

**City of Salem Planning Board
Meeting Minutes
Thursday, January 7, 2016**

A regularly scheduled meeting of the Salem Planning Board was held on Thursday, November 5, 2015 at 7:00 p.m. at City Hall Annex, Room 313, 120 Washington Street, Salem, Massachusetts.

Chairman Anderson opened the meeting at 7:27pm.

Roll Call

Those present were: Matt Veno, Vice Chair, Helen Sides, Kirt Rieder, Noah Koretz and Carole Hamilton.
Absent: Dale Yale, Bill Griset and Ben Anderson.

Also present: Amanda Chiancola, Staff Planner, and Pamela Broderick, Planning Board Recording Clerk.

Approval of Minutes

December 17, 2015 Regular Meeting Minutes

Minor corrections were made by the Planning Board members.

Motion and Vote: Helen Sides made a motion to approve the December 17, 2015 Regular Meeting Minutes as amended, seconded by Kirt Rieder. The vote was unanimous with five (5) in favor and none (0) opposed.

Regular Agenda

Location:	401 BRIDGE STREET (Map 25, Lot 74) and 44 Boston Street (Map 15, Lot 305)
Applicant:	HIGH ROCK BRIDGE STREET, LLC
Description:	The applicant has requested a continuance of the public hearing to the regularly scheduled Planning Board meeting on January 21, 2016, for amendments to the approved 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. The applicant requests the following Special Permit associated with the North River Canal Corridor Neighborhood Mixed Use District (NRCC) Sections 8.4.5 and 8.4.13 North River Canal Corridor Neighborhood Mixed Use District). Specifically, the applicant requests a Special Permit per Sec. 4.0 of the NRCC to allow a multi-story arrangement of a multi-family residential use. The applicant requests amendments to the following approved Special Permits of the NRCC: A Special Permit per Sec. 8.4.12 Retail Use of the NRCC to allow ground level retail use to be amended from the original decision to exceed the 3,000 gross square feet for one retailer. A Special Permit per Sec. 6.0 to be amended from the original decision to allow an eating and drinking place on the

premises to reflect the new plan. The applicant proposes to construct two separate buildings including the Community Life Center, a two-story building, and a five-story mixed-use residential/retail on the corner of Boston and Bridge Street with an associated revised parking and landscape layout.

Vice Chair Veno advised the applicant has requested a continuance.

Board Discussion

Ms. Hamilton asked to know deadline for applicant to submit materials for an appearance before the Planning Board.

- Ms. Chiancola advised there is no deadline; applicants may submit materials at the meeting.
- Ms. Hamilton asked if this applicant has submitted any materials to staff since their previous appearance before the Board. Ms. Chiancola advised no additional materials have been received from the applicant since their last appearance.
- Ms. Hamilton suggested the continuance be extended for a month to allow the applicant time to prepare materials. Ms. Chiancola advised the applicant is working on comments for the DRB (Design Review Board) and comments from the engineering and traffic reviews but the applicant is ready for the next meeting.
- After discussion, the Board collectively agreed the applicant should demonstrate substantial progress before being scheduled on the Board agenda. Key discussion points included:
 - Mr. Rieder expressed concern that applicants are allowed to submit material at the meeting rather than in advance. Particularly for large or technically complex projects the Board should be given adequate time to review the information to prepare informed questions.
 - Mr. Rieder reported on Cambridge policies that require materials submission 30 days in advance.
 - Ms. Sides noted that for this project, there are many unresolved matters. The Board may not be able to consider anything further about this site plan until the positioning of the buildings is made clear.
 - Mr. Koretz suggested the project be continued under the stipulation that the applicant provide a substantive presentation at the next meeting.
 - Ms. Chiancola advised the Board the applicant had a presentation for this meeting, but requested a continuance when they learned two Board members would be absent. Going ahead with the presentation would have disqualified one Board member from voting on this application due to rules regarding attendance and voting eligibility.
 - The Board asked to know the topic planned for this meeting; Ms. Chiancola replied this information was not communicated.
 - Ms. Hamilton noted the applicant should address the board on specific issues.
 - Vice Chair Veno recognized comment from Ward IV Councillor David Eppley (69 Boston Street #2). Mr. Eppley spoke in favor of improvements to the process for applicants. If there is any way the City Council can be helpful in putting in place a formal process to define requirements for applicants, please communicate it to the City Council. He echoed the concern that any process changes should have enough flexibility to better manage large/technically complex projects and still address smaller/simple projects in an efficient manner.

- Vice Chair Veno deferred to the Chair a suggestion that the Board take up the matter of improving process at the next meeting, and that the need for a continuance vote might trigger an instruction from the Board that the applicant must provide a an understanding of what information will be presented at the next appearance. This should provide more transparency to the public and better support for Board member review.
- The Board asked to know if there is a limit to the number of continuances on a given application. Ms. Chiancola advised the limitation is a timeframe from point of submission. She will research the specifics and update the Board.

Vice Chair Veno instructed planning staff to advise the applicant the Board expects to hear a substantive presentation on January 21st. If they are not prepared they should advise staff a week in advance so the delay can be communicated. He then called the vote on this motion.

Motion and Vote: Helen Sides made a motion to continue the public hearing to January 21, 2016, seconded by Kirt Rieder. The vote was unanimous with five (5) in favor (Mr. Veno, Ms. Sides, Mr. Rieder, Mr. Koretz and Ms. Hamilton) and none (0) opposed.

Location: 14 and 16 ALMEDA STREET (Map 14 Lot 116 and Map 14 Lot 117)
Applicant: TOWN AND COUNTRY HOMES, INC.
Description: The applicant has requested a continuance of the public hearing to the regularly scheduled Planning Board meeting on January 21, 2016 for a public hearing for a Definitive Subdivision to construct a roadway to serve two existing undeveloped lots.

Vice Chair Veno advised the applicant has requested a continuance.

Board Discussion

Vice Chair Veno instructed planning staff to advise the applicant the Board expects to hear a substantive presentation on January 21st. If the applicant is not prepared he should advise staff a week in advance so the delay can be communicated.

Motion and Vote: Carole Hamilton made a motion to continue the public hearing to January 21, 2016, seconded by Kirt Rieder. The vote was unanimous with five (5) in favor (Mr. Veno, Ms. Sides, Mr. Rieder, Mr. Koretz and Ms. Hamilton) and none (0) opposed.

Location: CLARK AVENUE (Map 6, Lots 7, 8 and 9)
Applicant: NSD REALTY TRUST
Description: The applicant has requested a continuance of the public hearing to the regularly scheduled Planning Board meeting on January 21,2016 for a Definitive Subdivision Plan in accordance with the Salem Subdivision Regulations and a Cluster Residential Development Special Permit per Sec. 7.2 Cluster Residential

Development of the Salem Zoning Ordinance to allow the construction of a roadway to serve twenty-six (26) residential lots, and a Stormwater Permit in accordance with the Salem Code of Ordinances Sec. 37.

Vice Chair Veno advised the applicant has requested a continuance.

Board Discussion

It was noted this applicant previously provided technical data at the meeting, not in advance.

- Ms. Chiancola advised the peer reviewer is ready to present comments on the requested stormwater permit.
- A site visit is scheduled for Saturday, January 9, 2016, 12:30 – 1:00pm. Meet at the open space between lots 13 and 21.
- Ms. Chiancola advised the deadline for action on this project is January 9, 2016. Without a decision on the project or an extension the project is automatically approved. The applicant has asked for an extension to February 26, 2016. The Board collectively agreed this project should not receive automatic approval.

Vice Chair Veno instructed planning staff to advise the applicant the Board expects to hear a substantive presentation on January 21st. If they are not prepared they should advise staff a week in advance so the delay can be communicated.

Motion and Vote: Kirt Rieder made a motion to continue the public hearing to January 21, 2016, and approve a request to extend the deadline for action to February 26, 2016, seconded by Carole Hamilton. The vote was unanimous with five (5) in favor (Mr. Veno, Ms. Sides, Mr. Rieder, Mr. Koretz and Ms. Hamilton) and none (0) opposed.



Location: 18 WARD STREET, 22 WARD STREET, 24 WARD STREET (Map 345, Lots 359, 358 and 357)
Applicant: Marcelo Cabrera and Edward Crowley
Description: Board discussion and vote on an application for endorsement of a plan believed not to require approval under the Subdivision Control Law (ANR), proposing to divide one (1) lot, then merge the divided lot with its two (2) respective abutting lots. One lot will be eliminated, two lots will be increased in size, and no new lots will be created.

Documents and Exhibitions:

- Plan of Land prepared by North Shore Survey Corporation, 14 Brown Street, Salem; dated 12/30/2015

The applicants were in attendance and responded to Board requests for clarification.
Marcelo Carbrera 10 Clark Street, Salem
Edward Crowley 18 Ward Street, Salem

Board Discussion:

The Board asked for clarification about lot ownership and division. Mr. Crawley advised the lot to be divided (22) is not a buildable lot. Mr. Carbrera owns this lot and one adjacent. He is selling half of one lot to his abutting neighbor, Mr. Crowley.

The Board asked to know about curbing. Mr. Crowley and Mr. Carbrera advised there is an existing curb cut in the middle of lot 22. There is a curb line but no curb stone. There was a house there at one time which burned.

The Board advised the applicants as no improvements are being presented at this time, there is no current requirement to address the lack of curbstone.

Motion and Vote: Noah Koretz made a motion to endorse the plan believed not to require approval under the Subdivision Control Law (ANR), proposing to divide one (1) lot, (22 Ward Street) and merge this divided lot with its two respective abutting lots to increase their sizes (18 and 24 Ward Street), with no additional lots created; seconded by Helen Sides. The vote was unanimous with five (5) in favor (Mr. Veno, Ms. Sides, Mr. Rieder, Mr. Koretz and Ms. Hamilton) and none (0) opposed.

Old/New Business

The Board requested a New Business agenda item be added for the January 21, 2016 meeting to discuss Planning Board Processes, including:

- Discussion on the timeline and submittal of materials
- Discussion on expectations for continuances
- Discussion on the sequencing of permitting through various boards.
 - The order in which projects are presented/reviewed with the various City Departments has no default sequence. This matter warrants careful consideration and review to accommodate large and small, complex and simple projects in a manner that benefits the community's best interests.
 - Ms. Hamilton noted that some communities have adopted policies where some Boards will not hear an applicant until the project has passed through other relevant Boards.
 - The board acknowledged the legal opinion from the City Solicitor regarding the permitting sequencing. However, considered discussion of a default permitting process that could be modified as needed to fit various projects.
 - The Board noted it might be advantageous to the Board to invite the City Solicitor to participate in this discussion.

Motion and Vote: Helen Sides made a motion to add an agenda item to the January 21, 2016 meeting under Old/New Business; Discussion of the 1) submittal of materials prior to a meeting; 2) continuance requests; 3) endorsement of a sequencing of permitting; seconded by Noah Koretz. The vote was unanimous with five (5) in favor (Mr. Veno, Ms. Sides, Mr. Rieder, Mr. Koretz and Ms. Hamilton) and none (0) opposed.

Adjournment

Motion and Vote: Helen Sides made a motion to adjourn the meeting, seconded by Carole Hamilton. The vote was unanimous with five (5) in favor (Mr. Veno, Ms. Sides, Mr. Rieder, Mr. Koretz and Ms. Hamilton) and none (0) opposed.

Vice Chairman Veno adjourned the meeting at 8:15pm.

For actions where the decisions have not been fully written into these minutes, copies of the decisions have been posted separately by address or project at: <http://www.salem.com/node/2186/minutes>

Respectfully submitted,
Pamela Broderick, Recording Clerk

Approved by the Planning Board on 01/21/2016

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