

**City of Salem Massachusetts
Public Meeting Minutes**

Board or Committee: Redevelopment Authority, Regular Meeting
Date and Time: Wednesday, July 12, 2023, at 6:00 pm
Meeting Location: Virtual Zoom Meeting
SRA Members Present: Chair Grace Napolitano, David Guarino, Christine Madore, Cynthia Nina-Soto, Dean Rubin
SRA Members Absent: None
Others Present: Kathryn Newhall-Smith – Senior Planner
Other’s Absent: Tom Daniel
Recorder: Colleen Brewster

Executive Director’s Report

Ms. Newhall-Smith stated:

1. Black Craft on Essex Street signed a lease to take over the other part of Santander Bank. The proposed use is unknown, but it comes with the rear parking lot.
2. Annie’s Asian Mart has opened since the previous SRA meeting.
3. Couchdog Brewery has opened since the previous SRA meeting.
4. Unpacked Living is recruiting and seeking no more than 1,500 Square-Feet of commercial space for a filling station downtown.
5. Jennie Start moved her retail operations to Front Street from Church Street
6. The Wine Shop may also move to make space for a new business.
7. Outside of urban renewal area:
 - a. The Cove at Salem (former Clipper Ship) is in their first phase, a 2-story building, and should be ready for hotel occupancy by September 2023, with the second phase to come next year.
 - b. Longboard’s is moving to their new location, the former Finz space, after the renovation is complete.
 - c. The Witch’s Brew space is for sale.
 - d. Daily Table is on track to open in September 2023.

City Initiatives

1. **93 Washington Street:** Request to install a Tiny Free Library featuring banned book titles in front of City Hall

Michael Corley, City of Salem. He is a recent Salem State graduate, began this position 6-weeks prior, and he oversees Constitute Services and Special Projects. He presented a proposal from Mayor Dominick Pangallo to install a tiny library in front of City Hall for banned books. The Building Department recommended the tiny library be added to the concrete side of the sidewalk rather than the brick, and the top is separate from the post so it will be temporarily removable, when necessary. Mayor Pangallo wants to affirm his commitment to the freedom of speech and

is providing a platform and intellectual diversity. Their office will cover the cost of painting the library and providing the books.

Mr. Rubin asked if Massachusetts had a ban on any books yet. Mr. Corley replied no, although several school districts and private schools have banned several books. Ludlow, MA introduced several books that were challenged by a school committee member and banned. Mr. Rubin asked if there was any official movement from the city school district to ban any books. Mr. Corely replied not yet.

Ms. Madore asked about the material for the tiny library. Mr. Corely replied that the post will be 60.5-inches-high, it is unpainted wood to be painted. The library would be 21.5-inches-high, and the roof is black painted wood. They will work with the Building Department to mount it, and all materials will be ordered from Tiny Free Library.

Ms. Madore asked if there was a vandalism plan. Mr. Corely replied that he will check it daily and the library can be removed from the post when necessary.

Ms. Madore asked if the library had a charter number. Mr. Corely replied that it will be registered.

Ms. Madore noted that while this was a great idea, it could become a frequent target for vandalism. She asked if there was a plan to install it using permanent materials. Mr. Corely replied that hadn't been considered, he agreed that the library could be subject to vandalism, and noted the highly visible little library near the Bewitched Statue which hasn't had any issues.

Mr. Rubin agreed that vandalism was possible, noted that someone in the mindset of banning books could remove all the books and he asked how often the books will be restocked. Mr. Corely replied that 90 books will be purchased, 10-12 could be placed inside of it. He believed the community will become involved in bringing books and a QR code will be included to list the banned books.

Mr. Rubin asked if security cameras were proposed. Mr. Corely replied that Mayor Pangallo could consider it if necessary.

Chair Napolitano requested the plan to market the library. Mr. Corely replied using volunteers, such as the ones that helped paint the crosswalks.

Mr. Guarino stated that this was a great idea and noted that the premise of letting people bring and take books is different with the city restocking them. He asked if people restock them or if they should be donated to city hall so they can include it on the list. Mr. Corely noted that people will be free to bring their own books, like at Grace Church, and public engagement for banned books was encouraged.

Ms. Nina-Soto stated that while this was a great project, she had concerns with who decides which books are involved and how the city would address someone adding books they don't stand behind. She also raised concerns with potential vandalism and this library becoming a target. Mr. Corely replied that they collaborated with the Salem Library on which books were banned or challenged across the state and the US. They have a wide range for all ages, he will monitor the contents of the library, and offensive books will be removed by him and the

Constituent Services Director. He will also inform Mayor Pangallo of any vandalism that concerns and to possibly include a security camera that could be attached to the building or the library itself. He offered to submit the list of books to be ordered from Amazon, ranging in price from \$1 - \$13. The Board agreed that local vendors, such as Wicked Good Books, should be asked to provide new and used books. Mr. Corely agreed to reach out to local sellers. Ms. Madore offered to donate several books.

Mr. Rubin suggested the Salem Police Department be made aware of this proposal given the divisive nature of today's climate.

Public Comment:

No one in the assembly wished to speak.

VOTE: Guarino made a motion for the SRA to support the Mayor in this initiative. Seconded by: Rubin.

Roll Call: Guarino, Madore, Nina-Soto, Rubin, and Napolitano. 5-0 in favor.

Projects in the Urban Renewal Area

1. **23 Summer Street:** Review of DRB Recommendation for the Modification of Approved Design – Request to remove slate roof and replace it with GAF Slateline fiberglass/asphalt shingle, request to add skylights to the east side of the roof, and request to change from Hardie siding to LP Smart Siding.

Michael Becker was present to discuss the project.

Ms. Newhall-Smith stated that the DRB reviewed the proposal in June. To keep the project moving forward and to allow time for the development of a plan to reinforce the roof, the DRB voted to allow the removal of slate, so the applicant can determine how much of the slate is salvageable and return with a plan to move forward, either the reinstallation of salvaged, slate, new slate, or synthetic slate. The DRB leaned away from the shingles, however, the Preservation Planner, Patti Kelleher was amenable to seeing them. The DRB was also in favor of adding the two skylights.

Mr. Becker stated that the structural engineer is designing reinforcements, he discussed the proposal with Patti Kelleher because another developer was allowed to install asphalt on one side of a roof on a structure within the historic district. He noted that at his property at 65 Federal Street had slate and the SRA approved the removal of the slate and installation of asphalt on the entire roof, so his request isn't unprecedented.

Mr. Rubin stated that based on the SRA and the opinion of HSI, the bias is towards maintaining the slate, and he doesn't want the applicant to return and say it can't be salvaged. Mr. Becker noted that the structural engineer requested the hip beams be sistered, steel channels added, and they may be able to remove the east side that is structurally deficient. They can sister the east side, which is minimally visible, and salvage what slate they can.

Mr. Rubin asked if there was a desire to add more space. Mr. Becker replied, not living area, there is a cathedral ceiling on both units. He noted that this this at least the third roof on the building, as the roof height has increased over time.

Mr. Guarino stated that his interpretation of what the DRB and Preservation Planner provided implied a difference between what both were saying. The DRB preferred slate while Ms. Kelleher was flexible. Ms. Newhall-Smith noted that the DRB was leaning towards all slate but was open to synthetic slate. Mr. Guarino questioned whether a change in material would take away from the project. Mr. Becker preferred to use an alternative material, noted the need to add roof rails, and the ongoing construction at the new building to the east.

Ms. Nina-Soto asked if Mr. Becker was prepared to do so if the SRA and DRB requested. Mr. Becker noted that he would prefer not to, but he has no choice. He presented his case for not installing new slate shingles on the east facade. He severely underestimated that the SRA would want to preserve this roof when it wasn't an issue at 49 Federal Street.

Public Comment:

No one in the assembly wished to speak.

VOTE: Rubin made a motion to support the DRB's recommendation to allow the developer to remove the roof and see what slate is salvageable and it install skylights on the east side roof, and a future DRB recommendation to be provided. Seconded by: Guarino.

Roll Call: Guarino, Madore, Nina-Soto, Rubin, Napolitano. 5-0 in favor.

Mr. Becker noted that they are working on mechanical units and paused the siding installation for DRB's consideration for switching from the approved Hardi Board siding with the smooth finish to the LP siding with a textured finish, which hasn't been determined.

- 2. East India Square Fountain:** Request from Salem State University to perform the Salem State Arts Showcase using The Wandering Stage in front of the fountain on Thursday, September 21, 2023.

Karen Gahagan of SSU Director of Performing Arts and Nathan McNiff (Wandering Stage) was present to discuss the project.

Ms. Gahagan stated that they want to bring an arts showcase to downtown Salem that will highlight their creative and performing arts program and promote upcoming SSU events. Their designated date is Thursday, September 21, 2023, with a time frame of 3-7PM. They hope to take advantage of foot traffic downtown, in the vicinity of the fountain. They estimate performing four short sets of small-scale performances that would be amplified. An electrical power source would be required as most likely an entertainment license. She will meet with the Fire Inspector to ensure that fire truck clearances are maintained, and no chair setup will be required for the short performances.

Mr. McNiff stated that the 20-foot alum trailer/stage is 26,000lbs and it's been used to perform in Salem already. The stage is 20-feet x 7-feet or 20-feet x 11-feet with the extension. There will be on-board sound that runs off generator when another power source is not available. As a

mobile unit, it can be on grass or brick sidewalks without causing damage and they are fully insured.

Mr. Rubin stated that this was a great promotional event and noted that the trolley still runs in September and this area in front of the fountain is their thruway, so they may need to reroute their trolleys during performance days. He suggested Charlotte Fortin Park become their venue and to put on longer performances since the park, which the SRA owns, needs more foot traffic. Mr. McNiff replied that while he would like to be at the park, someone else's performance cracked the pavement, and they may not be allowed to be there given more recent park restrictions.

Ms. Gahagan noted that Julie Barry told her 1 month prior that the park management is being contracted out and nothing is being booked until that has been completed. They need to bring in students and move it forward rather than living in limbo. She noted that the trolley owners is on her list of people to reach out to and students do have classes, so this time of day works best with their class schedule. She too was in favor of performing for a longer period of time.

Ms. Madore asked about the timeframe to set up and take down the stage. Mr. McNiff replied under 90 min to set up including sound and lights and less than 60 minutes to remove by a pick-up truck with a CDL driver's license.

Ms. Madore raised concerns about the decreased access to the fountain and suggested locating the stage in front of the anchor on the PEM museum side of the street. With so many private uses surrounding it, the fountain feels less public and with decreased access, even for a short performance. Ms. Gahagan has no concern with the suggested placement and agreed to suggest the location to the Fire Inspector. She questioned whether there was a power source on that side of the street. Ms. Newhall-Smith noted that the answer was unknown at this time, as well as how much of the property is owned by the PEM. Mr. Rubin was open to either side of the pedestrian walkway. Ms. Madore reiterated the safety of viewers needing to move out of the way of the trolley.

Ms. Gahagan suggested a 2:30PM arrival/setup time.

Public Comment:

No one in the assembly wished to speak.

Mr. Rubin suggested an approval with a location preference. Ms. Madore suggested knowing the thoughts of the Fire Inspector or providing a condition approval, or the use of Charlotte Forten Park. Mr. Rubin noted the tight timeline that would leave their program only 1-month to promote. Ms. Gahagan agreed.

VOTE: Rubin made a motion to approve the use of the fountain area space with a preference towards the anchor side with clarification needed on power and space usage. Seconded by: Madore.

Roll Call: Guarino, Madore, Nina-Soto, Rubin, Napolitano. 5-0 in favor.

Ms. Newhall-Smith suggested the applicant speak to Julie Barry about licensing requirements.

1. **Downtown Renewal Area Outdoor Dining:** Review of current and prospective outdoor dining policies, standards, and regulations

Ms. Newhall-Smith stated that restaurants downtown have been operating under COVID allowances for the dining season and next year they believe the allowances will go away. Legislation is before the City Council, and currently with the OLLA committee, and Councillor Morsillo hasn't set their next meeting date. They want to amend sidewalk obstructions for outdoor dining with a draft outdoor dining policy. There are currently no changes for the SRA and DRB to review. She assumed in 2024 that restaurants will want outdoor dining permission, and currently all downtown restaurants will undergo DRB review, for items such as no branded umbrellas. Sidewalk and street usage will require approval from the City Council after securing a license from ABCC for serving alcohol.

Chair Napolitano asked if a review will be required for those businesses already in compliance. Ms. Newhall-Smith replied that City Solicitor, Beth Rennard, said yes. Chair Napolitano and Mr. Rubin disagreed with the need for an unnecessary review. Ms. Newhall-Smith noted that any restaurant with outdoor dining, even on their own property, would be reviewed. She agreed that if nothing new is proposed and the permit is valid, the applicant shouldn't have to return for review. Mr. Rubin requested the mechanism for enforcement for those that don't comply. Ms. Newhall-Smith replied by asking the Building Department to enforce it, although they are currently understaffed, making enforcement a challenge. She noted that she reaches out to owners first to let know but she doesn't know how to fix the enforcement issues. Mr. Rubin suggested fees paid by businesses or incorporating a daily fine. Ms. Madore suggested a compliance deposit/bond and at the end of the season if there was no violation the business would have their money returned, and fees kept going towards economic development downtown. Mr. Rubin noted that not paying the costs would mean holding up their permits.

Ms. Madore agreed that businesses not in violation shouldn't be asked to return for review. Chair Napolitano suggested an inventory of the businesses with a standard letter that can be mailed. Mr. Rubin suggested asking the DRB to review the sign ordinance, to allow the umbrellas to be used as signage, or to change the sign ordinance to allow branding. If not, it must somehow be enforced. Mr. Guarino noted the need for a system in place that changes the charter. Mr. Rubin suggested offering a recommendation to the City Council.

Mr. Rubin noted the need for consequences if owners used branded umbrellas. Chair Napolitano asked if the mistakes made by owners were being called out prior to COVID. Ms. Newhall-Smith replied that owners did try to fix the issue or request an alternative. Mr. Rubin suggested giving business owners several months' notice that the SRA is going back to the regular ordinance with the old rules giving them time to make the necessary changes. Ms. Newhall-Smith noted that she and Beth Rennard sent out a similar letter through the Licensing Board and the state, which allowed COVID allowances for an additional year. She will ask Ms. Rennard if sending a letter is a sufficient method to ensure compliance and whether the owners in compliance must return to the SRA. Ms. Madore raised concern for businesses who have done this well and invested in their space then have to go through a review again. She suggested a checklist for administrative review to save some effort. Chair Napolitano questioned whether to keep their footprint, a business would require a review. Ms. Madore noted that the city built a sidewalk for Ledger and the City Council needed to approve it, so there will be pushback from other business owners.

Ms. Newhall-Smith suggested all restaurants undergo DRB review, but not those outside the urban renewal area. Mr. Rubin reiterated the need for enforcement to ensure full compliance. Ms. Nina-Soto noted that the SRA voted to change the timeline for activity by developers and suggested a mechanism that doesn't allow the business to operate if they don't comply or the use of a separate SRA permit. Chair Napolitano replied that it too would require City Council approval. Ms. Newhall-Smith noted that language was included to remove obstructions during COVID if there were complaints. Mr. Guarino noted that the SRA is a separate entity, could have their own lawyer for legal review.

Old Business

1. Redevelopment of the Historic Courthouses and the Crescent Lot: Update on Project Status

Ms. Newhall-Smith stated that the tour of the courthouses with the potential partner for WinnDevelopment was earlier that day. The Board praised the condition of the building and the vision to activate the building. Mr. Rubin hoped the enthusiasm would not fade away like the commercial space at BRIX which is still empty. He felt as though they were starting over with activation plans with their new potential partner, but he's staying hopeful. Ms. Newhall-Smith noted that the commercial space at BRIX is \$36 /foot which is expensive to occupy.

Approval of Minutes

1. Review of June 14, 2023, Regular Meeting Minutes

VOTE: Rubin made a motion to approve the June 14, 2023, regular meeting minutes. Seconded by: Guarino.

Roll Call: Guarino, Madore, Nina-Soto, Rubin, Napolitano. 5-0 in favor.

2. Review of June 14, 2023, Executive Session Meeting Minutes

VOTE: Rubin made a motion to approve the June 14, 2023, regular meeting minutes were continued to the next regular meeting. Seconded by: Rubin.

Roll Call: Guarino, Madore, Nina-Soto, Rubin, Napolitano. 5-0 in favor.

Other

Mr. Guarino stated that it has been 6 years to the day since his first SRA meeting. He will miss the board members dearly, he's been happy to have everyone as colleagues, and now they will be his friends. He also thanked the city staff for their hard work and help. He noted his plans for his non-profit which provides free media and communications support for families going through high-profile tragedies.

Adjournment

VOTE: Guarino made a motion to adjourn the regular meeting. Seconded by: Rubin.

Roll Call: Guarino, Madore, Nina-Soto, Rubin, Napolitano. 5-0 in favor.

The meeting adjourned at 7:45PM.