



CITY OF SALEM PLANNING BOARD

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Site Plan Review Decision

CITY OF SALEM

November 18, 2011

AL Prime Energy Consultants, Inc.
219 Salem Street
Wakefield, MA 01880

RE: 175 and 183 Lafayette Street — Site Plan Review

On Thursday, June 16, 2011, the Planning Board of the City of Salem opened a Public Hearing under Section 9.5 of the City of Salem Zoning Ordinance, Site Plan Review, at the request of A.L. Prime Energy Consultants, Inc., for the properties located at 175 and 183 Lafayette Street. The proposed plans show the demolition of two existing buildings and the existing gasoline pumps, replacement of fuel storage tanks, and construction of a new convenience store and three new double-sided gasoline pumps with a canopy.

The public hearing was continued to, July 7, 2011, July 21, 2011, November 3, 2011, and November 17, 2011, and closed on November 17, 2011. At a regularly scheduled meeting of the Planning Board held on November 17, 2011, the Planning Board voted by a vote of eight (8) in favor (Chuck Puleo, John Moustakis, Tim Ready, Tim Kavanagh, Randy Clarke, Helen Sides, Mark George, and Nadine Hanscom), none opposed (0), and one abstaining (Lewis Beilman) to approve the Site Plan, subject to the following conditions:

1. Conformance with the Plan

Work shall conform to the plans titled, "Site Improvement Plans for A.L. Prime Energy at 175 Lafayette Street, Salem, MA 01970," prepared by Ayoub Engineering, Pawtucket, RI, dated May 24, 2011 and last revised November 8, 2011.

2. Transfer of Ownership

Within five (5) days of transfer of ownership of the site, the Owner shall notify the Board in writing of the new owner's name and address. The terms, conditions, restrictions and/or requirements of this decision shall be binding on the Owner and its successors and/or assigns.

3. Amendments

Any amendments to the approved site plan, elevation plan, and landscape plan shall be brought to the Planning Board for review and approval. Any waiver of conditions contained within shall require the approval of the Planning Board.

4. Construction Practices

All construction shall be carried out in accordance with the following conditions:

- a. The operation of tools or equipment used in construction or demolition work shall occur in accordance with Salem Ordinance Section 22-2 (5): Construction and Blasting and between the hours of 8:00 AM and 5:00 PM on weekdays and Saturdays. No work shall take place on Sundays or holidays. The Planning Board will agree to changes in the starting time, at the request of the applicant and if approved by a formal vote of the City Council, as per the ordinance.
- b. Any blasting, rock crushing, jack hammering, hydraulic blasting, or pile driving shall occur in accordance with Salem Ordinance Section 22-2 (5): Construction and Blasting and be limited to Monday-Friday between the hours of 8:00 AM and 5:00 PM. There shall be no blasting, rock crushing, jack hammering, hydraulic blasting, or pile driving on Saturdays, Sundays, or holidays.
- c. Blasting shall be undertaken in accordance with all local and state regulations.
- d. All reasonable action shall be taken to minimize the negative effects of construction on abutters. Advance notice shall be provided by the applicant to all abutters in writing at least 72 hours prior to commencement of construction of the project.
- e. All construction vehicles and equipment shall be cleaned prior to leaving the site so that they do not leave dirt and/or debris on surrounding roadways as they exit the site.
- f. All construction shall be performed in accordance with the Rules and Regulations of the Planning Board, and in accordance with any and all rules, regulations and ordinances of the City of Salem.
- g. All construction vehicles and equipment left overnight at the site must be located completely on the site.
- h. All staging of materials and equipment shall be on-site.
- i. No street shall be closed without prior approval of the Department of Planning and Community Development, unless deemed an emergency by the Salem Police Department.
- j. A Construction Management Plan and Construction Schedule shall be submitted by the Applicant prior to the issuance of a building permit. Included in this plan, but not limited to, shall be information regarding how the construction equipment will be stored, a description of the construction staging area and its location in relation to the site, and where the construction employees will park their vehicles. The plan and schedule shall be submitted and approved by the City Planner prior to the issuance of a Building Permit. All storage of materials and equipment will be on site. The Construction Management Plan is to be reviewed by the Traffic Division of the Salem Police Department.

k. All sidewalks, roadways, utilities, landscaping, etc. damaged during construction shall be replaced or repaired to their pre-construction condition, or better.

l. The applicant agrees to secure the site with a temporary fence during construction.

5. Fire Department

All work shall comply with the requirements of the Salem Fire Department.

6. Building Inspector

All work shall comply with the requirements of the Salem Building Commissioner.

7. City Engineer

All work shall comply with the requirements of the City Engineer. The applicant shall obtain any required curb cut permit from the Engineering Department, and approval of the site plan is contingent upon receipt of this permit.

8. Board of Health

The applicant shall comply with all requirements and conditions of the Board of Health. A separate application must be made to the Board of Health and all required plans and documents must be filed 30 days prior to the start of construction.

9. Utilities

a. Utility installation shall be reviewed and approved by the City Engineer prior to the issuance of a Building Permit. All on site electrical utilities shall be located underground.

10. Department of Public Services

The Applicant shall comply with all requirements of the Department of Public Services.

11. Signage

a. Proposed signage shall be reviewed and approved by the Sign Review Committee in accordance with entrance corridor requirements, Section 8.2.6 of the Zoning Ordinance. Approval of the site plans does not represent approval of the proposed signage.

12. Lighting

a. No light shall cast a glare onto adjacent parcels or adjacent rights of way.

b. A final lighting plan shall be submitted to the City Planner for review and approval prior to the issuance of a Building Permit.

c. After installation, lighting shall be reviewed and approved by the City Planner, prior to the issuance of a Certificate of Occupancy.

13. HVAC

The HVAC unit located on the roof shall be visually screened prior to the issuance of a Certificate of Occupancy. The method for screening the unit, including colors and materials, shall be submitted to the City Planner for review and approval prior to installation.

14. Landscaping

- a. All landscaping shall be done in accordance with the approved set of plans.
- b. Maintenance of all landscaping on the site shall be the responsibility of the Applicant. The Applicant, his successors or assigns, shall guarantee all trees and shrubs for a two (2) year period, from issuance of the Certificate of Occupancy and completion of planting.
- c. Any street trees removed as a result of construction shall be replaced. The location of any replacement trees shall be approved by the City Planner prior to replanting.
- d. Final completed landscaping, done in accordance with the approved set of plans, shall be subject to approval by the City Planner prior, for consistency with such plans, to the issuance of a Certificate of Occupancy.

15. Maintenance

- a. Refuse removal, ground maintenance and snow removal shall be the responsibility of the Applicant, his successors or assigns.
- b. Winter snow in excess of permitted snow storage areas on site shall be removed off site within forty-eight (48) hours.
- c. Maintenance of all stormwater structures and bioretention areas shall be the responsibility of the Applicant, his successors or assigns.

16. As-Built Plans

- a. As-built Plans, stamped by a Registered Professional Engineer, shall be submitted to the Department of Planning and Community Development and Department of Public Services prior to the issuance of Certificates of Occupancy.
- b. The As-Built plans shall be submitted to the City Engineer in electronic file format suitable for the City's use and approved by the City Engineer, prior to the issuance of Certificates of Occupancy.
- c. A completed tie card, a blank copy (available at the Engineering Department) and a certification signed and stamped by the design engineer, stating that the work was completed in substantial compliance with the design drawing must be submitted to the City Engineer prior to the issuance of Certificates of Occupancy; as well as, any subsequent requirements by the City Engineer.

17. Special Conditions

- a. Applicant is to make a request to the appropriate City department to have signage installed on Palmer Street near the Lafayette Street intersection prohibiting parking 20 feet from the corner.

18. Violations

Violations of any condition contained herein shall result in revocation of this permit by the Planning Board, unless the violation of such condition is waived by a majority vote of the Planning Board.

I hereby certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the Planning Board. The Decision shall not take effect until a copy of this decision bearing the certification of the City Clerk that twenty (20) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, is recorded in the Southern Essex District Registry of Deeds and is indexed under the name of the owner of record is recorded on the owner's Certificate of Title. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.



Charles M. Puleo
Chair