

**City of Salem Planning Board  
Meeting Minutes  
Thursday, June 4, 2015**

A regularly scheduled meeting of the Salem Planning Board was held on Thursday, June 4, 2015 at 7:00 p.m. in Room 313, Third Floor, at 120 Washington Street, Salem, Massachusetts.

Chairman Puleo opened the meeting at 7:18pm.

### **Roll Call**

Those present were: Chuck Puleo, Chair, Helen Sides, Randy Clarke, Kirt Rieder, Dale Yale, Bill Griset, Matthew Venio and Noah Koretz. Absent: Ben Anderson.

Also present: Erin Schaeffer, Staff Planner, and Pamela Broderick, Planning Board Recording Clerk.

### **Approval of Minutes**

#### **May 21, 2015 Regular Meeting Minutes**

No comments or corrections were made by the Planning Board members.

**Motion and Vote:** Helen Sides made a motion to approve the May 21, 2015 Regular Meeting Minutes, seconded by Randy Clarke. The vote was unanimous with eight (8) in favor and none (0) opposed.

### **Regular Agenda**

**Location:** 92-94 Lafayette Street (map 34 Lot 414)  
**Applicant:** RCG KLONDIKE CLUB LLC, RCG LLC  
**Description:** A continuation of the public hearing for Site Plan Review, to consider an application to convert the second floor and its mezzanine of an existing commercial building into eight (8) residential dwelling units.

#### **Documents and Exhibitions:**

- Revised drawings RCG Apartments, Floorplans prepared by Pitman & Wardley, 32 Church Street, Salem, dated March 18, 2015.
  - Existing Basement & First Floor Floorplans A1
  - Proposed Basement & First Floor Floorplans A1A
  - Existing Second & Third Floor & Roof Floorplans A2
  - Proposed Second & Third Floor & Roof Floorplans A2A
  - Existing Front, Sides & Rear Elevation Drawings A3
  - Proposed Front, Sides & Rear Elevation Drawings A3A

Peter Pitman, architect, Pitman & Wardley, 32 Church Street, Salem, presented for the applicant. Other presenters included:

- David Steinbergh; Principal, RCG LLC, 17 Ivaloo Street, Somerville

Mr. Pitman presented revised drawing boards and illustrated the answers to questions raised by the Planning Board during the last hearing:

- Parking space dimensions added to the drawings
- Dumpster enclosure added
- Alleyway dimensions added
- 3 spaces on the lot are accessed via Dodge Street Court to the back of the building.
- Stairway added to the back of the building, the ground floor exit door opens into the parking area.
- The existing first floor delivery door for the restaurant space will be kept; it exits onto the parking area at the rear of the building.
- There is no exit to the alley on the north (right) side of the building.
- Two stairways and an elevator provide access to the building.

The presentation continued with a discussion of the rooftop treatment and its relationship to adjacent buildings. Mr. Pitman advised:

- Current roof-situated equipment that will remain includes: HVAC, satellite dish and commercial vent for the restaurant. The restaurant fan equipment goes down the south (left from Lafayette Street perspective) side of the building and will also remain. Anything else on the roof that can be removed will be.
- Adding individual HVAC units for the 8 residences; to be located on the north side of the building as far from 90 Lafayette as possible, and as far from the front of the building as possible to eliminate visibility from the street. Will add a sound screen around the equipment if testing indicates necessary. Mr. Pitman advised the building code is very specific with regard to allowed decibels; the project will comply with code.

Mr. Pitman continued the review of the revised elevation drawings with the following highlights:

- Stair tower will be finished in a terra cotta stucco close to the color of the existing brick; cannot match the brick. Plans will include windows in the stair tower.
- Existing exterior lights mounted on the rear of the building are mounted low on the wall and will provide adequate lighting for the parking area. The target is one(1) foot candle or less at the edge of the property.
- Window locations will stay the same, replaced in kind with thermal, Harvey-type chosen for ease of operation, maintenance and security which are the concerns. Existing windows are double-hung; the developer intends to maintain the style and will match in kind, including divided lights and clad trim. Window trim color not yet determined; possibly bronze – definitely not white or silver. Front windows will be repaired and maintained if possible, or designed in kind to match the unique windows that exist.

#### BOARD DISCUSSION, Parking Concerns

The Board expressed concern there is not enough space for the 3<sup>rd</sup> onsite parking space adjacent the dumpster and truck access to service the dumpster. Mr. Pitman advised the truck will not be using a claw lift, and will back into the area from Dodge Street Court.

Staff planner Erin Schaeffer stated that the B5 Zoning District. Specifically, Section 5.1.9 Central Development (B5) District allows: “Parking for rehabilitated buildings to be accommodated by either

one (1) or a combination of on-site parking and/or parking at municipal or other parking facilities in the vicinity of the proposed use (Sec. 2 b) All municipal or other parking facilities which are used to satisfy the parking requirement must meet the following criteria: The parking facility must be less than one thousand (1,000) feet from the proposed development...” This information was provided to discuss other possible options regarding off-site parking. This project is currently providing three (3) onsite parking spaces and five (5) offsite spaces via lease.

The Board asked to know how compliance with the one (1) space per unit is verified over time, from the time of occupancy forward. In particular the Board is concerned that in the event the five (5) off-site spaces are sold or otherwise no longer leased to this project, the developer is required to replace those five (5) spaces for the residents of this project. After extended discussion, the Board and proponent agreed to ensure parking space continuity by:

- Requiring the proponent to include a copy of the lease assigning to this project the five (5) offsite spaces currently planned.
- In the event of a change in location of the five (5) offsite spaces, the developer is required to notify the City Planner and receive approval for the newly selected location—which must be in compliance with the code which essentially requires the spaces to be located within 1,000 feet of the building. Appropriate documentation (new lease, deed, etc.) must accompany the notification of change in offsite parking provided for this project.

Mr. Steinbergh responded to a Board inquiry about snow storage and advised the had to remove snow during this past winter and expect to regularly need to do so to provide parking, as there is no snow storage onsite.

***Chair Puleo opened the issue to the public for comment.***

No public comments were made or questions asked.

***Board Discussion:***

Chair Puleo advised not all City Department reviews of the application are complete; the City Engineering Department review is pending. A vote on the decision cannot be held at this time, but in the interest of efficiency, the Board can close the public hearing and review the draft decision.

***Motion and Vote:*** *Helen Sides made a motion to close the public hearing, seconded by Bill Grisct. The vote was unanimous with eight (8) in favor (Mr. Puleo, Ms. Sides, Mr. Clarke, Mr. Rieder, Ms. Yale, Mr. Grisct, Mr. Veno and Mr. Koretz) and none (0) opposed.*

The Board reviewed the draft decision in detail, with special attention to paragraphs deviating from standard language. The Board stipulated the decision include the details with regard to the five (5) offsite parking spaces:

- The proponent to provide a copy of the lease assigning to this project the five (5) offsite spaces currently planned.
- In the event of a change in location of the five (5) offsite spaces, the developer is required to notify the City Planner and receive approval for the newly selected location—which must be in compliance with the code which essentially requires the spaces to be located within 1,000 feet of the building. Appropriate documentation (new lease, deed, etc.) must accompany the notification of change in offsite parking provided for this project.

- Radon mitigation system to be installed may need to be clarified; testing should happen first. (Health inspector).
- Recycling is required, and composting is encouraged.
- Engineering Department comments are pending.

**Motion and Vote:** Randy Clarke made a motion to table a vote on the decision until the next meeting on June 18, 2015, seconded by Dale Yale. The vote was unanimous with eight (8) in favor (Mr. Puleo, Ms. Sides, Mr. Clarke, Mr. Rieder, Ms. Yale, Mr. Griset, Mr. Veno and Mr. Koretz) and none (0) opposed.

<b>Location:</b>	<b>43 Bridge Street (Map 36 Lot 238)</b>
<b>Applicant:</b>	<b>SKOMURSKI DEVELOPMENT LLC</b>
<b>Description:</b>	A public hearing for an application for a Waiver of Frontage Request and Flood Hazard Overlay District Special Permit in accordance with Section 8.1 Flood Hazard Overlay District of the Salem Zoning Ordinance. Specifically, the applicant proposes to divide the property into five (5) lots for the construction of four (4) single-family homes and one (1) duplex.

**Documents and Exhibitions:**

- Plan of Land 43 Bridge Street & 13 Planters Street dated April 14, 2015, prepared by LeBlanc Survey Associates, Inc., 161 Holten Street, Danvers
- City of Salem Board of Appeal April 1, 2015 Decision, stamped
- Special Permit Plan at Lot 1 Planters Street (Flood hazard Overlay District Plan), dated May 12, 2015 and labeled TCL #1645, prepared by Thomas Mannetta Incorporated, 445 Rantoul Street, Beverly
- Application Flood Hazard Overlay District Special Permit, stamped May 14, 2015
- Application for Endorsement of Plan Believed Not to Require Approval, stamped May 14, 2015

Atty Stephen Lovely; Lovely Law Group LLP, 10 Federal Street, Salem, presented for the applicant. Other proponent speakers included:

- Joseph A. Skomurski, Sr.; Principal, Skomurski Development, LLC, 107 Bradstreet Avenue, Danvers.

Atty Lovely opened the presentation and reminded the Board of the zoning change to facilitate this project; discussed at the joint meeting with City Council on October 20, 2014. Since then the project has been revised from six (6) to five (5) lots, with the corner lot at Bridge and Planter Streets to be occupied by a duplex building (larger than the other planned buildings) grander in style with front doors on Bridge Street. The intent is to recognize and continue the unique architecture that can be found on Bridge Street and contribute to the general improvement of this entrance corridor.

He also advised the Historic Commission has approved a waiver for demolition delay (buildings over fifty years old) and a decision has been issued by the Board of Appeals, so the project is moving forward.

**Board Discussion:**

Chair Puleo advised the corner lot may fall in the entrance corridor overlay zoning requirements. The Board is very interested in getting more details on this building due to its highly visible location on an entrance corridor.

The Board recognized the project is not required to seek approval for its architectural plans from the Design Review Board. Given this lack of additional review, the Board offered the following recommendations which were welcomed by the developer:

- Regardless of design treatments, it will be obvious the lots were developed in the same time frame. To optimize curb appeal and provide neighborhood cohesiveness, there should be repetitive elements across these five houses and the corner duplex building should tie in with the houses.
- Scale and proportion, particularly with regard to windows is a critical design element that can enable these new constructions to harmonize with the neighborhood. Windows with divided lights, 6 over 6 (vs. 4 over 4) are desirable.
- A variety of exterior/trim colors, door placements and other minor variations are successfully used to create unique houses while uniting them with larger design elements such as roof pitch/style, soffits, exterior materials and trim styles.

Mr. Skomurski stated he is very sensitive to the improvements on Bridge Street and welcomes the suggestions of the Planning Board. Atty Lovely added the developer has been very active in engaging the neighbors, seeking their support and keeping them advised of their plans. Atty Lovely and Mr. Skomurski offered the following details;

- For economic reasons, vinyl siding is planned for the exteriors; the houses will not all be the same color.
- The duplex at the corner of Bridge & Planters is to be clad in Hardy plank lapboard (a cementitious material), with trim detail to complement the current architecture found on Bridge Street.

***The Board indicated the duplex building is a key part of the Bridge Street Entrance Corridor Overlay District and will condition any favorable decision subject to Planning Board approval of architectural plans for this building.***

**Flood Hazard Overlay**

Staff Planner Erin Schaeffer read into the record the criteria for the flood hazard overlay special permit:

- The proposed use will comply in all respects to the uses and provisions of the underlying district in which the land is located.
- There are adequate convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent streets and property, particularly in the event of flooding of the lot(s) or adjacent lot(s) caused by either overspill from water bodies or high runoff.
- Utilities, including gas, electricity, fuel, water and sewage disposal, shall be located and constructed so as to protect against breaking, leaking, short-circuiting, ground or igniting or any other damage due to flooding.

The Board agreed this project meets all criteria. It was noted the flood hazard overlay only affects lot 1 which abuts 15 Planters Street.

***Additional Discussion***

- The Board asked if street trees are planned. Atty Lovely advised the developer is waiting to hear whether sidewalks will be installed; the developer is certainly willing to add trees as appropriate.
- Atty Lovely advised the city engineer is reviewing the feasibility of adding a sidewalk as it would need to be created by taking area out of the existing street. The proponent would like to see a sidewalk added and is willing to work with the city to facilitate. The Board noted any curbing installed should be concrete not asphalt.
- Mr. Skomurski advised there might be room for a three-foot sidewalk. The gutter line is also the property line, marked on the drawing by a dotted line. The street was not originally laid out with sidewalk and planting strip. The City Engineer is reviewing the matter and will make a determination.

***Chair Puleo opened the issue to the public for comment.*** There being no audience other than the proponent, no further comments were made.

***Motion and Vote:*** Matt Veno made a motion to close public hearing seconded by Noah Kortez. The vote was unanimous with eight (8) in favor (Mr. Puleo, Ms. Sides, Mr. Clarke, Mr. Rieder, Ms. Yale, Mr. Griset, Mr. Veno and Mr. Koretz) and none (0) opposed.

***Motion and Vote:*** Kirt Rieder made a motion to grant the request for a waiver of frontage for the lots on Planters Street, seconded by Randy Clarke. The vote was unanimous with eight (8) in favor (Mr. Puleo, Ms. Sides, Mr. Clarke, Mr. Rieder, Ms. Yale, Mr. Griset, Mr. Veno and Mr. Koretz) and none (0) opposed.

***Motion and Vote:*** Dale Yale made a motion to grant the request for a Flood Hazard Overlay District Special Permit, seconded by Helen Sides. The vote was unanimous with eight (8) in favor (Mr. Puleo, Ms. Sides, Mr. Clarke, Mr. Rieder, Ms. Yale, Mr. Griset, Mr. Veno and Mr. Koretz) and none (0) opposed.

Staff Planner Erin Schaeffer advised the Board that a mylar plan is needed to enable a vote on the ANR request. Chair Puleo rescheduled this matter for the Planning Board Meeting on June 18, 2015.

**Old/New Business**

- **107 Highland Avenue**

Staff Planner Erin Schaeffer reported a letter dated April 22, 2015, was sent to the applicant with a request to bring deviations from plans into compliance; specifics were listed and photos attached. A request from the applicant to the Planning Board for insignificant and significant changes is pending as of May 28, 2015.

Staff planner Erin Schaeffer stated the proponent's attorney Scott Grover has been in communication with the city planning department; among other details relayed, the pigeon shelves are coming down. Ms. Schaeffer plans another site visit to review compliance with all details of the decision. The building inspector has been asked to review the lights as there is spillover onto adjacent properties. The rear entrance pediment roof is a significant change.

The developer has sold four units and requested certificates of occupancy for those four units. Formal request not yet received. Planning Department cannot approve Certificate of Occupancy due to lack of compliance.

- **28 Goodhue**

Staff planner Erin Schaeffer reported a letter dated April 22, 2015, was sent to the applicant with a request to remove the gate and all related hardware and posts that were installed at the entrance to the multi-use path. The gate has been removed; however the hardware and posts remain. It is expected the black posts and hardware will be removed by June 4.

Since then, the Operations Manager of the site responded to the request to remove the posts with a request for waiver as such removal will likely damage the paving. The developer's attorney, Joseph Correnti advised the developer will likely cut the poles and patch the asphalt. He also noted the installed pine trees are all dead and will be replaced with blue spruce.

The Planning Board asked that the removal of the poles occur and that the removal of the posts poses no particular hardship as the poles can simply be cut and holes filled.

## Adjournment

**Motion and Vote:** Randy Clarke made a motion to adjourn the meeting, seconded by Bill Grisct. The vote was unanimous with eight(8) in favor (Mr. Puleo, Ms. Sides, Ms. Yale, Mr. Clarke, Mr. Rieder, Mr. Grisct and Mr. Veno) and none (0) opposed.

Chairman Puleo adjourned the meeting at 9:00pm.

For actions where the decisions have not been fully written into these minutes, copies of the decisions have been posted separately by address or project at: [http://www.salem.com/Pages/SalemMA\\_PlanMin/](http://www.salem.com/Pages/SalemMA_PlanMin/)

Respectfully submitted,  
Pamela Broderick, Recording Clerk

Approved by the Planning Board on 06/18/2015

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