



CITY OF SALEM PLANNING BOARD

A public hearing of the Salem Planning Board was held on Thursday September 1, 2022, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Chair Bill Griset opens the meeting at 6:33 pm

I. ROLL CALL

Present: Kirt Rieder (Vice Chair), Tom Furey, Sarah Tarbet, Carole Hamilton, Zach Caunter (5)

Absent: Bill Griset, Helen Sides (2)

Also in attendance: Elena Eimert, staff planner, Beth Forrestal (2)

II. REGULAR AGENDA

A. 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

Request to Continue to September 15, 2022

Description: 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 here for the applicant.

Attorney Correnti: Glad to be back with the project. Phase 1 is the Crescent Lot; and phase 2 the restoration of the County Commissioners Building and the Superior Court. We filed this back in May and have been continuing but have been busy. We've been before the SRA and the DRB and will be back in front of the SRA in September, asking them to refer us back to DRB.

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

We've made changes to the set of plans that were filed in May with the Planning Board. We have been conscious about updating and have been working with Elena to make sure that you are updated. Mostly so that you are looking at the same thing as the SRA and DRB. You will have updated plans for the September 15 meeting. We are asking to continue to that meeting and launching public hearings.

Motion to continue to September 15, 2022, is made by Sarah Tarbet , seconded by Zach Caunter, and passes 5-0 in a Roll Call Vote

Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Sarah Tarbet	Y

B. 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), and 9 Peabody Street (Map 34, Lot 232)

Applicant: North Shore Community Development Corporation (NSCDC) & North Shore Community Health Center (NSCHC)

Description: A request to withdraw without prejudice

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), and 9 Peabody Street (Map 34, Lot 232) for a Site Plan Review, Planned Unit Development 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 8.1 Flood Hazard Overlay District.

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 Street the applicant proposes a 6-story mixed-use building with commercial space on street level. Along Derby Street, the applicant proposes a new approximately 41,500 sf community health clinic. The applicant proposes that North Shore Bank will remain in its current ground floor location. Along Lafayette Street there will be 50 units in approximately 48,200 sf of age-restricted affordable housing with commercial storefront, resident lounge, pharmacy, urgent care, and art gallery space. At 9 Peabody Street the applicant proposes an approximately 38,300 sf arts and non-profit space, as well as 6 residential units.

Revised Project Description: The above properties will be purchased by 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 Street the applicant proposes a 6-story mixed-use building with commercial space on street level. Along Derby Street, the applicant proposes a new approximately 41,500 sf community health clinic. The applicant proposes that North Shore Bank will remain in its current ground floor location. Along Lafayette Street there will be 18 units of age-restricted affordable housing, 6 compact studios and support for artists, with commercial storefront, resident lounge, pharmacy, urgent care, and art gallery space. At 9 Peabody Street in lieu of the original approximately 38,300 sf arts and non-profit space, as well as 6 residential units, they are now proposing 29 units of age-restricted affordable housing, 2 micro-commercial storefronts, parking, and an art gallery. All buildings have been reduced in massing.

Attorney Grover is here for the applicant, South River Partnership LLC.

Attorney Grover: They are requesting to withdraw with the full intention of refile almost immediately. First, the proceeding has taken a long time with peer reviews and there is an adequate number of board members . 2. The improvements to Peabody Street Park are important and the Planning Department has asked to the applicant to formalize a Right of Entry Agreement with Parks and Rec. before the vote so the applicant has the authority to make improvements. This will also bring the entire public record into the new proceedings, all the work we have done in the last months can be brought into the record. Will do a brief presentation for new members. Asking for permission to withdraw with intention to refile for the October 20, 2022, meeting.

Motion to allow to withdraw without prejudice, is made by Carole Hamilton, seconded by Tom Furey, and passes 4- 1in a Roll Call Vote with Sarah Tarbet abstaining.

Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Sarah Tarbet	A

III. OLD/NEW BUSINESS

A. Net Zero Energy Plan (New Site Plan Review Application Requirement) and Green Building Training

Elena Eimert: There is a new element to the Site Plan Review process with the adoption of the Green Building Ordinance. Applicants will now be required to complete the Net Zero Energy Questionnaire. This is a living document that can be updated by the Sustainability and Resiliency Department who will offer comments on this document. This will be included on new applications for Site Plan Review. Sustainability and Resiliency have engaged Weston and Sampson to offer Planning Board trainings for best green building practices which will inform future developments that come before the board.

Stacey Kilb, Sustainability and Engagement Coordinator: The Metropolitan Area Planning Council (MAPC) awarded us a grant to formulate a training on deep energy retrofits basically how to do it – Net Zero 101. Weston and Sampson are developing the training. The training will be needed for city boards/staff, developers, and architects.

Sam Alpert, Weston And Sampson: There will be a series of trainings for upcoming net zero regulations. The desire of the two cities to be cleaner and more environmentally friendly. Beverly and Salem developed at Resilient Together plan and identified a training gap in regard to net zero energy. There will be energy code specific trainings upcoming, but there are technology gaps. Idea is to help Climate Action Resilience Plan and make buildings and citizens more resilient. Desire is to meet states greenhouse gas emission goals by 2050 (80% reduction).

- Net Zero – Buildings use energy. Net zero energy consumption means that the net after accounting for usage and related generation of the building would have net results as 0. State goal is net zero by 2050. Plus decarbonization road map which helps look at buildings and vehicles in the environment. By decarbonization we achieve energy savings
- Ways to achieve Net Zero
 - Retrofits for existing buildings
 - New construction (easier to tack on efficiency, through heating systems, etc.)
- Training:
 - Stakeholder groups; Municipal employees and boards; local developers and property owners; architects, designers, construction, and builders.
- Goals
 - Net 0 energy technologies
 - feasibility of retrofits (can they be done)

- Planning/Design/Construction maintenance needs.
 - Weston and Sampson will provide materials to share. Will also cover project cost differences and some of the barriers you might encounter trying to achieve net zero
- Case Studies
 - Will look at local buildings that have done this already.
- Schedule: Options for the training
 - We were looking for mid/end September, on a Tuesday or Thursday.

Stacy Kilb: Training is being developed and will be in person and recorded. If some Planning Board members can make it, that would be ideal, then it will be shared later. Want a few in person. Would like to try for September 27 or 29 or October 4 or 6. We would like to invite other boards and staff as well, if the Planning Board is amendable

- Kirt Rieder: Crucial thing is to have Elena figure out a date offline.
 - Elena Eimert: I will send out a poll tomorrow.

B. Discussion and Vote on adoption of the Housing Production Plan

Elena Eimert: This was the item that was requested to be tabled until 9:15. The next Planning Board meeting

C. Subdivision Regulations Update

Elena Eimert: City staff is updating the subdivision regulations; I believe they were last updated in the late 1980s. Carole Hamilton has agreed to offer her feedback and we are looking for an additional Planning Board member to participate. It is pretty low effort. You would have one meeting with city staff wherein you go over the high-level changes and then offer feedback. These suggestions would be incorporated and then presented as a document to the entire Planning board in 2023. No pressure, let me know offline if you are interested.

D. FY23 Community Preservation Plan – Request for Comment/Input

Elena Eimert: The Community Preservation Committee has asked for Planning board to offer comments for the 2023 plan. If you have any, we provide it in letter format. We have until October to respond. We can put this on the agenda for September 15 if you feel we might have comments

- Kirt Rieder: I would prefer to do that.
 - Zach Caunter: I am strongly in favor of putting this on for September 15.

- Kirt Rieder: I will ask that Elena continues this in the most admiratively efficient way possible to September 15.

E. Receive and File: Issuance of Draft Chapter 91 License for 4 Franklin Street

Elena Eimert: This is available to the Planning Board and public in the 9/1 SharePoint File. If you would like to comment as a board, please direct comments to me. If you would like to comment as an individual, you are welcome to do so.

F. Receive and File: Issuance of Chapter 91 License for 10 White Street and 57 Rear Turner Street

Elena Eimert: This is the issuance of the final Ch. 91 license for the property. This also available in the SharePoint file for reading

Kirt Rieder: So it is safe to say that this came before us many years before you joined the city, and it is now being completed.

Elena Eimert: That is my understanding.

G. Receive and File: Notification of Filing, Expanded Environmental Notification Form and Supplemental Report for 1 and 2 Leefort Terrace

Elena Eimert: The Planning Board received a notice of this expanded filing. If you have any comments as a board member, direct them to me. You are welcome to comment as individuals. The comment period closes September 23.

H. Updates from Staff

Elena Eimert: Helen Sides is leaving the Design Review Board (DRB) and Sarah Tarbet is joining, pending confirmation at the next City Council meeting.

- Kirt Rieder: Fantastic. Having someone with a foot in both boards has been instrumental in the functioning of both boards.

IV. APPROVAL OF MINUTES

A. Approval of the July 7, 2022, Regular Planning Board Minutes

Motion to approve the July 7, 2022, Regular Planning Board Minutes made by Zach Caunter, seconded by Carole Hamilton, and passes in an 5-0 roll call vote

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

Sarah Tarbet Y

B. Approval of the July 14, 2022, Regular Planning Board Minutes

Motion to approve the July 14, 2022, Regular Planning Board Minutes made by ZC, seconded by TF, and passes in an 4-1 roll call vote with Sarah Tarbet abstaining.

Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Sarah Tarbet	A

Tom Furey: On September 29, we have Jane Guy's retirement. Would like to not have training that night.

Tom Furey: North Street and Franklin Street is an extreme eyesore. I am interested in sending a letter to the City Solicitor on whether the Planning Board can send a letter of reprimand to tear it down.

- Kirt Rieder: I don't fancy myself a lawyer, but I believe the Building Inspector holds this ability. It may be appropriate for the board to communicate with the Building Inspector our observations and invite him to explore appropriate action. I don't believe this board should be in a position to issue letters to anybody directly.
- Elena Eimert: We have heard from the developer's council that they have been waiting on the Ch 91 license, which did limit their ability to do certain site improvements and they have it so closer to mobilization. Will get an update for September 15 and can speak with the City Solicitor and the Building Inspector to see what might be appropriate.
- Tom Furey: Can we send a letter to the Building Inspector to look at the building? With the possibility of the city solicitor stepping in too.
- Kirt Rieder: I think it raises the bigger question – are there standard conditions and duration for a site in a deteriorating state. We have other properties like this, and it would be great to have some course for remedying this.
- Tom Furey: Do we know what they are doing? What will the future be?
- Elena Eimert: The developer will have to wait for final Ch. 91 license, which is hopefully the end of this month. But can speak with their council to see what happens after that.

Elena Eimert: Councilor Cohen has his hand raised.

Jeff Cohen: 275 Lafayette has been purchased by developer from Medford and there will be a community meeting on September 13 at 5:30 about their plans. As of now, they will keep the chapel building as is and may put another building in that parking lot. I wanted to mention as it will end up in front of this board eventually.

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

- Carole Hamilton: I will have to recuses myself. But will follow it.
- Carole Hamilton: Do we have any idea of new members?
 - Kirt Rieder: That is in process, and we are looking to city council to approve new members. Not appropriate right now

V. ADJOURNMENT

Motion to adjourn made by Carole Hamilton, and seconded by Sarah Tarbet and passes in an 5-0 Roll Call Vote

Kirt Rieder	Y
Tom Furey	Y
Carole Hamilton	Y
Zach Caunter	Y
Sarah Tarbet	Y

Adjourned at 7:08 pm

Approved by the Planning Board on October 1, 2022