

DECEMBER 13, 2018

**JOINT PUBLIC HEARING OF THE
CITY COUNCIL AND PLANNING BOARD**

A Joint Public Hearing with the Planning Board and the City Council was held in the Council Chamber on Thursday, December 13, 2018 at 7:13 P.M. (scheduled for 6:30 P.M.), for the purpose of discussing an Ordinance to Amend an Ordinance Relative to Zoning by adding a Municipal and Religious Adaptive Reuse Overlay District to facilitate the appropriate reuse of eligible buildings and thereby protect and advance the general public welfare within Section 8.0 - Special District Regulations by adding Section 8.7 – Municipal and Religious Reuse Overlay District. This Ordinance Amendment includes sections 8.7.1 through 8.7.11 outlining respectively, Purpose, Location, Eligibility, Dimensional Requirements, Uses Allowed by Special Permit, Site Plan Review, Historical Commission and Design Review Board Review, Affordability, Parking and Loading, Conflict, and Severability.

The Ordinance Amendment provides a tool to allow for reuse of eligible buildings that will best serve the community but will minimize impacts to surrounding neighborhoods while also facilitating historic preservation, economic development, housing production and environmental sustainability and resilience.

Notice of this meeting was posted on November 21, 2018 at 3:53 P.M. and advertised in the Salem News on November 29, 2018 and December 6, 2018.

Councillor Gerard was absent (excused). Councillor Flynn was originally late when first started meeting, but arrived before Planning Board had a quorum.

President Josh Turiel presided.

Members of the Planning Board present were Ben Anderson, Chair, Noah Koretz, Kirt Rieder, Bill Grisct and Matthew Smith.

Also, in attendance were Mayor Driscoll and staff of the Planning Department.

Mayor Driscoll addressed the Council and the public. She informed us that Tom Daniel, the City Planner, was unable to attend this meeting but read his letter he submitted and introduced Amanda Chiancola and asked her to come up to the podium to speak.

Amanda stated this ordinance was a clear path to permit so it will not be spot zoning and it's not to benefit individual property owners but for buildings that have been in municipal or religious use at some point within the last 20 years. An eligible lot must contain a building that is at least 3,000 sq. feet and must be at least 50 years old and a change in use. As we know today there are only 4 vacant properties this would pertain to. This is an overlay district so use as overlay or as property is zoned and not "as of right". B-5 Properties not likely to use this Ordinance because not as flexible as B-5 Zoning. Site Plan review (sec. 9.4) still applies and a standard of a minimum of 10%

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of units restricted as affordable. There is a challenge to repurpose old buildings and more costs associated with it i.e. asbestos, electrical wiring. Best practice is to have to have flexible zoning to make these challenges less. The granting authority is the Planning Board. It requires a special permit from the board with objective criteria (neighborhood characteristics, traffic). Also requires review of historical district, no matter what district the project is in. New Construction requires DRB oversight.

The Mayor addressed the concerns of new construction. The maximum lot coverage is 50 % and all the other requirements must be met i.e. parking requirements. The Salem jail almost did not get done. The only way it got done was by the addition of housing (no affordable housing) because it is challenging to readapt old buildings. A project may need new construction to make numbers and money to work to redevelop and still get a return in investment.

The goal is for historic preservation. So, although does not need DRB and Historic approval, Planning Board welcomes DRB input. If a building is outside of a historic district normally wouldn't need historic approval; however, through this process it would still get historic input. To receive State or Federal tax credit higher standards of review apply.

Another concern the Mayor addressed was 10% to low for affordable housing. Affordable Housing is the biggest challenge in Salem. Keeping 10% as a minimum so not to dissuade people to build. Another issue is parking. The parking requirements can be accommodated by either one or a combination of on-site parking and/or parking at a municipal or other facility within 1,000 feet. In the future not need a car in Salem.

The Mayor addressed the issue of why not do these individually. This would be spot zoning. Some of these buildings are in a R-1 and R-2. Years ago, the city allowed use variances. They are not allowed anymore; It opens door to trouble. This overlay applies to properties that would qualify. This puts a mechanism and path in place for permitting.

Some people say this will incentivize churches to close – there are other factors why a church closes.

Another point to clarify. Contrary to what we want to do to preserve these buildings, the buildings are not living up to their use. It's harder to be redeveloped the more they lay vacant. If we don't advance this ordinance there will be no path to go forward. We need to repurpose these sites and have more housing. Zoning is an imperfect science. This Ordinance will allow us to preserve and not tear down. We were pretty good at using Historic Adaptive Reuse before but we need to advance this for a path for permitting so not spot zoning.

Councillor Josh Turiel had a couple of concerns on the parking requirements. One spot for existing and 1 ½ parking for new construction. Concern is with the municipal parking option. The building on Hawthorne Blvd is stressed for parking and the garage is stressed as well. He also stated that glad the new construction excludes the steeple in terms of height and would like to see site

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coverage spelled out more precisely. On the list of properties is there a reason why St. Joseph's rectory is not on the list.

Amanda Chiancola responded it did not pop up on the assessor's database with the parameters of 50 years old and 3,000 s.f. This list is not part of the Ordinance. Not sure what criteria St. Joe's rectory did not fit into but can find out.

The Mayor responded that the CDC is looking into parking for the Hawthorne Blvd property. St. James is being considered for senior housing and parking is adequate and close to Community Life Center. We want the site repurposed on Hawthorne Blvd realize parking is tricky.

Councillor Dominguez asked is 10% the minimum for affordable housing. Can we increase this percent? Does this Ordinance include low income?

The Mayor responded that 10% is the minimum. This is what we have now. Would love that number to be higher but we don't want to de-incentivize developers. The Inclusionary Ordinance is being worked on. Affordable housing has not been built since SHA applied for grants from state and Federal entities. There are 1,000 people on waiting list for Subsidized Housing. People cannot work here in the service industry and afford to live here. Families and Seniors want to live, work and stay here. Cost of land, cost of development, return on investment, how do we create these opportunities.

Councillor Milo stated she is encouraged when we talk about affordable housing, but not going to solve the housing issues. This is a piece of that plan. Support housing as long as commercial base keeps growing. We need comprehensive holistic planning.

Mayor stated we need housing. Also need to address the transportation issues. Housing takes the longest to get done. It takes time. The old commercial and industrial buildings we use to have in Salem we don't want back i.e. Flynnan. Housing is in dire need. It's a moral issue can't afford housing here. Existing buildings laying vacant for years. Planning Board does a good job in approving projects.

Councillor Dibble attended both informational meetings and did a lot of listening. Councillor Dibble spoke about numerous concerns including parking, density, balancing overlay and protect neighborhoods, make historical approval mandatory, make it easy for religious properties to leave here, why is this ordinance needed at all, maybe there is another mechanism. In the past use variances worked, 10% affordable housing too low, potentially 100's of housing units, can our roads, water, sewer, schools, public safety handle all this growth. We shouldn't rush this. Keep the public hearing open.

Mayor's response to Councillor Dibble's list of concerns. Out of the 27 properties on this list but only 4 vacant and others not close to being vacant. This will not encourage Churches to close. If we have closed facilities, we would like to reuse them. Use variances open pandora's box. More

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trouble to allow use variances on any property. Parking is only a challenge at one site. If we increase the 10% minimum the CDC would like that, but it would not be an incentive for private developers. No green space as is maybe at St. James but not Immaculate Conception. Leverage private developers to fix infrastructure.

Councillor McCarthy asked if we could have some utilization numbers on parking garages, Hawthorne Blvd and Union Street. As Ward Councillor concerning to me. Hotel broke ground for 2nd phase which will have an impact on the South Harbor garage. When events and weekends garage is full. In favor of huge part of ordinance. Still see mom, dad and kids have cars. 500 s.f. small space.

Councillor Furey is excited about the Overlay District. This will give him an opportunity to stay in Salem as a retiree. Can't afford rent. This is a catalyst not a silver magic bullet.

Councillor Madore – Affordability 10% is a good number. However, the 80% median income should decrease to 50% median or at least below 80%. Like to see that language in this ordinance or in the Inclusionary Ordinance. Why left out of this. Why adopt an ordinance if language is not in there? I understand the overlay is an option – if uses exempt then have to use overlay. If use underlying zoning would it be a complete tear down.

The Mayor stated that the language of the Inclusionary Ordinance would supersede this ordinance. This overlay is an option.

Amanda Chiancola stated except in the B-5 zone, so if in a R-1 or R-2 Zone without this overlay it would be a complete tear down because it would meet the criteria. The Senior Center at 5 Broad Street only 3 units maximum could go there if used underlying zoning.

Councillor Madore asked if about the new construction and the parking requirements. Can they meet the parking requirements off-site? Can they use this as loop hole?

Mayor respond parking downtown for Hawthorne Blvd and can use a municipal garage if within 1,000 feet.

Amanda responded not a loophole but a way to use and meet parking requirements. Have to be within a 1,000 ft. of religious building can use municipal lots.

Mayor - Instead of adding units get parking elsewhere preservation of building not to enhance revenue.

Councillor Madore stated would like additional language that commercial use should not exceed 30% "and must be on first floor". Commercial should not be mixed with residential units spread throughout the building.

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Councillor Turiel spoke about conflict. If use an artist space lofts in building commercial use multi floors for artist loft space.

Councillor Madore – Maybe that is where the special permit process can come in it will be up to Planning Board for permit.

Councillor Milo asked about alternative paths. Is this Overlay the only path to use for permitting? If we look at Pre-existing non-conforming use and structures and added those to the list.

The Mayor responded that if vacant for more than 2 year then no longer considered pre-existing non-conforming but there still would need to be a permitting path which would be through the ZBA.

Amanda Chiancola replied then you don't have DRB or Historical input and lose the 10% affordability.

Councillor Milo referenced Salem affordable housing – do we have vouchers?

Mayor stated only if property base, not travel, mobile vouchers. Has to be tied to Bricks and Mortar. Can't count mobile vouchers towards affordable housing.

The Comment Section was opened up to the Public.

(Comments and letters received via email have been made part of record and can be viewed at the City Clerks office: Meg Twohey, Tom Collins, Stacia Kraft, Morris Schopf, Mickey Northcutt, North Shore Assoc. of Realtors and Jane Arlander)

Lorilee Stewart – 7 Barnes Rd., Salem – Support Overlay specifically building mostly empty and have seen their days; case for affordable housing 9% increase in population by 2030 of 9% and no housing. Also 46% of renters spend 30% of their income on rent.

Jen Lynch – 38 Charles St., Salem – Housing sorely needed in Salem – In favor of ordinance.

Patrick Delulis, 6 Seemore St., Salem – In Support of Overlay District – encourage Council to take into consideration of not putting additional burdens to get approvals i.e. Historical and DRB approval. This ordinance is supposed to make development easier. Drove around with a commercial broker in Revere – City proactive in pushing housing program, city can get behind housing if city wide. Don't hold these properties hostage. Need to start somewhere.

Jeff Cohen, 12 Hancock St., Salem – In support of Ordinance. He agrees 10% is too low of a standard for affordability and 80% is too high for the median. If establish a minimum only then developers will only meet minimum. Can mandate other resiliency and sustainability such as solar panels.

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Teasie Riley-Goggin, 9 Wisteria St., Salem – Like to go on record to say we waited 45 minutes and that should not have happened. Not for or against Overlay because cannot predict future. No right to toy with people's properties. Many were offended by appearing on this list and not knowing about it. This has happened before when the PUD was introduced and properties were on the list and the owners were not notified. If you close public hearing, first you shouldn't, but if you do you would be betraying your constituents.

Emily Udy, 8 Buffum St., Salem – Speaking on behalf of Historic Salem was supposed to read a letter submitted by wanted to address issues she has heard in the room tonight. First of all, unfair to pit affordable housing or just housing in this ordinance. Historic Salem supports schools turned into housing but specifics of this overlay not specific enough. Ask if ability to edit ordinance? Because support re-use and stated goal of the ordinance but doesn't support using B-5 zoning that this ordinance is being based off of because it doesn't make sense to put downtown-like characteristics into R-1 and R-2 neighborhoods. A developer to maximize their return will build as big as they can. Shouldn't build out of character. Should use best practices of historic re-use. Understand that the old building receives the favorable requirements and that the new development meet the underlying zoning requirements. The intent of this ordinance needs to be clearly stated in this ordinance and codified.

Barbara Cleary, 104 Federal St., Salem – Speak to what Teasie and Emily had said. Almost all of these properties are in a R-1 or R-2 neighborhoods and historic districts and we are using B-5 zoning dimensional requirements (except not quite as high), no DRB approval, no Historic Commission approval. There will be unintended consequences. Planning Board is the granting authority and never saw the Planning Board make a project smaller. You can use the height of St. James's Church which is in a McIntire Historic district. We should follow the national trust model where underlying zoning governs new construction. Ours uses B-5 which is the total opposite. Keep Public Hearing Open.

Jessica Herbert, 70 Webb St., Salem – Like to speak to the New Construction Component. Personal experience of converting old schools into condos i.e. Cogswell School (1987) and 1 Broad Street (1989). They were built to respect their surrounding campus and there was no new construction component to this. The old way of doing this was by Special permit for Change of Use which I guess we can no longer do. Although chair of Historic Commission, speaking tonight personally. Any new construction in order to make sure compatible with surrounding neighborhood should be the Historic Commission's jurisdiction. This is a great start.

Fred Biebesheimer, 17 ½ River St., Salem. – All in favor of historic preservation and could support an overlay district. However, have a hard time supporting this ordinance though mainly due to the New Construction component. The reuse of schools or buildings is great. Problem with the wording regarding the new construction portion; too many loopholes in it. Developers take advantage of it and use whatever is better for them. Reword it to better of what you can and cannot do.

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Polly Wilbert – 7 Cedar St., Salem – Question for the Council: What Should be built in Salem to be a balanced and viable community for the long term? If cannot determine this then putting the cart before the horse. According to the MAPC, Salem should have 2,700 new housing units by 2030 to meet population growth. Is that the right number to add? How many units have been added to date? how fast should we add them? And What kind of Housing? According to her research, Salem has already permitted or under review 1400 units, very little of which has been affordable. We've added close to a 100 new hotel rooms, with another 100 to be added by Hampton Inn. Salem State University has added 1325 dorm rooms. Can our infrastructure sustain current or upcoming development? Not since the great fire have we built at this rate. In 2009 had 25,000 motor vehicles registered and just last week according to the Assessors there are 36,000 cars. At the Mayor's retreat she stated we had less cars – not true. We need to ask is the housing we are building solving Salem's problems or Boston's. MAPC also projected the greatest growth are people aged 65-74. SHA manages just 715 units with multiple years long wait list. Salem Seniors are given emergency vouchers to reside in surrounding communities. Seniors are being force out due to escalating rents at rocket speeds. Does this Ordinance promote significant affordable senior housing? It does not. Wealthy surrounding communities are leaving it up to Salem. They are trying to block affordable housing. Boston's Mayor committed to building 69,000 housing units by 2030, but not reducing pressure. People are leaving Boston, Cambridge and Somerville and coming here. What are we doing to attract and promote business development? The overlay district permits aggressively large and dense development. Salem is a place to live in but have to leave to work. NO focusing on balancing working and living in Salem. Leave the Public Hearing Open. The list was to give us an understanding of properties but not accurate. Four schools on this list received State financing and you cannot change the use of these building for 50 years; not fair to have these schools on the list for 50 years has not passed.

Geoffrey Millar, 29 Boardman St., Salem – Supports giving development a path to save some of these buildings, but the devil is in the details and that is concerning. For example, use of municipal parking – not in favor of that and it should be stricken from the ordinance. Downtown Residents purchase passes does not meet needs. The list needs to be better defined criteria. 211 Bridge St. is already being re-used. It was a church and now being used so it shouldn't be on the list. Contrary to that, the Satanic Temple has been around since 1882 and is 3100 s.f. and they are not on list – the Temple dislikes it when not treated the same as other religions. The Mall has a church in it and that is not on the list. Need Accurate list or unintended consequences.

Justin Whittier, 10 River St., Salem – Asked to keep public hearing open. This ordinance is done for 3-4 buildings, but putting 27 properties in the cross hairs of pathway and incentives. If this about redeveloping existing buildings and the purpose of this ordinance is to minimize impacts to the neighborhoods, but doesn't do that. Although based on the National Trust Model it differs in many ways especially with the new construction. The model uses the underlying zones and ours does not i.e. setbacks, height, density.

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David Friedberg 57 Britannia Cir., Salem - Supports personally and professionally. Read letter from NS Assoc. of Realtors of which he is a member of. Given there is no pathway to the permitting process to reuse these buildings, the NS Assoc of Realtors recommends adoption of this ordinance. The North Shore is in need of housing stock.

Lindsay Morsillo, 53 Broad St., Salem – In Favor. Again, like to point out that the devil is in the details. Use this public hearing to get good information and view points, but keep in mind if nothing done time marches forward and the buildings will stay vacant. Senior and Affordable Housing needs go unmet and building stays empty longer. Have faith you can work out the details.

Josiah Fisk, 358 Essex St., (home) and 10 Derby Sq. (business) Salem – In Favor of Historic Preservation Oversight. This is a flawed document. There is no reason to need to permit things that no one wants. How did this ordinance come about? It was for 3 properties and end up with this list. Lot more work and unintended consequences happen. It is important to read legal documents from the opposing view to see how they can use it to their advantage. Developer has lots of opportunities in this – 4 stories or 5 stories if parking underneath, height of building, what is height defined as. Loss of public input would be a mistake – leave public hearing open.

John Carr – 7 River St., (home), 9 North St. (office), Salem – Applaud the goal of preservation. To create affordable housing but not going to do that. And to hear the Mayor say we are not going to need a car? Cars have increased over the years. 27 properties on list – not real list – only 4 properties are real. Be careful of unintended consequences the devil is in the details. This proposed ordinance was originally floating around on July 9th and now here it is 6 months later with the minimum of quorum of the planning board and started 45 minutes late. Is that the way to do things? No. This ordinance changed from July so let's not close the public hearing. Digest what we heard tonight. Let's get it right. If don't get it right then end up in court and nobody welcomes that. Developed many schools and properties in the past i.e. 1 Broad Street, Salem Jail, Sheridan School, Cogswell School, without this ordinance, so no need to rush through this.

Gary Gill – 12 Pope St., Salem – From having heard here tonight about open forum to have dialogue, loopholes, the list, keep the public hearing open. Churches in the point not on list. Once done don't know what's going to happen 10-15-20 years from now. Have to think about long-term effects. We need this. A small one-bedroom, one and a half baths costs \$1,750/mo. for rent. I worry about the seniors. To move forward we need to learn the word mix use. Somerville and Cambridge have made it worked. It's pretty amazing. What are we going to do with Footprint, when the waterfront becomes available? Will that be affordable housing? Can't let the wealthy have all the waterfront.

Mike Becker, 2 School St. Ct., Salem – In support of reuse of unused or underutilized buildings. R-1 and R-2 zones prohibit this use and nobody is going to make a church into 2 units. Have some concerns on the new construction with the dimensional requirements i.e. zero setbacks. The underlying zoning should be used and not the B-5 requirements. The Developer can always apply

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for a variance, put faith into our boards. Shouldn't be able to use the parcel where for units instead of on-site parking and then have to use municipal parking lots.

Ken Wallace, 172 Federal St., Salem – Neither for nor against this but deep concern for unintended consequences. Massive illustration is the gas explosion in Andover and Lawrence. We have not heard a word about engineering assessment of infrastructure, water, power grid, septic. There are going to be 400-600 more units and we don't have any information available with all this future density can it be sustained? We are making a plan without input from the professionals. If make the wrong decision then potential problems or catastrophic events.

Gracie Guerrero, 31 Symonds St., Salem – She mentioned she works in Cambridge/Somerville and takes the commuter rail but still has a car. It's exciting to see the changes. However, for a family to live on Buffum St. Ext in the new buildings crazy, it is crazy expensive. Stated her family when first moved here lived in the point. So, affordability is critical. Her family still needs affordable housing.

Cynthia Nina-Soto, 6 Laurent Rd. Salem, - She is a realtor and echoes concerns. In favor of the ordinance but doesn't solve everything. No one thing solves everything but need to start somewhere. We have buildings falling apart and families moving out because they can't afford to like here anymore. If we can get 30 units from some of these properties then that's 30 families that can stay in Salem. Planning Board instrumental to process.

Lou Sirianni -6 Botts Ct., Salem – Has practiced architecture for 40 years. I have been required to design and build to zoning requirements in many different cities. I see a number of things I can interpret many ways very ambiguous. This ordinance should be reviewed by an Attorney well versed in Zoning Law. Existing building should have language to say no parts demolished only renovate, new construction should match height of existing building or lower, setbacks should clearly state underlying zone. DRB should be a requirement not a recommendation.

Ann Whittier, 10 River St., Salem – Has lived in Salem for 47 years and all for historic preservation. Salem is historic in itself. Realizes rents in Salem seem high but let's not forget wages hasn't gone up which is part of the problem. Parking is a real issue. We want tourists to come, but then most streets have no parking resident sticker only. She read an article about new development in Allston/Brighton if you want to live there, no cars are. Also, would like to talk about height in R-1 and R-2 if new construction can be built to the same height and not the underlying zone, what happens to the house next door; it loses its light, air and view. It a whole new environment for that neighbor and it isn't fair.

Carol Carr, 7 River St., Salem – Lots of concerns with Overlay district Ordinance. Preservation, affordable housing nice goals, however Salem already above the 10% for affordable housing while surrounding communities not near that. Salem can't be all things to all people. If we make development easier for developers will we get results we are looking for? Developers are driven by profit so will they build out of scale? Should require Developers to have computerized sketch of

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how their proposed development looks like in the surrounding area they are building in. We are giving up too much of our controls and results will be not what we expected. We shouldn't rush it; we don't have to worry about developers running away. Keep the public hearing open so we may tweak some more.

Connie Arlander – 91 Federal St., Salem – In favor of historic preservation. Would like to address topic of green space. If B-5 dimensions, then lose green space. Other public hearing spoke about keeping green space and encourage developers to keep it. If overdevelop then lose green space. Benefits to green space slow storm water run-off, better health benefits, filter air pollution so air quality is better, reduce storm damage due to flooding, etc.

Jane Arlander, 93 Federal St., Salem – submitted a letter for the record. In summary, in support of preservation and reuse of historic properties. Despite historic tax credit local, zoning laws can present obstacle. However due to several elements within this Ordinance that make it nothing more than a wolf in sheep's clothing she adamantly opposes this Ordinance as written. Opposes the following: new construction since the dimensional requirements will be based on B-5 which detracts from the historic preservation, List of properties which she feels is discriminatory and arbitrary, some historic properties excluded and the list was made without the consent of owners of such property. Would favor parts of the ordinance based on the National Historic Trust. Compromise is needed.

Mary Whitney – 356 Essex St., Salem – Support adaptive reuse for historic preservation and bring the buildings back into active use. Ordinance has several shortcomings; it needs more work.

Gabriel Ciociola, 11 Winter St., Salem – VP of SCNA, but here on his own behalf. Been hearing hardship stories of affording to live in Salem. Housing Crisis extremely acute. Creating needed houses is premise of ordinance, too many people homeless, need to get roofs over their heads. We heard a lot about objections to not enough green space, no Historical Commission Approval, not enough solar panels, not enough parking. Hopefully housing needs take priority and it more important to find housing for people than parking for cars.

Councillor Sargent – If trying to keep historic preservation and we don't make zoning for new construction the underlying zone then could be used as a bait and switch. It's cheaper to tear down a building then rehab. 10% doesn't help our situation and housing need; it only gives us the threshold. We need to find a way to build new public housing so its 100% affordable and open to only Salem people, i.e. Rainbow Terrace, Lee Fort Terrace. This hasn't been done that in years. We had Veteran Housing, Senior Housing, even Fairweather apartments, which is privately owned and is over 55 housing and based on income. When Developers build units, we can't say only let Salem people move in. If build new units doesn't help our needy, seniors, veterans or our own people. It only hurts our infrastructure, parking, traffic, water and sewer. City of 43,000 people and 10,000 more from SSU 9 months out of the year. How many more people can we take? Not able to help or accommodate every person that wants to move to Salem. Our housing needs need to be driven by what Salem needs and not what the State needs Salem to do.

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Councillor Turiel – Concerned about new construction – make sure no loopholes – no opportunities building to damaged or needs remediation then purpose to taking it down and putting up new construction. Want to make sure that scenario is addressed so that doesn't happen.

Amanda Chiancola – Criteria have to reuse existing building. Demolition of building it is not allowed under special permit. No bait and switch. Only new construction can be done if meet other requirements.

Mayor Driscoll – have heard a lot of good information tonight regarding changes and modifications. But would like to clarify some points. 1. The list is not incorporated into the ordinance. The Council asked for it to give an idea of what properties would be eligible– not meant to be exhaustive or discriminatory – just a list to meet minimum requirements. Cannot use spot zoning or Reuse variances. 2. Unintended Consequences – nobody wants that – we want to preserve the buildings. Zoning not a perfect tool, need some flexibility, but our Planning Board is our back stop. 3. Infrastructure – Don't know anything about it. If any time at site plan review that's what they deal with, don't rely on what developers tell us. We hire peer review that they pay for. New water line at Flynntan – they didn't want to do that we made them put in a water line. We have a really solid process. Tell me which project is a disaster that the planning board approved. I can't think of one even the Salem Jail – the Mayor didn't love it but we wouldn't have had the reuse of the jail without the new construction component. 4. Time – we submitted this back in June given to Council in October. Worry about the timeline. It will be another month before close if it is kept open. The real work starts when public hearing is closed. Planning Board can't start making their recommendations without closing the public hearing. Need to put trust in site plan review Loss building season of 2019. Try not to rush, but need to get to the hard work of working with the Planning Board.

Councillor Dominguez – Thanked everybody for coming here tonight and speaking. I heard many say keep the public hearing open because need to hear more and what the Mayor said, but need more time to discuss matter so we can clarify issues and concerns.

Councillor Turiel – No changes can be made until the planning board receives the ordinance and won't get it if we don't close hearing. If we extend the public hearing come back here and hear from people again without any changes.

Councillor Dibble – We can get changes before we close this. The Mayor can talk with her staff over the concerns. Everybody agrees historic buildings should be preserved. We need more affordable housing – What we don't need are loop holes. 3 pictures of new construction in R-1 or R-2 – they would not fit into neighborhood if use B-5 zoning. Night after we closed it sent a letter to pb with ideas the City Planner would not allow additional comments – just wrong. Just received letters and emails tonight need to digest. Change and bring another version back to Council. City Planner says when public hearing closed cannot take any additional comments. We need to digest this and get this right. We should keep this open and ask the Mayor to make revisions with her staff and bring it back to the Council.

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Councillor Dibble moved to keep the public hearing open to a date certain, Wednesday, January 9, 2019 at 7:00 P.M. Councillor Dominguez seconded the motion. It was so voted.

Councillor Milo – Time line. If we closed hearing tonight then hear back from Planning Board by January 3, 2019 (21 days). Mayor stated 90 days. We haven't even reorganized until Jan. 7th. This would have to be time stamped by 1/3/19 but wouldn't go onto our council agenda until 1/10/19.

Councillor Peterson concerned about time of year. Would suggest to keep open but hear it again in beginning of year.

Councillor Sargent comment about unintended consequences. Some history about PUDs – first one was Pickering Wharf worked out very well. Stop and Shop on Hawley St. not as nice but approving the PUD is what made Stop and Shop happen -something not quite intended.

Councillor Furey moved for adjournment at 10:20 P.M. It was so voted.

ATTEST:

ILENE SIMONS
CITY CLERK