



CITY OF SALEM PLANNING BOARD

Amended Decision Site Plan Review Decision

**94 Washington Square East
(Map 35, Lot 536)**

May 30, 2019

On Thursday, May 16, 2019, the Planning Board of the City of Salem opened a Public Hearing for an amendment to a Site Plan Review in accordance with the Salem Zoning Ordinance Section 9.5 for the property located at 94 Washington Square East (Map 35, Lot 536). Specifically, the applicant proposes to amend an existing Site Plan Review Decision to allow roof top air conditioning and ventilation units to be installed on the roof of the two-story rear annex. The original approved Planning Board decision was for the restoration of the historic mansion and construction of a two-story addition to the existing one-story rear structure to return the property to residential use with associated improvements to the parking lot, site access, landscaping, and utilities.

The public hearing was closed at the regularly scheduled meeting of the Planning Board held on May 16, 2019 and the Board, based upon the plans submitted and evidence presented at the public hearing, voted by a vote of eight (8) in favor (Chair Ben Anderson, Vice Chair Matthew Veno, Bill Grisct, Carole Hamilton, Noah Koretz, Kirt Rieder, Helen Sides, and Matt Smith) and zero (0) opposed, to approve the application of THE BREAKAWAY AT SALEM COMMON, LLC for an amendment to a Site Plan Review, subject to the following conditions:

1. Original Decision:

- a. All conditions set forth in the original decision dated October 24, 2018 shall remain and be adhered to by the applicant, unless explicitly eliminated or amended in this decision.

2. Conformance with the Plan

- a. In addition to the previously approved plans, work must conform with an updated and dated rooftop mechanical plan detailing the proposed 18 HVAC units. This updated plan will be submitted to the Planning Board prior to installation of the rooftop HVAC and ventilation units and issuance of the Certificate of Occupancy.

3. Site Specific Conditions

- a. Prior to installation of the rooftop HVAC and ventilation units, the applicant must host a site visit for members of the Planning Board to review the proposed height, massing, placement, and number of rooftop HVAC and ventilation units. Mockups of the units will be placed on the roof that simulate the height, massing, placement, and number of the units.

- b. Prior to installation of the rooftop HVAC and ventilation units and following the site visit from condition 3.b., the Planning Board will determine at a regularly scheduled meeting whether screening will be required. The Planning Board will notify the applicant of this determination. If screening is required, the applicant must prepare a solution and present it to the Planning Board at a subsequent meeting for approval.

4. Board of Health

- a. In addition to complying with the complete list of conditions as outlined in the original Planning Board decision, the noise levels from the resultant establishment(s) generated by operations, including but not limited to refrigeration, heating and other HVAC systems shall not increase the broadband sound level by more than 10 dB(A) above the ambient levels measured at the property line.

5. 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 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