



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 22, 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 6:34PM.

I. ROLL CALL

Present: Chair Bill Griset, Vice Chair Kirt Rieder, Tom Furey, Todd Waller, Sarah Tarbet, Helen Sides, Noah Koretz (7)

Absent:

Also in attendance: Mason Wells, Staff Planner

Recorder: Stacy Kilb

II. UPDATES

A. Staff Update on Subdivision Regulations

Description: A brief update on the incorporation of previous revisions made by Planning Board members and next steps for a fall adoption of the regulations.

Mason Wells notes that the update process was begun several years ago. The process continues.

- Comments were received
- Minimal/minor/major distinction from original regulation language has been eliminated
- Condensed into single criteria for application
- Minimized the amount of technical detail in the application for smaller projects
- Will be sent for legal review soon
- Formal public hearing and review to be held in the fall

B. 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.

- Approved in 2012, nearing the end
- Ken Steadman, developer, provides an update, will be coming in with As-Built plans
- Community complaints re paving, streetlamps, etc.
- Will send out a clerk or inspector in the future, who will report to the board

Ken Steadman:

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

- Last house being built at the end of cul-de-sac, all that remains to be completed to include 225' of curbing and sidewalk, then final paving
- Curbing contractor delayed to next week
- Lot 222 is the last house
- Binder is in, manhole covers and catch basins raised up in anticipation of final paving, thus they do not take all the water from the roadway; silt has been collecting, they have cleaned the road
- Some issues with streetlights; working with National Grid who will send a truck
- Walking paths are installed
- Hoping final paving will be done end of August

Board comments: none

III. REGULAR AGENDA

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 are 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.

Attorney Joseph Correnti represents CAS.
David Stockless, Icon Architecture, architect
Bob Griffin, Griffin Engineering, civil engineer

- Many design elements have received feedback and the applicant worked with Sarah Tarbet on them.

David Stockless, Architect – changes made since 7/8/21

- Scale and mass of office structure now broken down
- Panelization tightened to make building more in keeping with residential neighborhood
- Color is medium to deep gray tones, Ocean Gray with light gray trim for office portion

- Window proportions now more in scale with nearby structures
- White corner boards added to garage structure
- Contextual renderings provided. Chair Griset finds these especially helpful
- Elevations and materials are shown

Board comments:

Sarah Tarbet

- This is an important location in the city, as per public comments; this negotiates the transition point well

Helen Sides

- Appreciates that design is quieter
- Is height of office structure defined by requirements of ambulances? 2nd story office has 9' ceilings and steel and bar joists. Joists will be concealed
- Pleased at the applicant's response to board comments

Tom Furey

- Will be a hallmark to the neighborhood and entrance to Salem
- Appreciates work of CAS EMT's and other employees

Noah Koretz

- Concerned that side of building that will be seen from North Street heading north is not receiving treatment, possibly because we don't know what phase 2 will bring
- Looks like "the side of a fast-food restaurant," and may remain so for a long time due to complexities of building on the rest of the site. How to mitigate this in the short term? Landscaping?
- It is a large blank wall; we have a tradition of public art in this City. Cites Point Urban Art Museum, by North Shore Community Development Coalition (NSCDC). Could install a temporary or semi-permanent art installation until rest of site is developed?
- David Stockless
 - Timeline for phase 2 not established
 - Did not want to articulate façade as it will not be seen from this view
 - Bob Griffin: Shows parking lot from HMA in this view, but all that concrete and asphalt will be torn up, loamed, and seeded. May still be opportunities for public art
- Noah Koretz notes this will improve the appearance horizontally but not vertically

Kirt Rieder

- Contextual renderings are helpful and would have been more so earlier, reflect the appropriateness of the board's urging to re-do the entire site plan

- Agrees with Noah Koretz re large blank wall
- We now anticipate phase 2; loam and seed are an improvement but short-term
- Would have preferred that phase 2 be shared but knows it was not possible

Bill Griset

- What is before the board now, after lots of input, is a “marvelously changed project”
- Always room for improvement but the applicant and team have been extremely cooperative
- Project as it is now, is ready to go

Noah Koretz

- If we knew in next 2 months what will happen in phase 2, but cites Senior Center, was approved at least 3 years ago; we were presented with full site but the rest of it is not yet built
- What we see here is not a temporary condition, could be in best case, but could be 5 to 10-year condition, so we must seriously consider
- Agreed with Bill Griset UNTIL he saw the view from North Street bridge; we are trying to get away from a “highway side visual for cars passing through”
- Whatever they will build in phase 2, having better treatment on this blank wall will improve the value – this is not a great view looking out of potential phase 2 apartments
- Bill Griset responds that, from a lay perspective, he considers what is there now/has been there, not what is ideal. We are close to ideal. Understands the concern, but this has come very far towards ideal

Kirt Rieder

- Does not believe we are close to ideal
- Agrees that loam and seed is an improvement over what is there, project does not fall short of unimproved area next to the Senior Center
- This applicant has committed to doing better than that for the interim
- Image in question is not “selling the project,” and is the worst of all images because of reasons that Bill Griset noted
- Residents of phase 2 will be looking at a blank wall
- The city has an opportunity to line the slope being guard rails that will change the area for the long haul, though not the applicant’s responsibility

Public comment:

Caroline Watson-Felt, 2 Beacon Street, president, Historic Salem Inc. (HSI)

- Appreciates Noah Koretz’s comments re p. 10 of presentation

- Agrees on North Street improvement potential. Property can enhance the area
- Disagrees; HSI does not see substantive responses to public comments, Planning Board or DRB re warmer colors, size, and style
- North River Canal Corridor (NRCC) does not prohibit vertical sheathing, but this looks like “a storage area”
- Does not fit context or expectations of neighborhood for what a commercial building could be
- Design does not “elevate” Salem

Anne Sterling, 29 Orchard Street

- Echoes comments of Noah Koretz and Caroline Watson-Felt re p. 10 view
- Does not fit in to neighborhood

Victoria Ricciardiello, 5 Foster Street

- NRCC zoning allows brick, stone, or clapboard
- This is “spot zoning”
- Concerned about cladding of future projects
- Would prefer brick

Jackie Sealund, 1 Walter Street

- Colors too dark

Meagan Riccardi, 6 Orchard Street, Ward 6 Councilor

- Those entering Salem off the commuter rail and visitors will see this view

Chair Griset replies to the “spot zoning,” which would be changing zoning to benefit one parcel of real estate; this is not spot zoning. However, public comment has been instrumental in improving the project.

Mason Wells reads through the written comments received.

Eric Papetti, 11 Symonds Street, unit 1

Historic Salem, Inc., 9 North Street

Anne Sterling, 29 Orchard Street

George T. O’Brine

Mary Whitney and Nick Nowak, 356 Essex Street

Ty Hapworth, 6 Brown Street, Councilor-at-Large

Meg Twohey, 122 Federal Street

A motion to close the public hearing is made by Kirt Rieder, seconded by Tom Furey, and passes 7-0 in a roll call vote.

Bill Grisct	Yes
Kirt Rieder	Yes
Tom Furey	Yes
Todd Waller	Yes
Sarah Tarbet	Yes
Helen Sides	Yes
Noah Koretz	Yes

Kirt Rieder

- Glass in renderings appears to be reflective in some cases, frosted in others
 - Glazing on glass into the ambulance bays is only glass that is not reflective
- Resident comments and DRB feedback – Speedway façade is entirely brick, even on “dead” sides
- David Stockless:
 - Applicant set out to design a “simple building that has a very important function.” There will be a phase 2, that will be the key focal point of project. Thought the building should have been set back to give more importance to phase 2 and let this building fall into rear of site. Upon moving it back to North Street, letting it fade went away
 - Brick vs. metal vs. Hardie, building should have more of a “today” feel, brick would have been putting an applique on it. Originally had brick at bottom, were always talking about whites and grays; these are the client’s business colors

Helen Sides

- Agreed with Noah Koretz re side elevation
- This is not a house or civic building, but a type of warehouse, storing vehicles and has a small office function, not fitting to turn it into a showier building
- She is always concerned with using brick; it is not what it used to be, it would be an applied surface and is not the right material to use unless used on the entire building, meant for a more ceremonial reason
- DRB and the Planning Board have worked long and hard on this; asked the applicant if there is something they can suggest or do about blank wall

Attorney Correnti

- Predictable danger of showing half a project and they understand comments on those views
- Idea of not having windows, etc. because use of phase 2 will have a low scale residential element with 1st floor uses encouraged by NRCC, meaning bedroom windows on 2nd and 3rd floors
- Complex site to permit can we do something in the interim? Condition “applicant is encouraged to investigate public art or other measures to mitigate wall prior to

construction of phase 2?" They can work with Planning Department and the Public Art Commission

- Do not want it to be mandatory but planning to come before the board for phase 2
- Noah Koretz objects to the word "encouraged." Agnostic on what that "thing" is, whether landscaping, trees, windows, other differentiation such as public art. A lot of thought has gone into other three sides of building, but not this side.
- Applicant assumed burden of the two-part process; it is up to them to make board comfortable
- Agrees with Helen Sides on "fake brick paneling" which does not age well or look good as a façade

Kirt Rieder

- Suspicious of hiding by using plant material, especially if it will be sacrificial
- Encouragement vs. requirement: would the applicant confer with the tree warden on planting (8) trees along North Street slope? This would be long term beyond phase 2, and provide shade to residents that walk along this stretch
- Showing that view was imperative, would have triggered comment about why not if they didn't; it was helpful
- Kirt Rieder: This is giving them an opportunity to invest less than \$12K that will be an improvement to this stretch and provide phase 2 residents a more pleasant place to live. Otherwise, they will front high speed view of traffic into town
- Bill Griset: Is this an adequate solution?
- Noah Koretz: Yes, but it must be a requirement
- How to proceed to agree on this?
- Attorney Correnti: Trees are not onsite; this is typically not a decision made at a public hearing. Does not know if it can be done
- Kirt Rieder: Noted trees are on the slope today, they can coordinate with the tree warden and DPW (warden will coordinate), warden will do heavy lifting. Will satisfy some board members in making a positive impact. NOT asking applicant to plant the trees, just coordinate with the city and finance the planting of the trees. 200 linear feet, 25' between = 8 trees. The city will be specific as to where and how trees are planted, will be linear next to North Street. If city professionals determine it is not acceptable, they are off the hook
- Noah Koretz: Noted that we would be back to square one; row of trees prevents view corridor and feel from being "gliding off a freeway onto a strip wall," would feel like you are descending into a neighborhood. Would block view corridor of South side of building without changing the building. If tree warden says no, we have not solved the problem
- Noah Koretz: The site has gotten worse with no maintenance; we have been living with this for years. One more month to get it right is not a big deal. The word blight has been applied to applicant's property. The condition the applicant let the property fall into, not North Street or the bridge.
- Kirt Rieder: Vegetation suggested is not blocking but improving – for everyone.

- Successful planting is described by Kirt Rieder, to be worked out with the tree warden

Noah Koretz: for an “out,” as we can’t commit tree warden

If trees are not acceptable to the applicant, tree warden or DPW, then the applicant must return with alternate solution for improving visual of south side of building? No later than October

Language is further discussed. May not be viewed as “final,” which affects ability to finance the project, if they must go back and do something else, but he wants to address the comment. If the city decides no on trees, or sets a \$16k cap, we can write the decision so that the money go to substitute mitigation, such as public art. The commitment is there, that way.

Kirt Rieder

- Does not want to invest in “time limited” landscape. If the city/DPW/tree warden rejects, put trees in until phase 2 is implemented
- Noah Koretz: Interested in Helen Sides and Sarah Tarbet’s opinions on sufficiency of mitigation
- Helen Sides – would be positive and a gift to the city to have trees on the slope in question
- Alternate only acceptable if tree warden says no
- Kirt Rieder: Spoke with the tree warden months ago. He is ready and available for consultation.
- Within first 50’ of property line from Franklin Street to the North River. This would be the location of trees
- Clarification: trees or trees, NOT trees or public art (only thing in question is location of trees). If not on the slope, trees will be onsite as an interim condition

The Draft Decision is reviewed.

- p. 2, 2nd paragraph, #1: Building exterior materials (cementitious etc.) should be updated to “board paneling, cementitious” could not hear
- p. 3 FHOD, paragraph #2 “There are adequate convenience” => “there is adequate...” This is actual language in zoning ordinance. Comment withdrawn but noted for future zoning revisions
- Language re siding and a return to the DRB has been struck. If there are remaining changes to the plan, DRB will review and get back to the Planning Department.
- Phase 2: access to a public sidewalk on private land: Insert Item C.
- Kirt Rieder has sent language re trees on the slope to Mason Wells for insertion into the draft decision. He reads the paragraphs.

The applicant agrees to commit a maximum of \$16,000 to the planting, by others, of eight deciduous shade trees, species complying with the current street tree recommendations, in one of two locations.

- a. the eight trees shall be planted by others under city direction in the slope paralleling North St, approximately 200' linear feet, provided the Tree Warden and DPW accept the contribution for this specific area. Caliper size and species shall be determined by Tree Warden.
- b. If the City declines, the applicant shall plant eight deciduous shade trees, of no more than two different species, within the applicant's 4 Franklin St property, phase 2 parcel, front loaded to the 50' zone facing North Street Size shall not be less than 2.5-3" caliper.

A motion to issue the Draft Decision, as amended, is made by Helen Sides, seconded by Tom Furey, and passes 7-0 in a roll call vote.

Bill Grisct	Yes
Kirt Rieder	Yes
Tom Furey	Yes
Todd Waller	Yes
Sarah Tarbet	Yes
Helen Sides	Yes
Noah Koretz	Yes

Sarah Tarbet leaves the meeting at 8:16PM.

D. Location: 9 and 11 Franklin Street (Map 26, Lot 375) – Waiver of Frontage

Applicant: 11 Franklin, LLC

Description: A public hearing for all persons interested in the application of 11 FRANKLIN, LLC requesting a waiver of frontage requirements of the Subdivision Control Law for the property located at 9 and 11 Franklin Street (Map 26, Lot 375). Specifically, the applicant requests the waiver of frontage requirement for the proposed 9 Franklin Street lot, which is being created from the division of 9 and 11 Franklin Street.

All three items are opened and discussed simultaneously. Will describe each project then hear public and Board comment on each one.

Attorney Scott Grover represents the applicants
Patrick Shea, owner, 11 Franklin LLC
David Cutler, agreement with Patrick to purchase part with housing
Scott Cameroon, The Morin Cameron Group, civil engineer
Dan Ricciarelli, architect, Seger Architects
Michael Radner, landscape architect, Radner

Attorney Grover

- Property location is shown and described
- One large commercial warehouse building is currently on the property, roofing company
- 2019 a site plan for commercial building was approved to replace a building destroyed by fire, however it was not built, and the property was sold to Mr. Shea in the interim who felt residential use was more appropriate. Has a P&S with Mr. Cutler to purchase a portion for residential development.
- The site is 66,000 sf, and he wants to divide it in half. Commercial in the front with the warehouse remaining, and residential in the back
- Exhibit: Land use. No zoning relief required for commercial lot, but extensive dimensional zoning relief and special permit required for residential portion; unanimously granted by ZBA last month
- Frontage requirement was relief granted by ZBA, but the project also requires a frontage waiver from this board, and for the board to endorse Form A plan to subdivide the property. Will also require site plan review and FHOD special permit. Hence the three applications before the board tonight

Scott Cameron, civil engineer

- Boundary plan, lots A and B. Existing industrial uses are in R2 district, an existing nonconforming use. The back of the property is B1. Looking to bring the back part to residential use to transition to neighborhood
- Existing conditions; topographic survey done.
 - AE flood zone elevation 10; coastal flood zone but not a velocity zone. All of Franklin Street is in a flood zone at elevations 8.5-9. May not be floodplain behind property, it is somewhat isolated and may trap water
 - Curb cuts and pedestrian routes are described
 - Existing trees and vegetation are described
- Site layout plan: Pedestrian access, building and patio layouts are described. Will rebuild public sidewalk. Coastal resource area did utility cleaning in 2019 of city's drainage and sewer infrastructure. Concerned about localized flooding; will redistribute flooding area and add enclosed drainage to add ability for water to recede and get back out to ocean. Catch basins are described
- Floodplain Special Permit standards are described:
 - Compliance: with uses of underlying zoning – awarded variances and special permits for proposed use by ZBA
 - Flooding: water will rise and recede out, not flow in and out as in a velocity zone
 - Utilities: those that come in are buried except for stormwater management, those in the building are above the flood zone
 - Velocity Zone: does not apply, they are in AE zone

Dan Ricciarelli, architect

- Building elevations: layouts, cladding, and fenestration are described
- Building outline renderings and existing buildings in neighborhood
- Cladding rendering shown
- Rendering of view from Franklin Street
- Close up rendering of cladding
- No dumpster onsite. Waste removal is via private totes
- View between buildings shown, features of garages are outlined

Michael Radner, Radner Design Associates

- Planting Plan
 - Large shade trees planned
 - Surrounding residential use on north and east, commercial south and west
 - Plantings are described
- Site Lighting Plan
 - Light poles along driveway, dark sky compliant, LED fixtures
 - Soffit lights under garage overhangs for downlighting

Board comments on Frontage Waiver

Noah Koretz: Approved

Kirt Rieder: Asked about sizes and logistics; it seems narrow; functionally it is 32' wide.

Scott Cameron:

- Designed for safe vehicular and emergency vehicle access, also sidewalk
- Played well with industrial uses – that property complies with zoning
- Frontage is R2 frontage which is 100'; B1 in back is 60'
- Kirt Rieder is still concerned about the "kickstand" or "pork chop" aspects of the project
- Entire site will be re-stripped so parking will be realigned to be parallel with street
- They are nowhere near the 60'; Kirt Rieder understands
- He asks about the curb; proposed is VGC vertical granite curb on both sides, reducing chance of vehicles hitting the building

Helen Sides

- Asked why there is so much parking on industrial site? What is the plan?
- Plan is to maintain industrial and commercial use. The owner felt he needed to maintain parking and maneuverability for trucks, the roofing business, and other tenants. Did not want a parking variance on that property
- Kirt Rieder asks the variance: According to number of spaces. Will need to discuss in SPR

Tom Furey

- Approves of the project and location

Public comment

Victoria Ricciardiello, 5 Foster Street

- Concerned by waivers and variances granted
- Contamination from the Ideal Transmission site
- Contamination in house and outdoors reported
 - Local lender required phase 2 environmental report prior to purchase and financing; report came back acceptable
 - Ideal Transmission site is where condos will go, but report covered the entirety of the site, 9-11 Franklin Street

A motion to approve the Frontage Waiver is made by Kirt Rieder, seconded by Tom Furey, and passes 6-0 in a roll call vote.

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

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

Applicant: 11 Franklin, LLC

Description: Endorsement of a Plan believed not to require approval under the Subdivision Control Law (ANR). Endorsement of the ANR plan is contingent on the approval of the waiver of frontage.

A motion to endorse the ANR, to be signed by Tom Daniel on behalf of the Planning Board, is made by Kirt Rieder, seconded by Tom Furey, and passes 6-0 in a roll call vote.

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

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

Applicant: 11 Franklin, LLC

Description: 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.

Kirt Rieder

- Entry drive is “narrow and clunky”
- 3” curbs between each garage in renderings appear small –please clarify. This is a rendering artifact but may serve better as a raised curb. Advantages and disadvantages are discussed. If not raised, people may park, if raised, round the corners. Scott Cameron agrees they should be 6” curb, tight but rounded.
- Michael Radner: snow removal and drainage considerations should be considered. Internal debate is desired, but the point is legitimate
- Mesh: fixed? Yes, all paneled
- Spacing: light pole, tree, light pole, tree. Add trees between buildings
- Far southeast corner: add something. The owner wanted to keep grass as amenity for end unit. Kirt Rieder notes it is only 12’ wide and that you will get more “bang for your buck” with a tree vs. grass but he could be persuaded
- Industrial footprint was not fully clarified re striping, asphalt, and how much paving is too much. Please spend time on this

Tom Furey

- Applicant should meet with neighbors and ward councilor
- Attorney Scott Grover: Meg Riccardi arranged two Zoom meetings through a neighborhood association; project was shaped by their input

Helen Sides, Noah Koretz and Bill Grisct think the project looks “great.”

Public comment :

Victoria Ricciardiello, 5 Foster Street

- Properties on Foster Street are lower than proposed condos, water will flow into them. Mitigation?
- AE flood zone, cold spring under Franklin Court, path unknown

- Building moratorium, the city spent \$30K for a consultant to review wetland areas; Please wait for results before deciding on project

Jackie Sealund, 1 Walter Street

- Does not approve of brown, striped “jailhouse look” of property
- Concerned about parking
- Scott Cameron: standard street width is 24’ w/6-8’ apron leading up to garage door, so plenty of space between that and aisle to back out comfortably

Patricia Massey, 27 Foster Street

- Concerned about contamination onsite and if it migrated
- Number of parking spaces?
 - Each dwelling has a 2-car garage, + 6 visitor spaces
- Concerned about flooding issues on and nearby the property
 - Familiar with current stormwater situation, water collects on property, they are required to ensure they do not create flooding impacts to adjacent properties. Water coming onto property from others has been considered, and catch basins have been engineered for this to connect to the city’s stormwater management system on Franklin Street Which has capacity
- Concerned about “shortcuts” onto Foster Street
 - Plans and permits for industrial use on property; converting to residential for some of it, 110-112 trips per day in and out, 55 cars compared to residential of 88 trips/44 cars. Residential is a less impactful and more stable use

Mason Wells notes that Engineering would like Civil Peer Review; this can be done by September 9. No decision has been made but New England Civil Engineering (NECE) was used for the 2019 project.

A motion to continue to the Sept. 9, 2021, meeting is made by Helen Sides, seconded by Tom Furey, and passes 6-0 in a roll call vote.

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

IV. OLD/NEW BUSINESS

G. *Zoning Amendment Review and Recommendation

Description: Deliberate and vote on recommendations to the City Council on three separate proposed Zoning Ordinance Amendments regarding:

1. Gender Neutral Language for the City's Zoning Ordinance.
2. Temporary Moratorium on new construction within buffer zones of a wetland or on a floodplain.

Gender Neutral Language for the City's Zoning Ordinance.

Kirt Rieder: Makes sense, overdue. In support. Helen Sides agrees, as does Noah Koretz.

A motion to recommend that the City Council approve and adopt the Gender-Neutral Language in the Zoning Ordinance is made by Kirt Rieder, seconded by Noah Koretz, and passes 6-0 in a roll call vote.

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

Temporary moratorium on new construction within buffer zones of a wetland or on a floodplain.

Tom Furey

- This would have major impacts on many properties throughout Salem
- Opposed

Todd Waller

- Opposed
- Ill-conceived, failed attempt to try and accomplish something else rather than going straight at it
- Many logistical problems
- No notice given to property owners that would be significantly affected
- Too simple and vague

Kirt Rieder

- No code or law is ever ideal or perfect, this includes zoning code and master plans, which are always roadmaps and works in progress
- In this case, state, federal, municipal wetlands ordinances are all works in progress, systematically, periodically improved upon, this is no different
- Agrees with all above comments
- The city has hired a private consultant who specializes in adjusting and rewriting zoning code. This was voted on and discussed by all city councilors, nothing was

done “in secret,” it is going through correct municipal processes in all aspects, will come before City Council for approval

Helen Sides and Bill Grisct are opposed. Bill Grisct notes that zoning ordinances are living, breathing organisms that change over time. There is no time they are NOT being rethought or reconsidered. If all development was halted because language is to be changed, may as well impose a permanent moratorium. This is illegal, unconstitutional, and wrong-headed, makes no sense to endorse this proposal. He is aware that many residents have signed onto the notion of a moratorium, guesses that extent of damage done by that is not something that was exposed to them when they signed. Not suggesting duplicitous conduct, however the notion of a construction moratorium for floodplain/wetlands is a thinly disguised attempt to achieve another purpose.

A motion to recommend that the City Council **NOT** adopt the Moratorium is made by Kirt Rieder, seconded by Noah Koretz, and passes 6-0 in a roll call vote.

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

Mason Wells announces that this is his final Planning Board meeting, as he has accepted a position with the City of Cambridge Planning Department.

Several Board members attempt to make a motion to adjourn before the recorder, Stacy Kilb, can make her announcement, but are unsuccessful. She has accepted a full-time position as Sustainability Engagement Coordinator with the City of Salem, and this is her last meeting taking minutes.

V. ADJOURNMENT

A motion to adjourn is made by Kirt Rieder, seconded by Tom Furey, and passes 6-0 in a roll call vote.

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

The meeting ends at 10:00PM.

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 12/2/2021