

**CITY OF SALEM**

**NOVEMBER 14, 2019**

**JOINT PUBLIC HEARING OF THE  
CITY COUNCIL AND THE PLANNING BOARD**

A Joint Public Hearing of the Salem City Council and the Planning Board was held in the Council Chamber on Thursday, November 14, 2019 at 7:00 P.M, pursuant to Chapter 40A, Section 5, of the Massachusetts General Laws for the purpose of amending the City of Salem Zoning Ordinance by rezoning the map for the following parcels of real property located at: 355 Highland Avenue (Assessor Map 7, Lot 46); 373 Highland Avenue (Assessor Map 7, Lot 58), 2 Cedar Road (Assessor Map 7, Lot 57), 3 Cedar Road (Assessor Map 7, Lot 47), 5 Cedar Road (Assessor Map 7, Lot 48), 6 Cedar Road (Assessor Map 7, Lot 56) and 10 Cedar Road (Assessor Map 7, Lot 55), from Business Highway (B2) and Business Park Development (BPD) districts to the Residential Multi-Family (R3) District. The purpose of the public hearing is to provide interested parties with an opportunity to comment on proposed Zoning Map Ordinance Amendment.

The complete text and map of the proposed amendment to the Zoning Ordinance is on file at the office of the City Clerk, 93 Washington Street, Salem, Massachusetts, and the Department of Planning and Community Development, City Hall Annex, 98 Washington Street, Salem, Massachusetts and is available for inspection during regular business hours.

Notice of this hearing was posted on October 7, 2019 at 8:39 A.M. And advertised in the Salem News on October 31, 2019 and November 7, 2019.

Councillors absent:

Council President Stephen Dibble presiding.

Also in attendance were:

**(#538 of 2019) PETITION FROM K R STARR REALTY TO AMEND THE ZONING MAP OF REAL PROPERTY AT 355 & 373 HIGHLAND AVENUE AND 2, 3, 5, 6 & 10 CEDAR ROAD FROM B2 AND BPD TO R3**

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Appearing in favor:

Appearing in opposition:

Councillor Peterson moved that the public hearing be closed Voted

Councillor Peterson moved that the matter be referred to the Planning Board  
for their recommendation. Voted

On the motion of Councillor the meeting adjourned at P.M.

# City of Salem

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In the year two thousand nineteen

**An Ordinance** to amend an Ordinance relative to a Zoning Map Change

**Be it ordained by the City Council of the City of Salem. As follows:**

**Section I.** In accordance with the requirements of Massachusetts General Laws, Chapter 40A, Section 5, that the parcels of real property located at 355 and 373 Highland Avenue and 2, 3, 5, 6 and 10 Cedar Road be rezoned and the City of Salem Zoning Map be amended from Business Highway (B2) and Business Park Development (BPD) districts to the Residential Multi-Family (R3) District.

<u>Address</u>	<u>Assessor's Map and Lot Number</u>
1. 355 Highland Avenue	Map 7, Lot 46
2. 373 Highland Avenue	Map 7, Lot 58
3. 2 Cedar Road	Map 7, Lot 57
4. 3 Cedar Road	Map 7, Lot 47
5. 5 Cedar Road	Map 7, Lot 48
6. 6 Cedar Road	Map 7, Lot 56
7. 10 Cedar Road	Map 7, Lot 55

**Section II.** This Ordinance shall take effect as provided by City Charter

In City Council September 12, 2019

Referred to the Planning Board to hold a joint public hearing

ATTEST:

ILENE SIMONS  
CITY CLERK

CORRENTI & DARLING LLP 2019 SEP -9 PM 1: 53

ATTORNEYS AT LAW

63 FEDERAL STREET

SALEM, MASSACHUSETTS 01970

CITY CLERK  
SALEM, MASS.

JOHN E. DARLING  
JOSEPH C. CORRENTI  
KRISTIN E. KOLICK

September 9, 2019

TELEPHONE  
978-744-0212  
FACSIMILE  
978-741-4683

**VIA HAND DELIVERY**

Ilene Simons, City Clerk  
City Hall  
93 Washington Street  
Salem, Massachusetts 01970

Re: K R Starr Realty Holding LLC  
355 and 373 Highland Avenue; 2,3,5,6, and 10 Cedar Road  
Petition to Amend the Zoning Map

Dear Madam Clerk:

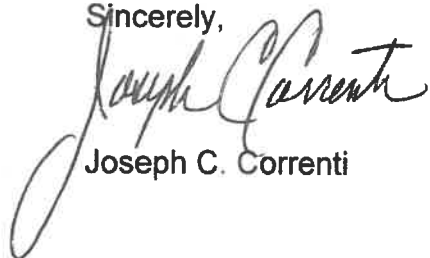
Enclosed for filing please find the following in connection with the above properties:

1. Petition to Salem City Council to Rezone;
2. Owner Authorization letter;
3. Metes and Bounds Description;
4. Descriptive Plot Plan for Zoning Amendment Petition dated September 4, 2019, prepared by Beals + Thomas, Inc.; and
5. Proposed Ordinance.

Pursuant to M.G.L. c. 40A, please notify the City of Salem Planning Board so that the appropriate public hearings, with notice, may be scheduled.

Should you require any further information regarding this Petition, please do not hesitate to contact me.

Sincerely,



Joseph C. Correnti

JCC:dl

cc: client  
K R Starr Realty Holding LLC

PETITION TO SALEM CITY COUNCIL  
Under Massachusetts General Laws Chapter 40A  
To Rezone Land Shown on Attached Exhibit A

2019 SEP -9 PM 1:53

CITY CLERK  
SALEM, MASS.

Councillors:

In accordance with the requirements of Massachusetts General Laws Chapter 40A, Section 5, the Petitioner, K R Starr Realty Holding LLC, is the owner of the real property situated at 355 and 373 Highland Avenue and 2, 3, 5, 6, and 10 Cedar Road (the "Property"), bounded and described and consisting of approximately 4.53 acres, as shown on the plan entitled "Descriptive Plot Plan Plan for Zoning Amendment Petition, Cedar Road Salem, MA (Essex County)" prepared by Beals + Thomas, dated September 4, 2019, attached hereto as Exhibit A. The Petitioner hereby petitions the City Council to amend the City of Salem Zoning Map to rezone the Property from the Business Highway (B2) and Business Park Development (BPD) districts, to the Residential Multi-Family (R3) district.

The Property is surrounded by the R3, B2, and BPD districts. Surrounding uses consist of animal shelter, single family residential, and vacant land. The Property is under agreement with JAG Development Company, LLC, which intends to develop the Property as a mixed-use project, consisting primarily of multifamily residential use. Due to site specific limitations, this project is not feasible under current zoning.

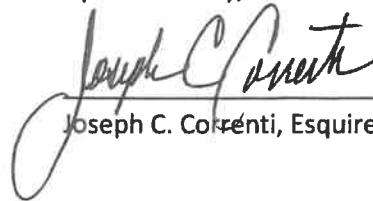
Rezoning to the R3 district will be compatible with the adjacent residential uses and serve as a buffer from the commercial and industrial uses allowed in the BPD.

The requested rezoning to R3 will extend the adjacent R3 district and allow for residential development at the site, which will help to address the ongoing need for housing in the City of Salem and revitalize a vacant site, resulting in tax revenue for the City.

The Petitioner respectfully requests that the City Council act favorably on this Petition.

Respectfully Submitted,

K R STARR REALTY HOLDING LLC,  
Owner,  
By its Attorney,



Joseph C. Correnti, Esquire

September 9, 2019

Re: K R Starr Realty Holding LLC  
355 and 373 Highland Avenue and  
2, 3, 5, 6 and 10 Cedar Road, Salem, Massachusetts


To Whom It May Concern:

Pleased be advised that K R Starr Realty Holding LLC, owner of **355 and 373 Highland Avenue and 2, 3, 5, 6 and 10 Cedar Road, Salem, Massachusetts** (the "Property"), hereby authorizes the law firm of Correnti & Darling LLP ("Developer") to make application to the City of Salem City Council to amend the City of Salem Zoning Map to rezone the Property from the Business Highway (B2) and Business Park Development (BPD) districts to the Residential Multi-Family (R3) district.

Sincerely,

K R Starr Realty Holding LLC

By:

  
RICK STARR,  
MANAGER

## Metes and Bounds Description

### PROPOSED ZONING CHANGE TO R3 RESIDENTIAL MULTI – FAMILY

Two certain zoning areas in the Commonwealth of Massachusetts, City of Salem, County of Essex situated on the southeasterly side of Highland Avenue and abutting Cedar Road and shown on a plan entitled "DESCRIPTIVE PLOT PLAN FOR ZONING AMENDMENT PETITION, CEDAR ROAD, SALEM, MA..." dated September 4, 2019, prepared by Beals and Thomas, Inc. More particularly bounded and described as follows:

The first area:

Beginning at a point at the northeasterly intersection of Cedar Road and Highland Avenue, thence running;

NORTHEASTERLY	by a curve to the right having a radius a 1486.60 feet and a length of 206.13 feet to a point, said course being by the easterly line of Highland Avenue, thence turning and running;
S 45° 40' 30" E	404.99 feet to a point, said course being by land now or formerly of NE Animal Shelter, thence turning and running;
S 45° 18' 05" W	163.10 feet to a point in the northerly line of Cedar Road, said course being by land now or formerly of Ingemi, thence turning and running;
N 54° 46' 20" W	398.40 feet to the point of beginning at Highland Avenue, said last course being by the northerly line of Cedar Road.

Said first area being Assessor's Parcels 7-46, 7-47 and 7-48.

The second area:

Beginning at a point at the northwesterly intersection of Cedar Road and Highland Avenue, thence running;

S 54° 46' 20" E                      393.09 feet to a point; thence turning and running;

S 34° 37' 20" E                      110.33 feet to a point, said last two courses being by the southerly line of Cedar Road, thence turning and running;

S 55° 22' 38" W                      127.71 feet to a point, thence turning and running;

S 49° 43' 40" E                      124.29 feet to a point, thence turning and running;

S 40° 16' 08" W                      150.00 feet to a point, said last three courses being by land now or formerly of JL Realty Trust, thence turning and running;

N 49° 43' 40" W                      577.57 feet to a point, said last course being in part by land now or formerly Barnes Road Trust and in part by land now or formerly of John M. Ingemi thence turning and running;

N 37° 48' 10" E                      267.73 to the point of beginning, said course being by the easterly line of Highland Avenue.

Said second area being Assessor's Parcels 7-55, 7-56, 7-57 and 7-58.

RJB/reh/306502MB001



