



CITY OF SALEM PLANNING BOARD

A public hearing of the Salem Planning Board was held on Thursday, March 31, 2022, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Chair Bill Griset opens the meeting at 6:30 pm

I. ROLL CALL

Present: Chair Bill Griset, Tom Furey, Carole Hamilton, Helen Sides, Sarah Tarbet, Todd Waller, Kirt Rieder, Zach Caunter (8)

Absent: Noah Koretz (1)

Also in attendance: Elena Eimert, Hannah Martin (2)

II. REGULAR AGENDA

A. 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 April 14, 2022

Scott Grover: Hoped to be here with a decision. Getting very close. Some drainage mitigation

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measures were added. City wanted those peer reviewed a second time. Requesting to continue to April 14, 2022.

A motion to continue to April 14, 2022, meeting, is made by Helen Sides, seconded by Todd Waller and passes 8-0 in a roll call vote.

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

B. 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.

****Request to Continue to April 14, 2022****

Scott Grover: Similar to the last project, the decision is largely finalized. Waiting for a few more pieces.

A motion to continue to April 14, 2022, meeting, is made by Helen Sides, seconded by Todd Waller and passes 8-0 in a roll call vote.

Bill Griset	Yes
Tom Furey	Yes
Carole Hamilton	Yes
Sarah Tarbet	Yes
Helen Sides	Yes
Todd Waller	Yes

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Kirt Rieder	Yes
Zach Caunter	Yes

III. OLD/NEW BUSINESS

A. Update on Witch Hill Subdivision

Description: The applicant will attend to provide an update on the existing conditions, clerk of the work inspections, and a timeline for completion of the project.

Elena Eimert: Received Form C decision back in 2005. Developer was unexpectedly unable to join, will appear April 14 meeting. As it stands, developer has until April 28th to complete punch list for the subdivision or city will pursue the bond.

B. Deliberate and vote on a recommendation to the City Council on a Zoning Ordinance Amendment relative to Urban Agriculture

Kerry Murphy: Wanted to address comments around honey bee renting. Learned this is very common. Added language to clarify. Regardless of if hives are owned, rented or hosted, would still be held to the same standards. Questions regarding setbacks, reduced from 10ft to 5ft considering many people have smaller lots. Many local cities also have 5ft setbacks

Sarah Tarbet: In proposed language, you are proposing 5ft setbacks from the principal dwelling and lot line. Wondering if there is flexibility for the additional 5ft from structure.

- Kerry Murphy: This is actually an improvement from the current language. Right now it has to be 20ft from the principal building.
- Sarah Tarbet: Wondering why we need the 5ft setback from building?
- Kerry Murphy: Set back encompasses any principal building. Could be a neighbor's house. Wouldn't want it right up against your own house either.

Sarah Tarbet: On the compost language; want to point out that you can't really compost in an enclosed bin.

- Kerry Murphy: Discussed this with the board of health. Open pile of compost on a small lot made the board of health nervous. Want to keep things rodent proof.
- Zach Caunter: Should we be concerned with grade of mesh wire and gauge of metal re: wire enclosures?
- Kerry Murphy: This will be addressed by Board of Health regulations, as will

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any odor control.

Kirt Rieder: Thank you for changing the honeybee hive setbacks. If you're hosting or renting typically you're not caring for the bees. So are we setting ourselves up for conflict later? Think it would be good to say if you're a tenant or owner you are the one responsible to care for.

- Kerry Murphy: Would think if anything went wrong it would still be the responsibility of the owner and tenant. Ultimately a civil issue.

A motion to recommend adoption with attached redline edits, is made by Kirt Rieder, seconded by Sarah Tarbet, and passes 8-0.

C. Deliberate and vote on a recommendation to the City Council on a Zoning Ordinance Amendment relative to Visibility at Intersections

Kirt Rieder: If we go by the centerline, as the definition states, it has no interaction with the street scape. If you define by the face of the curb, that's a whole different meaning. Personally think it should be measured from back of the sidewalks. But ok with face of the curb. Height needs to be measured from the back of curb, versus from the travel lane.

Tom Furey: As a former councilor, think this would be a very positive change. Very dangerous for drivers. I think the intent is to help with the proliferation of signs. Applaud this initiative.

Todd Waller: Think it is a little far reaching, especially when it says "other structure." Is a telephone pole considered a structure? Is a tree? It is too broad.

Bill Griset: Think this is written to encompass temporary signs and permanent structures as well. I think the height is key and the size of the sign is handled elsewhere.

Kirt Rieder: This language says no signs. That means not stop signs. Right there you have a contradiction because stop signs have to be a certain distance away. Think this is too brief to be efficient.

Helen Sides: Know there is a lot of discussion in the zoning board about signage. The sign ordinance needs to be updated. Shouldn't this be addressed in the signage ordinance? Could be very specific. Can we change this into more of a signage change.

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Kirt Rieder: I support what you are saying here, Helen. Feel like we have to leave what is here and go after sign issue separately.

Todd Waller: Still have an issue with the "other structure" portion of the language. How can you have something so broad? Think we restrict this just to signage. Don't think you can continue on with this language around fences, trees, etc.

Zach Caunter: Surprised me that there is nothing in here about the dimensions of possible obstructions. Seems heavy handed.

Bill Griset: My sense is perhaps the outcome of tonight's vote is to advise the city council that we are unable to recommend this language for the following reasons and suggest they give it more study.

A motion that City Council approve the ordinance with these recommendations, is made by Carole Hamilton, seconded by Kirt Rieder, and fails 1-7

Bill Griset	No
Tom Furey	Yes
Carole Hamilton	No
Sarah Tarbet	No
Helen Sides	No
Todd Waller	No
Kirt Rieder	No
Zach Caunter	No

D. Update on 94 Washington Square East - Landscaping

Elena Eimert: Waiting to see the remaining portion of turf removed. Developer has until May 31, 2022, to resolve.

IV. APPROVAL OF MINUTES

A. Approval of the March 7, 2022, Joint Public Hearing Minutes

A motion to approve the March 7, 2022, minutes, is made by Helen Sides, seconded by Todd Waller and passes 8-0 in a roll call vote.

Bill Griset	Yes
Tom Furey	Yes

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Carole Hamilton	Yes
Sarah Tarbet	Yes
Helen Sides	Yes
Todd Waller	Yes
Kirt Rieder	Yes
Zach Caunter	Yes

B. Approval of the March 15, 2022, Joint Public Hearing Minutes

Sarah Tarbet: Discussion around compost not captured. Would like to add reference to that. Around the different types of composting and pickup methods.

A motion to approve the March 15, 2022, minutes with corrections, is made by Kirt Rieder, seconded by Zach Caunter and passes 7-0 in a roll call vote.

Bill Griset	Yes
Tom Furey	Yes
Carole Hamilton	Yes
Sarah Tarbet	Yes
Helen Sides	Abstains
Todd Waller	Yes
Kirt Rieder	Yes
Zach Caunter	Yes

V. ADJOURNMENT

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

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

**The meeting adjourned at 7:40 p.m.
Approved by the Planning Board on 5/19/2022.**