



CITY OF SALEM

A public hearing of the Salem Planning Board was held on Thursday, February 15, 2024, at 6:30 p.m. via remote access. Public participation was possible via Zoom video and conference call.

Chair Bill Griset opens the meeting at 6:32 pm.

I. ROLL CALL

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

Absent: Carole Hamilton (1)

Also in attendance: Dan Laroe, staff planner; Robyn Lee, staff planner, Elena Eimert, Senior Planner

II. REGULAR AGENDA

A. 301 Essex Street (Map 26, Lot 458)

Applicant: Scott Grover, Esq., f/b/o Jerry's LLC.

Description: A continuance of a public hearing for all persons interested in the application of Scott Grover, Esq., f/b/o Jerry's, LLC, for the property located at 301 Essex Street, Salem, MA (Map 26, Lot 458) in the B5 (Central Development) Zoning District for Site Plan Review of the Salem Zoning Ordinance section 9.5 Site Plan Review. Specifically, the applicant proposes a 3.5-story addition to the existing building to create 18 residential units. The proposed site plan includes a driveway apron on Summer Street and 12 onsite parking spaces. The existing commercial space will remain on the first floor fronting Essex Street.

**** Request to Continue to March 7, 2024****

City staff recommended the re-advertisement of this project due to the Zoning Board of Appeals decision on the parking variance.

A motion to continue to the March 7, 2024 Planning Board meeting is made by Helen Sides, seconded by Jonathan Berk, and passes 8-0 in a roll call vote.

| | |
|-------------|---|
| Bill Griset | Y |
| Kirt Rieder | Y |

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

| | |
|---------------|---|
| Josh Turiel | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Zach Caunter | Y |
| Helen Sides | Y |
| Sarah Tarbet | Y |

B. Location: 266 Canal Street (Map 32, Lot 0038), 282 Canal Street (Map 32, Lot 0037), 286 Canal Street (Map 32, Lot 0036), 282 Rear Canal Street (Map 23, Lot 0144), and 2 Kimball Road (Map 32, Lot 0102)

Applicant: Joseph Correnti Esp. f/b/o The Residences on Canal Street, LLP

Description: A public hearing for all persons interested in the application of Joseph Correnti f/b/o The Residences on Canal Street, LLP, for the property located at 266 Canal Street (Map 32, 0038), 282 Canal Street (Map 32, Lot 0037), 286 Canal Street (Map 32, Lot 0036), 282 Rear Canal Street (Map 23, Lot 0144), and 2 Kimball Road (Map 32, Lot 0102) in the RC, B2, and I Zoning Districts for Site Plan Review in accordance with the following sections of the Salem Zoning Ordinance: Section 9.5 Site Plan Review, 7.3 Planned Unit Development Special Permit, 8.2 Entrance Corridor Overlay District, and Section 8.1 Flood Hazard Overlay District Special Permit and Section 37 of the Salem Code of Ordinances, Stormwater Management Permit. Specifically, the applicant proposes to amend an existing Planned Unit Development Special Permit, Flood Hazard Overlay District Special Permit, Stormwater Management Permit, Entrance Corridor Overlay District, and Site Plan Review decision dated July 27, 2023. The applicant proposed to relocate the outdoor swimming pool, the creation of a new courtyard and open space, modifications to the connection to the rail trail, relocation of entrances to podium parking areas, changes in site grading and stormwater management, and modifications to the building facades (including materials and balconies). No reduction of dwelling units is proposed. An increase of one (1) parking space is proposed from 306 to 307 spaces.

Attorney Correnti is here for the Applicant. Also in attendance are Chris Koeplin (The Residences on Canal Street LLP), Scott Cameron (The Morin-Cameron Group), Bob Uhlig (Halverson Tighe & Bond), , and Matt Marotta (ICON).

Attorney Correnti opens with the difficulty there has been in getting engineering responses. Chair Griset confirms that the board has received the draft decision and engineering comments this afternoon.

Mr. Koeplin shares a PowerPoint. Mr. Marotta recaps the height improvements from the February 1 meeting. Windows are taller along with the increased height to the roof.

Landscaping had small changes:

1. Trees added on Kimball Road: Hawthorne and Red Maples – four (4) total. Mr. Cameron did a ‘dig safe’ and the gas main ends a little into the street so they should be all set to put in trees. Five (5) Tulip trees were added on the Rail Trail side per suggestion of the Tree Warden. The Tree warden suggested trees on other side of the rail trail as well.
2. Providing an extended paved area at trail and Canal Street

PLANNING BOARD QUESTIONS AND COMMENTS

Ms. Sides and Ms. Tarbet are grateful for the improvements on the exterior elevation and window upgrades.

Mr. Furey appreciates the efforts that have been done to improve the original plans. Mr. Furey has a prepared statement and is worried about flooding, and Rosie’s Pond, and Brooks Street. Rosie’s Pond is an imminent and impactful floodplain.

Mr. Rieder appreciates the consideration for the context this proposal has been developed in. Originally wanted more landscape but likes the scientific approach by the Team.

Attorney Correnti responds to Mr. Furey. Attorney Correnti says that the Team based efforts and analysis on the science and this is a very engineered project. Without going point by point through Mr. Furey’s statement, the Team respects what he is saying, but the residents will not have to acquire flood insurance. He further addresses the continuing dialogue surrounding the housing crisis and reiterates that this project is offering 20% of total units as affordable units. Attorney Correnti feels the Team has shown how this project fits into the environment and they have striven to address the difficult issues this project brings. Attorney Correnti reiterates that this is an approved project and they chose to come back with amendments.

PUBLIC COMMENT

Written comment from Councilor Jeff Cohen in the public SharePoint: [Jeff Cohen City - Public Comment 2.15.24.pdf](#)

No other public comments.

The Board chooses to review the proposed amended decision and Attorney Correnti would like to address issues as they go through the decision.

Ms. Eimert asks if the board would like to close the public hearing prior to reviewing the decision.

Motion to close the public hearing is made by Kirt Rieder, and seconded by Josh Turiel, and passes 8-0 in a roll call vote.

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

Ms. Lee shares the draft decision and says that the staff is looking for clarification on the number of parking spots. Ms. Eimert provides context for the issues with University Fuel along Kimball Road; the Zoning Enforcement Officer found that the design proposed is not compliant with the Entrance Corridor Overlay District (ECOD) which allows commercial properties to have two (2) curb cuts of twenty-four (24) feet. The project would need a variance to build out as designed. This has been added to the procedural history for the future. This language in the decision brings the project in line with the zoning ordinance and would only require approval from the City Planner. Mr. Rieder does not see the need for further discussion on this.

Mr. Koeplin stops the review on 4.c to ask if this includes the public crosswalk? Mr. Rieder emphatically says no. Attorney Correnti asks that for the purposes of 4.c, from whom is the team obtaining the easement? 4.d is meant to move with 4.c and is meant to touch on the pavement that used to be used by blue bikes. There is belief that some of the sidewalk belongs to the city. Clarifying who is responsible for what. Mr. Rieder finds that the language lacks specificity and this is best illustrated and not in narrative. Attorney Correnti agrees but adds his own language to determine what is needed. Who is granting the easement is a big deal. While the plan won't change, the language will, it may not be an easement, there may be other ways to do this. Mr. Rieder asks if this is like the rail trail boundaries at the stream? Attorney Correnti say that the Team may have to put together a package where we have to work on city land. Chair Griset asks what would the Team change? Mr. Rieder says that what he is comfortable with is good. 4.d is recrafted to suit everyone's needs. Ms. Eimert thinks the document determined by the City Solicitor is still relevant and would retain the last clause. Ms. Eimert also questions if some of the language in 4.c should be stricken. Mr. Rieder would like 4.c and 4.d combined. Mr. Cameron says the work is shown on a plan and that it's a Planned Unit Development (PUD) it should be integrated into the public realm.

On 4.f, the engineering team is fine with the crosswalk and Mr. Cameron knows they have to collaborate at a city level.

On 4.i, Ms. Eimert says that this was a late breaking comment for the Tree Warden. And there is a desire to see trees in the small planting beds that are dispersed in the parking areas north of Buildings B & D. On 4.j the Tree Warden notes that parking capacity is important and wants to extend the southwest parking lot by fifteen (15) feet to add trees for shade and cooling. The Team says that they cannot do that as it would destroy the flood mitigation. Mr. Cameron says that there are trees all throughout the lots. Mr. Rieder believes 4.i and 4.j should be eliminated. Ms. Eimert says that as this is an amendment, all conditions not removed are still in effect.

Mr. Koeplin addresses construction traffic is usually through Traffic and parking, not the City Engineer. And we've submitted things from demo and logistics. Ms. Eimert says that this is the language in the initial approval.

Mr. Cameron says that the entirety of section 10 is in the base decision. If there aren't new ones then will defer to the base conditions. Just about to demolition permit. The City Engineer comment is too open. Mr. Rieder asks if is this boiler plate and is not in favor of gutting the boiler plate used on other projects? Ms. Eimert says that these are the boiler plate conditions that Engineering wishes to place on all decisions on the base approval. Chair Griset says that if they are already included then don't delete them. Mr. Cameron says that the Team cannot meet 10.c. Chair Griset says that 15.a is in the original SC: all these terms we spent a lot of time on in the original permit. Mr. Rieder says they should cut and paste. Mr. Cameron is fine removing 10.c.

Condition 12 is the new language being applied to all approved plans.

A motion to approve the draft decision with amendments, meeting is made by Helen Sides, seconded by Josh Turiel, and passes in a 6-1 roll call vote with one abstention.

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| Bill Griset | Y |
| Kirt Rieder | Y |
| Josh Turiel | Y |
| Tom Furey | N |
| Jonathan Berk | Y |
| Zach Caunter | Y |
| Helen Sides | Y |
| Sarah Tarbet | abstain |

C. Location: 266 Canal Street (Map 32, Lot 0038), 282 Canal Street (Map 32, Lot 0037), 286 Canal Street (Map 32, Lot 0036), 282 Rear Canal Street (Map 23, Lot 0144), and 2 Kimball Road (Map 32, Lot 0102)

Applicant: Joseph Correnti Esp. f/b/o The Residences on Canal Street, LLP Description: **Form B/Preliminary Subdivision Application**

Mr. Turiel leaves the meeting

Attorney Correnti says that Form B doesn't typically need an approval, just recognition that it has been filed. Would like to put this off to March 7, 2024 as he doesn't have the numbers.

Motion to continue to March 7, 2024 meeting is made by Helen Sides, and seconded by Jonathan Berk, and passes 8-0 in a roll call vote.

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|---------------|---|
| Bill Griset | Y |
| Kirt Rieder | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Zach Caunter | Y |
| Helen Sides | Y |
| Sarah Tabet | Y |

III. OLD/NEW BUSINESS

A. Update from Staff regarding approval "sunset" language.

Staff is working to get the policy drafted and will have the language next meeting.

B. Update from Staff regarding status of previously approved projects.

No updates needed

C. Deliberate and vote on signing an updated Triparty agreement and covenant (Alameda Subdivision).

Chair Griset recuses himself.

Chris Latham is here representing Circle Hill Builders LLC, the new buyers of 14/16 Alameda Street.

Ms. Lee says that the triparty agreement needs a revised signature from the board as the development on Almeda Street has been sold.

Mr. Latham provides a summary. He represents Circle Hill Builders LLC. They will purchase 14/16 Almeda street. The lender are requiring as a precondition that the buyers the be subbed on the triparty agreement and the covenant. As should the buyer's lender, Haverhill Bank for the seller's bank Lowell Five. Mr. Latham brings forth the covenant and in terms of the triparty it is the interest of the city. The amount of the security is the same \$64,170.00. The triparty is only document that needs signatures but wanted to make certain that the board was okay with the substitution of parties on the covenant as well.

Ms. Lee says that this will require in person signatures. All members should sign. Ms. Eimert suggests that the board take a vote to approve the signatures and then ask five (5) board members to come in person to sign.

Ms. Lee shares the Tri-Party Agreement. Mr. Rieder asks if this is perfunctory and Ms. Eimert says that the previously signed language is not changing, just the buyer and their lender.

PLANNING BOARD QUESTIONS

None

A motion to acknowledge the substitution of parties for this triparty agreement and covenant is made by Helen Sides, seconded by Jonathan Berk, and passes 6-0 in a roll call vote.

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| Bill Griset | recused |
| Kirt Rieder | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Zach Caunter | Y |
| Helen Sides | Y |
| Sarah Tarbet | Y |

IV. APPROVAL OF MINUTES

A. Approval of the February 1, 2024, Planning Board Minutes

A motion to approve the February 1, 2024, meeting minutes is made by Helen Sides, seconded by Tom Furey, and passes 7-0 in a roll call vote.

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|-------------|---|
| Bill Griset | Y |
|-------------|---|

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| | |
|---------------|---|
| Kirt Rieder | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Zach Caunter | Y |
| Helen Sides | Y |
| Sarah Tarbet | Y |

V. ADJOURNMENT

A motion to adjourn is made by Kirt Rieder, seconded by Jonathan Berk, and passes in a 7-0 roll call vote.

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|---------------|---|
| Bill Griset | Y |
| Kirt Rieder | Y |
| Tom Furey | Y |
| Jonathan Berk | Y |
| Zach Caunter | Y |
| Helen Sides | Y |
| Sarah Tarbet | Y |

Adjourned at 8:08 pm
Minutes Approved by the Planning Board on March 7, 2024