



CITY OF SALEM PLANNING BOARD

2014 DEC 11 P 4: 46

Decision

FILE #
CITY CLERK, SALEM, MASS.

Amendment to Site Plan Review, Planned Unit Development Special Permit, and Flood Hazard District Special Permit

**1, 3 & 5 Harmony Grove Road and 60 & 64 Grove Street
(Map 16, Lots 236, 237, 239, 377 & 378)**

December 11, 2014

Serafini, Darling & Correnti
c/o Joe Correnti
63 Federal Street
Salem, MA 01970

RE: Site Plan Review, Planned Unit Development Special Permit and Flood Hazard District Special Permit Amended Decision for 1, 3 & 5 Harmony Grove Road and 60 & 64 Grove Street (Grove Street Apartments) (f/k/a Legacy Park at Harmony Grove Apartments)

On Thursday November 20, 2014 the Planning Board of the City of Salem (hereinafter referred to as the "Planning Board" or "the Board") opened a public hearing regarding the application of Grove Street Apartments (hereinafter referred to as the "Applicant" and/or "Owner") for an amendment to the previously approved Site Plan Review, Planned Unit Development Special Permit and Flood Hazard District Special Permit for the property located at 1, 3 & 5 Harmony Grove Road and 60 & 64 Grove Street (Map 16, Lots 236, 237, 239, 377 & 378). The application includes changes to site-related vehicle and pedestrian access, including elimination of the Harmony Grove vehicle access; and changes to the parking lot layout, landscaping, environmental remediation, and stormwater management. Eleven (11) parking spaces at 60 Grove Street, the commercial building, have been eliminated; the number of residential units is reduced from 141 to 129 units and one (1) additional residential parking space is provided. No changes are proposed to the total square footage or footprints of the buildings.

Specific amendments proposed are the following:

- 1) Elimination of the proposed vehicle bridge to and from Harmony Grove.
- 2) The project name is "Grove Street Apartments" formerly known as "Legacy Park at Harmony Grove Apartments"
- 3) There is a proposed reduction of residential units from the previously approved 141 units to 129 units. The structure footprint and mass will not change from the previously approved plan.
- 4) A portion of the pedestrian path width will be increased to 14 feet.

- 5) Repairs will be made to an existing pedestrian bridge for a shared-use pathway if permitted by the Commonwealth of Massachusetts. Removable bollards will be installed to prevent motor vehicle use of the bridge.
- 6) 11 Parking spaces will be eliminated from the rear of the commercial building per DEP. There will be a total of 11 parking spaces available in relation to the commercial building on the site.
- 7) Removal of previously approved pedestrian bridge to commercial building.
- 8) Environmental remediation of the sludge bed located at 3 Harmony Grove Road and construction of a capped disposal cell.
- 9) Minor driveway, landscape, parking lot and stormwater changes.

The hearing was continued to December 4, 2014 and closed on that date. The Board voted by a vote of eight (8) in favor (Charles Puleo, Dale Yale, Ben Anderson, Kirt Rieder, Noah Koretz, Helen Sides, Randy Clarke, and Bill Grisct), and none (0) opposed to approve the proposed amendments, subject to the following conditions:

1. Conformance with the Plan

Except as modified herein, Work shall conform to the Project Plans listed below entitled, "Site Plan for Mixed-Use Development: Legacy Park Apartments at Harmony Grove, 60 & 64 Grove Street and 3 Harmony Grove Road, Salem, MA December 2011," prepared by Griffin Engineering Group, LLC, LeBlanc Survey Associates, Beauds Art, Inc., Sebege Technics, WLS Lighting Systems, for MRM Project Management, LLC.

A. Project plans:

Sheet	Title	Last Revised
Cover		10/16/14
N-1	Plan Notes	10/16/14
C-1	Boundary & Zoning Plan	10/16/14
C-2	Existing Conditions Plan	10/16/14
C-3	Overall Site Layout Plan	12/1/14
C-3A	Site Layout Plan	12/1/14
C-3B	Site Layout Plan	12/1/14
C-3C	Site Layout Plan	12/1/14
C-4A	Grading, Drainage and Erosion Control Plan	10/16/14
C-4B	Grading, Drainage and Erosion Control Plan	12/1/14
C-4C	Grading, Drainage and Erosion Control Plan	12/1/14
C-5A	Utilities Plan	10/16/14
C-5B	Utilities Plan	12/1/14
C-5C	Utilities Plan	12/1/14
C-6	Details I	10/16/14
C-7	Details II	10/16/14
C-8	Details III	10/16/14
	C-9 - Not used	
C-10	Details V Remediation Details	10/16/14
1 of 1	Photometric Plan	9/16/14
1 of 1	Landscape Plan	11/8/12
A1.1	Building #1 First and Second Floor Plans	6/18/12

A1.1	Building #2 First and Second Floor Plans	6/18/12
A1.1	Building #3 First and Second Floor Plans	6/18/12
A2.1	Building # 1 Exterior Elevations	7/2/12
A2.1	Building #2 Exterior Elevations	7/2/12
A2.1	Building #3 Exterior Elevations	7/2/12
A2.2	Building #1 Exterior Elevations	7/2/12
A2.2	Building #2 Exterior Elevations	7/2/12
A2.2	Building #3 Exterior Elevations	7/2/12

2. Original Decision

All conditions set forth in the original decision for Site Plan Review, Planned Unit Development Special Permit and Flood Hazard District Special Permit dated October 26, 2012 shall remain and be adhered to by the applicant, unless explicitly eliminated or amended in this decision.

3. Amendments

Any amendments to the approved site plan shall be reviewed by the City Planner and if deemed necessary by the City Planner, shall be brought to the Planning Board. Any waiver of conditions contained within this decision shall require approval of the Planning Board.

4. Violations

Violations of any condition shall result in revocation of this permit by the Planning Board, unless the violation of such condition is cured within fourteen (14) days, or waived by a majority vote of the Planning Board.

5. Special Conditions

a. Pedestrian Bridge

1. Conditions "D" and "E" of the original decision dated October 26, 2014, are hereby eliminated as the proposed vehicular bridge has been deleted from the amended plans.
2. The applicant shall submit a detailed design plan stamped by a Massachusetts Registered Structural Professional Engineer to the City Engineer for review and approval for the repairs to the existing North River Canal pedestrian bridge crossing for review and approval by the City Engineer prior to issuance of a building permit.
3. Applicant shall seek permission from the MBTA to install or replace existing fencing along the adjacent MBTA property, to the extent permitted by the MBTA, and shall be a 4' tall, black PVC coated 1" nominal gauge chain link style. Any changes to these fencing requirements shall be submitted to the City Planner for review and approval prior to a Building Permit.

b. Sewage and Utilities

1. The applicant shall be responsible for evaluating the condition of existing sewer service at 60 and 64 Grove Street. The applicant shall coordinate the existing sewer service inspection with the City Engineer. The applicant shall be responsible for any repair or replacement necessary prior to the completion of the Grove Street Improvement project. If replacement is necessary, any changes to plans shall be submitted to the City Engineer for review and

approval prior to sewer service replacement. All drainage and utility upgrades necessary and proposed drainage and utility service connections in the public right of way shall be installed prior to completion of the Grove Street Improvement project roadway paving due to the moratorium to be placed on Grove Street prohibiting new excavation after its reconstruction.

2. The Applicant shall use its best efforts to engage a waste hauler for compost that will regularly accept organic wastes from on-site residents for off-site composting. Organic wastes shall not be stored on-site in a manner that allows nuisance conditions to develop.

c. Stormwater Management

1. The applicant to provide a completed NOI and SWPPP to the City Engineer for review and approval prior to any land disturbance.
2. The applicant to provide a completed and signed Illicit Discharge Compliance Statement to the City Engineer prior to obtaining a building permit.
3. The applicant to provide detailed design plans stamped by a Massachusetts Registered Professional Engineer for the proposed retaining walls to the City Engineer for review and approval prior to issuance of a building permit.
4. The applicant shall coordinate with the City Engineer to obtain access to the valve at Beaver Street in order to evaluate its condition. If the valve needs to be replaced, the applicant shall provide revised plans to the City Engineer for review and approval and repair and/or replace the valve prior to issuance of a building permit.
5. The applicant to evaluate the condition and capacity of the existing drainage system within Grove Street and demonstrate to the satisfaction of the City Engineer that the proposed tie-in will not adversely impact the existing system prior to the issuance of a building permit.

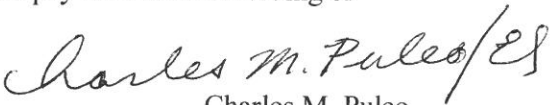
d. Traffic

1. To ensure that proper sight lines are maintained, the Applicant shall keep vegetation clear along Grove Street and shall keep signage and other materials from impacting sight lines near the proposed driveway.
2. The end caps to the 24 space parking aisle on the western side of the site shall be defined with contrasting unit pavers or cobblestone to better define the edge of the "roadway". Revised plans to be submitted for review and approval to the City Planner prior to the Issuance of a building permit.
3. Applicant shall install removable bollards at the ends of the 14'-wide portion of the shared-use pathway in the event that unauthorized vehicular use of the pathway occurs. The applicant shall meet with the Fire Department and City Planner for review and approval prior to installation. No such bollards shall be installed without City approval.
4. The applicant agrees to donate \$100,000 to the City of Salem for traffic improvements in the area in and around Harmony Grove Road, Mason Street, Grove Street, Boston Street, Bridge Street, Goodhue Street, Stafford Street, Watson Street, and Beaver Street for traffic mitigation prior to the issuance of a building permit for any of the new residential buildings shown on the Plan.

e. Affordable Housing

The Petitioner shall place an Affordable Housing Restriction on the development ensuring that at least thirteen (13) of the one hundred and twenty-nine (129) units shall be affordable. The form of the restriction is to be approved by the City Planner and recorded with the Essex South Registry of Deeds. The affordable housing restriction is to be in accordance with the eligibility criteria for the Commonwealth Department of Housing and Community Development's Subsidized Housing Inventory for the purpose of ensuring that at least thirteen (13) dwelling units will be restricted as affordable housing for households whose annual incomes are eighty percent (80%) or less of area median income with rents affordable to low and moderate income households, by standards established by the Department of Housing and Urban Development, for a period of ninety-nine (99) years from the date of the first occupancy permit.

I certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the 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 or is recorded on the Owners Certificate of Title if Registered Land. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.



Charles M. Puleo

Chair