



CITY OF SALEM PLANNING BOARD

A public hearing of the Salem Planning Board was held on Thursday January 5, 2023, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Vice Chair Kirt Rieder, acting as interim chair, opens the meeting at 6:35 pm

I. ROLL CALL

Present: Bill Grisct (Chair), Kirt Rieder (Vice Chair), Tom Furey, Carole Hamilton, Zach Caunter, Jonathan Berk, Josh Turiel, Helen Sides, Sarah Tabet(9)

Absent: (0)

Also in attendance: Amanda Chiancola, Deputy Director of Planning and Community Development, Beth Forrestal

Chair Grisct had technical issues and Vice Chair Rieder started the meeting with agenda item A.

II. REGULAR AGENDA

- A. Location: 73 Lafayette Street (Map 34, Lot 430), 75 Lafayette Street (Map 34, Lot 431), 85 & 87 Lafayette Street (Map 34, Lot 432), 89 Lafayette Street (Map 34, Lot 433), 315 Derby Street (Map 34, Lot 444), 9 Peabody Street (Map 34, Lot 232), and 15 Peabody Street (Map 34, Lot 435)**

Applicant: North Shore Community Development Corp (NSCDC) and North Shore Community Health Center (NSCHC)

Request to Continue to 1/19/2023

Description: A continuance of a public hearing for all persons interested in the application of North Shore Community Development Corp (NSCDC) and North Shore Community Health Center (NSCHC) for the property located at 73 Lafayette Street (Map 34, Lot 430), 75 Lafayette Street (Map 34, Lot 431), 85 & 87 Lafayette Street (Map 34, Lot 432), 89 Lafayette Street (Map 34, Lot 433), 315 Derby Street (Map 34, Lot 444), 9 Peabody Street (Map 34, Lot 232), and 15 Peabody Street (Map 34, Lot 435) for a Site Plan Review, Planned Unit Development special permit, Drive-Through special permit, and Flood Hazard Overlay District special permit for a project in the Entrance Corridor Overlay District in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review; Section 7.3

Planned Unit Development; Section 6.7 Drive-Through Facilities; Section 8.1 Flood Hazard Overlay District.

The above properties will be improved through a collaborative joint venture between NSCDC and NSCH. Specifically, the applicant proposes a project that will consist of three buildings, two of which will occupy the corner at Lafayette and Derby, and a third at the nearby site at 9 Peabody. At 73 Lafayette St., applicant proposes a 6-story mixed-use building with commercial space on street level and 19 units of 100% affordable, supportive housing for the elderly above. Along Derby St., applicant proposes a new approximately 41,500 sf community health clinic. At 9 Peabody St., applicant proposes 29 additional age-restricted units and a small gallery and commercial space. Additional site improvements include improvements to the underlying culvert, the harbor walk, and Peabody Street Park, the latter two of which the applicant would be responsible for ongoing maintenance.

- Attorney Scott Grover is representing the Applicant. The team is working to meet a condition regarding the culvert beneath the property.

Motion to continue to the January 19, 2023, Planning Board meeting is made by Helen Sides, seconded by Josh Turiel, and passes in a 7-0 Roll Call Vote with one abstention.

Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y
Sarah Tarbet	A

B. Location: 252 Bridge Street (Map 26, Lot 0408 and Map 35, Lot 0024), 32 and 34 Federal Street (Map 35, Lot 621)

Applicant: WinnDevelopment Companies LLC

Description: A continuance of a public hearing for all persons interested in the application of WinnDevelopment Companies LLC for the property located at 252 Bridge Street (Map 26, Lot 0408 and Map 35, Lot 0024) in the B5 Zoning District for Site Plan Review in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review, 7.3 Planned Unit Development Special Permit, and Section 8.1 Flood Hazard Overlay District Special Permit and Section 37 of the Salem Code of Ordinances, Stormwater Management Permit. The project will constitute Phase 1 of a two-phase project. Phase 2 will consist of the redevelopment and preservation of the historic County Commissioner's Building and Superior Court Building, located at 32 and 34 Federal Street (Map 35, Lot 621), which will be filed as

an amendment at a later date. In Phase 1, the applicant specifically proposes to construct a mixed-use building with parking on the ground level, approximately 11,705 square feet of commercial and amenity space on the first level, and 120 residential units on the floors above. The proposed work includes razing any existing improvements and construction of the new building.

- Attorney Joe Correnti is representing WinnDevelopment. The project obtained unanimous Salem Redevelopment Authority (SRA) approval and has been working on a draft decision. There was a request to show the building from a specific viewpoint and the Applicant will share that to make it part of the permanent record.
- Steve Prestejohn, Cube3: The request was to show the pedestrian view along Bridge Street slip ramp how the edge of the building feels. *Image shown on screen.*
 - Kirt Rieder expresses concern that the landscape is not accurate and inquires about the trees that should be on the right side of the image (building side). Steve Prestejohn confirms that the trees are there but are obscured by the mail truck and pulls up a drawing showing the three trees.

Chair Grisct resumes attendance

Public Comment:

The following written comments have been submitted and are available for view in the public SharePoint folder ([Written Public Comments](#))

- Letter from Historic Salem Inc (HSI) to the Design Review Board dated November 16, 2022
- Letter from Historic Salem Inc (HSI) to the Salem Redevelopment Authority dated August 10, 2022
- Letter from Historic Salem Inc (HSI) to the Design Review Board dated September 28, 2022
- 2 separate Emails from Pamela Zombeck 19 Gedney Street, both dated January 2, 2023

Motion to close the public hearing is made by Helen Sides, and seconded by Kirt Rieder, and passes 9-0 in a roll call vote.

Bill Grisct	Y
Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y

Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y
Sarah Tarbet	Y

Amanda Chiancola puts the draft decision on screen for review. This is available in the SharePoint file.

- Change made prior to meeting regarding the ratio of parking.
- Request for removal of the Fraxinus tree from the site.
 - Fraxinus tree is the removal of an existing tree on the slope where the building will be.
- Carole Hamilton raises the issue that this development is going through more review by authorities outside of the city and would like to see the plans after the MBTA has finished its review. Concerned that MBTA may contradict PB decisions. They could hypothetically change the snow removal plan, traffic patterns, etc. These could be minor changes but feels that the board should see them. Kirt Rieder agrees as the site is city property and subject to SRA approval.
 - Attorney Correnti counters that anything that changes what has been submitted to the Planning Board requires us to come back before the board, but the process is to bring to the Planning Director first for that determination. We need to remember that it is MBTA land that the project is subject to acquiring to be built. We will follow the protocols and submit the plans and the city, and the SRA will be part of this and doesn't want to open this up for a second process. Projects he has been a part of have always had to come back to the Planning Board in situations like this. And the decision will need to be amended as that affects the financing for the project. The Planning Board would like to know the revisions of the MBTA, i.e. trees.
 - Amanda Chiancola makes the revisions to the draft decision.
- Change made to the Transportation Enhancement Fund (TEF) item. Rather than the cumulative total based on proposed units, \$500/unit listed to accommodate changes in the number of units. Change made to the bicycle parking in the same vein.

Condition added to express the return to the Planning Board if the MBTA is making changes to the plans. The concern is around any organization other than the municipality making the request.

- The engineering conditions are discussed with a focus on condition j. Attorney Correnti sees the city and Applicant perspectives as different with the Applicant

potentially responsible for the upgrading of or maintaining of municipal infrastructures. The original plan was to connect to MBTA lines, not city lines as listed in items i and k. The broad nature of the note at the end of item j also causes concern for the Applicant with regards to gaining financing. The Planning Board maintains that these conditions are subjective and driven by the city Engineering Department, not the board. Attorney Correnti agrees and is looking for “fair share” language as the Planning Board cannot amend engineering conditions.

- Attorney Correnti further discusses the retaining wall condition and wants to be clear that the wall isn’t on the Applicant’s property though they will be building right up to it and will maintain the wall/repair any damages that they cause. The language has changed but the Applicant would like to start off with a wall that has its integrity affirmed. The Applicant team has submitted an ongoing study of tests to the city as part of their engineering peer review. The city has a third party reviewing the wall studies.

Motion to approve the draft decision is made by Helen Sides, and seconded by Tom Furey, and passes 9-0 in a roll call vote.

Bill Grisct	Y
Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y
Sarah Tarbet	Y

C. Location: 250 and 260 Highland Avenue (Map 8, Lots 117 and 118)

Applicant: Laine Chase Trustee 250 Highland Ave Reality Trust

Request to Continue to 1/19/2023

Description: Endorsement of a plan believed not to require approval under the Subdivision Control Law (ANR).

Motion to continue to the January 19, 2023, meeting is made by Helen Sides, and seconded by Sarah Tarbet, and passes 9-0 in a roll call vote.

Bill Grisct	Y
Kirt Rieder	Y
Tom Furey	Y

Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y
Sarah Tarbet	Y

Motion for a project extension of the Deadline for the ANR until the January 19 Planning Board meeting is made by Carole Hamilton, and seconded by Kirt Rieder, and passes 9-0 in a roll call vote.

Bill Grisct	Y
Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y
Sarah Tarbet	Y

III. OLD/NEW BUSINESS

- A. Updates from Staff
- B. Receive and File: Receive and file Chapter 91 License Application Notification of the project located at 2 Bridge Street
- C. Receive and File Chapter 91 License Application of the project located at 21 Hemenway Road

IV. APPROVAL OF MINUTES

A. Approval of the December 1, 2022, Regular Planning Board Minutes

Motion to approve the December 1, 2022 regular Planning Board minutes is made by Josh Turiel, seconded by Carole Hamilton, and passes 9-0 in a roll call vote.

Bill Grisct	Y
Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y

Helen Sides	Y
Sarah Tarbet	Y

IV. ADJOURNMENT

Motion to adjourn made by Josh Turiel, and seconded by Helen Sides, and passes in an 9-0 roll call vote

Bill Grisct	Y
Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Jonathan Berk	Y
Josh Turiel	Y
Helen Sides	Y
Sarah Tarbet	Y

Adjourned at 7:45 pm

Approved by the Planning Board on February 2, 2023