



# CITY OF SALEM PLANNING BOARD

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## REVISED\* NOTICE OF MEETING

You are hereby notified that the Salem Planning Board will be holding a Public Hearing on  
**Thursday, May 7, 2020 at 7:00 pm**  
via remote participation with instructions posted to [www.salem.com](http://www.salem.com)  
in accordance with Chapter 40A of the Massachusetts General Laws and Governor Baker's  
Emergency Order dated March 12, 2020.

*Ben J. Anderson, Chair*

### **Important Announcement:**

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Salem Planning Board will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the city's website, at [www.salem.com](http://www.salem.com). No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so, despite best efforts, we will post on the city's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

For this meeting, members of the public who wish to watch, listen, or provide comment during the meeting may do so in the following manner:

### **Watching the Public Meeting:**

- Go to the website link:  
<https://us02web.zoom.us/j/87972677215?pwd=Yk9YN280enVJSWVJRlhRVVp4M2dTZz09>
- Go to the website link [www.zoom.us/join](http://www.zoom.us/join) and enter meeting ID # 879-7267-7215 followed by meeting password 693085, if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID # 879-7267-7215 followed by meeting password 693085, if directed. Those dialing in only will not have access to the direct video feed of the meeting, but can follow along with the project materials available for download at [salem.com/planning-board](http://salem.com/planning-board) or
- Watch the meeting live on Salem Access Television Channel 22.

**Providing Public Comment During the Meeting:**

Members of the public attending this meeting virtually will be allowed to make comments during the portion of the hearing designated for each agenda item. Members of the public will be asked to use the virtual “Raise Hand” function in Zoom to indicate that they would like to provide comment.

- Dial \*9 on your phone’s dial pad to raise your hand if you are using the toll-free phone number.
- Click the “raise hand” button if you are using the Zoom application on your computer or phone.

For each agenda item, the moderator will identify attendees with raised hands by their screenname or the last 3 digits of their telephone number and will then unmute them. The moderator will then request that the attendee unmute their device to provide their full name, address, and comment for the record.

The moderator will go down the list of attendees in the order presented by the Zoom application. The attendee list is ordered so that phone numbers are first, followed by an alphabetical list of the screen names of attendees accessing Zoom through a computer, tablet, or smartphone. Anyone that speaks about an issue unrelated to the agenda items will be immediately muted.

Members of the public can alternatively email their comment before the start of the meeting to [mwells@salem.com](mailto:mwells@salem.com).

**Familiarizing Yourself with Zoom**

We encourage members of the public to install and familiarize themselves with Zoom in advance of the meeting

If you plan on providing public comment and are logging into this meeting via the Zoom application, please test your speakers and microphone ahead of time. If we have trouble hearing you when you speak, we will move on to the next person and try to return to you later in the list. If this happens, we recommend that you call the toll-free number to access the meeting and provide your comment.

The zoom meeting will open 15 minutes before the start of the meeting to allow participants to connect and practice with the audio and raise hand functions.

Once again, thank you for your patience and understanding as we navigate this challenging situation for our community and the world.

## MEETING AGENDA

### I. ROLL CALL

### II. REGULAR AGENDA

#### A. **Location:** 16, 18, and 20R Franklin Street (Map 26, Lots 400, 401, and 402)

**Applicant:** Juniper Point Investment Co LLC

**Description:** A continuation of a public hearing for all persons interested in the application of JUNIPER POINT INVESTMENT CO LLC for the properties located at 16, 18, and 20R Franklin Street (Map 26, Lots 400, 401, and 402) for an amendment to a Site Plan Review, Flood Hazard Overlay District Special Permit, and Special Permits associated with the North River Canal Corridor Neighborhood Mixed Use District in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review; Section 8.1 Flood Hazard Overlay District; Section 8.4 North River Canal Corridor Neighborhood Mixed Use District; and a Stormwater Management Permit in accordance with Salem Code of Ordinances Chapter 37. Specifically, the applicant proposes to amend an existing Planning Board decision dated September 20, 2018. The original decision allows replacing the junkyard with a residential development consisting of forty-two (42) units in five (5) buildings and includes a strip of land running from Franklin Street to the river that is approximately 25,000 square feet and is part of an ownership dispute. The new application includes only a portion of the disputed land, referred to as Parcel B, and downsizes the project accordingly. The amendment proposes to replace the existing junkyard with a residential development consisting of thirty-seven (37) units in four (4) buildings with parking under each building, in addition to some surface parking. The project also includes landscaping throughout, and public access along the riverfront with walking paths. Also included are slightly repositioned building locations. In order to accommodate the new building layout, the applicant proposes the relocation of the site entrance approximately 55-feet to the south; revised parking and walkway layouts; changes to grading, drainage, sewer, water, gas, electric, lighting, and landscaping; and a new proposed three-foot tall retaining wall along the disputed strip of land. NOTE: Alternatively, should Parcel B not be integrated into the project, then the Applicant requests the Decision be amended to reflect a further reduced plan, to 31 units, with no change to the building footprints, or site plan, as submitted herewith.

- B. Location:** 379, 383, and 387 Highland Avenue; 4, 10, 12, 14, and 16 Barnes Road; 9, 12, 14-16, and 18 Cedar Road (Map 7, Lots 18-21, 49-54, 59, & 60; Map 3, Lot 66 & 67)
- Applicant:** Overlook Acres LLC
- Description:** A continuation of a public hearing for all persons interested in the application of OVERLOOK ACRES, LLC for the property located at 379, 383, and 387 Highland Avenue, 4, 10, 12, 14, and 16 Barnes Road and 9, 12, 14-16, and 18 Cedar Road (Map 7, Lots 18-21, 49-54, 59, & 60; Map 3, Lot 66 & 67) for a Site Plan Review and Planned Unit Development Special Permit in accordance with the Salem Zoning Ordinance Section 9.5 and Section 7.3. Specifically, the applicant proposes a development on the approximately 15.5 acre site along Highland Avenue at Barnes Road and Cedar Road consisting of a mix of uses, including commercial, residential, and public spaces. There is one commercial building with an approximate footprint of 8,450 square feet, four residential buildings with approximately 324 units, and a residential club house. There are also approximately 500 parking spaces proposed on site.
- C. Location:** 23 Summer Street (Map 26, Lot 463)
- Applicant:** 23 Summer Street LLC
- Description:** A continuation of a public hearing for all persons interested in the application of 23 SUMMER STREET LLC for the property located at 23 Summer Street (Map 26, Lot 463) for a Site Plan Review in accordance with Salem Zoning Ordinance Section 9.5. Specifically, the applicant proposes the renovation and expansion of the existing multi-family residential property at 23 Summer Street in the Central Development district. The applicant proposes the demolition of the rear portion of the existing building and replacing it with an addition to create a total of 10 residential units. The project includes changes to the existing parking lot, new indoor garage parking spaces, utilities, and landscaping.
- D. Location:** 602 Loring Avenue (Map 20, Lot 11)
- Applicant:** Vavel LLC
- Description:** \*The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020 of the public hearing for all persons interested in the application of VAVEL, LLC for the property located at 602 Loring Avenue (Map 20, Lot 11) for a Site Plan Review in accordance with Salem Zoning Ordinance Section 9.5. Specifically, the applicant proposes the demolition of the existing two-story commercial building on the site and the construction of a three-story building containing 20 residential units. The project includes 34 off

street parking spaces, 22 of which will be garage level spaces within the building and 12 of which will be surface parking spaces. Also proposed are landscaping, a ground level patio, a sidewalk from the building entrance to the existing Loring Avenue sidewalk, bicycle racks, utilities, grading, and drainage systems for stormwater runoff. The existing curb cut will be reconfigured into a 24' driveway.

- E. Location: 54 and 56 Swampscott Road (Map 07, Lots 65 and 64)**  
**Applicant: Michael Buonfiglio**  
**Description: \*The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020** of the public hearing for all persons interested in the application of MICHAEL BUONFIGLIO for the property located at 54 and 56 Swampscott Road (Map 07, Lots 65 and 64) for a special use permit per Section 3.1.3 and Section 9.4 of the Salem Zoning Ordinance to allow a change in use from an auto repair shop to a contractor's yard and landscaping business in the Business Park Development District. Specifically, the applicant proposes to repair the shop for use as office and storage, with the addition of a second floor to the existing building.
- F. Location: 160 Federal Street (Map 26, Lot 0002-30)**  
**Applicant: North Shore Community Development Coalition**  
**Description: \*The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020** of the public hearing for all persons interested in the application of NORTH SHORE COMMUNITY DEVELOPMENT COALITION for the property located at 160 Federal Street (Map 26, Lot 0002-30) for Site Plan Review, Municipal or Religious Reuse Special Permit, and Flood Hazard Overlay District Special Permit in accordance with Salem Zoning Ordinance Sections 9.5, 6.11, and 8.1. Specifically, the applicant proposes the conversion of the former St. James Parochial School into 33 units of housing, with associated community space for residents. The applicant additionally proposes approximately 42 parking spaces on site to serve the residential units.
- G. Location: 13 Hawthorne Boulevard (Map 35, Lot 0287-0)**  
**Applicant: North Shore Community Development Coalition**  
**Description: \*The applicant has requested a continuation to the regularly scheduled meeting on May 21, 2020** of the public hearing for all persons interested in the application of NORTH SHORE COMMUNITY DEVELOPMENT COALITION for the property located at 13 Hawthorne Boulevard (Map 35, Lot 0287-0) for Site Plan Review and Municipal or Religious Reuse Special Permit in accordance with Salem Zoning

Ordinance Sections 9.5 and 6.11. Specifically, the applicant proposes the conversion of the former Immaculate Conception parochial school into 29 units of housing and approximately 4,500 square feet of studio, workrooms, galleries, and meeting space. There are 7 parking spaces on the premises for visitors. The applicant proposes that the required 29 parking spaces for the residential units will be reserved in nearby municipal parking facilities.

### **III. OLD/NEW BUSINESS**

- A.** Deliberate and vote on a recommendation to the City Council on three (3) separate Zoning Ordinance Amendments relative to Accessory Dwelling Units and Inclusionary Zoning summarized below:
- a.** An Ordinance Amending Zoning Section 3.1 Table of Principal and Accessory Use Regulations of the City of Salem Zoning Ordinance to delete the “Accessory Living Area” Accessory Use in its entirety and inserting an “Accessory Dwelling Unit” Accessory Use in the RC, R1, R2, and R3 zoning districts.
  - b.** An Ordinance amending the Salem Zoning Ordinance relative to accessory dwelling units in the following three ways:
    - i.** Amending Zoning Ordinance Section 10 Definitions by deleting the definition of “Accessory Living Area” in its entirety and inserting the definition of “Accessory Dwelling Unit” in its place.
    - ii.** Amending Zoning Ordinance Section 3.2.4 Accessory Buildings and Structures by deleting paragraphs numbered 4 and 5 in their entirety and replacing them.
    - iii.** Amending Zoning Ordinance Section 3.2.8 Accessory Dwelling Areas by deleting the existing text in its entirety and replacing it with a new ordinance. The existing text requires accessory units to be used solely by a family member or caregiver and requires a special permit. The purpose of the proposed new ordinance is to add to the supply of rental housing to meet the needs of smaller households, to encourage efficient use of the city’s housing supply while preserving the character of city neighborhoods, to preserve family bonds, to allow the owner of an existing or proposed detached dwelling to construct one additional dwelling unit that is incidental and subordinate to the principal dwelling, and to increase the supply and diversity of rental units to the housing stock in response to demographic changes such as smaller households and older households. The ordinance allows for an accessory dwelling unit within the same property as a principal dwelling by right provided certain requirements are met, requires the property owner to reside on site, and removes the tenant restrictions of only a family member or caregiver. The Building Inspector shall administer and enforce the provisions of this section unless a special permit is required, then the Zoning Board of Appeals will be the Special

Permit Granting Authority. When a waiver is required, a Building Permit shall not be issued until a Special Permit has been granted and duly recorded. The ordinance provides procedures, application process, requirements for accessory dwelling units, Special Permits, and termination of use.

- c. An Ordinance amending the Salem Zoning Ordinance by adding a new Section 5.4 Inclusionary Housing and amending Section 10 Definitions by adding definitions related to the Inclusionary Housing ordinance. The purpose of the proposed new ordinance is to expand the City of Salem's housing stock, especially its Affordable Housing Units; to leverage market-rate housing production towards the production of Affordable Housing Units; to provide for housing choices for households of all incomes, ages, and sizes; to increase the production of Affordable Housing Units to meet

#### **IV. APPROVAL OF MINUTES**

- A. Regular Planning Board meeting minutes for January 23, 2020.
- B. Regular Planning Board meeting minutes for February 20, 2020.
- C. Regular Planning Board meeting minutes for March 5, 2020.
- D. Regular Planning Board meeting minutes for March 19, 2020.
- E. Regular Planning Board meeting minutes for April 2, 2020.
- F. Regular Planning Board meeting minutes for April 16, 2020.

#### **V. ADJOURNMENT**

*Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator as soon as possible and no less than 2 business days before the meeting, program, or event.*