

**MINUTES OF THE
PLANNING BOARD**

**MEETING OF
January 24, 2023**

A meeting of the Planning Board was held on January 24, 2023 in the Knightly Meeting Room at Salem Town Hall.

PRESENT: Keith Belair, Chairman; Joe Feole, Vice-Chairman; Beverly Donovan, Secretary; Cathy Stacey, Selectman’s Rep; George Perry; Paul Pelletier; Sean Lewis; and Jacob LaFontaine, Planning Director

The meeting was called to order at 7:00 p.m. with the Pledge of Allegiance. Chairman Belair introduced the board members and went over the agenda. There were no withdrawals.

REVIEW OF MINUTES

Ms. Donovan said we have two sets of minutes. The first set is from November 22, 2022.

**MOTION by Mr. Feole to accept the minutes of the November 22, 2022 meeting.
SECOND by Mr. Pelletier.**

**VOTE ON MOTION: 7 – 0
UNANIMOUS**

Ms. Donovan said the next set is from January 10, 2023.

**MOTION by Mr. Feole to accept the minutes of the January 10, 2023 meeting.
SECOND by Mr. Pelletier.**

**VOTE ON MOTION: 7-0
UNANIMOUS**

NEW BUSINESS

1. TUSCAN VILLAGE MASTER DEVELOPMENT – Public Hearing for a conditional use permit for roof and projecting signs at 18 Artisan Drive, Map 108, Lot 12500.

MOTION by Mr. Feole to accept the Tuscan Village Master Development application as complete.

SECOND by Ms. Donovan.

VOTE ON MOTION: 7 - 0

1 **UNANIMOUS**

2
3 Abutters: There were no abutters present.

4
5 Mark Gross with Tuscan Village Development, is here to present the Artisan Hotel signage
6 which includes roof signs and some projecting marquee signs for the hotel. It is progressing
7 pretty well. We are looking at opening sometime in the late spring, early summer of this year.
8 One component of the hotel is that it is very unique. The architecture goes back to the 1920's
9 look of that style of building. The façade of the building has taken shape. It is one of his favorite
10 buildings. Part of the look and creation of the hotel building and the downtown area is to create
11 buildings that look like they have been there for awhile. That's why we have different
12 architectural styles. He talked about the Tuscan Market sign. This presentation is somewhat
13 similar and we also have some projecting signs that will be located on this building. He showed a
14 rendering of the Artisan Hotel roof sign. You can see this from the first circle as you come in off
15 Rockingham Park Boulevard and South Village Drive. It faces the lake area. It's a signature sign.
16 He showed other hotel sign images that are inspirations such as Hotel Empire in New York, and
17 the Roosevelt Hotel in Los Angeles. All these cities in the 1920's and 1930's created these roof
18 signs that were very iconic during that time period. He showed the Crockett Hotel from the early
19 1900's that is in San Antonio, Texas, and the Knickerbocker. Those both still exist today. He
20 then showed a nighttime view of the Artisan Hotel. This is the entrance to the banquet facility
21 and access to the hotel itself. He then showed other views of the hotel. The sign is about 400
22 square feet. The other part of this is the projecting marquee signs. These are typically located at
23 the entrance and one is located at the other end of the building which is on the residential portion
24 of the building. He showed the view from the central piazza at the entrance of the lobby to the
25 hotel. He also showed a daytime view of this. The marquee projecting sign is at the lobby to the
26 hotel. He showed the westerly end of the building, the residential part, and where that sign is
27 located on the corner, it identifies where a majority of the people going to the hotel would go to
28 park and then come in through the back entrance. We have a dropoff area and valet parking on
29 the other side. This is to identify, for the people coming from Mall Road, if they are going to the
30 hotel. They would take a right there and park in the parking lot adjacent to this building. It is a
31 directional sign but also used to identify the hotel itself. He showed details of this sign. It is a
32 little over 100 square feet. We are only allowed 100 square feet, but we are measuring it by the
33 overall width and height. The portion that says hotel is a little wider. If we measure this, we are
34 probably close to 100 square feet. He then showed other hotel marquee signs that were
35 inspirational signs such as the Plaza Hotel, which still exists. And also the Hotel Balmoral, and
36 Hotel Cecil. As we did with the Tuscan Market sign, a roof sign is allowed by conditional use
37 permit. The section highlighted is under the sign standards, Section D which he read. He showed
38 the conditional use permit request which is under Section 490-702H(1). We have two items:
39 signs mounted above the roof line and signs exceeding the dimensional requirements defined in
40 these standards (projecting signs). He then showed the list of requirements that have to be
41 addressed. The roof sign is 404 square feet, and he compared it to the Tuscan Market roof sign.
42 And other signs in this development. He discussed the sizes of these signs and when they were
43 approved and the sign area ratio. The proposed roof sign for the Artisan Hotel is at 404 square
44 feet and is located on a building with a roof height of 69 feet, 9 inches, and a facade length of
45 262 linear feet with a sign area ratio of 1.54 square feet. That is less than the ratio for MGB and

1 Tuscan Market. The projecting signs are 4 feet by 25 feet, or 100 square feet. The allowable sign
2 area is 75 square feet. We are asking for 100 square feet on both of those signs. He showed
3 examples of other marquee type signs on other hotels.
4

5 Staff Comments:

6 They are requesting a conditional use permit for two 100 square foot projecting signs where two
7 at 75 square feet is allowed and the 404 square foot roof sign.

8 He mentioned Terry Dewan's comments that we received today. Mr. Dewan submitted a detailed
9 design review, and he agreed that the size of the sign fits the building, but he requested several
10 elements be submitted, before the board takes action, which Jacob read. The board previously
11 approved a rooftop sign for Tuscan Market and mentioned setting precedence. It may diminish
12 the impact that has already been achieved by the Tuscan Market sign. It could also be viewed in
13 reverse and be a distracting display. Mr. Dewan determined that the applicant has not made a
14 strong case for why a rooftop sign is needed. A wall mounted sign at the top of the building
15 would be a more appropriate location for the sign.

16 Recommend - defer to the board, they can review and make a determination. It may be
17 reasonable to allow the applicant to submit a response to Terry Dewan's comments and address
18 the comments that we received today. It is the purview of the board.
19

20 Chairman Belair asked for public input.
21

22 Michael Brantmuller, 2 Sunset Circle, Salem, asked, what is the lighting, the product you are
23 using, or is it illuminated itself? He would like to know if the lights are shined on from the
24 rooftop or are they neon? What is the lighting situation and what color would it be? He would
25 like to know because it may change the appeal of it.
26

27 Mr. Pelletier said, he was under the impression that the new Tuscan Kitchen will be in this
28 building as well. Has that changed? And if not, what is the proposal for that sign? Will you come
29 back to us for that? That's an important sign.
30

31 Mr. Gross showed the rounded portion which is the entrance to Tuscan Kitchen.

32 Mr. Pelletier said, you said it was the main entrance to the hotel.

33 Mr. Gross said, the rounded portion is the entrance to the restaurant. Down the street where the
34 marquee sign is, the hotel lobby entrance is where that projecting marquee sign is.

35 Chairman Belair said, where the tan and brick transition is.

36 Mr. Gross said, you can hardly see it, it blends in. On that rounded portion is the only sign for the
37 restaurant. The real tenant of this building, is the hotel and that's why we have the roof sign. This
38 is an iconic building for this development and the hotel is the pivot for this. Regarding lighting, it
39 will be similar to the existing Tuscan Market, which is a warm LED light.

40 Chairman Belair asked, it will be internally illuminated, not externally?

41 Mr. Gross said right.
42

43 Mr. Feole said he is OK with the sign. It will add historical value to the architecture. However,
44 he thinks that the applicant should respond to the outside design consultant. There may be some

1 changes. He thinks we should continue. He does appreciate you adding the history of the signs
2 from the Commercial Archeology Journal.

3
4 Mr. Perry asked if the illumination will affect the residents or the hotel customers.

5 Mr. Gross said, that's a good point. Our leasing guys are concerned about that. He thinks that
6 with the location and type of signage, and the signs won't be on all night. There is enough
7 separation from the windows. The residences and condos on that end, we looked at that from a
8 lighting standpoint and its not something that's in your face. It is very subtle and is to identify.
9 We don't expect any glare. This is a subdued sign that is internally illuminated.

10 Mr Lewis mentioned the memo from Terry Dewan who asked about the engineering of sign. He
11 brings up windforce.

12 Mr. Gross said, we had the same issue with the Tuscan Market sign. It will be the same type of
13 structure, sized accordingly. The roof has been designed to accommodate this sign. We knew all
14 along that we'd be looking to put a roof sign on this part of the building. To put it on the facade
15 of the building, its too big. And there is no accommodation structurally for that façade to hold
16 that sign on the façade of the buildng.

17 Ms. Stacey asked, so basically, you didn't accommodate? Mr. Dewan said he thought it should
18 be on the façade. Is there any reason why its on the rooftop?

19 Mr. Gross said, every building has a sign on the façade. We are trying to create a downtown area
20 that looks like it has evolved over time. He is not sure that Terry reviewed all the information
21 that we provided in terms of our justification for this roof sign. He probably got that a couple
22 days before this meeting, and Mr. Gross said he is not sure that Terry had a lot of time. He had
23 the original sign package, which did not include the conditional use permit. We are creating an
24 iconic structure and he thinks Mr. Dewan understands that. Its evolving. We want to create every
25 period of time. We are trying to capture that and create that look in the village.

26 Ms. Stacey said that Mr. Dewan mentioned a concern about making a precedence here with
27 regards to this sign. She would like to see that addressed.

28 Mr. Gross said, when we came in for the Tuscan Market sign, the question was asked if there
29 would be others and he said possibly. We knew there would be other buildings in there.

30 Everyone isn't goint to want a roof sign. We have a building right next to this that is all
31 residential and owned by a different company, but Joe has total control over what happens with
32 these buildings, even the ones not owned by him. Mr. Gross said, he doesn't see a roof sign for a
33 residential building. You haven't seen any in any residential buildings so far. This is probably
34 the second unique building and probably the last one you will see that will constitute having a
35 roof sign. It faces Rockingham Park Boulevard and is not facing any residential properties. Mr.
36 Dewan made comments about what you would see from the back, but its not different from what
37 you see from the back of the Tuscan Market sign. You don't see it from the street level. This sign
38 is meant to be mounted in the middle of the building. Terry did make comments about people
39 living in the residences in back. That is city living. Its part of the iconic city life. This is what
40 Salem wanted, a downtown and that's what we are creating.

41
42 Jeff Hatch, 35 Royal Circle, said that the applicant indicated that the light wouldn't be
43 operational all night. Mr. Hatch suggested that tonight is the night, if you are going to approve
44 this, that you dictate what those hours will be.

1 Chairman Belair also suggested that Mr. Gross work with Mr. Dewan. He suggested a schedule
 2 and a cut off time. We don't need to get into specifics of the conditional use permit incase
 3 something changes between now and next time.

4 Mr. Gross said he doesn't think Mr. Dewan made any comments about the projecting marquee
 5 signs. So Mr. Gross doesn't want it to be interpreted that he was OK with it. Do you have any
 6 heartache over an additional 25 square feet on this sign?

7 Chairman Belair said he doesn't think we do. The other sign is the big deal and his comments
 8 need to be dealt with. Chairman Belair said he didn't see Terry's comments. We will leave it at
 9 that.

10
 11 **MOTION by Mr. Feole to continue the Tuscan Village Master Development plan.**

12 **SECOND by Mr. Pelletier.**

13
 14 **VOTE ON MOTION: 7 - 0**

15 **UNANIMOUS**

16
 17 2. TUSCAN VILLAGE MASTER DEVELOPMENT – Public Hearing for master plan update
 18 to include 600 additional residential units at 20-24 Via Toscana, Map 98, Lot 7887.

19
 20 **MOTION by Mr. Feole to accept the Tuscan Village Master Development application as**
 21 **complete.**

22 **SECOND by Ms. Donovan.**

23
 24 **VOTE ON MOTION: 7 - 0**

25 **UNANIMOUS**

26
 27 Abutters: There were no abutters present.

28
 29 Mr. LaFontaine said we did receive public comments from Thomas Burns of 5 Sherwood Circle,
 30 and Shyre Lancia of 34 Main Street.

31
 32 Mark Gross, Tuscan Village Development, gave information to the board. We are here to go
 33 through on an almost conceptual level, the master plan update. The last update was two years
 34 ago. This one is primarily for two buildings in the village, buildings 1300 and 4000. He will go
 35 through the changes to each building. The main change is 600 additional residential units. He
 36 showed the performance criteria that we need to adhere to under the Large Scale Redevelopment
 37 Ordinance, which is the zoning criteria that we need to address as part of the master plan update.
 38 He showed the perspective aerial views that were taken at the end of last year. South Village is
 39 pretty much done in terms of construction and now we are concentrating on the central village
 40 downtown area. He showed the hotel building to the right. And we have the other building in the
 41 foreground which is the three-story retail office building that was approved last year. He showed
 42 another view. He showed the master plan that was approved in February 2021. He then showed
 43 the updated master plan that concentrates on building 1300, which is in the lower center of the
 44 project and includes a 5-level parking deck very similar to the one that's currently going up for
 45 building 3000. Building 4000 is the U shaped building and there is another parking deck behind

1 that with 620 spaces. He showed the plan with primary and secondary roadways and tertiary
2 roadways. He showed the pedestrian connectivity between all parts of the village. He also
3 showed parking. He explained what each section has for spaces. The total parking supply is
4 6,120 spaces. He discussed the parking garages. There are spaces reserved for residents on a 1.4
5 space per unit calculation. We find that to be pretty much the density of parking for the
6 residential apartments. He discussed the parking counts for the residential apartments. All
7 parking garages associated with new residential units will have 1.4 spaces per unit reserved in
8 that particular parking garage. He then discussed the change of use plan. For building 1300, the
9 previous approval was 44,000 square feet of retail and a restaurant on the first floor, and 44,000
10 square feet of office on the second floor. That square footage was 88,000 square feet, and the
11 new square footage is going from a 2 story to a 6-story building and 300 residential units. We
12 have one floor of retail/restaurant and 5 floors of residential, which encompasses the 300 units.
13 There is a 5-level parking garage associated with that with about 500 spaces. For building 4000,
14 the retail had 57,500 square feet of retail on the first floor and there was no entertainment. The
15 original master plan had about 100,000 square feet in building 4000 of entertainment. Then
16 Covid hit and a lot of those entertainment uses weren't viable anymore. Now its 2023 and things
17 have changed. In building 4000, we had office space of 242,400 square feet, and it was a 5 story
18 and the proposed is 61,363 square feet of retail/restaurant, and 61,272 square feet of
19 entertainment venues on the first two floors. Then 5 floors of residential, 300 units, above that.
20 With a parking deck, which is 6 levels and about 620 parking spaces. He showed a sheet that
21 shows the different districts. We are now at 3,805,000 square feet and that doesn't include the
22 parking garages. It includes the underground parking in building 2000 and 1300. We have 100
23 underground spaces for building 1300. Those are primarily for specialty retail shoppers. He
24 showed a change of use summary which he explained that shows the proposed changes in square
25 footage for each type of use in buildings 1300 and 4000. For building 1300 we have a total
26 proposed gross floor area for this buiding of 464,564 square feet. For building 4000 the total is
27 up to 471,835 and that is mainly the additional retail /restaurant. But the majority is the 300
28 residential units. He discussed the building program changes summary. He discussed the change
29 of use for building 1300. You will see this buiding in the next couple of months. It's a pretty
30 interesting building, with a specialty retailer, restaurants and other retail that is unique. He
31 showed perspective views of building 1300 and discussed this, including the notches in the
32 building and the common residential areas. He also discussed the change of use for building
33 4000 which is nowhere near as solidified as 1300. There are no defined uses except for
34 residential. He discussed what was previously approved and the proposed use, including the
35 types of entertainment uses that may be there. This includes eating, drinking and playing games
36 and maybe a piano bar, and the 300 residential units. He showed perspective views of building
37 4000. On the third level will be residential amenities like the pool and outdoor seating areas. One
38 thing we talked about before Ross left was open space and recreation. We put together this slide
39 showing all the open space and recreation that we provided or will be providing. Most of this has
40 been completed except for the pocket parks which are under construction and will probably be
41 open this year. He showed a view of the different recreation and parks that we have including
42 Lake Park, which includes the beer garden. And we had a Christmas market. It is a very multi
43 use area. He also showed the grand lawn. This was envisioned to be for the hotel for weddings
44 but it will be more than that. There are other times when you won't have weddings. There was a
45 discussion about having a structure or tent, but a more permanent structure would eliminate the

1 use of that area. So, it will be multi use and there is a lawn area and it is adjacent to the
2 boardwalk along the lake. It's a continuation of Lake Park and the beer garden in terms of the
3 flow. We are looking at this as an extension of Lake Park. He then showed the Rec Park. It is a
4 small recreation field that has been constructed. The landscaping has been completed and there
5 are walking and running paths throughout this that connect to Linear Park and Pleasant Street.
6 There are also opportunities to use the water body that is there that was part of the floodplain. He
7 has seen people use kayaks in there. Park benches have been installed and we are looking to put
8 playground equipment in, in the spring. Ross felt it was important to have a place for kids to go.
9 We debated that. Mr. Gross thinks it would be used more by grandparents with their
10 grandchildren. Out of the 622 residential units that are up and operating in full, there are only 41
11 students in the school system. With the new residential that we are proposing, and the other
12 residential that's been approved in the village, we are projecting that, from this entire
13 development, there will be about 100 students. He has a chart to show where those numbers
14 came from. The 41 came from the Superintendent's office. He showed images that we
15 envisioned for a running path and a park bench overlooking the water. He showed a plan for the
16 Artisan Drive pocket parks. He discussed this area including the piazza plaza area where we will
17 have events. We call that the Rockefeller Center of Tuscan. He showed views of the pocket
18 parks, including a statue for the Rockingham Racetrack pocket park. We have a plan to create the
19 history of Rockingham Racetrack throughout the whole development. We will let the Planning
20 Board know as that evolves. We also have a dog park. He showed the plan for Via Toscana with
21 the pocket parks. One of them will be a game area. He showed views of the different pocket
22 parks. When we came in there was a big discussion about affordability for this. Its in the zoning
23 ordinance and it requires that 10 percent of any new residential over and above your allowed
24 density is required to be provided. We did 74 workforce housing units on Main Street, which are
25 under construction. That more than satisfied our ten percent requirement. Under the original
26 master plan from 2018, we had 750 residential units, which he discussed. The available resident
27 density from the 750 is 58 units. If you look at the additional proposed residential between the 74
28 units that are under construction, and we have planned another 50 coming in, in the next couple
29 of months, that gives us about 1,240 units that we could potentially build in the Central Village.
30 Caro is a new Dolben project that is under construction and will be open in spring/summer, with
31 260 units. Hanover 2 is in the building across from the hotel, and is 230 units, and if we add in
32 the 58 units that were approved but not built, that gives us the potential for density in the 1300
33 and 4000, about 808 units and we are only proposing 600. With this additional 50 units of
34 workforce housing, we are still looking at where it will be. We don't have a location yet, but we
35 are working on something and you will see that in the next couple of months. He discussed the
36 Salem School population data that we were given by the School Department. The 41 school aged
37 children come from the two residential apartment buildings. He discussed which grades they are
38 all in. The majority are middle school student age. The projected student population for the
39 additional 900 residential units proposed is projected to be an additional 59 students. He
40 discussed the total revenues that will be generated and the impact fees. And the difference
41 between the master plan from 2021 and the current master plan. This is including the public
42 safety contribution by the developer of \$3 million. The first contribution will probably come
43 sooner than later. Joe is looking to make that \$1 million dollar contribution sooner than later. It is
44 all dependent on deals that are made with tenants because that is what generates the money for
45 this contribution. He discussed the other DBA, application and building fees. These one-time

1 fees went from \$30 million to \$39 million. The annual tax revenue is based on the 2021 tax rate.
2 He explained that the \$15 million goes up to \$20 million. Most of this is based on the current
3 assessed value for buildings that are up and operating, plus estimates for the ones not built yet.
4

5 Staff comments:

6 He discussed the number of units and the increase in building sizes for buildings 1300 and 4000.
7 This project is under the Large Scale Redevelopment Ordinance, which requires the applicant to
8 submit a conceptual development plan for the entire parcel prior to approval of each individual
9 proposal.

10 Comments from Municipal Services on water and sewer impacts are pending. Last week we
11 received updated water and sewer use projections, which are being reviewed.

12 The outside density review is still pending.

13 NHDOT and the outside traffic review are pending.

14 A traffic study from GPI was submitted, which he discussed.

15 Many of the aspects regarding traffic and zoning will be addressed at the individual site plan
16 level.

17 We requested that the board ask when a pedestrian connection to the railtrail will be constructed.

18 The applicant must not exceed the 70 percent lot coverage.

19 They will need a conditional use permit for various regulations in the Commercial Industrial C
20 District, for building height, number of parking spaces, and residential use and any other items
21 that are not met.

22 A variance will be required from Section 490-817 which was adopted last year, which he
23 explained. This requires ten percent of units in multi family projects, which exceed the density
24 and the underlying zoning, be designated for workforce housing.

25 There is a note on the plan. The applicant is proposing a new 54 unit workforce housing project
26 offsite on Main Street to meet the additional ten percent need that is not met by the 74 units
27 under construction. He explained what this ordinance requires.

28 Parking calculations were submitted. They show 6,121 spaces, and is a net decrease of 56 spaces
29 from what was previously provided. So, we want to discuss the adequacy of parking and be sure
30 its addressed.

31 He discussed recreation. The outside design review is pending. He would encourage the board to
32 consider that there is not significant enhancements being proposed here for the recreation plan.

33 We did note that we previously discussed the rec parks. We ask the board to consider how the
34 recreational need will be met, and require enhanced programming of the rec park.

35 In 2021 Terry Dewan did submit comments on how to enhance what was currently proposed,
36 Jacob then read his comments. At the time, you requested a vision statement from the applicant.

37 They did submit one, which he discussed. We have discussed with the applicant about how to
38 enhance the existing recreational opportunities that do exist. Mr. LaFontaine then read Mr.
39 Dewan's comments at the time and what he had requested. The applicant did make
40 enhancements since this was received. He continued reading from Terry's comments.

41 We recommend that the board consider the potential of a recreational area in the life science
42 district. There is potentially a possibility to program an area in front of building 5300 to use the
43 somewhat limited ability we have to enhance the recreational opportunities here.

44 Mr. LaFontaine said that Ross had mentioned that the floodplain and beer gardens be included in
45 the recreational overview. Mr. LaFontaine thinks its used as a recreational amenity, but is

1 probably not what was envisioned in the master plan proposal for the Large Scale
2 Redevelopment Ordinance.
3 The outside fiscal impact analysis is still pending.
4 We need an updated list of public safety impact fees.
5 The board should ask about the status on the life sciences district because it has an implication
6 on our fiscal impact analysis and an impact to Municipal Services, and to enhance the
7 recreational amenities on site.
8 We need a phasing plan and schedule of development.
9 Regarding staff comments – the majority of staff comments are pending. We received a memo
10 from Chief Best, who is here. Town Manager Chris Dillon is also here.
11 Recommend -continuance, we are still waiting for outside reviews from consultants and staff and
12 additional items to be addressed.
13
14 Chairman Belair asked Mr. Gross if he has any comments about the life science district.
15 Mr. Gross said, not at this point.
16
17 Chairman Belair asked for public input.
18
19 Jeff Hatch, 35 Royal Circle, said he is glad that we are talking about the fun stuff to do over
20 there. But also, when this first came in, it was 750 residential units. Tonight, it is an additional
21 600 and we will be well over double that. We may be at the tipping point to say enough is
22 enough. The applicant explained about the impact on the school system and how it will be low.
23 Mr. Hatch said he partially agrees. To impact the school system, they have to be at the same age.
24 The majority of the kids will be at the middle school level and there will be about 100 kids.
25 That's probably 3 classrooms we will have to add to the middle school. It will probably have an
26 impact on the school system in this case. He mentioned that they talked about what they call the
27 Rockefeller Center with the hotel. He loves the idea and the sign. But we spent a good part of
28 this one talking about a 7 story building that will overpower that one. He thinks that building is
29 too large. He is all for the portion with the restaurants and all the fun stuff, but when we talk
30 about 6-7 stories and 600 additional residential units, that is more than we can swallow. He
31 mentioned the impact fees but that should not be part of your decision. Those will be spent
32 before we see it. He thinks the 600 units is too much. He would rather see more fun stuff.
33 Regarding the office, we gave up a building for residential when Covid hit. They couldn't make
34 a building for the office space. People are going back to work. The traffic is almost what it was
35 before Covid. Maybe we need to revisit the idea of more office space. We have plenty of places
36 to live and we are working on places to play. We need more places to work. Its not our job to go
37 ahead and worry about what tenant they can find for a building. They come in, say what they
38 want, and if it fits the plan, then we should agree to it. But if they can't find a tenant for a
39 building, we shouldn't just let them escape and build more residential. That's not your problem
40 to solve, that's their problem.
41
42 Melissa Sorcinelli, 3 Daryl Lane, is one of the supervisors of the check list for the town. She
43 asked the board to keep in mind that the only voting location that serves every person moving
44 into the Tuscan Village area, is the Soule School, which is already busting at the seams. There is
45 already concern and discussion among the supervisors about needing to redistrict. The town

1 elections don't see a heavy turnout. But we had over 13,000 people vote in the general election,
2 and it will only get worse next year. We won't be able to accommodate half of the people that
3 are registered voter ages. Soule can't accommodate it. That is something to think about, the
4 burden you will be putting on the town in terms of voting. We know what a debacle the last
5 redistricting was. She agrees with what Mr. Hatch said. This is just a different perspective in
6 terms of accommodating voters on a busy election day. It won't be possible at Soule. It will be a
7 problem.

8
9 Kathryn Williams. 65 Pleasant Street, asked why is the affordable housing in someplace other
10 than the location that they are building? And why aren't their numbers being counted in the
11 grand total? She mentioned the 74 units on Main Street. When those kids go into the public
12 school system, she doesn't hear those numbers being counted in. They are only projecting new
13 kids in the new 600 units. The affordable housing isn't going into the housing they are building.
14 They are accommodating that by building housing someplace else. Are they really getting
15 affordable housing in the new units? What will be done with traffic on Pleasant Street? We have
16 picked up so much traffic just with what we already have. We have to wait more than one light
17 cycle. Will something be done? The theater had to do a redesign plan to get approved. Will we
18 do something about that traffic? No one will want to wait to get on Route 28 with 600 people
19 minimum moving in. Most of us know how to go back roads to avoid Route 28. Pleasant Street
20 will pick up all that traffic. Something has to be done about that.

21
22 Linda Harvey, 16 Clinton Street, mentioned the need for more recreational space. She spent a bit
23 of time traveling the world. She has stayed in hotels that were high up. On one of her last trips,
24 the building had tennis courts, greenhouses, outdoor restaurants, and trees on top of the
25 buildings. That is something that hasn't happened with this development and could be added on
26 some buildings coming in. It's a potential area to get recreational facilities for people living in
27 the apartments. She mentioned pickleball. Also, if this goes through with 6 story buildings and 5
28 story garages, why not add another story to the garage, and get rid of some parking spaces below
29 and turn it into greenspaces and parks? One thing that would help will be the overhead walkways
30 from the parking garages to the buildings. Its probably appropriate for this location as long as
31 they leave enough room for the Fire Department. She hopes they will buy a truck for the Fire
32 Department to reach to the top of these tall buildings.

33
34 Mr. Gross said, 25% of this project is built. We have another 75% that isn't built yet. The hotel
35 has an outdoor rooftop bar and restaurant. The residences and the hotel, there is a pool for the
36 residents and hotel people. On the second floor area, there is an outdoor amenity with seating.
37 We can't have fire pits. He explained where the amenities will be like seating areas and game
38 areas. Every residential building has an area for the residents for recreation. He discussed these
39 areas. In terms of parking decks, on the one being built, on the top floor there will be solar panels
40 and you sell the electricity back. It pays for the power in the parking garage and maybe other
41 portions of the building. This project is getting a green award tomorrow from an organization. In
42 terms of the intersection where the workforce housing is being built, that is a project that the
43 town has been planning for three or four years. Joe Faro has contributed monetarily to that
44 project. The only hold up on that project is getting Liberty Utilities to put overhead lines
45 underground in that area. That conversation is ongoing with the town and Liberty Utilities. The

1 cost to go underground is significantly higher than relocating the poles. The PUC has to approve
2 that. That is an ongoing conversation. He discussed the intersection. Regarding the 100 students,
3 they are not just in the middle school. They are spread out from preschool to 12th grade. The
4 majority, 29 percent, will be in the middle school. Its not 100 students going to Woodbury. Its
5 probably 29 students. The ones from the workforce housing are not part of it, but he is sure we
6 can get an idea on how many students are coming out of that building. We can get that number.
7 The ordinance doesn't say that the workforce housing has to be on the property. You can't put it
8 in a market rate building. You don't usually have two cars per unit. Some don't even have one,
9 so its less cars. He agrees that people are going back to work, but the vacancy rate in Boston for
10 office space is high. You don't build something and they will come. It doesn't work that way.
11 We had a corporate office park in 2018 and then Covid changed things drastically in terms of
12 usage. The days of building corporate office are pretty much done for the near future.
13 Corporations got rid of a lot of their office space. People are still working from home. He doesn't
14 believe it will ever go back to the way it used to be. To suggest that we build office space and
15 finding a tenant is our problem, its not our problem. Its everyone's problem. Without a user you
16 will have vacant lands. We won't build something just because it fits within someone's vision of
17 what it should be. Residential right now is hot. Especially the rental units. We have to pivot with
18 market conditions and right now luxury residential units are the way to go. We don't want to
19 leave this project half done and we don't want to wait years for the office market to come back.
20 That doesn't make any sense. We are looking at what makes sense. The entertainment uses have
21 come back. Not to the degree that they were in 2018, and every tenant is a struggle in that field.
22 Retail isn't as strong as it used to be. We are lucky to have the retailers that we have there.

23
24 Mr. Pelletier asked the Chairman to invite Fire Chief Best to speak. We have a 7-page memo that
25 is very concerning and lengthy regarding the Tuscan Village in its entirety. It is going from 23
26 firefighters to about 35 firefighters. That's a very important issue that we have to deal with, with
27 the added residential units.

28
29 Larry Best, Fire Chief, said that Mr. Pelletier is referring to NFPA Standards 1710 which is our
30 fire fighter deployment standard that we follow. It breaks it into three classifications which he
31 discussed. One is low hazard occupancy which is a single family residential where its 17
32 firefighters on a fire. Next is a medium hazard which is a 3 story garden style apartment and strip
33 malls and that is 28 firefighters deployed. The next one is high hazard which is a high rise type
34 building and by NFPA Standard it's a high rise if its over 75 feet. The first alarm is 43
35 firefighters deployed. There are ways to accomplish that and a timeframe which he explained.
36 Right now the Salem Fire Department has 17 firefighters and officers on duty. We looked at the
37 Tuscan Village in its totality and the impact it is having on our daily operations, which he
38 discussed, like EMS calls and inspection. We see an impact on our department in totality.
39 Regarding emergency responses, we responded there 215 times for fire and EMS emergencies in
40 2022. That's an increase of 95 calls from 2021. He mentioned that Mr. Gross said they are 25
41 percent built out. We put it at one third built out and occupied. If we are doing about 200 now
42 and its 25 percent, multiply that by 3 or 4 and that is what we are anticipating for future growth.
43 That is what this memo covers, is the impact now and in the future. It's a deployment issue for
44 us.

45

1 Mr. Pelletier asked, if the 600 apartments are approved and Tuscan Village is built to its
2 capacity, what is the percentage that the Fire Department would have to increase in personnel
3 and equipment?

4 Chief Best said, in the past, Rockingham Associates has done studies in terms of staffing and
5 impacts. They put a formula to it. For every 1 million square feet of space constructed, its 2.3
6 personnel. He heard a number close to 4 million square feet, so that is about 9, and round up to
7 10. That is the formula that has been used in the past, so he would say 10 additional personnel if
8 you use that report. But is it 10 total or 10 per shift? We talked about, if we staff an additional
9 fire truck, that is a minimum of 3 firefighters to staff that and multiply that by the 4 working
10 shifts it's a total of 12. That is a good starting point for us. It helps to see the 2.0 update in the
11 master plan so we get more of an understanding of what is potentially coming to Tuscan Village
12 and how we as a department need to adjust and adapt. And what to anticipate in the future for
13 growth, not only at Tuscan Village, but in general in the community.

14 Chairman Belair asked, if you had an extra fire truck and 12 guys tomorrow, that would make
15 you happy? What is stopping that?

16 Chief Best said, that would make us really happy. What is stopping us is that we have nowhere to
17 put them. We are at capacity with what we have now for firehouses. We have talked about a west
18 side fire station. We need that to help us, and then we can address the other fire houses at that
19 point.

20 Chairman Belair said, we have been talking about this for quite some time and there are impact
21 fees that were assessed based on the reports, but its frustrating. They can pay the bills but we are
22 still here. It is frustrating for us because we talk about it and then it stops.

23
24 Ms. Donovan asked, where are we with the potential new fire station? Last year the land got
25 voted down.

26 Chief Best said, where we are at for a new west side fire station is, there will be nothing on the
27 2023 ballot. We hit the pause button and his plan is to work with his staff and town staff and
28 those we need to, to come up with a plan in 2023 to come forward with in 2024. Then present
29 that plan for a west side fire station, and get the community involved and get the ball rolling
30 from there to prepare for 2024.

31 Ms. Donovan said, it creates a conundrum for this board. We should be able to approve projects
32 for use, but the problem is, how do we do that when the infrastructure that the town is
33 responsible for is lagging behind. This is such a big investment. To do this kind of investment
34 in the town based on what the town asked for and then to stall it because the town doesn't have
35 the infrastructure. She said she reads many comments online, but where are the people that
36 support these issues? Its frustrating because we get bashed all the time and nobody shows up to
37 meetings. She appreciates the ones that did. She is feeling frustrated by it. She can see the finish
38 line for this project, and with the cost of building and interest rates, this is a huge investment.
39 This town needs to invest back.

40
41 Chairman Belair asked, do you look at the difference between your calls to things that are built
42 versus construction accidents? Do you separate that at all? That is a bigger risk than people
43 living in apartments.

44 Chief Best said, we can. We haven't looked at it to see the difference. Listening to the calls that
45 they go to, occasionally he will hear a constructon accident but its few and far between as

1 compared to other calls, like EMS and fire, etc. The majority of it is EMS and fire and its to the
2 structures that are occupied. The risk is always there. We prepare as best we can be for
3 construction accidents. But it is not nearly as much as the regular emergency calls.

4 Ms. Stacey said she appreciates Larry being here. With regard to the town, twice we voted down
5 areas for a new fire station. And that is on the voters. She mentioned building 4000, and she
6 wants to know how many floors it is.

7 Mr. Gross explained that building 1300 is going from 2 floors to 6 floors. 4000 is going to 6
8 floors.

9 Mr. LaFontaine asked, isn't 4000 going to 8? It was previously proposed at 5 stories and is being
10 increased to 8 stories.

11 Mr. Gross explained that when you go above 6 floors, it's a totally different type of construction.
12 Its high rise construction which is all steel and very little wood frame, so your fire protection is
13 much more enhanced. That is a totally different type of construction. It has fire suppression.
14 Anything over 75 feet, you are not using a ladder truck.

15 Ms. Stacey asked, how many stories is that building?

16 Mr. Gross said, it is proposed at 8.

17 Ms. Stacey said, the rendering shows 10.

18 Mr. Gross said it depends on how you count it. He explained how it is counted. Building 4000 is
19 not anywhere near coming to the Planning Board for site plan approval. This is very conceptual.
20 1300 is more solidified. For 4000, this is a conceptual design.

21 Ms. Stacey mentioned on page 41, regarding the annual tax revenue, she doesn't think the \$15
22 million is correct.

23 Mr. Gross said, that is with the entire project built out. These are numbers with this built out. The
24 \$15 million is based on the 2021 plan.

25 Ms. Stacey said that she feels that we have to be talking about mitigation, bigger than \$3 million.
26 When you look at the cost we are anticipating, just to the Fire Department alone, it shouldn't be
27 borne on the taxpayers of this community. Taxpayers shouldn't pay for it because of the impact
28 that is happening on this particular site because it far exceeds the \$3 million contribution.
29

30 Mr. Feole said he agrees with Ms. Stacey on the Fire Department. He will be a hard sell on
31 adding 600 residential units until the Fire Department is completely satisfied. The Fire
32 Department's budget was cut, and there is a restoration warrant article, and if it is not passed, the
33 North Salem station will have to shut down for a period of time and that's unacceptable. To add
34 600 units when the public safety budget is being and he doesn't know why. To have to approve
35 600 new residential units, there is something not working there.

36 Mr. Gross said, you are not approving 600 units. This is a master plan. You still need site plan
37 approval. We have spent the last year working with the Fire Department and the Board of
38 Selectmen in looking for a piece of property. We spent a lot of time and effort on it. He thinks
39 that property was voted down because it was a 50 acre piece, and you don't need 50 acres. We
40 did work with the Fire Department on a portion of that, which is about 3.8 acres. We came up
41 with a conceptual plan and we reviewed that with the Fire Department. He explained the plan. It
42 was a great plan, and they loved it. But we just can't seem to get to a point where someone will
43 approach this property owner about buying this property. It is probably assessed at about
44 \$600,000 to \$700,000. If we could go to them and say we want to buy it, whether they are
45 willing to sell it separate from the rest of it, he doesn't know. Someone, probably the town, has

1 to go to this property owner and say, this is what we want to do. He thought that would happen
2 but it hasn't. The million dollar check we donate will buy that. Then you would already have the
3 property. Then you go to town meeting with a new fire station.

4 Mr. Feole said he thinks the Planning Department made the case for more recreation and the
5 need for more green space. He believes that there is not enough. You are proposing offsite
6 workforce housing, can you propose offsite recreation and green space?

7 Mr. Gross said, we will be paying 2 million in recreation fees. If you want us to do that in lieu of
8 paying it, find a piece of property. We would be willing to do something offsite in lieu of paying
9 the recreation impact fees.

10 Mr. Feole mentioned the study. Are you updating that?

11 Mr. Gross said yes. We are at about 60,000 gallons per day more than we were in 2021.

12 Mr. Feole mentioned traffic impacts. It looks like its 53 percent over budget in weekday and
13 peak hour. The note says all offsite mitigation is based on a study in 2017.

14 Mr. Gross said the traffic study that was done for the initial, what you have to look at is the PM
15 and Saturday trips. Those are not exceeded. AM is, but the total for AM is much less than PM
16 and Saturday. We are probably at 95% with this proposal on PM and Saturday. We are within the
17 budget that we established with DOT on the original traffic study.

18
19 Chairman Belair asked, are the people that you talk to from these residential places, those in
20 place and the ones you are proposing, do they feel they are proposing enough for their people?
21 Are the developers content with what they are offering? Like the Hanover people?

22 Mr. Gross said Hanover has been doing this for 20 years so they know what their tenants want.
23 Most of them are young professionals. They would rather go down to Lake Park and play corn
24 hole. Each one of these places provides recreation. A lot of people use the linear park, that is a
25 huge recreational area for hiking, running and walking. You have to look at the areas we are
26 providing, that are pretty substantial in terms of the density. The idea of a big open field doesn't
27 make any sense.

28 Mr. Feole said he thinks the chart showed 17 kids at Hanover and the majority of those are
29 elementary school age and they need a place to play.

30 Mr. Gross said, there are plenty of public recreation fields in town that the kids can go to. Like
31 we said to Ross about Rec Park, lets see how it evolves. We are going to put playground
32 equipment there. It doesn't make sense to build something until you know that there will be a
33 purpose for it.

34
35 There was a discussion of recreation.

36
37 Mr. Gross said that Joe is very committed to the public safety aspect of this project. He
38 mentioned the \$3million contribution. We want to complete this project.

39 Mr. Feole mentioned the workforce housing and the ordinance. When you come in next, can you
40 provide an explanation on why you can't put the workforce housing in the units that are going
41 to be developed?

42 Mr. Gross said, when you build a building, all the units have to be built the same way. If there
43 are granite countertops in one, they all have to have granite countertops. If not, its
44 discrimination.

1 Chairman Belair said, it also has to do with if the building is built at the \$250,000 level rather
2 than the \$100,000 level. You will have the other amenities, like a fancy gym and fire pits. That's
3 not happening in workforce.

4 Mr. Gross said, from a financing point of view, it does not work and he explained why. This is
5 the only project that has had to do it, with the exception of one on Pleasant Street, and he doesn't
6 know how they will do it and meet the criteria.

7 Mr. LaFontaine said that mixed income development does occur in New Hampshire. Dolben did
8 a mixed income project in Portsmouth.

9 Ms. Stacey said, and in Exeter.

10 Ms. Donovan agrees with that. If you are going up two extra floors there is an opportunity to do
11 that. You are getting the density. Part of workforce housing is mixing in of people that live,
12 work, and play in the same area. Not putting it in the development is not accomplishing the goal.

13 Mr. Lewis said he agrees with Ms. Donovan, Ms. Stacey and Mr. Feole with regard to public
14 safety. He asked for digital versions of this to be sent to the board.

15 Mr. LaFontaine said he will distribute those.

16
17 **MOTION by Mr. Feole to continue the Tuscan Village Master Development plan.**

18 **SECOND by Mr. Pelletier.**

19
20 **VOTE ON MOTION: 7 – 0**

21 **UNANIMOUS**

22
23 **PUBLIC MATTERS**

24
25 1. Building 3000

26
27 Mr. LaFontaine said that building 3000 was approved with restaurant uses and Mr. Gross sent
28 documentation. It was approved with a portion of those restaurants having seating outside. It was
29 not shown on the plan where the outdoor dining locations would be. He showed where they
30 intend to have it. Are you OK with the location? It goes between building 3000 to the rear where
31 the parking garage is.

32 Ms. Stacey asked, is it 30 seats?

33 Mr. LaFontaine said yes.

34
35 Chairman Belair said, if there was ever an incident people would know. There is no big issue
36 with this.

37
38 2. Nouria

39
40 Mr. LaFontaine said that Mr. Tymula is here representing Nouria at 133 South Broadway. It was
41 previously proposed. He showed the plan. We wanted it to be improved. For Nouria, our
42 direction to them was to have an outside design review performed. He showed what they came
43 back with and they want to know if it satisfies the board's concerns. He worked with them to
44 make enhancements. He showed the rendering. We asked Mr. Tymula about a dumpster
45 enclosure. He showed the previous applicant's rendering. We required the outside design review

1 for the last application. Is the board satisfied with the revisions or do you want an outside design
2 review? He tried to make improvements along with the applicant. Landscaping will be a big
3 benefit of the design review if you require it. They have made improvements that were
4 recommended to enhance the site.

5 Chairman Belair said, its a lot nicer than the last one. The applicant will have a nice landscaped
6 plan?

7 Mr. LaFontaine said yes.

8 Chairman Belair asked, this was continued from last time, correct?

9 Mr. LaFontaine said that's correct. They submitted it for the February 28th meeting with these
10 revisions and they wanted to know if you want an outside review or if the board is comfortable
11 with what they are proposing.

12 Mr. Feole said he is OK with it. It is a huge improvement and they took all of our concerns into
13 account.

14 Mr. Pelletier said he watched the ZBA meeting. He mentioned the traffic path. When they leave
15 the station heading north to the access road, there should be a sign at the end of that stretch,
16 showing where Route 93 is. So that people who are not familiar with the area, and want to get
17 back to Route 93, can go through Maryanns parking lot where they are supposed to go. He can
18 see potential where people won't know where to go.

19 Chairman Belair said, you can bring this up next time. He doesn't want to be doing site plan
20 review in public matters.

21
22 Chris Tymula, project engineer with GPI, said that we submitted a full set of plans today. As part
23 of that package, we have way finding signs to direct people to Route 93 and through Maryanns
24 parking lot. You will see that as part of the site plan application. We wanted to show you the
25 difference between the basic plan and what they feel is a significantly improved architecture plan
26 and landscaping.

27
28 Ms. Donovan asked, what color is the awning and logo?

29 Mr. Tymula said, the awning on the canopy is a blue stripe with the green Nouria striping. The
30 green striping on the canopy is consistent with the green on the building.

31 Ms. Donovan said, the canopy is cool colors and the building is warm colors which doesn't seem
32 to go. She would rather see the building be grey or lighter.

33 Mr. Tymula said it is a bronze colored roof. He explained the materials.

34 Chairman Belair said that the rendering looks different compared to the samples. The color
35 samples look good.

36 Mr. Tymula asked, is the board satisfied? We don't need to formally submit for architecture
37 review?

38
39 The consensus of the board is that they don't need to submit for that review.

40
41 Mr. Tymula asked, are we on for the 14th or 28th?

42 Mr. LaFontaine said, you are on the 14th.

43
44 3. Sevmar Bistro

1 Mr. LaFontaine said, the property owners at Sevmar Bistro, Jocelyn and Kelvin, submitted a
2 request to move a walk-in cooler to the outside of the building. He showed a picture of it and
3 showed the location. It will be visible. He raised that concern with them. They said that the
4 landlord will match the exterior with the effice of the existing building. You won't be able to see
5 the panels. He wanted to know the board's thoughts. Is it a site plan revision that they need to
6 submit for formal approval?

7 Ms. Stacey asked, will it block the doorway?

8 Mr. LaFontaine said it won't. He said there are windows.

9 Chairman Belair said, if it is screened, it will blend in with the building.

10 Mr. LaFontaine suggested that we could require them to submit something to show how they will
11 screen it.

12 Chairman Belair agreed to have them screen it.

13 Ms. Donovan said, make sure it meets life safety.

14 Mr. LaFontaine said he spoke with the Health Officer and there are restaurants that have walk in
15 coolers outside. They are typically behing the building, but they don't have room to do that here.
16 He will let them know to sufficiently screen it and show how they will do that.

17

18 **MOTION by Mr. Feole to adjourn.**

19 **SECOND by Mr. Pelletier.**

20

21 **VOTE ON MOTION: 7 – 0**

22 **UNANIMOUS**

23

24 The meeting adjourned at 9:51 p.m.

25

26 For further information, kindly refer to the DVD dated 1/24/2023, located in the Planning Office.

27 Minutes by: Susan Strugnell, Planning Board Recording Secretary

28 Approved: Planning Board

29 Date: February 14, 2023