

**City of Salem Massachusetts
Public Meeting Minutes**

Board or Committee:	Redevelopment Authority, Regular Meeting
Date and Time:	Wednesday, February 9, 2022, at 6:00 pm
Meeting Location:	Virtual Zoom Meeting
SRA Members Present:	Chair Grace Napolitano, David Guarino, Cynthia Nina-Soto, Dean Rubin
SRA Members Absent:	Russ Vickers
Others Present:	Tom Daniel – Director of Planning and Community Development
Recorder:	Colleen Brewster

Regular Meeting

Executive Director's Report

Mr. Daniel stated:

1. The Board of Health has rescinded the vaccination mandate and mask mandate effective on Tuesday, February 8, 2022.
2. EDRR: The city and partners continue to work with businesses on communications regarding the mandates, the employee retention incentive program that has been managed by Ms. Newhall-Smith. The EDRR continues to meet, their role changes along with the needs and opportunities of the pandemic. Main Streets participated in the states Rapid Recovery Response program, and they are looking into opportunities within that program to collaborate on, such as workforce opportunities with businesses outside the typical workforce sector.
3. Salem So Sweet will take place this weekend, February 12-13, 2022. It has been expanded and includes 37 ice sculptures, rewards for shopping in local businesses, and several businesses are participating in a chocolate heart hunt. Half of the sculptures will be on display Saturday and the remainder on Sunday, and there will be nighttime illuminations too.
4. One of the SRA goals was in-house organization for certain tasks and he and Ms. Newhall-Smith will work on creating a sub-committee to oversee those various tasks.

Projects in the Urban Renewal Area

1. Church, Federal, and St. Peter's Streets: Drainage Infrastructure Improvements

Jay Carroll, City of Salem Engineer, was present to discuss the project.

Mr. Carroll stated that drainage improvements is an ongoing project that stemmed from working with the Traffic Department to improve accessibility issues at the perimeter of the parking lot, such as crosswalks with no wheelchair ramp, traffic calming request for a raised crosswalk on Federal Street that connects to the Salem Green walkway and redefining the Federal Street crosswalk so there is a buffer from the parking lot. Their contractor, Granese, and a civil

engineer are addressing some drainage issues before they can move forward with the sidewalk improvements.

Mr. Carroll stated that the striped sidewalk in front of the Essex Condominiums on Church Street will be shifted to the east, just before the start of the angled parking, bump-out the corner, and move the streetlight. A catch basin will be installed at the first angled parking space to eliminate a ponding water issue. At the smaller Church Street parking lot, two catch basins have already been installed to address ponding concerns in that parking lot. The brick sidewalk leading across Church Street will be adjusted so it lines up with the concrete sidewalk at that side of the street and a parking space will be removed from the large, curved section so all the concrete sidewalks at the southern end of the small parking lot are aligned and ADA complaint. They are working with the Traffic Department on the large, cracked bump-out of cracked concrete in front of the Essex Building where many services vehicles park and delivery trucks park. They will determine whether to reduce the size of the bump-out and making the area a loading zone that's level with the street.

Mr. Carroll stated that the Federal Street sidewalk next to the large Church Street parking lot is asphalt and not well defined. They will reconstruct the sidewalk, increase the curb reveal, close off unused curb cuts, and to identify a buffer between the new sidewalk and parking spaces using grass or a tree line, budget permitting. They will narrow and define the curb cut to the large parking lot and install a raised crosswalk to connect the sidewalk to Salem Green which will calm traffic and improve accessibility. Two catch basins will be added on either side of that new raised sidewalk and throughout the large parking lot as well to alleviate ponding.

Mr. Carroll stated that along St. Peter's Street, the civil engineer identified a collapsed drainpipe below the road that connected a catch basin to a manhole, and some digging up of that area of the street will be required to repair it. This work should be completed in the next couple of weeks, weather permitting, and the sidewalk work hasn't been scheduled yet because they need to complete the design and select a contractor. After the completion of the sidewalks, they will repave the affected areas of all three streets.

Mr. Rubin noted his concern with moving the two crosswalks on Church Street closers could make it difficult for vehicular traffic and suggested the crosswalk in front of the Essex building be moved west to space them out. Mr. Carroll replied that the area was selected because they will be able to construct a wheelchair ramp at this location and it also aligns with the location of the pay machine.

Mr. Guarino requested confirmation of the construction timeline. Mr. Carroll replied that 4-weeks is a conservative estimate for the drainage work and the timeline is weather-dependent. The project may be separated into three-phases, paving and sidewalk work may be with their city's on-call contractors in the spring, and the roadwork may be bid separately.

Mr. Guarino asked about the closing off of parking spaces. Mr. Carroll replied that the remainder of the parking spaces should be available for parking.

Ms. Nina-Soto asked about the loss of one parking space in the smaller lot and asked if the red brick area could be reduced to include one or two new parking spaces. Mr. Carroll replied that the addition of new spaces was interfering with the tree line, would impact parking lot lighting, a tree with a plaque, and either an electrical cabinet or another parking space pay machine.

Public Comment:

Polly Wilbert, 7 Cedar Street. Asked that the city put out signage in advance of the start of work since this is a frequently used route to get to Bridge Street. Some area's use police detail with little or no detour signs to let drivers know of road closures so they can find alternate routes. These detours should be well managed. Mr. Carroll replied that contractors are asked to place signage and travel lanes can be planned but they will try to mitigate that issue ahead of time.

No one else in the assembly wished to speak.

Mr. Daniel stated that the Board does not need to vote on this matter; this discussion was to provide information only.

2. **73 Lafayette Street and 9 Peabody Street:** Schematic Design Review – Demolition of existing building at 73 Lafayette Street and construction of new, mixed-use structure with 35,000 square feet for the North Shore Health Center, pharmacy, and urgent care facility and for income-restricted senior housing residential units. Construction of a new mixed-use structure on 9 Peabody Street with income-restricted senior housing residential units, commercial and gallery space, continued from 12/8/21.

Mickey Northcutt, CEO of the North Shore CDC and Attorney Scott Grover of Tinti & Navins were present to discuss the project.

Mr. Daniel stated that this matter was continued from December 8, 2021. There are no new plans, and this review is to update the Board on their progress and project status.

Atty. Grover stated that he's representing South River Partnership, LLC, a joint venture between the North Shore CDC and North Shore Community Health, for the purpose of redeveloping the 73 Lafayette Street site. There will be a new home for the health center, age restricted affordable housing for senior residents of Salem, and a variety of commercial uses. In December they had determined that the original façade could no longer be salvaged and further investigation of the required repairs to the culvert beneath the building were required and the impact new construction would have on the existing façade. The investigation is underway including Child's Engineering overseeing the aquatic investigation of the culvert, Silman Engineering overseeing the structure design, Groom Construction the General Contractor, Woodwin & Curran the peer review consultant hired by the city of Salem, and the city's own planning staff and engineers. No conclusions have been made about the façade, but they wanted to provide an update on their progress.

Mr. Northcutt stated that it was time consuming to determine how to gain access to the culvert and thanked Mr. Daniel and the planning department for their assistance with planning that process. Child's Engineering conducted their investigation by diving into the river in late January

and their initial report should arrive any day. There was extensive discussion is that the condition isn't as bad as initially feared and their analysis will be given to the peer reviewer to ensure that their determination makes sense. An additional day of diving and the taking of core samples will be recommended to confirm their assumptions, and their final review will also be given to the peer reviewer. Groom Construction has been helpful how their finding will determine pricing and timing impacts on the construction. Groom Construction brought in a historic preservation consultant whose initial determination is that the culvert repairs will not determine whether the façade can be saved. There hasn't been a final determination although deconstruction and rebuilding with the same materials may possible or the likelihood of the façade surviving. He and Atty. Grover believe that the possibility of preserving the façade is a matter should be discussed with the Salem Historical Commission (SHC) and Massachusetts Historical Commission (MHC), because the use of federal funds triggers MHC review. Preserving the façade wasn't a view that was shared by the Design Review Board (DRB) so they'd like to advance that discussion and share their study with the SHC before returning to the SRA. Preserving or not preserving has a real impact on the layout and aesthetic of the building.

Mr. Rubin requested an assessment of where patients would be coming from for the new health center which would affect parking. It may not be a major change, but it would be helpful to know the current breakdown of where patients currently live. Mr. Northcutt replied that 75% of the patient lives within less than 1-mile of the facility which aligned with their perspective for the new location. Mr. Rubin asked if they anticipated that their growth in patients would come from the facility's new neighbors or people north of the area that would find this facility convenient or on their route home. Mr. Northcutt replied that North Shore Community Health's mission is to provide care to everyone regardless of their income or immigration status and deeper market penetration rather than expansion and there are similar facilities with a similar model of basic health care. Expanding and competing with private healthcare facilities isn't part of their business model. Mr. Rubin noted that the parking concerns will be directed towards staff and suggested that the discussion be deferred. Atty. Grover added that the special permit information shared with the Planning Board (PB) and the peer review of the traffic study will be shared with the SRA as well. The initial traffic study is being updated since there has been a reduction in scale of the project and will also be reviewed by peer review consultant.

Chair Napolitano requested an overview of the process that triggers MHC review. Mr. Northcutt replied that its part of the local permitting process, all of their projects that include federal funds required MHC to issue a "No Adverse Impact Letter" that isn't issued if there is an adverse effect, such as the façade of a historic building that contributes to the National Historic District. The impacts of a redevelopment projects means that there is an adverse impact so MHC will largely defer to the local historical commission, possibly even more so because the SHC is so well respected and had a lot of experience reviewing appropriateness and mitigating factors. All entities would enter into a Memorandum of Understanding (MOU) describing all of the strategies taken to preserve the building and its historical character, documenting element of the building, displaying historic photographs, etc. depending upon the site.

Public Comment:

No one in the assembly wished to speak.

Atty. Grover requested a continuance to April to allow them to seek input from the SHC in March and to allow the culvert investigation to be completed before returning to the SRA

VOTE: Rubin made a motion to continue the review until the April SRA meeting unless they can return in March. Seconded by: Guarino.

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

3. 38 Normal Street: Final Design Review – Construction of a new mixed-use building with commercial uses on the ground floor and residential uses above.

Attorney Scott Grover of Tinti & Navins, Ryan Wittig and Matthew Moore of Kinvarra Capital, Philip Sima (Architect at Balance Architects)

Atty. Grover stated that the SRA provided Schematic Design approval in June of 2021, and since then the project has undergone a thorough review with the Planning Board (PB) as a planned unit development (PUD) requiring extensive engineering, landscaping, traffic & parking study, and architectural detailing. It also involved an independent peer review for civil engineering and traffic by the city of Salem. With those reviews coming to end its time to begin the final approval process with the SRA.

Mr. Sima stated that the site is in the downtown district and abuts the McIntyre District. They are proposing to remove the existing vehicle service building and the corner parcel at Summer and Norman Streets is no longer part of the project. The project has evolved, and the current proposal includes providing a sidewalk and outdoor seating along Norman Street, vegetation on both sides to mirror the neighbors, a three-story structure on each side with a 10-foot step back to match the height of the abutters with the main structure at four-stories, and outdoor areas are the rear of the third floor and on the fourth-floor roof. The Crombie Street curb cut has been enlarged and remains the vehicular access point, the residential entrance, trash room and outdoor enclosure has been relocated towards the south-western corner of the first floor, turning analysis has been completed on the on-grade parking spaces. A vaulted transformer is proposed to the left of the residential entry and is flush with the sidewalk, a green buffer will run along the northern property line, and an outdoor seating area will be added to the northern extension of land.

As a transient-oriented development (TOD) they will provide 1:1 bike parking in the basement and at surface racks in the rear and the front of the property as well. The unit layout is largely unchanged and still includes private and common space roof decks with cedar or evergreen vegetative screening. Private roof decks will be accessed with single use stairs to a headhouse within each unit. More detail, awnings, and signage locations were added to the façade, along with trellises, windows that appropriately represent the first-floor commercial spaces, and the translucent panels on Crombie Street that provided a view to the parking lot could become placeholders for public art. Mr. Wittig and Mr. Moore are searching for local artists that could provide art related to the history of the site. The remaining facades have a fluctuation of materials, from brick to clapboards. Classic gooseneck light fixtures, round LED fixtures and lantern lighting is proposed, along with Brushed Carbon ACM panels, Iron Gray Hardie board clapboards, dark masonry base, Belden brick, color matched concrete, accordion style doors at the first-floor commercial area, black mullion storefront doors and black 2 over 2 double hung windows, and an opaque overhead garage door with a top row of vision panels.

A photometric study was conducted, and all lighting will be down lighting, with a focus on the front façade, residential entry and parking area. The 5th story mansard roof was eliminated, detailing was added to the brick, such as color matched banding and potential corbeling between the second and third floor windows. A year long shadow study was done to show the impact the new development would have on the neighbors. There was concern of blocking light to solar panels at 16 Crombie Street, and in January between 3 and 4PM is the only time the sun would block them. In February and March, the roof of 16 or 18 Crombie will be in sunlight and in May and June all shadows will fall within the 38 Norman Street property line.

Mr. Rubin applauded the design team's continued efforts to show consideration to incorporate community comments. He asked how many residential units were proposed. Mr. Sima replied 20 units. Mr. Rubin noted that there may be insufficient space in their trash room because the 12-unit building, he resides in fills their trash room each week and residents must sometimes wait until the bins are empty before they can throw out additional trash, or they use the city's orange trash bags. He still had concerns with the Crombie Street vehicular entrance and exit but with the reduced number of units and confirming of their turning radiuses are positives.

Mr. Guarino asked if there will be restrictions on when the trash can be picked-up on Norman Street, which is a congested traffic area in the city. Mr. Wittig replied that they considered the use of a smaller truck that can enter and exit the driveway; however, the 5-6 waste removal companies he contacted do not have smaller format vehicles that come to Salem, which prompted the relocation of trash to Norman Street. They will most likely need to use a smaller company that visits twice a week. The transition of the bike lane near the rotary is similar to a no parking area and could be used as a location for a trash truck to pull over and be less obstructive to traffic. Mr. Guarino replied that he trusts the city traffic engineer will work with the applicant to determine the best location.

Mr. Guarino raised concerns regarding the potential for people to cut across Crombie Street from the parking lot to access the driveway rather than drive around the block. Mr. Wittig replied that that concern was address in the traffic report and will be discussed at the Planning Board meeting the following week, but it was viewed as de-minimus, and they have no control over the parking lot access across Crombie Street. Atty. Grover added that the traffic peer review can be shared with the SRA upon its completion.

Ms. Nina-Soto asked if screening between the roof deck and the neighbors will also be used at the rear decks. Mr. Sima replied not at this time although there is a vegetative buffer in the parking area, but it could be added if abutters request it. Mr. Wittig added that vegetative screening would be up to eye level to provide privacy each way.

Ms. Nina-Soto requested clarification on the relocation of mechanical equipment. Mr. Sima replied that the systems would be on the roof, setback from the roof edge, and screened. The transformer vault would be at grade outside the first-floor trash room. Mr. Witting added that there will be a mechanical room in the basement for water heaters.

Ms. Nina-Soto requested their plans for snow removal. Mr. Sima replied that 60-70% of the parking area is covered by the building above, snow could be placed behind the trash room and in the grassy area to the north, and their traffic engineer agreed. Mr. Wittig added that if those areas fill up a snow removal company will be hired to remove it from the property.

Public Comment:

Attorney Chris Drucas, 81 Washington Street, Representing the owners of 16 and 18 Crombie Street. His services were retained 3 weeks prior to this meeting, and he thanked Atty. Grover for the several conversations they've had regarding this project.

Question 1: How high is the garage door? Mr. Sima replied 10'-0" high but it could be higher. Atty. Drucas replied that snow removal may require a higher door height.

Question 2: Will there be a manager on site for the 20 units? Mr. Witting replied no.

Question 3: Will tenant parking spaces be assigned and become part of their lease agreements? Mr. Witting replied yes.

Question 4: Will there be visitor parking spaces? Mr. Witting replied not currently but they aren't opposed to leaving a few spaces for visitors, but there is ample street parking on Crombie Street and the pay lot down the street. Atty. Grover added that there are 25 spaces for the 20 units, but the idea was to make this a transient oriented development.

Question 5: Will the garage door be open during the day and closed at night or closed all the time with a pass that opens it? Mr. Sima replied that the garage will be closed at all time with a pass needed to open it.

Question 6: Requested review of the shadow study and the potential for a shadow over the solar panels on the roof of 16 Crombie Street. Mr. Sima replied that shadowing is minimal and occurs during the lowest sun point of the year. Items on the southern side of roof are receiving sunlight.

Atty. Drucas stated that his clients are concerned with the shadows and have made requests concerning moving the building forward towards Norman Street and eliminating the outdoor seating. His client at 16 Crombie Street believes that his solar panels will generate much less electricity because of the building's current location. Trash and snow removal were also concerns of his clients and as of now his clients are not satisfied.

Emily Udy, HSI. Asked if the materials selected are recorded as part of the DRB decision and if they can compare what has been proposed vs. what will be constructed. Mr. Sima replied that he is unaware of what has been recorded but they do not want the appearance of the structure to change, although the manufacturers of some materials might, depending upon product availability. Atty. Grover added that they will present to the DRB prior to returning to the SRA for final approval. This may be the first time the DRB will have seen the proposed materials and their recommendation is still part of the process and will occur over the next couple of months. Once both the SRA and DRB approve the plans they do not anticipate any changes in materials.

Polly Wilbert, 7 Cedar Street. Asked if the SRA and Planning Department are calculating parking based on the new development being presented, specifically relating to their desire for a restaurant tenant. Ledger Restaurant did have parking proposed for this site as an alternative to on street parking or at Riley Plaza. There is a new regulation that buildings within 1,000 feet of public parking have access to those spaces to meet their residential requirements. There is a concern that with so many first-floor commercial spaces without the capacity to support their

needs, so who is overseeing that. Ground floor activity is desired but without the parking to support is frustrating and doesn't foster the success of those commercial spaces.

Dick Willis, 16 Crombie Street. His opinion regarding the shadow studies is that they will severely impact the performance of the solar panels on his roof in the winter months. His garden in the spring will be affected due to the lack of sun. His neighbor Roberta's home will be in shadow for months. If the building were moved to the corner all their shadow concerns would be eliminated and enough parking spaces would be available to meet the code. Many vehicles would be towed if vehicles began parking on Norman Street.

No one else in the assembly wished to speak.

VOTE: Rubin made a motion to refer the application to the DRB and to share the questions raised at tonight's meeting. Seconded by: Guarino.

Roll Call: Guarino, Napolitano, Nina-Soto – not in favor, Rubin in favor. 3-1 in favor.

New / Old Business

1. Redevelopment of the Historic Courthouses and the Crescent Lot: Update on Project Status

Mr. Daniel stated that their work continues on the courthouses with efforts focused on the area known as the remnant parcel between the crescent lot and the MBTA driveway. Effort is also focused on the MBTA's purchase & sale agreement, the attorneys met two weeks prior to finalize the details and it should be executed soon. The next step is to have the area surveyed and a lot created so it can be conveyed. The goal is for WinnDevelopment to file with the Planning Board this April and complete the process in the fall to submit their application to the DHCD for low-income housing tax credits, a key part of their financing plan, and if the deadline is missed, they will have to wait one year to reapply. The SRA's attorney and development consultant confirmed that to facilitate the MBTA process the conveyance to the SRA must happen soon to streamline the permitting process and there is an indemnification provision amendment as well. This will also eliminate the MBTA from the bureaucratic process.

Mr. Daniel stated that the MOA with DCAMM has been executed and now the easement language for the driveway that runs between Federal and Bridge Streets, to the west of the courthouses, is being determined as well as the process for any future changes.

Mr. Daniel stated that the Winn design team is compiling the documents for the Planning Board application and will reach out to community members again for their input. Regarding the 300 square-foot stairway parcel that is part of the Bridge Street right-of-way, there is a license agreement with the city for Winn to access it, Ms. Newhall-Smith is coordinating the subdivision process, and the City Solicitor will help staff navigate the conveyance process from the city to the SRA.

Mr. Daniel stated that a motion was agreed upon in January of 2021, authorizing him as Executive Director to negotiate and execute documents. Thinking of the future negotiations he would like to refine the language used so the authorization could be traced back. Mr. Rubin replied that conveying the two areas is a creative tactic to accelerate the process. Mr. Daniel noted that it was WinnDevelopment's idea.

Mr. Guarino thanked Mr. Daniel for the process made and consistent updates.

VOTE: Rubin made a motion to authorize its Executive Director to negotiate with WinnDevelopment Company Limited Partnership, the designated preferred development team, and its representatives, **the MBTA, and the City of Salem** on all documents, including but not limited to deeds and Land Disposition Agreements, related to the disposition and subsequent redevelopment of the historic Federal Street courthouses (**32-34 Federal Street**), ~~and~~ the crescent lot at 252 Bridge Street, **the MBTA-owned remnant parcel, and a portion of the City-owned right-of-way parcel adjacent to the crescent lot** as depicted and described in the SRA's Request for Proposals 20-200-41 and the WinnDevelopment proposal submitted in response thereto and to execute said documents. Seconded by: Guarino.

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

2. Mr. Rubin requested an update on the Almay's Clock. Mr. Daniel replied that the clock has been restored, the reinstallation needed a stamped engineering plan which took time to be generated. The reinstallation will occur in the spring.

3. SRA Financials

Approval of Minutes

1. January 12, 2022 Regular Meeting Minutes

VOTE: Rubin made a motion to approve the minutes of January 12, 2022 regular meeting minutes with Rubin's edits.

Seconded by: Guarino.

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

Adjournment

VOTE: Rubin made a motion to adjourn.

Seconded by: Guarino

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

The meeting adjourned at 8:50PM.

Know your rights under the Open Meeting Law M.G.L. c. 39 §23B and City Ordinance Sections 2-028 through 2-2033.