is aluminum storefront.
- Kirt Rieder asks about metal panel originally proposed vs. Hardie panel – yes, Hardie is now being used to create a more paneled look.
- Mark Parris from DRB pointed out that the way the building is presented in perspective views does not put it in context of scale re surrounding buildings. Misleading as it is not as big as it looks in renderings.
- Kirt Rieder notes pedestrians in foreground make it look like massing would be similar to other buildings on North St. Good to break up massing of architecture via color differential.
- Helen Sides further discusses color options, and Kirt Rieder asks for clarification. Only two colors of Hardie Plank will be used.
- Noah Koretz feels the Hardie plank is not a positive improvement over the aluminum. He cites Michael Blier's building across the street. Zoning must be adhered to. He does not like the look of the building.
- Todd Waller also discusses the presentation of the building and would like to see warmer/softer tones.
- Sarah Tarbet agrees. Zoning and public comments re materials being wood, masonry or brick has to do with scale; panels are off-scale. Other options may bridge the gap between traditional materials and this building.
- Kirt Rieder agrees with all comments made so far and opines that the light color needs to be darkened as there is too much contrast.
- He recommends referring back to the DRB for further discussion.
- Tom Furey disagrees, noting that each building on North St. is unique and he approves of the current design.
- Kirt Rieder stands by his and the other Board members' opinions, the Board is not constrained to accelerate projects and consideration is time well taken.
- Helen Sides asks about the regularity of the long side of the building, feeling that there do not need to be dark panels between windows. Also, windows could be wider.
 - This is further discussed.
 - Noah Koretz notes this building is in an interstitial industrial zone transitioning into a neighborhood, and must adhere to the zoning ordinance, which advised against the material (aluminum) that the

Hardie plank replaced. This change technically addresses the zoning issue, but comments received indicate that it is not addressing other concerns raised.

- He suggests coming back to the Planning Board rather than the DRB with further changes to the cladding.
- Helen Sides opines that the building should be “softer.” Vertical elements should be changed.
- Attorney Correnti points out that the DRB recommendation re colors is that it should go back to the DRB w/warmer tone, prior to final construction plans. There is universal comment on the color and it was strongly recommended to revise it. The Applicant is willing to do that.
- Color interacting w/size of panels and size of windows – Noah Koretz notes it is more complicated, there is enough concern with this Board that they may hesitate to have it worked out later.
- Kirt Rieder’s issues: color contrast not right, wants lighter color darkened. Also does not approve of dark panels between windows.
- Showing context w/ North St. Embankment, etc. would provide a different view.
- Sarah Tarbet re grades:
 - No accessible route from sidewalk to building. Bob Griffin: Outlines code requirements. Flat parking area to front door has a less than 2% slope that conforms to code. Can also have accessible routes at less than 5% slope that do not include rails or level areas; these have been provided. Sarah Tarbet opines that as the site could be flooded, Applicant may want to go beyond code. Mr. Griffin notes it is a supplemental route, not the primary one.
 - Kirt Rieder asks about the parking lot pavement. It is asphalt. Substitute a 5’ zone along the curb as concrete to draw attention that there may be pedestrians there? Mr. Griffin would be more inclined to stripe it. Kirt Rieder would approve of a solid stripe, not a zebra stripe.
 - Concrete apron at driveway-can a flat section be incorporated for those with mobility issues? Bob Griffin: Sidewalk is not depressed across the driveway opening, 3’ wide level corridor must be maintained, and it is, drops down to make up grade change in last 2’.
 - Proposed crosswalk at bottom of plan: consider opening curb cut so it does not direct toward easement pedestrian area. A place to come from across Franklin or North Streets is needed.
 - Bob Griffin: Existing crosswalk across Franklin St.; one across North St. will be added and is appropriate. Don’t want to add one on Franklin St. as there is no safe location to do that.
 - Mr. Griffin: Volume of traffic will be low, not a dangerous site.

- DJ Napolitano agrees with Sarah Tarbet and agrees with the Board's issues and interest in the paneling and colors.

Public comment:

Paul LaChapelle, no comments, thinks it is good for Salem.

Jackie Seland 1 Walter ST.

- Against colors of building. Notes colors of nearby buildings.
- Concerned at lack of rendering that includes overpass, from the Speedway.

Anne Sterling, 29 Orchard. St.

- Agrees with Helen Sides' comments re verticality of long wall and need to widen windows while removing dark panels.

Alice Merkl, 28A Federal St. Unit 2

- Consider goal of new structures in visible landscape.
- Appreciates further discussion of details.

Barbara Cleary, Chair Preservation Committee Historic Salem Inc.

- Agrees with comments of new panels meeting letter but not spirit of ordinance.
- Scale of panels does not link to anything else in neighborhood.
- Scale of windows also must be addressed.
- Encourages Board to consider natural materials, or the appearance of natural materials.
- Visual chaos in the area, but NRCC zoning was to knit back traditional neighborhoods disrupted by industrial area.

Attorney Correnti would prefer to keep the matter with the Planning Board.

Helen Sides asks Todd Waller about a recent successful project near the police station, a dark brown Hardie siding clapboard with a darker gray window fenestration and door frames; the rear is much different and more modern. She notes the success is due to the color choices and recommends that the Applicant look at this project on 1 Jefferson Ave.

Main comments:

- Colors
- Scale of windows

A motion to continue to the July 22, 2021 meeting is made by Helen Sides, seconded by Todd Waller, and passes in a roll call vote.

Kirt Rieder Yes

Noah Koretz	Yes
Sarah Tarbet	Yes
Todd Waller	Yes
Helen Sides	Yes
Tom Furey	No
DJ Napolitano	Ineligible
Bill Grisct	Absent
Carole Hamilton	Resigned

Attorney Correnti asks that one or two Board members be available for feedback as they go through the process of design change. Helen Sides is away all next week so Sarah Tarbet volunteers.

D. Location: 342 Highland Avenue (Map 8, Lot 15) and 2 Barcelona Avenue (Map 8, Lot 14)

Applicant: ANTHONY GUBA

Description: A public hearing for all persons interested in the application of ANTHONY GUBA for the property located at 342 Highland Avenue (Map 8, Lot 15) and 2 Barcelona Avenue (Map 8, Lot 14) in the B2 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 6.3 Motor Vehicle Light Service Station. The applicant specifically proposes to construct an approximately 3,353 square foot Convenience Store and a 12 fuel position Gas Station and all associated improvements. The proposed work includes razing existing asphalt, construction of the new store, fueling islands and canopy, underground tanks, utilities, and pavement.

Attorney Bill Quinn represents the Applicant.

Anthony Guba, Chief Engineer, Project Manager

- They desire a service station as allowed by zoning bylaw, at this location.
- 2 new curb cuts, one on Highland Ave, one on Barcelona.
- Modern convenience store and gasoline vending.
- Traffic lights are nearby.
- Team has developed many service facilities.

Mr. Anthony Guba outlines the proposal.

- Site location, rough sketch.
- Current site photo/perspective.
- Aerial view/driveway of abutter encroaches on property but they are hoping to leave as is.
- Site plan overlaid on aerial view. Not in any wetland buffers but within 200' setback of riverfront area, as outlined. Will have minimal work in that area. Existing trees will remain.

- Scheduled before Conservation Commission July 20, other permitting processes with the City and State are described.
- Proposal includes two parcels, Lots 14 and 15.
- Building and gas logistics are described.
- No screening to resident presently; will be fence and vertical landscaping after project.
- Plantings around perimeter are described.
- Site will generate minimal additional traffic; gas stations are not destinations. Sight distances to driveways are good. Impact is 1.5-2 vpm AM peak, 3-4 per minute on Barcelona.
- A bike rack will be added.
- Considering addition of note "possible future EV charging stations" but will have to gauge demand.
- Grading plan is shown.
- Site stormwater will be directed to an infiltration system designed to hold/infiltrate 100-year storm from all impervious areas. Runoff from site to abutter and Highland Right of Way will be reduced from existing conditions.
- Not proposing a septic system, will be tied to municipal but water and sewer used by 2 restrooms and convenience store will not tax the system. Will tie in on Barcelona.
- Majority of site is less than 5% slope.
- Plantings are further described.
- Lighting is described; will be LED, fully shielded. Lighting plan shown; street poles are on site.
- Autoturn SWEPT path analysis is shown; tanker truck entrance/exit are described.
- Tank layout is outlined.
- Plans for sumps/monitors are shown and described.
- Floor plan is shown and described.
- Sign package is within square footage and setbacks.
- Not requesting any waivers/variances, no zoning relief required.
- Snow storage indicated on Plan.
- Stormwater requirements of Mass DEP and City are being met. Drainage will be improved from existing.
- Storage, piping and fueling systems will exceed EPA state and Federal requirements.

Tom Furey

- Outlines 3 gas stations on North St., 2 on Boston St. Highland Ave only has one from Boston St. to Lynn. Location is important and this site is mostly residential.
- An additional gas station will be an asset to the area.

Helen Sides

- Hopes the Applicant will move forward adding the EV charging stations.
- Would like to see more trees in back of building.
- So much area allowed for cars means they will drive faster than if more restricted. They would move more slowly and carefully if it was tight. Tighten while still allowing for fire trucks and tankers? Kirt Rieder: especially in snow storage area.
- Mr. Guba:
 - EV Stations: Industry is in extreme flux re what type of stations, slow or fast charge, etc. Difficult to put in today's tech that takes 20 minutes up to hours to get a full charge. Station with today's tech makes more sense at a restaurant or grocery store where people can use time productively. Market penetration of EV vehicles is 3% of new cars, many are plug-in hybrids and the majority of those are owned by those who will need to charge overnight for the 30-mile range.
 - When they say "in the future," looking at EV market penetration, will consider if it is desired, and they hope the technology will allow a 30-50 mile charge in 5-15 minutes spent by a typical customer in the store. They don't think anyone would use it at a gas station now.
 - RE Trees: can add more, intent was to do some grading, Runoff runs onto this property and then onto abutting, going to have it run across back of property where it will infiltrate. Will add landscaping.
 - Lower left corner/site circulation: trying to accommodate not only passenger vehicles but landscapers w/trailers, RV's, boats being towed. Need 30-40' area around fuel stations b/c cars parked there extend out. Could increase curve radius and bring in but tried to reduce paving/ensure it can all infiltrate.
 - Kirt Rieder asks if it will be peer reviewed; that is up to Engineering.

Kirt Rieder

- Wonders why we are even talking about a gas station (as Noah Koretz would comment).
- Commends Applicant, obvious he has done this before. However, what works in other parts of the country does not work in land-poor, historic Salem not predisposed to giving square footage to vehicular movement.
- Appreciates thorough status of electric charging; he was unaware.
- Echoes Helen Sides' comments about being undercooked in light green area. Swap out 2 dogwoods near Highland Ave. for larger shade trees.
- Have 12-15 additional, large shade trees around the store building. Will provide additional, audible buffer to abutter.
 - Can put landscaping in "wedge," but it is riverfront area. Will consult with Conservation Commission first; that area will be wildflower/wetland mix. It is not intended to be maintained. "Mini bird sanctuaries" are proposed in this area.
 - Kirt Rieder notes that seeded area will have volunteer trees, please accelerate the process.

Sarah Tarbet

- Was a sidewalk on Barcelona Ave. considered? None exists anywhere on Barcelona Ave.; if added it would be a “sidewalk to nowhere.” She suggests between the exit and Highland Ave. If DOT agrees, they can tie into the sidewalk.
- Reduce parking spaces in favor of green space? They do not want to request a variance for parking; the number is that required by zoning. They have three spaces more than required as a buffer; depends on how Fire Dept. comes back re site visibility. If needed to be striped as no parking they would still be at zoning.
- Kirt Rieder was going to suggest deleting three in upper left, but it would still be left as paving anyway. Would like to see four in lower right deleted, continue edge of paving to Highland Ave. This would allow deletion of retaining wall as well.
 - Mr. Guba: Parking calculations are based on floor area not including storage, 14 required, they are providing 18. KR says if deleting 4 puts them in exact compliance, they should do it. Areas are over paved.
 - Mr. Guba notes if needs to eliminate spaces in front of building, what should he do? Add back into lower right hand side, or add two parallel spaces in snow storage area.
- Sarah Tarbet asks about location of Highland Entrance: too close to abutter? Kirt Rieder notes abutter has already encroached upon this property. Mr. Guba notes they may have to ask them to move the driveway if it becomes an issue, but they are trying to avoid that. The driveway is located as it is, in order to avoid the rock outcrop.

Tom Furey

- Strongly approves of project, cites Sunoco station – removal of trees without consent of neighbors.
- Kirt Rieder notes that retention of trees is not only for aesthetics but also to satisfy the Conservation Commission.

Todd Waller

- Possible to continue fence line around upper corner around abutter so abutter has more of a sound buffer?
- Kirt Rieder notes that the abutter has a 6’ wood fence, Applicant is going to add a vinyl fence. This would create a “demilitarized zone” feel. Fence ties into trash enclosure
- Fencing is discussed. Kirt Rieder: why is their fence 8’ into property vs. on property line?
 - Aesthetics to Santos – landscaping would break up look of fence. Double landscaping inside and outside of fence, hoping fence will look less important over time.
 - Helen Sides recommends that it NOT be white vinyl, but unfinished wood, no paint, no stain, preferably cedar. Let it blend in with double row of plantings. This can be done. They use white vinyl b/c it is more durable and holds up

over time, easier to keep clean. But if they want more rustic, that can be accommodated. Kirt Rieder suggests fastening cedar to galvanized poles for lasting durability. Helen Sides: Will see white vinyl "glowing" through the trees.

Public comment

Paul LaChapelle, 395 Fellowes Rd. Fairpoint, NY (used to live at compound of same name) now in New York. His brother is Richard LaChapelle, the abutter.

- No encroachment of driveway, easement 80 years ago.
- Ledge also exists where tanks are proposed, will have to dynamite ledge? Need to do test borings during engineering.
- Island where 2 driveways come through, there are ponds/springs under there, so it will not hold water.
- Trees shown are nice but are "scrub brush," Board may say they want mature trees.
- Disappointed that Plans were not presented to his brother.
- Applicant response:
 - Project was discussed w/Richard over the phone, was hoping to meet with him.
 - On side of property there is a 13' right of way in the deed, for use of property in back, NO rights to right of way to abutting property owned by Disability Trust. They understand ROW is for access to back, no problem w/driveway as is, but part of process would be to document actual deed and rights to that piece of land to ensure no adverse possession rights will ensue over time if driveway remains.
 - Mr. LaChapelle notes they have adverse possession of driveway already after 70 years. Mr. Quinn: not just a matter of time, other factors built in, would be straightened out prior to purchase of property. Not looking to change it so if Plan can be approved as shown, it will not affect that driveway. Mr. LaChapelle notes difficulties of moving driveway.
 - Kirt Rieder suggest Applicant team contact abutters outside of meeting for proper way to resolve this.
 - Mr. Guba: they did do extensive soil investigation. 20-30 previous borings onsite, they went out with an excavator adding test pits, they know infiltration and tank area ledge conditions, they do not expect to do any blasting or have problems with ledge. Also had a soil analyst onsite who estimated seasonal high ground water, infiltration and work will be a minimum 2' above in accordance w/DEP regs.

Lev McClain, 22 Albion St.

- Agrees w/Board concerns re gas station at this location, but there are pros at this site
- Difficult to develop on Highland Ave w/minimal impact. Because there is a lack of service stations, we see congestion at nearby intersection/Swampscott Rd/Irving gas station. Southbound one might alleviate.

- Agrees that charging station should be part of Plan. EV's need to get a little charge sometimes, make the symbolic gesture that this is a "dinosaur"
- Concerned about underground infiltration/throughput where there is a sequence of intense storms, quickly draining, but will system be overwhelmed?
- Neighborhood at rear on Barcelona: concerned about light bleed over?
- Can traffic be restricted so that only large vehicles who need it use Barcelona Ave. Vs. Allowing cars. Neighbors would have to wait in a line to get on Highland Ave.
- Disagrees w/shrinking hard top onsite, will squeeze people out of exit. Prime gas station on Lafayette is difficult to navigate.

Richard LaChappelle, 334 Highland Ave (younger brother)

- Used to be house at top of driveway that shared it. Right of way does not only go to the back but all the way to Highland Ave.
- Driveway sits on Right of Way, reiterates it does not encroach. Can't move driveway.
- His property is much lower than proposed; concerned about runoff. Water enters property from Highland Ave. State "fixed" by installing a berm but he is concerned about water coming onto his property and into Forest River off gas station. He is downhill from property
- Reiterates brother's comments about spring in green area.
- Kirt Rieder notes peer review will verify that all proposed is advantageous. Mr. Guba will contact Richard offline, will reduce flow to property by 60-70%

Mike Orfano, 2 Savanna St. Salem

- If planting mature trees at corner of Barcelona, will decrease visibility.
- Snow storage/snowbanks will also impede visibility.
- He will be viewing a gas station from his deck; concerned about lighting, supports taller trees in top left hand corner.
- Diesel: will draw larger trucks/tight spaces on Barcelona Ave. Swap out diesel for electric.
- Kirt Rieder applicant did not sight line as required is as is and trees do not impede

Anthony Jermyn, 11R Barcelona

- No one reached out to him; certified mail postmarked July 3rd, arrived today, no time to review.
- Owns rear of property, would be in "a world of hurt" if he were to develop'
- Easement, light pollution, high volume site, renderings of slope. Proposed in rear – no grade given though it has been requested.
- 1' contours provided as required notes KR.
- Lived on Ravenna, Dibiase took out 40', now there is a cliff in his backyard, there will be another.
- EV charging: purchase lot and put it back there.
- Tractor trailers will be an issue.

- Kirt Rieder encourages Applicant team to figure out how to address legal considerations raised, as well as aesthetic, no decisions will be made tonight, there will be add'l opportunities for input

Dennis Colbert 37 Clark St.

- Location for an air pump?
- Will have one, normally located near light and trash enclosure, will be added to Plan
- Mr. Colbert notes it must be available free to the public

Helen Hughes 24 Ravenna Ave.

- Does not want vehicle traffic to exit on Ravenna Ave.
- Visibility problems w/steep slope.
- Opposed to gas station in residential neighborhood.

Mason Wells notes it is at Board's discretion to send Applicant to DRB for their recommendation. Kirt Rieder notes that as they are not requesting variances, he wonders the effectiveness of going to the DRB. Helen Sides recommends always going to the DRB if possible.

DJ Napolitano has left the call at approximately 9:50 pm

A motion to continue to the September 9, 2021 meeting, as well as referring the Applicant to the DRB, is made by Helen Sides, seconded by Tom Furey, and passes in a roll call vote.

Kirt Rieder	Yes
Noah Koretz	Absent
Sarah Tarbet	Yes
Todd Waller	Yes
Helen Sides	Yes
Tom Furey	Yes
DJ Napolitano	Absent
Bill Griset	Absent
Carole Hamilton	Resigned

E. OLD/NEW BUSINESS

F. Location: 190 Bridge Street – Sofi at Salem Station – Insignificant Change Request

Applicant: Pacific Urban Residential

Description: Review of an insignificant change request to make modifications to the originally approved Site Plan. Proposed modifications include rearranging the layout of public parking spaces, change of uses in retail space, and addition of a dog park.

Scott Rushton represents the Applicant.

- Public parking behind Building 5; planning to relocate closer to train tracks and newly proposed dog park. No spots will be lost or gained but will provide easier access to public to train or new amenities. Will swap reserved resident spaces and public spaces.
- Accessible space will remain and one can be added.
- Dog park will be installed in an area that is currently grass. Fence and secondary fence will be added. Agility equipment and a bench will be added. Ground material will be pea gravel.
- Proposed uses in retail space
 - Near leasing office: pet wash station and bike storage, accessible to public via Chapter 91 agreement is proposed.
 - Retail use was an integral part of development; acknowledgement of uses for this space and if they are acceptable.
 - Right now it is an open space. A small basketball/arcade game, seating. Not being utilized as it could but was permitted before as retail space. 3 retail spaces exist, this would be in one of them.

Sarah Tarbet

- Any retail spaces rented? All are empty.

Kirt Rieder

- One thing for code and Boards to make this a stipulation, even when constructed if not sale-able or rentable they go vacant, is there an incentive/effort to activate them, what has worked elsewhere? This is question for Smith, development planner, Mason's colleague, as spaces at this property have been difficult to sell.
- Kirt Rieder: up or down vote on perceived insignificant change. Is that the case? Yes. Helen Sides notes the reality is the question: who from the public would use this at all? Why would a nonresident park their bike there, unless they advertise the dog wash, why would nonresident go there? Uses will be tied to dwellings, not that she opposes using it for something. This happens in all these projects, eventually there is a really good fit but it takes a long time. Is it not a permanent acceptance of use? Synonym for "tolerable?" We don't want to eliminate these spaces, but need to think they may be used in the future (offices? Shared office spaces?)
- Kirt Rieder approves of this.
- Mason Wells wonders if accessible to the public, should spaces be promoted/advertised? Kirt Rieder notes it could be a discrete sign at back of sidewalk. Applicant has no issue with this.
- Sarah Tarbet notes re dog park, can advertise park and dog wash area, Applicant is amenable to this.
- Mason Wells will craft language to this effect.

A motion to accept the proposal is made by Helen Sides, seconded by Tom Furey, and passes in a roll call vote.

Kirt Rieder	Yes
Noah Koretz	Absent
Sarah Tarbet	Yes
Todd Waller	Yes
Helen Sides	Yes
Tom Furey	Yes
DJ Napolitano	Absent
Bill Grisct	Absent
Carole Hamilton	Resigned

G. APPROVAL OF MINUTES

Regular Planning Board meeting minutes for June 3, 2021.

Not yet available.

Regular Planning Board meeting minutes for June 17, 2021.

Not yet available.

I. ADJOURNMENT

A motion to adjourn is made by Tom Furey, seconded by Sarah Tarbet, and passes 5-0 in a roll call vote.

Kirt Rieder	Yes
Noah Koretz	Absent
Sarah Tarbet	Yes
Todd Waller	Yes
Helen Sides	Yes
Tom Furey	Yes
DJ Napolitano	Absent
Bill Grisct	Absent
Carole Hamilton	Resigned

The meeting ends at 10:05PM.

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:

<https://www.salem.com/planningboard/webforms/planning-board-2021-decisions>

Respectfully submitted,

Stacy Kilb

Clerk, Salem Planning Board

Approved by the Planning Board on 11/18/2021