

**City of Salem Massachusetts
Regular Session Meeting Minutes**

Board or Committee: Redevelopment Authority, Regular Session
Date and Time: Wednesday, December 9, 2020 at 6:00 PM
Meeting Location: Zoom Virtual Meeting
SRA Members Present: Chair Grace Napolitano, David Guarino, Cynthia Nina-Soto,
Dean Rubin, Russ Vickers
SRA Members Absent: None
Others Present: Tom Daniel – Director of Planning and Community
Development
Kathryn Newhall-Smith – Principal Planner
Recorder: Colleen Brewster

Chair Napolitano calls the meeting to order. Roll call was taken.

Regular Meeting

Executive Director's Report

Mr. Daniel stated:

1. Economic Development Recovery & Revitalization Task Force: The City is working with the Essex County Community Foundation (ECCF) and technical assistance providers. The banks have pooled \$1M for a small business loan fund and technical advisors are working with businesses that wouldn't otherwise qualify for a conventional bank financing. Mill City Community Investments has been expanding their area outside of Lawrence into this portion of Essex County, although not everyone will be able to take advantage of these loans. The technical assistance providers such as Northshore Community Development Coalition, the Enterprise Center, Creative Collective, E for All, Amplified Latinx, etc. can also help businesses figure out a marketing strategy even if they don't qualify for a loan. Three businesses have expressed interest and more will follow. Some restaurants are hibernating and others are closing permanently but may do pop-ups and the state is looking for resources to support restaurants.
2. Main Streets & Creative Collective received funding to activate areas of downtown; to add LED string lights onto light poles beyond Christmas, as well as other activations to create an inviting presence downtown.
3. The Salem Stay Local campaign sent cards to downtown businesses where shoppers can get their card punches and be entered into a sweepstakes for a Salem Staycation. This will help support the small business community.
4. The SRA received a letter from Bill Luster, Charing Cross Realty Trust, about 5 Broad Street dated October 27, 2020. They are prepared to begin permitting with the Planning Board; however, the reconfiguration of the easement behind the adjacent property at 1 & 3 Broad Street is still being discussed and needs to be resolved.

Urban Renewal Area Projects Under Review

1. Winter Activations on the Pedestrian Mall – Temporary installations to activate the pedestrian mall during the winter season.

Kylie Sullivan of Salem Main Streets was present to discuss this project.

Ms. Sullivan stated that they do a lot with economic development and run events for downtown Salem, including the holiday tree on Lapin Park, Arts Festival with Creative Collective, and the Farmers Market at Derby Square. All activities are meant to increase socially distant, safe foot traffic, to create a sense of community wellness and to create passive activation. They received funding through the Barr Foundation for lights, temporary art, etc. and they will coordinate the art installation in the fountain in East India Square in collaboration with an artist whose wife works at the PEM. They are also involved in the reused festive winter creations and will weight down the art to make them as secure and safe as possible. They will also clear the drains, so rainwater doesn't pool in the fountain.

2. 217-221 Essex Street: Modification of Approved Project – Review of DRB Recommendation for Proposed Installation of Transformer

Joey Arcari, owner of the building, was present to discuss the project.

Mr. Arcari stated that since the previous DRB meeting the plan has been revised and includes locating the transformer in their current staging area, at the second window away from Old Town Hall. It will be placed on a small concrete pad, with a stainless-steel enclosure and protected by a black bollard. Code requires that it be 5-feet away from the building, so they will plant seven trees around it, add new benches, and grass.

Mr. Rubin appreciated Mr. Acari implementing his recommendation to move it away from the corner to maintain open sight lines being implemented and asked if it made noise because neighbors have complained about the construction noise. Mr. Arcari replied no and apologized to the neighbors for the noise, offered to share his contact info, and noted that recent sandblasting of the cast iron façade was the cause of most of the most noise within the past 10 days. The compressor and dust collector located on Derby Square are both loud. The stop work order occurred on Tuesday, they turned the machine down and moved the compressor to Higgins Square. The façade should be clean by the end of next week. He noted that the building 217 windows are getting refurbished and have been removed which doesn't help conceal the sound. He added that their work hours are 8AM – 4:30PM and the portable toilet arrives early, and they also get deliveries throughout the day which contributes to the noise. They are working with the Building Department, but the crew arrives at 7AM but doesn't generate any loud noise before 8AM. The crew will now come in at 8AM and there will be no early work.

Mr. Guarino stated that some neighbors have commented on the duration of the work and whether they are meeting the sound level requirements. Mr. Arcari noted their construction delays including demolition are taking longer than anticipated due to the Salem Historic Commission's tedious requirements, asbestos slowing the process, and the 60-day demolition delay that took 6-months. He noted that they are getting caught up, window installation will begin at the end of the month and the apartments will be completed by May of 2021. Mr. Guarino suggested the SRA follow up with the Building Inspector to make sure the owner is notified sooner rather than later

to sound concerns. Mr. Daniel agreed and added that Ms. Newhall-Smith asked Steve Cummings, the Assistant Building Inspector, to check the sound levels, and at the time of his visit to the site on Monday, the decibel was at 95 and OSHA allows 90. The stop work order occurred on Tuesday, the crew worked today and lessened the levels, and a police officer determined the decibel level to be 75.

Public Comment.

Laura Dietz, 5 Derby Square. Sent a letter dated today, is happy to hear Mr. Arcari's info will be shared, the construction staging is in the smallest part of the Derby Square and sound bounces off the brick surfaces. Lower decibel levels still sound loud and they have no mitigation; however, the transformer making no noise is a good thing.

Alexis Abare & Benjamin Selecki, 1 Derby Square (above Wicked Good Books.) Improvements are welcome to the neighborhood and City; they understand some flexibility is needed for the disruptions which weren't minor this past week. It matters that consideration is given to neighboring residents and businesses, but he is concerned that neighbors on Higgins Square will hear what the same loud noises they've heard. Their decibel readings are 75 decibels but at more than 15-feet away he got readings of 92 decibels. Sound ordinances say 70+ decibels for prolonged period do cause hearing damage. He's concerned with implementing sound dampening measures and prolonged vibrations causing damage to the hold historic buildings because there should be a concern and a plan to protect those assets.

Councillor Christine Madore. Thanked Mr. Arcari for his response, reiterated that his investing in the downtown is a positive, he reached out to her before the start of construction and he should continue that moving forward. Better communication is needed with several downtown projects and noted that BRIX has a neighborhood distribution list to let everyone know about road closures, etc. which is helpful to get neighbors prepared. The past disruptions of the current project are concerning since the Building Department didn't let the applicant know immediately of the concerns. The applicant should communicate ahead of time and she offered to be the conduit for that. Regarding moving equipment to Higgins Square, the City Council banned amplification devices for tour guides because of the noise that bounces off the walls so heavy equipment would exacerbate the sound issues.

Kathy Lique, owner of a unit on Higginson Alley next to Ledger. She discussed the noise of a garbage truck backing down the alley around 7AM in the past; however, the construction has sometimes blocked the alley and the garbage cans are rolled up and down the alley which also creates noise. In the past few weeks an enormous amount of noise was generated that lasted from 10AM – 4:30PM and it's hard to deal with.

No one in the assembly wished to speak.

Rubin: Motion to approve the location of the transformer, improvements, and encourage the developer to work with neighbors on concerns shared.

Rubin: Amended his motion to include adhering to the DRB recommendations.

Seconded by: Vickers.

Roll Call: Rubin, Vickers, Guarino, Nina-Soto, and Napolitano. 5-0 in favor.

1. Superior Court and Crescent Lot:

- a. Discussion and vote on November 19, 2020 communication from J. Hilary Rockett, JHR Development, requesting reconsideration of preferred developer designation.

Mr. Daniel read the letter from JHR Development dated November 19, 2020 into the record.

Chair Napolitano stated the following:

Before opening up the discussion for Board comments and questions, I just want to take a moment to respond regarding our process.

As I'm sure many folks who are listening here this evening are aware, we have a number of minutes to approve on our agenda tonight. In total, the Board has 28 meeting minutes to consider and approve, 18 of which are Executive Session minutes.

Our process began in the summer of 2019, with 8 teams responding to our Request for Qualifications, 6 of which we invited back to be interviewed. All 6 teams were interviewed. From there, 4 of the 6 teams were selected to respond to our Request for Proposals, which was sent out in January 2020. Given the economic constraints and uncertainties of the market due to the pandemic, one of the 4 teams elected not to respond to our RFP. Ultimately, we had 3 very qualified teams who submitted proposals in June of this year.

Between August and November, our meetings have entailed extensive interviews with each team, multiple rounds of follow up questions/answers to and from each team, consideration of public comment, and executive session deliberation. All 3 proposals that were received were strong and we appreciate the significant time, effort, and attention that the teams gave to the Board during our process. Additionally, for the first time in recent history (I believe), the Board brought on the expertise of an outside development consultant in order to assist members with the understanding the more technical aspects of the proposals.

In October, the Board narrowed its finalists to 2 teams, and ultimately selected Winn Development as our preferred developer with JHR selected as our back-up developer.

The rubric which the Board worked through in order to score each team in our RFP categories has been posted on the SRA page of the City website, and, our Executive Session minutes will provide further context regarding how Board members arrived at their respective decisions.

All of this is to say that the Board's process to arrive at its decision has been thorough and extensive. I am proud of our process and I want to thank my colleagues on the Board as well as our staff, Tom & Kate, and our consultant, Matt, who have contributed to the Board's many hours of thoughtful review and deliberation.

Board Comments:

Mr. Guarino reiterated Chair Napolitano's statement, he's proud of the process they undertook, as citizens and volunteer board members. They received multiple proposals, set clear guidance in what they were looking for to rehabilitate the buildings and igniting a use in a dark part of the downtown. He believes they got it right.

Ms. Nina-Soto agreed with Chair Napolitano and Mr. Guarino. It was a long process, they reviewed a lot of information, is proud of the work they've done, and came to a good decision that will benefit the neighborhood and the City.

Public Comment.

No one in the assembly wished to speak.

Rubin: Motion to not reconsider the request to reconsider and continue with the selected developer.

Seconded by: Guarino.

Roll Call: Rubin, Vickers, Guarino, Nina-Soto, Napolitano. 5-0 in favor.

b. Update on project status

Ms. Newhall-Smith stated that the Planning Board met last Thursday and reviewed the ANR Plan. They had some questions on the permitting path but voted to endorse the plan so they can sub-divide the properties so the two will be separate from the probate court. Mr. Daniel needs to sign it and record it with the Registry.

Mr. Daniel stated that they've had a site visit with Winn Development, and Seth Latrell who is Planner/Port Authority Deputy of the Municipal Harbor Plan. Winn updated the project timeline, and meetings are scheduled with Mr. Zahler and KP Law within the next week. The LOI is the next deliverable and Winn Development is looking into community engagement to introduce themselves to stakeholders. The MBTA and MOU are taking a while to complete, but it is moving forward. They are working on the terms of the MOU, but it's hasn't been executed. Mr. Daniel will draft a formal response to JHR for the Board to review. Mr. Rubin suggested they reaffirm that JHR will be the back-up developer if a deal can't be made with Winn Development.

Minutes

Only Board members present for each meeting are permitted to vote.

1. The minutes of July 8, 2020 were reviewed.

Nina-Soto: Motion to approve the minutes of July 8, 2020 as written.

Seconded by: Guarino.

Roll Call: Guarino, Rubin, Vickers, Nina-Soto, Napolitano. 5-0 in favor.

2. The minutes of August 12, 2020 were reviewed.

Rubin: Motion to approve the minutes of August 12, 2020 as written.

Seconded by: Nina-Soto.

Roll Call: Nina-Soto, Rubin, Vickers, Napolitano. 4-0 in favor.

3. The minutes of September 1, 2020 (Meeting with AHTF Board) were reviewed.
Rubin: Motion to approve the minutes of September 1, 2020 with Daniel's edits.
Seconded by: Nina-Soto.
Roll Call: Nina-Soto, Rubin, Napolitano. 3-0 in favor.
4. The minutes of September 9, 2020 were reviewed.
Rubin: Motion to approve the minutes of September 9, 2020 as written.
Seconded by: Guarino.
Roll Call: Guarino, Rubin, Vickers, Nina-Soto, Napolitano. 5-0 in favor.
5. The minutes of September 15, 2020 (Interviews with Development Teams 1 & 2) were reviewed.
Rubin: Motion to approve the minutes of September 15, 2020 as written.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
6. The minutes of September 17, 2020 (Interview with Development Team 3) were reviewed.
Rubin: Motion to approve the minutes of September 17, 2020 as written.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
7. The minutes of October 7, 2020 were reviewed.
Rubin: Motion to approve the minutes of October 7, 2020 as written.
Seconded by: Nina-Soto.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
8. The minutes of October 14, 2020 were reviewed.
Rubin: Motion to approve the minutes of October 14, 2020 with Guarino's edits.
Seconded by: Nina-Soto.
Roll Call: Nina-Soto, Rubin, Napolitano. 3-0 in favor.
9. The minutes of October 26, 2020 were reviewed.
Rubin: Motion to approve the October 26, 2020 minutes as written.
Seconded by: Guarino.
Roll Call: Guarino, Nina-Soto, Rubin, Vickers, Napolitano. 5-0 in favor.
10. The minutes of November 10, 2020 were reviewed.
Rubin: Motion to approve the minutes of November 10, 2020 with Daniel's edits.
Seconded by: Vickers.
Roll Call: Nina-Soto, Rubin, Vickers, Napolitano. 4-0 in favor.

Executive Session

To review and approve draft minutes from the Executive Sessions listed below. These minutes represent Board discussion of the development proposals submitted in response to the Request for Proposals for the redevelopment of real property located at 32-34 Federal Street and 252 Bridge Street, Salem, MA. The Board will review these in Executive Session because an open meeting may have a detrimental effect on the negotiating position of the public body.

Guarino: Motion to enter executive session to discuss executive session meeting minutes regarding the courthouse project.

Seconded by: Rubin.

Roll Call: Rubin, Vickers, Guarino, Nina-Soto, Napolitano. 5-0 in favor.

Chair Napolitano stated that the regular meeting will not reconvene after executive session.

Executive Session began at 7:30PM

Roll call vote to adjourn to Executive Session.

Rubin: Motion to come out of Executive Session.

Seconded by: Guarino.

Roll Call: Rubin, Guarino, Vickers, Nina-Soto, Napolitano. 5-0 in favor.

Adjournment

Rubin: Motion to adjourn the meeting.

Seconded by: Guarino.

Roll Call: Rubin, Guarino, Vickers, Nina-Soto, Napolitano. 5-0 in favor.

Executive Session ended at 9:15PM

Know your rights under the Open Meeting Law M.G.L. c. 30A §18-25 and City
Ordinance Sections 2-028 through 2-2033.