



CITY OF SALEM PLANNING BOARD

2017 MAY 11 PM 4:03

CITY CLERK
SALEM, MASS

Decision

May 11, 2017

Amendment to Decision Issuing a Site Plan Review Special Permit, Business Park Development Special Permit and Wetlands and Flood Hazard Overlay District Special Permit

On April 20, 2017, the Planning Board of the City of Salem opened a Public Hearing for amendments to the approved Site Plan Review Special Permit, Business Park Development Special Permit and Wetlands and Flood Hazard Overlay District Special Permit to allow an expansion of the existing manufacturing facility of approximately 27,000 square feet, additional onsite parking and loading facilities located at 1 Technology Way (Map 7, Lot 78).

In considering the approval of the Amendment to the Special Permits, the Planning Board finds that the proposed addition, onsite parking and loading facilities meets the Salem Zoning Ordinance Sections: 9.5 Site Plan Review, 8.1 Flood Hazard Overlay District, and 8.3 Business Park Development District.

The Public Hearing was closed on May 4, 2017. At a regularly scheduled meeting of the Planning Board held on May 4, 2017, the Board voted by a vote of six (6) in favor (Chair Ben Anderson, Kirt Rieder, Bill Grisct, Tony Mataragas, Carole Hamilton, and Helen Sides) in favor and none (0) opposed, to approve the application of KAK Realty Trust for an amendment to the Site Plan Review Special Permit, Business Park Development Special Permit and Wetlands and Flood Hazard Overlay District Special Permit for the property located at 1 TECHNOLOGY WAY (Map 7, Lot 78) subject to the following conditions:

1. Conformance with the Plans

- a. Work shall conform to the following plans:
 - i. Plans prepared by Hayes Engineering Inc. entitled "Thermal Circuits Addition," Sheets 1-4, (Cover Sheet, Existing Conditions, Site Plan and Detail Sheet) dated January 25, 2017, revised April 20, 2017 and April 26, 2017, and sheets LP-1, EL-1 (Landscaping Plan and Exterior Lighting Plan) dated January 25, 2017 and the annotated plan dated May 4, 2017.

2. Amendments

- a. Any amendments to the site plan shall be reviewed by the City Planner and if deemed necessary by the City Planner, shall be brought to the Planning Board. Any waiver of

conditions contained within shall require the approval of the Planning Board.

3. Landscaping

- a. All landscaping shall be done in accordance with the approved set of plans.
- b. Any shrubs to be planted shall not be less than seven (7) gallons.
- c. Maintenance of all landscaping on the site shall be the responsibility of the Applicant. The Applicant, his successors or assigns, shall guarantee all trees and shrubs or be replaced as necessary.

4. Lighting

- a. No light shall cast a glare onto adjacent parcels or adjacent rights of way.
- b. After installation, lighting shall be reviewed by the City Planner, prior to the issuance of a Certificate of Occupancy.

5. Maintenance

- a. Refuse removal, ground maintenance and snow removal shall be the responsibility of the developer, his successors or assigns.
- b. Winter snow in excess of snow storage areas on the site shall be removed off site.

6. Conservation Commission

- a. All work shall comply with the requirements of the Salem Conservation Commission.

7. Traffic Mitigation

- a. The applicant shall provide the City of Salem \$15,000 as a contribution to the traffic improvements necessary on Technology Way, prior to issuance of a building permit. The funds shall be provided to the Office of the City Engineer.

8. Board of Health

- a. The owner shall comply with the following specific conditions issued by the Board of Health:
- b. The individual presenting the plan to the Board of Health must notify the Health Agent of the name, address, and telephone number of the project (site) manager who will be on site and directly responsible for the construction of the project.
- c. If a DEP tracking number is issued for this site under the Massachusetts Contingency Plan, no structure shall be constructed until the Licensed Site Professional responsible for the site confirms that the site meets the DEP standards for the proposed use.
- d. A copy of the Licensed Asbestos Inspector's Report must be sent to the Health Agent.
- e. A copy of the Demolition Notice sent to the DEP, Form BWPAO6, must be sent to the Health Agent.
- f. The developer shall give the Health Agent a copy of the 21E report.

- g. The developer shall adhere to a drainage plan as approved by the City Engineer.
- h. The developer shall employ a licensed pesticide applicator to exterminate the area prior to construction, demolition, and/or blasting and shall send a copy of the exterminator's invoice to the Health Agent.
- i. The developer shall maintain the area free from rodents throughout construction.
- j. The developer shall submit to the Health Agent a written plan for dust control and street sweeping which will occur during construction.
- k. The developer shall submit to the Health Agent a written plan for containment and removal of debris, vegetative waste, and unacceptable excavation material generated during demolition and/or construction.
- l. The Fire Department must approve the plan regarding access for fire fighting.
- m. Noise levels from the resultant establishment(s) generated by operations, including but not limited to refrigeration and heating, shall not increase the broadband sound level by more than 10 dB(A) above the ambient levels measured at the nearest abutting residential property line.
- n. The developer shall disclose in writing to the Health Agent the origin of any fill material needed for the project.
- o. The resultant establishment shall dispose of all waste materials resulting from its operation in an environmentally sound manner as described to the Board of Health.
- p. The drainage system for this project must be reviewed and approved by the Northeast Mosquito Control and Wetlands Management District.
- q. The developer shall notify the Health Agent when the project is complete for final inspection and confirmation that above conditions have been met.

9. Fire Department

All work shall comply with the requirements of the Salem Fire Department.

10. Building Inspector

- a. All work shall comply with the requirements of the Salem Building Inspector.

11. Utilities

- a. Underground utility installation shall be reviewed and approved by the City Engineer prior to the issuance of a Building Permit.

12. City Engineer

- a. All work shall comply with the requirements of the City Engineer.
- b. Prior to issuance of a certificate of occupancy from the City, the applicant shall submit a revised site plan showing the As-Built relocation and/or updates of all utilities currently shown under the footprint of the new addition.

- c. Prior to issuance of a certificate of occupancy from the City, the applicant shall submit a Drainage Alteration Permit to the Engineering Department.
 - i. A Licensed Professional Civil Engineer shall provide a letter to the Engineering Department stating that the proposed grade changes will not adversely affect existing drainage and groundwater conditions, which would affect the public health, safety and welfare of any public way or adjoining real property. A permit fee of \$100.00 shall be paid at the time that an application for a drainage permit is filed.
- d. Prior to issuance of a certificate of occupancy from the City, the applicant shall demonstrate that the City's water and sewer systems have the capacity and condition to accommodate the flow requirements of the proposed addition. The applicant shall provide letters demonstrating adequate capacity and condition for each system, prior to issuance of a building permit by the City. Any deficiency identified in any system, shall be corrected by the applicant, at the applicant's expense, to the satisfaction of the Engineering Department.
 - a. Water System
 - i. A Licensed Plumber shall provide a letter to the Engineering Department stating the condition of the existing water service pipes on the property are adequate to be reused for the proposed development.
 - ii. A Licensed Plumber shall evaluate the existing and proposed potable water demand (for consumption, fire protection, and process requirements) and confirm existing is, or recommend new water meter(s), of appropriate size .
 - iii. A Licensed Professional Civil Engineer shall provide a letter to the Engineering Department stating that the City watermain to serve the proposed development have adequate flow and pressure. Back-up data, including engineering calculations and the results of hydrant flow tests, shall be included in the letter. The site utility plan shall be revised to show location of existing water service connection to the City water main.
 - iv. The proposed section of water line to be abandon shall the cut and capped at both ends where the existing line will connect to the proposed relocated line, as shown on the annotated plan.
 - b. Sewer System
 - i. A Licensed Professional Civil Engineer shall provide a letter to the Engineering Department stating that the City Sewer System to serve the proposed development has adequate condition and capacity to accommodate existing and proposed sewer flows. Back-up data, including engineering calculations and the results of all sewer inspections and existing sewer flow measurements, shall be included in the letter. A video inspection of the sewer system, from the point of connection to the City sewer on Swampscott Road to the sewer pump station at 101 Swampscott Road will be required to understand the current condition of the sewer system to determine if it is in good condition to accommodate flows from the proposed addition. A copy of the video and logs shall be submitted

with the letter. Continuous flow measurements in the existing sewer may be necessary to understand the current capacity of the sewer system and to confirm the additional flow from the development can be accommodated. Results of the flow measurement shall also be included with the letter.

- ii. Please confirm that existing sewer stub from sewer manhole near proposed forebay has an end cap to prevent I&I to enter the system. Also cap sewer line from manhole at south corner of the addition as shown on the annotated plan.
- e. In the event that any of the above inspections and/or reporting find inadequacies in the existing property or supporting City infrastructure, the applicant shall submit to the Engineer for review and approval, appropriate mitigation or improvement measures to the property and/or City infrastructure, not to exceed the amount of \$15,000.

13. Construction Practices

- a. All construction shall be carried out in accordance with the following conditions:
 - i. All provisions in the City of Salem's Code of Ordinance, Chapter 22, Noise Control, shall be strictly adhered to.
 - ii. All reasonable action shall be taken to minimize the negative effects of construction on abutters. Advance notice shall be provided to all abutters in writing at least 72 hours prior to commencement of demolition and construction of the project.
 - iii. Drilling and blasting shall be limited to Monday-Friday between 8:00 AM until 5:00 PM. There shall be no drilling, blasting or rock hammering on Saturdays, Sundays, or holidays. Blasting shall be undertaken in accordance with all local and state regulations.
 - iv. All construction will occur on site; no construction will occur or be staged within City right of way. Any deviation from this shall be approved by the Department of Planning & Community Development prior to construction.
 - v. A construction traffic management plan and schedule shall be submitted to the Department of Planning & Community Development for review and approval prior to the issuance of a building permit.
 - vi. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the applicant.
 - vii. All construction vehicles shall be cleaned prior to leaving the site so that they do not leave dirt and/or debris on surrounding roadways as they leave the site.
 - viii. All construction shall be performed in accordance with the Rules and Regulations of the Planning Board, and in accordance with any and all rules, regulations and ordinances of the City of Salem.
 - ix. All construction vehicles left overnight at the site, must be located completely on the site.

- x. All construction activities shall be in accordance with the "Salem Police Station Construction Management Plan".
- xi. All construction shall take place under the direction and supervision of a Licensed Site Professional in compliance with the rules and regulations of the Massachusetts Department of Environmental Protection.
- xii. The applicant shall promptly notify the Board of Health of any environmental condition encountered during construction that may adversely impact the abutters to the site.

14. As-built Plans

- a. As-built plans, stamped by a Registered Professional Engineer, shall be submitted to the Planning Department and Engineering Department prior to the issuance of the Certificate of Occupancy.

15. Violations

- a. Violations of any condition shall result in revocation of this permit by the Planning Board, unless the violation of such condition is waived by a majority vote of the Planning Board.

I hereby certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the Planning Board. The Amendment to Special Permits shall not take effect until a copy of this decision bearing the certification of the City Clerk that twenty (20) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, is recorded in the Essex South Registry of Deeds and is indexed under the name of the owner of record is recorded on the owner's Certificate of Title. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.

A handwritten signature in black ink, appearing to read "Ben J. Anderson", with a stylized flourish at the end.

Ben J. Anderson
Chairman