



# CITY OF SALEM PLANNING BOARD

2013 DEC 19 A 10: 10

FILE #  
CITY CLERK, SALEM, MASS.

## Site Plan Review Decision

12/19/2013

Renewal Ventures LLC  
141 Washington Street  
Salem, MA 01970

RE: 3 Webster Street, Salem, Massachusetts  
Site Plan Review

On Thursday, November 21, 2013, the Planning Board of the City of Salem opened a Public Hearing regarding the application of Applicant under Site Plan Review for the property located at 3 Webster Street. The proposed plans show the renovation of the existing two-story masonry building to house six residential units and four parking spaces.

The public hearing was continued to December 5, 2013, and was closed on that date. At the regularly scheduled meeting of the Planning Board held on December 5, 2013 the Board voted by a vote of seven (7) in favor (Chuck Puleo, Dale Yale, Ben Anderson, George McCabe, Kirt Rieder, Tim Ready, and Randy Clarke), none (0) opposed, to approve the application as complying with the requirements of Site Plan Review subject to the following conditions:

### 1. Conformance with the Plan

Work shall conform with the plans entitled: "3 Webster Street Apartments," prepared by Seger Architects, Inc., 10 Derby Square, Suite 3N, Salem, MA 01970, dated October 10, 2013, and revised December 4, 2013, including pages A-1, A-2, A-3, with noted edits and with the proposed concrete slab apron, proposed curb cuts, and proposed granite curb and curb radii; as well as the specifications submitted for A/C Condenser Units, the exterior light fixtures, and the letter from John Seger, submitted December 4, 2013, regarding curb cuts and granite curbs and curb radii.

### 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 site plan shall be reviewed by the City Planner and if deemed necessary by the City Planner, shall require approval by the Planning Board. 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 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. The applicant shall abide by any and all applicable 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. No Street shall be closed without prior approval of the City Planner, unless deemed an emergency by the Salem Police Department.

### **5. Construction Traffic & Phasing**

- a. All construction will occur on site; no construction will occur or be staged within City right of way. Any deviation from this shall be approved by the City Planner prior to construction.
- b. A construction traffic/phasing management plan and schedule shall be submitted to the City Planner for review and approval prior to the issuance of a building permit.
- c. Any roadways, driveways, or sidewalks damaged during construction shall be restored to their original condition by the applicant.

- d. The applicant shall clean construction vehicles before they exit the construction site, and clean and sweep all streets affected by their construction truck traffic as necessary.

**6. Project Delays**

The developer, his successors or assigns shall notify the City Planner if work on the site ceases for any reason for a period of six (6) months. In this event, the applicant shall be required to appear before the Planning Board and report to the Board the reason(s) why work has ceased at the project and a schedule of when work will begin again at the site, as well as a date of final project completion. If substantial work has not commenced on the site, as deemed by the Board, and such work is not anticipated to begin within two (2) years of the date of the Planning Board's original decision, the applicant shall notify the Board and, prior to the two-year anniversary of the issuance of the permit, shall request an extension of the permit from the Board. Applicant shall provide in such request any and all materials the Board may require to make a determination on the extension request, including but not limited to: studies, reports or new plans, at the applicant's expense, as requested by the Board and deemed necessary by the City Planner.

**7. Fire Department**

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

- a) A fire alarm system shall be maintained and functional throughout the entire demolition process and rebuilding of the structure, including an exterior horn/strobe to warn neighboring properties of a smoke or fire condition.
- b) Proper signage indicating hazardous conditions shall exist in the building for first responders.
- c) The existing sprinkler system can be disabled during demolition and precautions will be taken to prevent hazardous and/or fire conditions.
- d) A set of engineered drawings showing the new fire alarm system to be put in place shall be approved by the Salem Fire Department, prior to the issuance of the building permit.
- e) The plans for the new sprinkler system to be placed in the structure shall be approved by the Salem Fire Department prior to the issuance of the building permit.

**8. Signage**

All proposed signage shall be reviewed and approved by the City Planner prior to the issuance of a sign permit.

**9. Building Inspector**

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

**10. Board of Health**

All work shall comply with the requirements of the Salem Board of Health, if applicable.

- a. The individual presenting the plan to the Board of Health must notify the Health Agent of the name, address, and telephone number of the project (site) manager who will be on site and directly responsible for the construction of the project.

- b. If a DEP tracking number is issued for this site under the Massachusetts Contingency Plan, no structure shall be constructed until the Licensed Site Professional responsible for the site certifies that soil and ground water on the entire site meets the DEP standards for the proposed use.
- c. The developer shall adhere to a drainage plan as approved by the City Engineer.
- d. The developer shall employ a licensed pesticide applicator to exterminate the area prior to construction, demolition, and/or blasting and shall send a copy of the exterminator's invoice to the Health Agent.
- e. The developer shall maintain the area free from rodents throughout construction.
- f. The developer shall submit to the Health Agent a written plan for dust control and street sweeping which will occur during construction.
- g. The developer shall submit to the Health Agent a written plan for containment and removal of debris, vegetative waste, and unacceptable excavation material generated during demolition and/or construction.
- h. The Fire Department must approve the plan regarding access for firefighting.
- i. Noise levels from the resultant establishment(s) generated by operations, including but not limited to refrigeration and heating, shall not increase the broadband sound level by more than 10 dB(A) above the ambient levels measured at the property line.
- j. The developer shall disclose in writing to the Health Agent the origin of any fill material needed for the project.
- k. The resultant establishment(s) shall dispose of all waste materials resulting from its operations in an environmentally sound manner as described to the Board of Health.
- l. The developer shall notify the Health Agent when the project is complete for final inspection and confirmation that above conditions have been met.
- m. The developer shall install grease traps, to contain grease in gray water, prior to it entering the city sewer system in developments with 10 or more units and in compliance with the requirements of the City Engineer.
- n. Salem sits in a Radon Zone 1 and the risk of radon entering buildings is extremely high. Therefore, the installation of radon mitigation systems is strongly recommended.

#### **11. Office of the City Engineer**

The applicant, his successors or assigns shall comply with all requirements of the City Engineer.

- a. The applicant shall perform a flow test to verify that the flow needed for fire protection is adequate. Any water service line to be reused needs to be inspected and a Statement from the

Engineer (PE) is required reporting the findings and conditions of the existing water service line to be reused. This Statement must be approved by the City Engineer prior to the issuance of a building permit. Please note separate water service lines are required from the water main in the street into the property for fire and domestic.

- b. If any of the current water services lines will be reused, a Statement from owner/developer is needed to acknowledge ownership of the water service line from the main at Webster Street to the property, including the portion that is currently owned by the City because the developer has decided to reuse the existing line. This Statement must be approved by the City Engineer prior to the issuance of a building permit. The City will not be responsible for any future repairs needed on this water service.
- c. If the sewer service line will be reused, the applicant needs to inspect the service from the house all the way into the main at the street. A Statement from the Engineer (PE) to report the findings and conditions of the existing sewer service line is required, and a copy of the CCTV video inspection must be submitted. This Statement and the CCTV video inspection must be received and approved by the City Engineer prior to the issuance of the building permit.
- d. The curb cut plan must be received and approved by the City Engineer prior to the issuance of the building permit.

## **12. Department of Public Services**

The applicant, his successors or assigns shall comply with all requirements of the Department of Public Services.

## **13. Utilities**

Any utility installation shall be reviewed and approved by the City Engineer prior to the issuance of a Building Permit.

## **14. 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 and the City Electrician for review and approval prior to the issuance of a building permit.
- c. After installation, lighting shall be reviewed by the City Planner, prior to the issuance of a Certificate of Occupancy.

## **15. HVAC**

The proposed HVAC unit located on the roof shall be visually and acoustically screened as shown on the Plan and hereby approved by the Planning Board.

## **16. Maintenance**

- a. Refuse removal, ground maintenance and snow removal shall be the responsibility of the applicant.
- b. Winter snow in excess of snow storage areas on the site shall be removed off site.

c. Maintenance of any landscaping shall be the responsibility of the applicant, his successors or assigns. The applicant, his successors or assigns, shall guarantee all trees and shrubs for a two-year period.

- 17. As-built Plans** As-built plans, stamped by a Registered Professional Engineer, shall be submitted to the Department of Planning and Community Development and the Department of Public Services prior to the issuance of the final Certificate of Occupancy.

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 the final Certificate of Occupancy.

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 the final Certificate of Occupancy; as well as, any subsequent requirements by the City Engineer.

**18. Violations**

Violations of any condition 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 Essex South 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