



CITY OF SALEM PLANNING BOARD

Amended Decision

Amendment to Site Plan Review and Stormwater Management Permit

**81 Highland Ave; 108 Jefferson Ave; Old Rd; 1 Dove Ave; 79 Highland Ave; 55 Highland Ave; and 57 Highland Ave
(Map 24, Lots 1, 2, 88, 19, 216, 218, and 220; and Map 14, Lot 129)**

April 4, 2019

North Shore Medical Center, Inc.
c/o Correnti & Darling LLP
Joseph C. Correnti, Esquire
63 Federal Street
Salem, MA 01970

Findings and Decision

RE: Application of North Shore Medical Center, Inc. for an amendment to the previously approved Site Plan Review decision and Stormwater Management Permit for the property located at 81 Highland Avenue (Map 24, Lot 1); 108 Jefferson Avenue (Map 24, Lot 88); Old Road (Map 24, Lot 19); 1 Dove Avenue (Map 24, Lots 216 and 218); 79 Highland Avenue (Map 14, Lot 129); 55 Highland Avenue (Map 24, Lot 220); and 57 Highland Avenue (Map 24, Lot 2). The applicant proposes changes to the area in front of the Davenport Building and Surgi-Center, where the old campus utility plant was located. Proposed improvements include changes to grading, additional parking spaces, and landscaping and creation of an accessible, multi-vehicle drop off and pick-up area. New signage is also proposed.

Procedural History

1. On November 15, 2018, North Shore Medical Center, Inc. filed the above referenced application for an amendment to a Site Plan Review decision and Stormwater Management Permit.
2. The original Site Plan Review and Stormwater Management Permit were approved by the City of Salem Planning Board on December 15, 2016 and date stamped by the City of Salem Clerk on December 22, 2016.
3. The applicant proposes changes to the area in front of the Davenport Building and Surgi-Center, where the old campus utility plant was located. These changes include grading, additional parking spaces, and landscaping and creation of an accessible, multi-vehicle drop off and pick-up area. New signage is also proposed.

4. On Thursday, December 6, 2018, the Planning Board of the City of Salem opened a Public Hearing under Section 9.5 Site Plan Review and Chapter 37 Stormwater Management of the City of Salem Code of Ordinances to review the application for amendment.
5. The Public Hearing was continued to January 3, 2019 (no testimony heard); January 17, 2019 (no testimony heard); February 7, 2019; February 21, 2019 (no testimony heard); March 7, 2019 (no testimony heard); March 12, 2019; March 21, 2019 and the public hearing was closed on March 21, 2019.
6. Since the project was initially filed, it has evolved to incorporate input from the Planning Board to ensure the adequate provision of traffic and pedestrian circulation, landscaping, and surface drainage. Specifically, to ensure an accessible pedestrian circulation, parking spaces are rearranged to minimize excessive grades, sidewalk widths were widened in the drop-off area, accessible parking spaces were added, and a new bus shelter and paved walkway were added along Highland Avenue. Additional trees were added to the plan to improve landscaping and provide additional screening, and drainage and catchment systems were improved to ensure no adverse impact from stormwater runoff.
7. Throughout the public hearings, 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.

Specific Findings

In considering approval of the Site Plan Review and Stormwater Management Permit, as amended, the Planning Board makes the following specific findings pertaining to the City of Salem Zoning Ordinance and Code of Ordinances:

Signage

Placement, Height, and Illumination

North Shore Medical Center is a grandfathered nonresidential use in an R1 district. Thus, the non-residential signage criteria applies. On-premises signs in nonresidential districts can exceed frontage amounts allowed by schedules set forth in Sec. 4-51 of the Salem Code of Ordinances, including location and height, provided that a comprehensive sign design for the sign frontage is certified by the Planning Department and the Planning Board as a complementary and harmonious synthesis of signs and architectural features, as outlined in Sec. 4-42 of the Code of Ordinances.

Signage proposed by the applicant complies with the scheduled size but exceeds location and placement allowed by Sec. 4-51. The proposed sign is above the sill of the first level of windows and above 25 feet in grade in some locations.

Internal illumination is allowed by the Zoning Code. Salem's Commercial Design Guidelines recommend no internally lit signs. However, the proposed sign is found to be out of the ECOD, per Sec. 8.2.2, "*the boundaries of the [entrance corridor] overlay shall be interpreted as following the rear lot lines of properties fronting on the corridor or along a line one hundred fifty (150) feet from the centerline of the corridor, whichever is less.*"

The sign, including its placement, height, and illumination, must meet the above finding of a complementary and harmonious synthesis of signs and architectural features. The Director of Planning and Community Development, Tom Daniel, submitted a letter to the Planning Board for its March 21, 2019 meeting certifying the sign design as complementary and harmonious. On March 21, 2019 the Planning Board also certified that the sign is a complementary and harmonious synthesis of signs and architectural features. Specifically, the Planning Department and the Planning Board find that:

1. The use of a simple logo and wordmark avoids cluttered or extraneous information
2. The size of the sign is in proportion with the 2nd floor windows
3. Only the letters of the word mark portion of the sign are lit, as opposed to a box sign with a light-colored background. The primary color of the logo sign is blue, which is less obtrusive than a white box sign
4. The sign is set back from the street frontage
5. The sign serves a wayfinding purpose
6. The sign is in character with other signage in the area and will not overwhelm those signs

Decision

At a regularly scheduled meeting, the Planning Board voted on March 21, 2019 by a vote of seven (7) in favor none (0) opposed to approve the amendment to the Site Plan Review and Stormwater Management Permit with the following conditions:

1. Conformance with the Plan

Work shall conform with the following plans for North Shore Medical Center, Inc. Davenport Parking Lot Reconfiguration,

Plans, last revised March 18, 2019:

- i. C101, Existing Conditions and Site Preparation Plan, updated 2/14/2019
- ii. C201, Site Layout Plan, updated 3/18/2019
- iii. C301, Grading, Drainage and Erosion Control Plan, updated 3/18/2019
- iv. C302, Running Slopes Plan, updated 2/14/2019
- v. C303, Parking Cross-Slopes Plan, updated 2/14/2019
- vi. C304, Earthwork Summary Plan, updated 2/14/2019
- vii. C401, Site Utilities Plan
- viii. C501, Erosion Control Notes
- ix. C502, Site Details
- x. C503, Site Details, updated 3/18/2019
- xi. L101, Landscape Plan, updated 3/18/2019
- xii. SP-1, NSMC Site Plan (aerial view), 11/2/2018
- xiii. Parking Lot Lighting
- xiv. C-2.2 Site Layout Plan
- xv. C-3.1 Grading, Drainage and Erosion Control Plan
- xvi. C-4.1 Site Utilities Plan
- xvii. A300, Exterior Elevation
- xviii. DR-1, Pre-Development Subcatchment Plan, updated 2/14/2019
- xix. DR-2, Post-Development Subcatchment Plan, updated 3/18/2019

xx. Signage Drawings, dated 1/31/19

1. Original Decision

- i. All conditions set forth in the original decision dated December 22, 2016 shall remain and be adhered to by the applicant, unless explicitly eliminated or amended in this decision.

2. Amendments

- i. Any further 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. As-built Plans

- i. As-built Plans, stamped by a Registered Professional Engineer, shall be submitted to the Department of Planning and Community Development and Department of Public Services prior to the issuance of the engineer's retainer and final payment.
- ii. The As-Built plans shall be submitted to the City Engineer in an electronic file format suitable for the City's use and approved by the City Engineer.
- iii. A completed tie card, a blank copy (available at the Engineering Department) and a certification signed and stamped by the design engineer, stating that the work was completed in substantial compliance with the design drawing must be submitted to the City Engineer; as well as, any subsequent requirements by the City Engineer.
- iv. To the extent that construction work has been completed for a portion of the Project or the Project in its entirety but that the As-Built plans have not yet been fully completed (for said portion of the Project or the Project in its entirety), the applicant may provide a performance bond or surety in an amount and form subject to approval of the City Planner to ensure that the As-Built Plans are completed within a reasonable timeframe.

4. Clerk of the Works

- i. A Clerk of the Works shall be provided by the City, at the expense of the applicant, his successors or assigns, as it is deemed necessary by the City Planner. Notwithstanding the foregoing, the parties acknowledge the Project shall be subject to controlled construction, which requires oversight by a Registered Professional Civil Engineer. Accordingly, it is the understanding of the Board, the City Planner and the Applicant, that the Clerk of the Works, is expected to oversee and review all civil/site improvements related to the Project, including, but not necessarily limited to:
 - a. all utility cut and caps;
 - b. all new utility installations;

- c. any connections to, extension of, or improvements to publicly owned infrastructure both on the applicant's site or within the City's right of way and any on-site stormwater or wastewater systems;
 - d. any new installations or modifications to existing pavement/sidewalk/curbing; and
 - e. any sedimentation and erosion control barriers
 - f. Construction of 10" water line and main connection to City water line, as conditioned in 7.iii.
- ii. The Planning Department shall review and approve all proposed, or approved, changes to the original Planning Board decision.
 - iii. It is also mutually understood that the expense associated with the Clerk of the Works shall be for a reasonable number of hours and at a customary rate of service.
 - iv. The applicant shall submit a construction plan that includes a detailed sequence and schedule of all construction activities related to the Project to the City Planner for approval prior to starting work. The construction plan shall clearly detail the sequencing, schedule and duration of all construction activities related to the Clerk of the Works' purview. Once the construction plan is approved, it shall be used to create a Task Order for the Clerk of the Works.
 - v. No work, including blasting, demolition, excavation, and grading shall start before an approved task order for the Clerk of the Works services has been agreed upon and approved by all parties.

5. Pre-Construction Conference

- i. Prior to the start of work, a pre-construction conference shall be scheduled with the City Planner, the City Engineer (or his designee), the Building Commissioner, the Health Agent, and any other departments that may be necessary. The Owner shall submit a construction schedule at the time of the pre-construction conference. The construction schedule that identify when civil improvements enumerated in condition 4.i.a-e herein is expected to occur.

6. Violations

- i. 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.

7. Utilities

- i. The applicant will submit Stormwater Management Permit application and Drainage Alteration permit application prior to beginning construction.

- ii. The applicant will expose existing utilities in the cut areas and submit information about relocation or protection from proposed earthwork to the City Engineer prior to beginning construction.
- iii. The Applicant will construct a 10" water line to connect to City water line in Highland Avenue. Prior to start of construction, the Applicant will work with the Engineering Department to the satisfaction of the City Engineer to finalize plans for the main water connection and abandoned utility services.
- iv. The Applicant will confirm that the revised drainage design (received 3/20/19) will decrease rainfall runoff to the North and from the site overall during all modeled storm frequencies prior to beginning of construction.

8. Traffic & Parking

- i. The applicant will include Stop (R1-1) signs at those locations that Stop bars are proposed as well as One Way (R6-1) and Do Not Enter (R5-1) signs at those location that stop bars are proposed, as well as One Way (R6-1) and Do Not Enter (R5-1) signs where appropriate.
- ii. The applicant will include stall dimensions on the site plans for the 20 spaces along the west side of the lot adjacent to Highland Avenue and the 8 angled spaces in the northeast area of the main lot.
- iii. The applicant will include dimensional notes that the timber guard rail is 2 or more feet from the vertical granite curbing for the 11 parking spaces with a 17 foot deep stall length located within the northwestern portion of the main parking lot.
- iv. The applicant will include dimensional notes that the accessible parking space signs placed along the vertical granite curbing for accessible spaces is 2 or more feet from the vertical granite curbing.

9. Landscaping

- i. Per condition 1.i., the Applicant will comply with the Landscaping conditions in the original decision.
- ii. The Applicant will move three trees shown in a designated snow removal area near the plan north driveway entrance on sheet L101, updated 3/18/19, to the planting areas along the parking spaces on the plan's southern edge.
- iii. The Applicant will remove point 15 from the Planting Notes on sheet L101, which states "Plant Species as indicated in the plant list are suggestions only. Final selection of species shall occur at the time of plant purchase, depending on availability. Plant size and quantity shall not change without approval of owner's representative."

10. Lighting

- i. Per condition 1.i., the Applicant will comply with the Lighting conditions in the original decision.

Record of Vote

The following members of the Planning Board vote to approve an amendment to the Site Plan Review and Stormwater Management Permit, subject to the above-stated terms and conditions: Chair Ben Anderson, Vice Chair Matthew Veno, Bill Grisct, Carole Hamilton, Kirt Rieder, Helen Sides, and Matt Smith

No members of the Planning Board are in opposition.

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 Site Plan Review Decision 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