



## CITY OF SALEM PLANNING BOARD

A public hearing of the Salem Planning Board was held on Thursday, September 23, 2021, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

### ***Chair Bill Grisct opens the meeting at 6:34 pm***

#### **I. ROLL CALL**

**Present:** Chair Bill Grisct, Vice Chair Kirt Rieder, Tom Furey, Todd Waller, Sarah Tarbet, Helen Sides, Noah Koretz, Carole Hamilton, Zach Caunter (9)

**Absent:**

**Also in attendance:** Cassie Moskos, Senior Planner

#### **II. UPDATES**

- 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.

Bill Grisct: Is this a scheduled update or was it a request by a Planning Board member?

Cassie Moskos: Both. There has been concerns from abutters about the progress of the project. Asked that applicant came before the board a few months ago and then supposed to come back in September for another update. I spoke with him this afternoon, but he is not here.

Bill Grisct: If the applicant is not present, we move on. Please reach out and find out what happened and see if he can join at the next meeting.

#### **III. REGULAR AGENDA**

- A. Location: 38 Norman Street (Map 26, Lot 0464) Applicant: Christina Granese f/b/o 38 Norman Street LLC Description: 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.

**\*\*Anticipated Motion to Continue to October 21, 2021\*\***

Cassie Moskos

- Notice didn't get posted to clerk's office due to a calendar issue. So, all public hearing parameters are not met for this item, but we wanted to leave it on the agenda as we had done the public facing of notification. We thought it would be confusing to remove it.

*A motion to continue to the October 21, 2021, is made by Kirt Rieder, seconded by, Noah Koretz and passes 9-0 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
Carole Hamilton	Yes
Zach Caunter	Yes

- B. 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: A continuance of a public hearing for all persons interested in the application of NORTH SHORE COMMUNITY DEVELOPMENT CORP (NSCDC) and NORTH SHORE COMMUNITY HEALTH CENTER (NSCHC) for the property located at 73 Lafayette Street (Map 34, Lot 430), 75 Lafayette Street (Map 34, Lot 431), 85 & 87 Lafayette Street (Map 34, Lot 432), 89 Lafayette Street (Map 34, Lot 433), 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.

**Revised Project Description:** The above properties will be purchased by a collaborative joint venture between NSCDC and NSCH. Specifically, the applicant proposes a project that will consist of three buildings, two of which will occupy the corner at Lafayette and Derby, and a third at the nearby site at 9 Peabody. At 73 Lafayette 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 18 units of age-restricted affordable housing, 6 compact studios and support for artists, with commercial storefront, resident lounge, pharmacy, urgent care, and art gallery space. At 9 Peabody Street in lieu of the original approximately 38,300 sf arts and non-profit space, as well as 6 residential units, they are now proposing 29 units of age-restricted affordable housing, 2 micro-commercial storefronts, parking, and an art gallery. All buildings have been reduced in massing.

Attorney Scott Grover  
Jonathan Evans, architect, Mass Design Group  
Sierra Bainbridge, landscape architect, Mass Design Group  
Damian Archer, MD, North Shore Community Health  
Mark Bourrassa, CFO, North Shore Community Health  
Mickey Northcutt, CEO, North Shore CDC  
Ilene Vogel, North Shore CDC  
Dan Conway, Nitsch Engineering  
Brian Zimolka, Nitsch Engineering  
Nick Botts, Nitsch Engineering

Attorney Grover: This is a joint venture between two important community-based organization in the city.

Noah Koretz recused himself.

Attorney Grover:

- Made several changes in response to community concerns. The permitting process involves the Salem Redevelopment Authority (SRA), the Zoning Board of Appeals (ZBA), the Design Review Board (DRB) and Planning Board, Historical Commission, Conservation Commission, Mass Department of Environmental Protections (MassDEP).
- The ZBA allowed health center use.
- Due to complexity, most appropriate to permit as a planned unit development (PUD) under section 7.3 of the zoning ordinance. PUD application in front of Planning Board today, Site Plan Review application and Flood Hazard Overlay.
- Mix of commercial, residential, and public uses.
- B5 zoning district, the departures that the board will make from the zoning requirement are minimal. Height limitation of 70' (Ch. 91 limitations).
- Project is consistent with intent of zoning ordinance and advantageous to the community.

Jonathan Evans

- 35,000 sq-ft community health center approved.
- Public realm investment on the harbor walks, and a reinvention of Peabody Street Park as well.
- As part of the process, the Peabody Street part of the project is smaller, has more housing, and is more reflective of the dynamic of Peabody Street.
- Lafayette Street and Derby Street have less housing and the health center is scaled down.
- The new plan will fit in more with the spirit of the downtown plan.
- Trying to up the harbor walks to make the building porous off the Derby Street side
- The plan opens a clearer view from Dodge Street that doesn't exist now. Will allow visibility to the river from Dodge Street
- Peabody Street Park - we want to build from existing fabric of the city. Want to bring in the scale and replicate it.
- Health center is behind now with complementing brick, making a cohesive composition. This will allow a better public gateway to the harbor walk.
- Bank is remaining as a tenant.
- The bank, urgent care, and pharmacy provide improvement on public realm use.

- Project keeps in with scale of buildings on Peabody Street.
- Parking and mobility: utilization rates of nearby garages. Intending health center staff will be in garages. Mobility study shows no need for offsite traffic mitigation.
- Mobility Strategy: 47 units with 14 spaces for residential only. This is consistent with studies for senior housing.
- Visitor Parking lot will still be on Lafayette Street/Derby Street. Visitors to the health center are included in this.
- The health center will use 70 space per day max. Staff parking will be off site only.
- We have had a lot of robust meetings with Historic Salem and other community stakeholders, and everyone is excited on how everything is coming together.

#### Sierra Bainbridge

- We wanted to make sure we responded to community and stakeholder conversations.
- Created an inviting and safe space.
- Prioritized pedestrians, increased parking, the connection to the water, and increased art and culture
- Support and complement the programming the North Shore CDC and North Shore Community Health are bringing to the site, specifically in art, health, and ecology.
- Created spaces for what we are calling “canvases” for all those things to take place.
- First move is to create broad and inviting and direct access points to the South River. How does this show itself in the programming of the site?
- Health gateway is right through the building.
- Patient waiting and physical therapy can be outside when weather is good. There are also a variety of outdoor spaces for performances.
- Ecology gateway with Lafayette and the river with an emphasis on native plantings. Art gateway through old Peabody Street Park.
- Front of project will be a new gallery; and can be used as another venue for public events.
- There is also space for intergenerational play at the Peabody Street Park.
- Art gateway built off El Punto Art Museum and the work of the North Shore CDC.
- Event spaces for daily (patient waiting/gallery terrace/educational space); monthly (focus group for seniors, artist showcases, community health events); large events (Fiesta en la Calle/ music performance series.).
- Detailed look at vehicular flow with front and back drop off with pathways through to keep bank accessible.

- Resiliency: both buildings lifted with landscaping connecting through the 11' above sea level elevation.
- Lighting: There will be pole lighting and security cameras.

Attorney Grover

- This was really shaped by the community engagement process.
- It was important to the North Shore CDC and North Shore Community Health that the project reflect the needs and wants of the community.

Board Comments

Helen Sides

- Exciting!
- The bringing together of needs and connecting the neighborhoods is apparent.

Kirt Rieder

- Shares Helen's optimism.
- Sierra's presentation increased understanding through the narrative.
- Can you speak to the coordination with the city regarding reconfiguring an existing park/seawall and promenade? Didn't realize the city owned so much of the pavement that is the bank drive thru.

Attorney Grover:

- Parcel 1 is city owned. And is significant part of the open space.
  - Kirt Rieder
    - Without it you don't have a project.
- There is an existing easement that allows the drive thru. In discussions with the city solicitor to expand scope of easement to cantilever building out over the drive thru.
- Parcel 4 is owned by National Grid. We don't need as many easements with this parcel.
- Opened discussions with National Grid. These are existing rights that we acquired when we acquired the property.
- Mickey (Northcutt) is working through with the Parks and Recreation department to work collaboratively on the enhancement of Peabody Street Park, parcel 6
- Kirt Rieder
  - Unaware of National Grid. Do they have a right of way? I can see how parcel 6 is crucial to physically and visually connected the buildings. It is an area that can stand to be upgraded
- Attorney Grover: National Grid does not have the right of way. We think Peabody Street Park is critical to making this work

Kirt Rieder:

- There is at least 1 missing tree on Lafayette Street. You can reconfigure or add to the street trees along Lafayette Street. There is one with a

highway traffic sign in it and it would be great to shift that sign south 5 or 6 feet, so it isn't in the tree pit.

- You may remove trees during construction and then find the sidewalk on Lafayette Street needs to be replaced and that may be an opportunity for your team to put in sand based structural soils and repopulate the streetscape, so it is easier for construction but also is a better product. Rather than having destroyed concrete after 2 years of construction.
- The same seems to apply to Derby Street. It seems that you are saving the 2 trees. I think it would be good to have conversation with tree warden for protection v. replacement. There is opportunity to save trees and to replace trees. You spoke about saving as many trees as you could but look at whether they are the best trees to save. Be more critical about
- Surprised at lack of planting on the side by Wendy's in the ecology gateway. Not to hide Wendy's but opportunity to add more trees.
- Didn't see anything with upgraded play. I wonder if long leafed grasses are the best for intergenerational play. Need a surface that can take wear and tear
- More about paving material. Like brick but are you really suggesting brick?
  - Sierra Bainbridge
    - Our hope is to keep material choices reflective of Salem at large but use building material and existing material on site. I.e., cutting concrete and setting it in aggregate, all while keeping it ADA compliant. I think we are still in the process and homing in on what the materials look like. Hope is to grind material up and embed in aggregates. Trying to get in touch with the DOT and Salem Public Services to see if there were any unused, salvageable materials.
    - One of our upcoming calls is with Park and Recreation. We are hoping to keep mounds and build around as they protect fewer safe soils underneath
  - Kirt Rieder
    - Great that you are being aggressive in material and a site organization.
    - Worried that your team will take over the existing park, don't want to be sold on a project with an upgraded open space only to find out we aren't just left with a minor upgrade.
    - The team needs to set aside a separate budgets for landscape and for architecture so that the landscape doesn't get gutted after the fact
    - Continue to push for different materials. Don't settle for stamped concrete.
- Clear you thought about the biggest connections to the water. Love to see max visual permeability to water sheath.

Carole Hamilton

- Echoes Helen's praise of the project. Wonderful connector between Peabody Street and downtown.

Bill Griset

- it is a wonderful plan as of now.

Tom Furey

- Definition of gateway project. Creative, dynamic, making a better neighborhood

Kirt Rieder:

- Looked at Google Earth. Well-worn rutted path in drive thru area. Who is driving vehicles through there if not National Grid?
  - Mickey Northcutt
    - It's the Salem PD.
    - North Shore CDC began construction on The Lighthouses and that we have parked a construction vehicle and stopped the driving through happening.
    - Bone of contention for the people in the neighborhood did not appreciate the drive throughs
- When you show the overhang projections cantilevered out over the water sheath, does this trigger state permitting as well?
  - Jonathan Evans
    - Yes, working through MEPA requirements for Chapter 91 filing

Sarah Tarbet

- Echoed other complements
- Appreciated the resiliency efforts and the completion of the plans so far.

Public Comment

Alice Merkl, 28A Federal Street, U2

- Expressed support for project.
- Will help with the long waitlist for seniors
- This is a thoughtful plan

Mike Becker, 22 Hawthorne Blvd.

- Approval for project
- Is the information quoted for senior parking readily available and will it be attached to the meeting notes?
  - Cassie Moskos



- The entire presentation is in SharePoint public folder. If it's not there, will ask the applicants to send it and will put it in for public review.
- Kirt Rieder
  - The landscape presentation tonight was a little different to what is in our file.
  - Attorney Grover please forward the new plans to Cassie.
- Is there a mechanism in place if the parking is not adequate? Will you acquire off site parking? Spots in the garage? It seems a low number
  - Cassie Moskos
    - Traffic person will review and ask us to contract with an outside engineering firm and do an analysis of applicant's findings. Then up to PB to work with applicant to find a solution.

**1 hours and 12 minutes.**

#### Written Comments

Paul Bastien, downtown resident, received 9/17/21

Liz Bastien, downtown resident, received 9/17/21

Lynda Coffill, Chair, Salem Council on Aging, received 9/19/21

Lucy Corchado, 1 Chase Street, received 9/23/21

Jone Sieniewicz, 51 Lafayette Street, received 9/23/21

Michael Williamson, Member, Bicycling Advisory Committee, 9/6/21

#### Attorney Grover

- Requested to return on the October 21 meeting but will determine before. City will order a peer review on engineering and maybe traffic. We can decide a week before. Project goes before the DRB on October 20.

#### Bill Griset

- If at the DRB the day before, but our calendar is jammed and so being able to determine how many pieces we can add to 10/21, is problematic.

#### Helen Sides

- I have the DRB happening on the 27th

#### Attorney Grover

Engineering plans to discuss unrelated to DRB for the next meeting so want to reserve spot

*A motion to continue to the October 21 is made by Helen Sides, seconded by Kirt Rieder, and passes 8-0 in a roll call vote with Noah Koretz abstaining.*

Bill Griset                      Yes

Kirt Rieder                      Yes

Tom Furey	Yes
Todd Waller	Yes
Sarah Tarbet	Yes
Helen Sides	Yes
Noah Koretz	abstains
Carole Hamilton	Yes
Zach Caunter	Yes

- C. Location: 373 Highland Ave (Map 7, Lot 58), 355 Highland Avenue (Map 7, Lot 46), 2 Cedar Road (Map 7, Lot 57), 3 Cedar Road (Map 7, Lot 47), 5 Cedar Road (Map 7, Lot 48), 6 Cedar Road (Map 7, Lot 56), and 10 Cedar Road (Map 7, Lot 55) Applicant: Joe Correnti f/b/o Berman Properties, LLC/Tropical Products Description: A continuation of a public hearing for all persons interested in the application of JOSEPH CORRENTI f/b/o Berman Properties, LLC/Tropical Products for the property located at 373 Highland Ave (Map 7, Lot 58), 355 Highland Avenue (Map 7, Lot 46), 2 Cedar Road (Map 7, Lot 57), 3 Cedar Road (Map 7, Lot 47), 5 Cedar Road (Map 7, Lot 48), 6 Cedar Road (Map 7, Lot 56), and 10 Cedar Road (Map 7, Lot 55) in the B2 and BPD 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 8.3 Business Park Special Permit. The applicant specifically proposes to construct a warehouse with an approximately 70,000 square foot footprint and all associated improvements. The proposed work includes razing any existing improvements, construction of the new building, and pavement.

Attorney Correnti, applicant, Correnti & Darling  
Robert Bird, hydrogeologist, Enviro Trac  
Michael Murphy, attorney, Regnante Sterio and Osborne  
Regan Andreola, landscape architect, Beals & Thomas, Inc.  
Jeffrey Dirk, managing partner, Vanasse & Associates  
Ed Berman, owner, Tropical Products  
Kristin Kolick, attorney, Correnti & Darling  
Harry Samolchuk, Connolly Brothers

Attorney Correnti

- Introduced 2 areas. Traffic Impact Analysis and an overview of the environmental status of project. Also presented changes recommended from last meeting in the landscaping and site design.

Jeffrey Dirk

- Transportation consultants for project presented a high-level summary and in accordance with Mass DOT standards.
- Conclusion was that there wasn't a significant impact on traffic.
  - Impact on delays – delays for any movements didn't go up by more than 10.5 sec.
  - Vehicle queuing is an additional 3 vehicles. Looking at site driveways, limited delay.
  - Levels of service D or better, as required by Mass DOT and operated at level C Limited delay.
  - Safety:
    - Crashes: none had rate higher than Mass DOT. There is one location that is listed as high crash database (Intersection of Barnes Road and Ravenna Avenue is a high crash location with 1 fatality in 2014). We have specific recs for that intersection.
  - Site lines: area is flat and level with no real site line problems. Vegetation removal recs.
- Study area. Route 107 corridor from Swampscott Road to Barnes Road.
  - Impact on project will be at one of those 2 intersections.
  - Traffic counts done in May of this year (2021)
  - Covid affected traffic patterns in both areas. Adjustments made to the volumes. Follow DOT methodology. 2019 is considered "existing conditions" while in pandemic.
  - May of 2021, and company to 2019 Traffic in May '21 is 13%-14% below 2019. This represents "existing conditions".
  - May conditions are considered above average so no need for seasonal adjustment. 2021 increases by 14% and that is the representative of existing conditions. 5-6% above average May in general.
  - Combo means that numbers are 20% inflated to represent existing condition. With all of this, Route 107 accommodates 28,500 cars a day.
  - Fairly high-volume roadway.
  - Speed is 45 miles. Measured speed of 50,000 cars over the course of 2 days and generally the cars stuck to 45 miles/hour. Traffic signals at both ends of study area keep speed down.
  - Sidewalk/crosswalk/bus stop are important as this is a walkable site by means of sidewalks. The MBTA runs along here (450 bus). One bus stop is adjacent to the site. We will focus on embracing these amenities.
  - Turn restrictions at both ends. No U-turn at Swampscott Road. And no U-turns in northbound section at Barnes Road. Southbound side, there is a no U-turn but only for trucks.
  - Traffic volume estimates – used transportation engineering database as we don't have Traffic counts at Tropical Products over days.
  - Trip rate – amount of traffic per thousand square feet of building.

- 452 vehicle trips.
- Morning peak – 92 vehicles for site (68 entering and 24 existing)
- Evening peak – 98 vehicles 33 entering and rest exiting.
- Based on the existing facility. **40 oriented north 45 south, rest southeast on Swampscott Road.** 100% of traffic must arrive south traveling northbound.
- We didn't remove the traffic at the current Tropical Products site as this is likely to be reoccupied.
- Intersections are a D or better with or without project.
- Recommendations
  - all elements incorporated into site plan presented at last meeting. Driveways are 24', Drive aisles are 22'
  - Vehicles will be exiting on stop sign control; One way, no left turn signs will be installed for traffic exiting to Route 107.
  - This is essentially a 1-way northbound roadway
  - Sign and landscaping will be designed to not restrict sight lines.
- In 2014 at Route 107/Barnes Road/Ravenna Avenue, there was a single vehicle that struck a tree due to excessive speed. Not related to traffic control issues. Will conduct a road safety audit as required by Mass DOT prior to advancement of any improvements.
  - Allows for the city to unlock state funds for crash locations.
- Committed to facilitating this audit. We will find a 3<sup>rd</sup> party traffic engineer to development audit.
- Measures taken to encourage employees to use alternative modes of transportation and to secure bicycle parking and making site ready for that.

Robert Bird Enviro Trac, Ltd

- Initially residential property. Commercial use since 50s. All structures demolished in 2017.
- Asbestos was found in structures and surrounding soil.
- MassDEP notified and abated performed indoor and outdoor. 2018 fully resolved
- Phase 1 environmental site assessment – 2 conditions
  - 1. Some suspected piles of debris that were of concern.
  - 2. Might be additional asbestos.
- February 2021, Enviro Trac assessment performed
- 3 areas of concern – historic dumping of “auto fluff” Not a lot but there was trouble identifying property boundaries. Lead and arsenic in concentration exceeding reportable concentration. 3, Historic use of fuel oil in former residential properties.
- Recommended additional testing.
- March 2021 Limited Subsurface Investigation
  - 10 test pits at random and targeted locations
  - Soil samples tested – EPH, PCB, MCP 14 metals

- Groundwater – EPH, MCP14 metals (dissolved), VOCs and PFAS
- Soil – lead, arsenic and PAH in concentrations slightly exceeding the residential reportable concentration. This triggers the ultra-conservative residential conservative approach. Concentrations are found often in historic fill in New England. Numbers are consistent with properties in developed areas. No evidence of oil released.
- Groundwater – we found nothing that exceeds reportable concentration

Regan Andreola

- Landscape and site design revisions
- 2 items that we heard from last hearing.
  - Decreased the space between the trees on Highland Avenue. Now 25' apart and trees extended to the northwest corner of the building. Trees on northern side are 25'-30' and on the southern side less than 15'.
  - Installed a flush granite curb with stamped concrete inside to create a demarcation between future access.
- At the next meeting, will bring our civil engineer to address impervious materials and stormwater and hope that we will have received peer review comments.

Board Comments:

Kirt Rieder

- Along Highland Avenue, 5 different species of trees? Can you pull dogwood and crab apple and redistribute so that all like trees are together?
  - Regan Andreola
    - Can group a little more.
- Kirt Rieder
  - Would like shade trees grouped and ornamentals back a little
- Kirt Rieder
  - Mr. Correnti, can you talk about splitting this parcel into 2 parcels? 20% of project is not being designed to the east. "
- Attorney Correnti
  - We don't own that, and we aren't buying it. Currently this lot is singular. That's going to be a subdivision as an ANR plan following site plan review
- Kirt Rieder asked
  - "Is it plausible that we will see residential property in the back of site down cedar road?"
    - Attorney Correnti
      - stated that they don't have that parcel under agreement
  - Kirt Rieder
    - said that from prior applicants, we know that there is a potential for hundreds of people to live behind the site and there is no sidewalk

running through property through Cedar Road. What avenue do we have to come back to you in 5 years to address this issue?

- Attorney Correnti
  - said that they just got the civil engineering peer review on board, believe it is New England Civil Engineering. That might be a comment for him to bring forward on behalf of board and have our civil engineers investigate it.

Kirt Rieder

- The whole premise of realigning Cedar Road is to make it useful in the future. It seems like it is important to make this pedestrian connection today.

Carole Hamilton

- Has a problem with Cedar Road looking like it is part of the applicant's project rather than a road. Wants it to really look like it is a road and not part of the parking lot. It needs to be defined now for future use
- Kirt Rieder
  - Asked if this would be delivered to city at completion?
- Attorney Correnti
  - Stated that it is private property. The easement will be recorded and made available, but this is not a city street. It will serve this property and the properties behind it. The dimensions of the road are the same as before it was moved, and the connection point is identical as it hits our property. We can look at ways to set it off, so it doesn't look like part of the parking lot, it is not intended to do this.
- Kirt Rieder
  - Putting in granite curb is a good start, but you can connect all along the s-curve all the way to the tree heading toward Highland Avenue.
- Regan Andreola
  - Maybe if this is made bigger so it looks like a single drive aisle

Sarah Tarbet

- Any mitigation of hazardous materials on this site as part of the project.
- Michael Murphy
  - There is some contamination but at a low level.
  - Good news is there is no groundwater issue.
  - What Bob found is there would a couple of locations where lead and arsenic (naturally occurring) is above the DEP standards set in regulations.
    - When they say exceedance, the most conservative standards for residential use.
  - So, we look at other factors to determine if this is problem based on the use. Will remove materials if needed but may leave in with an activity use limitation.

- DEP Says if you aren't using this for residential property then your risk standards are for commercial use. There are different ways regs give you to deal with that. During course of development is best time to remove it
- Would be part of the planning once we know what materials are in or out of property. Still must be addressed.
- Will be documented and plans sent to DEP first. LSP will file Release Abatement Measure Plan (RAM).

Todd Waller

- Monitoring wells 102 was not there in list. Was it left out? And is there an intention to encapsulate or remediate?
- Michael Murphy It may have been a dry well. There was a reason to not sample it. There is no requirement for any encapsulation. It is low level.

Noah Koretz

- Question about Activity and Use Limitation (AUL) option. If there is an AUL on the property, will at some point in future, Is the AUL removeable with subsequent remediation? What if this becomes housing in 30 years, is the AUL permanent?
- Michael Murphy: The AUL can be changed and removed.

Kirt Rieder

- Asked if there is a rationale for the more organic intersection at Highland Avenue rather than the standard 90-degree curbs?
- Jeffrey Dirk
  - Defined by truck maneuvers. MASS DOT allows trucks to swing wide. But volume of traffic makes this undesirable. This facilitates the right turn exit and tries to keep truck in its' lane. There may be options like the stamped concrete to reduce the width of the driveway for motor vehicles and pedestrians

Kirt Rieder

- Truck entry is always at the southern edge and exits north?
- It would be good to show your efforts to show the reductions

Public Comment

John Mahoney,

- Plans look interesting
- Good to have new construction
- Have you thought about a pedestrian bridge over Highland Avenue?

Jeffrey Dirk

- ADA compliance is an issue. Any pedestrian bridge must allow for ramping. Then we need 16 feet clear from elevation of highest point on Route 107.

John Mahoney

- then it is important to have shuttle service, If I am taking the bus, I don't want long trek across highland avenue

John Mahoney

- Any thought given to passive power? Solar panels on roof or wind turbines or a heat pump? And choice of trees – It would be great to have red oaks, etc. more local trees

Ed Berman

- We are planning on a solar array on roof to produce net electricity. As far as heat pump, no, roof mounted units. We don't have room for heat pumps.

Regan Andreola

- We have chosen mostly native species or adaptive native species.

Written comments

Linda Ferraresso, received 9/9/2021

Attorney Correnti

- Reagan and Harry were at DRB last night and were successful in receiving a DRB recommendation. With that in line and with the Civil peer review, we would like to come back in October. If we aren't ready, then we would let you know in advance and move to November.

Cassie Moskos

- There are 5 items on October agenda

Bill Grisct: 5 or 6 is marginal difference

A motion to continue to the October 21 is made by Todd Waller, seconded by, Kirt Rieder, and passes 9-0 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
Carole Hamilton	Yes
Zach Caunter	Yes



#### IV. OLD/NEW BUSINESS

##### A. FY22 Community Preservation Plan – Comment Review

- a. No comments from the board.

Todd Waller recused himself

A motion to authorize a letter indicating the Planning Board had no comments to thmake on the FY22 Community Preservation Plan during the comment review period is made by Carole Hamilton, seconded by, Kirt Rieder, and passes 8-0 in a roll call vote with Todd Waller in abstention

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

##### B. Gateway Center Project Status Update

- a. Cassie Moskos
  - i. According to the City Solicitor, the shed that was recently put on the property indicates the start of construction, regardless of actual activity
- b. Kirt Rieder
  - i. Is there a sunset on this site?
  - ii. Noah Koretz
    - 1. Placement of shed indicates start of construction even though by no reasonable standard are they.
- c. Kirt Rieder
  - i. We had this conversation 5 years ago when the shed showed up in the first place. What are you suggesting? That the replacement of the shed starts the clock each time? From date of approval, is there a sunset or will this continue in perpetuity?
- d. Bill Griset
  - i. Are we past that sunset?
  - ii. Cassie Moskos will look int this prior to October meeting.
- e. Helen Sides
  - i. that it can sit there it that condition for so long is terrible.

- f. Noah Koretz
  - i. Asked if it is in the Urban Renewal Plan
- g. Kirt Rieder
  - i. Without a doubt it is in the entrance corridor

**C. Recording Secretary status**

- The city is working to hire a person to take Stacy's place. In the interim we have staff members watching recording to take burden off planner

**V. APPROVAL OF MINUTES**

**A. Approval of the May 20, 2021, Regular Planning Board Minutes**

**B. Approval of the June 3, 2021, Regular Planning Board Minutes**

**C. Approval of the July 8, 2021, Regular Planning Board Minutes**

Board defers approval of minutes to a later meeting

Cassie Moskos: Ken from Witch Hill arrived late. Do you want to hear the update? There were residents in attendance for this project that are no longer here.

Bill Griset: Unless someone else on the board disagrees but because residents have dropped off, makes sense to ask applicant to return for brief update.

*A motion adjourn to Executive Session is made by Kirt Rieder, seconded by Helen Sides, and passes in a 9-0 roll call vote.*

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

*The meeting entered Executive Session at 9:10 pm (unsure if this time is accurate as no start time to meeting was declared)*

**VI. EXECUTIVE SESSION**

Enter Executive Session: Pursuant to MGL Chapter 30A, Section 21 (a), to conduct strategy sessions with respect to the legal position of the Planning Board and litigation regarding following applications as having the discussions in

open session would have a detrimental effect on the litigation position of the City and the chair so declares, with respect to the following matters:

“Castle Hill Group v. Salem Planning Board”

## **VII. ADJOURNMENT**

The meeting adjourned for the night at 9:26 pm.

Approved by the Planning Board on 12/16/21.