



# CITY OF SALEM PLANNING BOARD

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## **Amended Decision #2** **Site Plan Review and Planned Unit Development Special Permit**

**129 Lafayette Street, 20 Harbor Street, 135 Lafayette Street (Map 34, Lot 307)**

January 23, 2020

Harbor Point Properties, LLC  
c/o Joseph C. Correnti, Esq.  
63 Federal Street  
Salem, MA 01970

**RE: Site Plan Review/Planned Unit Development Amended Decision for 129 Lafayette Street, 20 Harbor Street, 135 Lafayette Street (Former St. Joseph's Church site)**

### **Procedural History**

1. An application was made by Harbor Point Properties and filed with the Planning Board on November 26, 2019 to amend the previously approved Site Plan Review and Planned Unit Development Special Permit decision and subsequent amendment under Sections 7.3 and 9.5 of the City of Salem Zoning Ordinance for the property located at 129 Lafayette Street, 20 Harbor Street, 135 Lafayette Street (Map 34, Lot 307)
2. The Planning Board of the City of Salem scheduled a public hearing for Thursday, December 5, 2019. No testimony was heard and the hearing was continued to Thursday, December 19, 2019.
3. The Planning Board convened on December 19, 2019 but lacked a quorum at this scheduled hearing. The Chairperson announced that the public hearing would be continued to Thursday, January 9, 2020 at 7:00 pm in the first floor public meeting room at 98 Washington Street.
4. The Planning Board opened a public hearing for the Site Plan Review and Planned Unit Development Special Permit on Thursday, January 9, 2020.
5. The hearing was closed on Thursday, January 9, 2020.
6. The plans and other submission material were reviewed by the Planning Board. Throughout its deliberations, the Planning Board has been mindful of the statements of the applicants and their representatives, and the comments of the general public, all as made at the public hearing.

### **General Findings**

The applicant proposes to amend an existing Special Permit decision dated September 17, 2010 and later amended by amended decision dated July 31, 2019. The Decision, as amended, allows a

mixed-use development consisting of 85 dwelling units and commercial space at the former St. Joseph's church site. The applicant proposes three (3) additional dwelling units in the former school building, increasing the number of units in that building from 21 to 24, for a new total of 88 dwelling units on site. The applicant also proposes exterior changes to the building, including additional windows matching the existing style. There are no changes to the parking plan and all units will have at least one parking space as originally contemplated in the PUD decision.

### **Specific Findings**

The Planning Board, after a public hearing and review of submitted materials and testimony, hereby finds that the proposed amendment to the previously approved project meets the provisions of the City of Salem Zoning Ordinance, Sec. 7.3 Planned Unit Development Special Permit and Sec. 9.5 Site Plan Review as follows:

- 1) The proposed amendment to the planned unit development is in harmony with the purpose and intent of this ordinance and the master plan of the City of Salem. The project will promote the purpose of this section through mixed use redevelopment of the site including a mixture of housing, open space, and commercial space in a comprehensive manner.
- 2) The mixture of uses in the planned unit development is determined to be sufficiently advantageous to render it appropriate to depart from the normal requirements of the district. The changes proposed by the amendment to the Planned Unit Development maintains the school building as residential, so the mixture of uses is the same as in the original decision.
- 3) The planned unit development would not result in a net negative environmental impact, as the adaptive reuse of an underutilized building is a significant improvement for the City.

### **Decision**

In view of these findings, the Planning Board decided at a regularly scheduled meeting on January 9, 2020 by a vote of eight (8) in favor (Chair Ben Anderson, Kirt Rieder, Matt Veno, Helen Sides, DJ Napolitano, Bill Griset, Matt Smith, and Carole Hamilton), none (0) opposed to approve the proposed amendment subject to the following conditions:

#### **1) Original Decision**

- a) All Conditions set forth in the original decision for Site Plan Review and Planned Unit Development Special Permit dated September 17, 2010 and the subsequent amendment decision dated July 31, 2019 shall remain and be adhered to by the applicant, unless explicitly eliminated or amended in this decision.

#### **2) Conformance with the Plan**

- a) Work shall conform to the plans entitled, "Harbor Point Lofts & Apartments: 129 Lafayette Street and 20 Harbor Street, Salem, MA," plan sheets AS-2.1, AS-2.2, and AS-2.3, prepared by Seger Architects, Inc. and dated November 21, 2019. These plan sheets

shall supersede the previously approved plan sheets A-2.1, A-2.2, and A-3.1 dated June 19, 2019. All other previously approved plan sheets shall remain in effect. Revised plans reflecting all conditions and incorporating by reference this decision must be submitted to and approved by the City Planner for consistency with this decision prior to the issuance of a building permit.

**3) Amendments**

- a) Any further amendment 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.

**4) Transfer of Ownership**

- a) In the event of the transfer of the site as a whole, within five (5) days of such transfer, the Owner shall notify the Board in writing of the new owner's name and address. The terms, conditions, restrictions, and/or requirements of this decision shall be binding on the Owner and its successors and/or assigns.

**5) Violations**

- a) Violations of any condition contained herein 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 Special Permit 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.



Ben J. Anderson  
Chairman