



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, June 3, 2021, at 6:30 p.m. via Remote Access. Public participation was possible via zoom video and conference call.

I. ROLL CALL

Present: Vice Chair, Kirt Rieder, Carole Hamilton, Tom Furey, Noah Koretz, Todd Waller, Sarah Tarbet, Helen Sides (7)
Absent: Bill Grisct, DJ Napolitano (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 July 8th 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.

A motion to continue to the July 8, 2021 meeting, is made by Helen Sides, seconded by Tom Furey, and passes 7-0 in a roll call vote.

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

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

Applicant: CAS Salem LLC

Description: *The applicant has requested a continuance to the regularly scheduled meeting on June 17th 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.

A motion to continue to the June 17, 2021 meeting, is made by Helen Sides, seconded by Todd Waller, and passes 7-0 in a roll call vote.

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

I. OLD/NEW BUSINESS

A. Staff Update on In-Person Meeting Timeline and Policy

Mason Wells:

- There will most likely be legislation allowing remote meetings to continue through August, though the Board has no meetings in August.
- City Policy would then be amended to allow full remote participation, until September.
- Nothing decided yet.
- Remote participation would be audio only/video has problems with access/complications/possible legal disputes. Staff will manage a call-in option for public.
- Policy for board members is on SharePoint. Board members would need a reason to meet remotely, COVID is no longer a reason.
- Kirt Rieder asks to confirm if it would be audio only – Yes, no visual whatsoever, for Board members too, but they would have access to materials online.
- Kirt Rieder offers that he finds option of audio only to be infuriating/frustrating/may cause harm to the process. Zoom does have breakouts so if there were 2 cameras, could do one of audience and one of Board. Mason wells notes that it is possible that there are equipment limitations, and that he and other staff running the meetings cannot provide an “SATV” level of service.
- Kirt Rieder notes that many or even all Board members found Zoom to be hugely helpful/successful, to cleave video is chopping off legs of the process.
- Helen Sides agrees, it is tough for the one Board member allowed to stay remote at a time to participate w/out the visuals.
- New regulations would state that the quorum cannot be comprised of remote participants, but previously said only 1 member could be remote per meeting.
- City policy vs open meeting law? Combination.
- No limitations on audience size but everyone (Boards and public) would be required to wear masks.
- Board has prerogative to determine agenda/pacing. Applicants vs. public participants could be a way to limit number of people attending each meeting.
- Kirt Rieder notes that the venue matters. Large conference room is adequate but if we get moved into a smaller room it can be overflowing/untenable in pre-COVID times, not going to happen at all, at this point.
- Noah Koretz: May be fewer people b/c zoom encouraged them, but during contentious items with large public interest there have been 40-50 attendees, which was a lot even for the large conference room. Do State/CDC guidelines say either wear a mask or be vaccinated? No, the State/CDC have NO mask requirements indoors, but the City would be implementing. Masks must be worn in municipal facilities, even if vaccinated.

- Todd Waller: How long will mask restriction be in place? Unknown.
- Helen Sides: "Let it work itself out," the Board can't second guess all these nuances, especially since we don't meet in August.
- Kirt Rieder: If it seems like we may have an issue, the Board should discuss the number of Applicants per night and length of each presentation. It is not desirable to have one Applicant go for 2.5 hours.
- Helen Sides: Rearrange presentations to clear out a room quickly. Also control time as per Kirt Rieder's suggestions. Only allow 2 applicants at the most. Kirt Rieder: there are many variables and no crystal ball.
- Carole Hamilton: Procedure for next meeting? June 17 is set to be in person but hoping for change in legislation to allow it to be via zoom. Discussion of the legislation happened today, notes Kirt Rieder, but he suspects it was not decided today. I.e., if nothing changes by the next meeting, it will be just like pre-COVID + mask requirement.
- Mason Wells: 4 Franklin St. will provide an update at the next meeting, will be a long presentation but they will still have to come back in July.
- Mason Wells notes that Board members have the right, if not comfortable attending in person, or if don't want to attend, don't have to. If no quorum, not under his control.

I. **APPROVAL OF MINUTES**

- A. Regular Planning Board meeting minutes for January 7, 2021.
- B. Regular Planning Board meeting minutes for January 21, 2021.
- C. Regular Planning Board meeting minutes for February 4, 2021.
- D. Regular Planning Board meeting minutes for February 18, 2021.
- E. Regular Planning Board meeting minutes for March 4, 2021.
- F. Regular Planning Board meeting minutes for March 18, 2021.
- G. Special Joint Planning Board & City Council meeting minutes for March 30, 2021.
- H. Regular Planning Board meeting minutes for April 1, 2021.
- I. Regular Planning Board meeting minutes for May 6, 2021.

Corrections/Additions

Feb. 4 - Liz Bradt

Feb. 18 p. 5 – NK: not attractive prior, not talking about ppl living in vacant buildings, general state of vacant buildings (re-word).

A motion to approve all sets of minutes, with minor corrections, is made by Noah Koretz, seconded by Tom Furey, and passes 7-0 in a roll call vote.

Kirt Rieder	Yes
Carole Hamilton	Yes
Tom Furey	Yes
Noah Koretz	Yes

Todd Waller	Yes
Sarah Tarbet	Yes
Helen Sides	Yes
Bill Grisct	Absent
DJ Napolitano	Absent

Kirt Rieder: Planning Department has begun interviewing for an outside consultant to overhaul code/vegetative buffer/wetlands. Will reshape and recategorize so less space between the Planning Board and the Conservation Commission re what is allowable. Will ultimately help us.

I. **ADJOURNMENT**

A motion to adjourn is made by Helen Sides, seconded by Carole Hamilton, and passes 7-0 in a roll call vote.

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

The meeting ends at 7:00PM.

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 11/4/2021