



CITY OF SALEM

A public hearing of the Salem Planning Board was held on Thursday, April 18, 2024, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Chair Bill Griset calls the meeting to order at 6:31 pm

I. ROLL CALL

Present: Chair Bill Griset, Vice Chair Kirt Rieder, Carole Hamilton, Josh Turiel, Tom Furey, Jonathan Berk, Helen Sides, Sarah Tarbet (8)

Absent: Zach Caunter (1)

Also in attendance: Robyn Lee, staff planner

Chair Griset state that there will be a time limit of 3 minutes on all public comments. Chair Griset addresses the issues that arose during public comment on the March 21, 2024 meeting. Chair Griset shares the ACLU letter that he received yesterday, April 17, 2024 and apologizes publicly to Stacia Kraft and Justin Whittier.

Mr. Turiel recognizes that public input is important, however, he would like to recognize that the board does not have to do what the commenters want, they have a duty to review the materials and the legality of the decision. The public should also consider the audience when speaking at a board or commission meeting.

II. REGULAR AGENDA

- A. 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), 315 Derby Street (Map 34, Lot 444), 9 Peabody Street (Map 34, Lot 232), and 15 Peabody Street (Map 34, Lot 435) Applicant: Scott Grover, Esq., f/b/o North Shore Community Development Corp (NSCDC) and North Shore Community Health Center (NSCHC)
Description: A public hearing for all persons interested in the application of NSCDC and 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), 315 Derby Street (Map 34, Lot 444), 9 Peabody Street (Map 34, Lot 232), and 15 Peabody Street (Map 34, Lot 435) for amendments to a Site Plan Review, Planned Unit Development Special Permit, Drive-Through Special Permit, and Flood Hazard Overlay District Special Permit for a project in the B-5 and 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

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Unit Development; Section 6.7 DriveThrough Facilities; Section 8.1 Flood Hazard Overlay District. Specifically, the applicant proposes to amend an existing Site Plan Review, Planned Unit Development Special Permit, Drive-Through Special Permit, and Flood Hazard Overlay District Special Permit decision dated January 24, 2023. For the building on the corner of Lafayette and Derby Street, the applicant proposes to eliminate one floor of the community health clinic, diminish the commercial space, and reduce the number of public parking spaces from 15 to 12. For the building at 9 Peabody, the number of affordable elderly housing units remains at 29, but the public community space and total residential square footage has increased. Three of the parking spaces previously made public will now be reserved for residents, amounting to a total of six spaces reserved for residents. Long-term bike parking spaces have increased from 21 to 30 spaces.

Ms. Tarbet recuses herself as she is on the board of the North Shore Community Development Coalition (NSCDC).

Attorney Scott Grover is here for the Applicant. Ilene Vogel of the NSCDC is in attendance as is Megan Altendorf and Terese Graf of MassDesign are also in attendance. The Applicant is asking for certain changes due to fiscal constraints and state environmental regulations. One floor on the Health Center Building is eliminated. Parking layout, civil, landscaping and lighting plans are changed as well. Senior housing remains at forty-nine (49) units.

Ms. Altendorf from MassDesign shares her screen and highlights the changes to the project. The building is reduced to 25500 square feet along Lafayette Street (housing three (3) stories plus bank). The Derby Street side, mostly the health center is now 26000 square feet. Four (4) stories. There are no harbor walk changes. The Peabody Street building remains with twenty-nine (29) units of age restricted units. Lafayette wing nineteen (19) units of age restricted housing. Peabody Street park plans remain. The El Centro public lobby also remains. Urgent Car still along Derby Street. Because building is smaller, the drive through is rerouted to run along the side of the building instead of under the building. Before and after comparison slide shared (available in drawing set). Additionally, the team is proposing twelve (12) public parking spaces, a reduction of three (3) spaces. More planting areas and stormwater mitigation are implemented. The Peabody Street building is a bit larger due to an increase in public spaces due to Ch. 91. Changes in parking include six (6) spaces for residents, no public spaces. The Lafayette Street building retains the design and programs approved in 2023. The Derby Street building is set further back. The Peabody Street building has evolved to responds to state permitting but retains approved design.

Landscape design keeps the intent of the approved plans with an increase in the amount of permeable surface on the site.

Planning Board Questions

Mr. Furey finds this an exciting project but is curious about the role of flood insurance for the tenants, both commercial and residential. Attorney Grover says that tenants do not have an obligation to purchase flood insurance. If the property is in a FEMA flood zone, then the owner must buy the insurance. Ms. Altendorf says that they are in a flood zone and that they have made changes to the building to accommodate the flooding and that there are specific building codes they are following. No residential units are on level one. Both buildings will have the interior and exteriors designed to be more easily restored after a flood. Mechanical/electrical/plumbing raised on to level two as much as it could be. Ms. Vogel says that their lenders will require them to get flood insurance. The bank is a tenant and they are well aware of the need for flood insurance. The Health Center is a part owner and will be procuring flood insurance as well.

Mr. Burk asks about the public space use at Peabody Street. Ms. Vogel says that there will be an art gallery and this will abut a community room, not retail. Mr. Burk follows by asking who will be activating the gallery. The NSCDC.

Mr. Turiel likes the reduction in size. Wonder if the amount of parking for the bank is adequate? And is the health center preserving any presence at Shetland Park? Happy about the additional bike spaces but this may be overdone for the audience of the building. Ms. Vogel says that the current health center is only about 12000 square feet. The cost of construction and telehealth has made them rethink their size needs and employee needs. Ms. Altendorf says that the new submission has revised vehicle tracking and it has been approved by SFD. Ms. Vogel says that there are no ambulances at the urgent care, more of a walk-in.

Mr. Rieder still positive about the project. Thrilled about the ongoing on street efforts to support biking. Concerned about the grading between the river and the back of the development. The PDF provided is grainy and it is difficult to scale. Asks Ms. Lee to fix it. Ms. Vogel says that the bike rooms are large and they were required by Ch. 91 to include public bike facilities. Mr. Grover offers that the compression of the file could have occurred from MassDesign and asks Megan to send files directly to Robyn.

Ms. Sides grateful that the project hasn't lost its beauty.

Public Comment

Matt Veno

20 Forest Avenue

Is in support of the petition as the Chair of the Board of NSCH. Views the changes as modest but well within the vision of the board.

Susan Moulton

98 Washington Square East.

Can anyone use this health center and is it part of a provider system? Ms. Vogel says that Mr. Veno could answer better. But that anyone can go to the urgent care. The health center is for anyone. There is a relationship with Mass General but doesn't know how big the partnership is.

Chair Griset reinstates that a back-and-forth discussion is not a part of the public comment process.

Motion to continue to the May 2, 2024 meeting is made by Kirt Rieder, seconded by Carole Hamilton, and passes 7-0 in a roll call vote with one abstention.

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|---------------------|---------------|
| Bill Griset | Y |
| Kirt Rieder | Y |
| Carole Hamilton | Y |
| Josh Turiel | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Helen Sides | Y |
| Sarah Tabet | A |
| Zach Caunter | absent |

III. OLD/NEW BUSINESS

A. Extension request for Site Plan Review and Planned Unit Development Special Permit for 38 Norman Street.

Attorney Grover is in attendance. The Applicant is requesting a 1-year extension. Ryan Wittig from Kinvara is also in attendance. The appeal of one abutter caused a significant delay. The Applicant settled the dispute and is ready to move forward. Special Permit is due to expire April 19, 2024.

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Mr. Burk asks if the judge applied the bonding option? Mr. Wittig says that they did not.

Motion to approve the extension request of 38 Norman Street until April 19, 2025 is made by Carole Hamilton, seconded by Tom Furey, and passes 8-0 in a roll call vote.

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| Bill Griset | Y |
| Kirt Rieder | Y |
| Carole Hamilton | Y |
| Josh Turiel | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Helen Sides | Y |
| Sarah Tarbet | Y |
| Zach Caunter | absent |

B. Extension request for SPR and Religious reuse special permit for 5 Broad Street

Mr. Luster is in attendance for Charing Cross Realty Trust. Haven't begun as the Mayor asked if they would double the bid as an ordinance was overlooked as the City cannot sell for less than the appraised value, the appraised value was 1.35 million. Now they need an Housing Development Incentive Program (HDIP). But there wasn't an HDIP round until 4 weeks ago. The Team is expecting a decision in the next "couple of weeks". Financial and community support is still present. Hoping to begin in late summer/early fall but are seeking a one-year extension as well.

Mr. Rieder asks for clarification on the word "start". Mr. Luster say interior demolition. Mr. Luster will reach out to the building inspector about boarding up the broken windows on the first floor.

Ms. Sides reiterates Mr. Rieder's comments.

Mr. Luster says the building will be gasless and this was a part of the HDIP process. Credits the board for this.

Motion to extend the SPR and Religious Reuse Special Permit for 5 Broad Street until July 8, 2025 is made by Kirt Rieder, seconded by Helen Sides, and passes 8-0 in a roll call vote.

C. Receive and File MEPA DEIR Filing for 73 Lafayette Street

The board can provide comments in the SharePoint document.

D. Receive and File summary of DRB review of 100% design drawings for Building B memo for 16, 18, and 20R Franklin Street

The Applicant sent a revised plan set and the DRB recommended and it is available in the SharePoint.

E. Update from staff on previously approved projects.

Ms. Lee says that the staff is putting a list together for past projects that are in permitting or construction phases. There is an interdepartmental meeting twice a month and if the board has a specific interest then she will look into it. Mr. Griset is grateful for the extra work. Ms. Sides says that they are interested in the projects that have had no movement since their decision was granted.

IV. APPROVAL OF MINUTES

A. Approval of the March 21, 2024, Planning Board Minutes

Ms. Sides asks for the March 21, 2024 minutes to include why Chair Griset muted the commenters during the March 21 meeting. Ms. Tarbet agrees. Mr. Rieder says that perhaps there should be an additional sentence added

The Board chooses to move this item to the May 2, 2024 meeting.

V. ADJOURNMENT

A motion to adjourn is made by Helen Sides, seconded by Josh Turiel, and passes in a 8-0 roll call vote.

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| Bill Griset | Y |
| Kirt Rieder | Y |
| Carole Hamilton | Y |
| Josh Turiel | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Helen Sides | Y |
| Sarah Tarbet | Y |
| Zach Caunter | absent |

Adjourned at 7:56 pm

Minutes Approved on: May 2, 2024

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