

**MINUTES OF THE  
PLANNING BOARD**

**MEETING OF  
August 8, 2023**

A meeting of the Planning Board was held on August 8, 2023 in the Knightly Meeting Room at Salem Town Hall.

**PRESENT:** Keith Belair, Chairman; Joe Feole, Vice-Chairman; Bianca Carlson, Secretary; Paul Pelletier, Town Council Rep; George Perry; Sean Lewis; Damon Norcross; 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. Carlson said we have two sets of minutes. The first one is from July 11, 2023.

**MOTION by Mr. Lewis to accept the minutes of July 11, 2023 as printed.**

**SECOND by Mr. Feole.**

**VOTE ON MOTION: 7 - 0**

Ms. Carlson said the second set of minutes is from July 25, 2023.

**MOTION by Mr. Lewis to accept the minutes of July 25, 2023 as printed.**

**SECOND by Mr. Feole.**

**VOTE ON MOTION: 7 - 0**

**UNANIMOUS**

**NEW BUSINESS**

1. BIRCHES ACADEMY – Public Hearing for amended site plan and conditional use permit request for reduced parking at 419 South Broadway, Map 144, Lot 202.

**MOTION by Mr. Feole to accept the Birches Academy application as complete.**

**SECOND by Mr. Lewis.**

**VOTE ON MOTION: 7 - 0**

**UNANIMOUS**

1 Abutters: There were no abutters present.

2  
3 Chris Smith is here on behalf of Birches Academy. In 2012 we were approved to operate a public  
4 charter school on the first and second floor and we kept it at 225 students. We would like to add  
5 12 to have a second kindergarten. We have a 260 student waiting list. The building owner is in  
6 support of our request. At last count we had 70 parking spots open. We are negative 78 spots for  
7 the site, but the kids don't drive, its K-8. So this would add 2 more to the negative count. We  
8 have had 70 open spots when we do the counts. Parking has not been an issue since we have  
9 been here.

10  
11 Staff Comments:

12 In September 2021 this board granted a conditional use permit to allow 177 spaces where 261 is  
13 required. They are adding 12 students, which our parking calculations are 1 space per 7 students.  
14 So they are roughly short 2 spaces. So the conditional use permit would be amended to read to  
15 allow 177 spaces where 263 spaces are required. The board previously spoke about dropoff and  
16 pickup procedures. He doesn't think 12 additional will make or break it. It was a concern in the  
17 past.

18 We need verification of State approval for increased enrollment and that has been submitted.

19 Recommend - if the board's concerns are satisfied, he recommends that you grant the conditional  
20 use permit and approve the amended site plan with conditions he can provide.

21  
22 Mr. LaFontaine read the following conditions:

- 23 1. Note conditional use permit for reduced parkin on plan.
- 24 2. Applicant must operate business so that parking lot capacity is not exceeded.
- 25 3. All representations made by applicant or agents and all notes on the plan are incorporated as  
26 part of the approval.

27  
28 Chairman Belair asked for public input. There was none.

29  
30 **MOTION by Mr. Feole to grant the conditional use permit for reduced parking and grant**  
31 **conditional approval of the Birches Academy site plan with the three conditions as**  
32 **stipulated by Mr. LaFontaine.**

33 **SECOND by Mr. Lewis.**

34  
35 **VOTE ON MOTION: 7 - 0**

36 **UNANIMOUS**

37  
38 **OLD BUSINESS**

- 39  
40 1. TUSCAN VILLAGE MASTER DEVELOPMENT SITE PLAN – Conceptual Discussion  
41 on revised master plan for Tuscan Village to include 300 additional residential units at  
42 20-24 Via Toscana, Map 98, Lot 7887. Continued from 7/25/2023.

43  
44 Abutters: There were no abutters present.

1 Staff Comments

2 This plan was originally accepted in January 2023 and was last here on July 25, 2023. Since that  
3 meeting two weeks ago, the applicant has made revised changes to the plan.

4 The big change is that they were previously proposing a net of 579 additional residential units  
5 between buildings 1300 and 4000. Building 4000 was reverted back to its original use. He  
6 showed the scope of the previous proposal.

7 They reverted building 4000 back to what was approved in 2021. They will continue to propose  
8 changes to building 1300. He showed a rendering of what was previously submitted. It was  
9 previously 61,363 square feet of retail, 61,000 square feet of entertainment, 300 residential units  
10 and 8 floors. There was a lot of feedback on the additional residential units and additional  
11 heights. They have reverted it to 57,500 square feet of retail, 242,000 square feet of office, and  
12 they eliminated the residential component and reverted back to 5 stories. He showed this on the  
13 plan. Building 1300 is the purview of this master plan update.

14 The applicant did submit a memo on July 27<sup>th</sup> addressing concerns from the previous meeting.  
15 One concern was the impact fee. The impact fee schedule is outdated. It was last updated in  
16 January 2018. Market conditions have changed significantly in that time. The applicant has  
17 agreed to pay impact fees as amended for the development that is not yet under construction.  
18 There was a lot of discussion about workforce or affordable housing. The applicant has  
19 committed to, any future residential development beyond this master plan update. Any  
20 development that comes in, they committed to provide 10 percent of those units at an affordable  
21 rate onsite, on the 170 acres.

22 There was a lot of discussion about public safety, and impacts to the Police and Fire  
23 Departments. The applicant would like to discuss monetary contributions to mitigate those  
24 impacts.

25 There was a lot of discussion about recreation. They haven't submitted a revised recreation plan,  
26 but they have stated that future master plan updates may include more significant recreational  
27 programming. We discussed at our last meeting the recreational uses. He showed pictures. We  
28 asked the applicant to give more detail on Rec Park. We provided some examples. He showed  
29 other recreation areas.

30 He showed Article 6 of the Planning Board Rules of Procedure. Article 6 is applications for  
31 subdivision and site plan review. He read Section 6.8. The applicant is reducing the scope of the  
32 proposal but we don't have revised documents from RKG who is doing the fiscal impact analysis  
33 or from Steve Pernaw who does traffic.

34 He received an email from Roy Sorenson, the Municipal Services Director, who was OK with  
35 the revisions.

36 Recommendation - for the board to provide direction for the applicant on those revisions that  
37 were made.

38  
39 Mark Gross, with Tuscan Village Development, turned the presentation over to Joe Faro.

40  
41 Joe Faro, Principal of Tuscan Village Master Development LLC, said our job as a partner and  
42 developer in town is to listen. We heard what the board and public said. We will be here for a  
43 long time. His family is here tonight. He has been a member of the Salem business community  
44 since 2010. He has done everything he said he would do and he will continue to do that. Tuscan  
45 Village is a project of unprecedented proportions. And it has taken place in a time that has had

1 unprecedented events in it. We have stayed true to our commitment to deliver a walkable  
2 downtown to the Town of Salem. He would like to invite the board and public to tour the  
3 walkable downtown that is being created to understand the original vision that was created for  
4 the Tuscan Village, the reason for the architectural scale of the buildings and the reason for the  
5 proportion of the different uses. He showed the master plan as being proposed this evening.  
6 Everything is the same except for building 1300. It is hard to understand the scope and scale of  
7 the development as it pertains to community spaces and the public spaces. When you understand  
8 what is involved with delivering this walkable downtown area, it has tremendous amount of cost  
9 and difficulty in putting all the pieces together. He mentioned the reasoning behind this. The  
10 market has changed dramatically over the last 5 years. Boston is currently under a commercial  
11 office crisis. They are attempting to convert commercial office to residential. Massachusetts has  
12 a 50,000 residential unit deficit. New Hampshire has a 25,000 residential unit deficit. The  
13 pandemic has created significant changes with the way people work. A lot of people are working  
14 from home. That has driven a different kind of development. We have a tremendous investment  
15 in the property for all these master developments that require a certain level of density. All of the  
16 things we heard from the last meeting and the previous meetings, and the public, we decided to  
17 reduce the residential density in this master plan update by 50%. So we went from 600 units to  
18 300 units. Building 4000 will revert to previously approved use and density as per the February  
19 2021 approved master plan. We will not apply for residential in building 4000. He has not made  
20 a statement that he has not upheld. 4000 will either be entertainment with commercial above, or  
21 it will be entertainment the way it was always proposed. 4000 will not be residential. All future  
22 development including what is proposed in this master plan, will not exceed currently approved  
23 building heights. The architectural scale and the multi-faceted facades of this downtown, were  
24 carefully master planned with a group of professionals, including Ross Moldoff. Joe agrees it  
25 was too tall. We looked at it and we heard the board and the public and we reduced it. We will  
26 not go taller than what is already there. Building 1300 will not be taller. It will be the same  
27 height. If we get the master plan approved, we will come before you with the site plan. And we  
28 will agree to the impact fee schedule. We are agreeing to pay those impact fees. We have already  
29 paid many millions of dollars in impact fees and not one has been late. He mentioned the  
30 workforce housing. We will also commit, that at this time, there is no future residential proposed,  
31 but if there is, we will put workforce on site. If we propose additional residential, which will not  
32 be in 4000, but it will be on site in the Tuscan Village development, not offsite. He and his  
33 family have made a tremendous risk. There really is no value gained until the end. If you drive  
34 on Route 28 or Rockingham Park Boulevard, or Mall Road, you will realize we are not near the  
35 end. We have made an 8 year sacrifice and tremendous investment, into delivering this walkable  
36 pedestrian downtown regional destination that we believe has created tremendous positive  
37 impact for the Town of Salem and the State of New Hampshire. That means over \$150 million  
38 dollars in land and infrastructure improvements on and offsite, roadway improvements, a 5  
39 signalized intersection, internal lake and floodplain. We built Policy Brook which is 2 miles.  
40 These are tens of millions of dollars in improvements. The entirety of South Broadway is now  
41 out of the floodplain. There is over \$25 million in public open space free to the community. He  
42 showed a picture from the 4<sup>th</sup> of July fireworks that was free to the community. And we are  
43 proud to do that. And proud to be a partner in Salem and proud to give back to the town and to  
44 help charitable partners in Salem. The development has had a progressive phasing which has  
45 potential gaps in municipal impacts. So we have worked hard to sit down with both the Police

1 and Fire Departments to devise a funding solution. We are only obligated to mitigate our impact  
2 as per the impact fee schedule. We have gone above and beyond that to contribute millions of  
3 dollars because we understand the need and the gap. We understand what is required and we  
4 would be happy to see a west side fire station and a new police station. We will continue to do  
5 everything we can to see that become a reality. We want to partner with Salem for a long time.  
6 We are not going anywhere. We have progressed despite significant economic and global  
7 challenges over the past 36 months. Capital is the main ingredient in a development like the  
8 Tuscan Village and the cost of capital has doubled, but he has not wavered on his commitment to  
9 deliver exactly what he said he would deliver when he first met with Ross and explained his  
10 vision to a new downtown. Construction cost is up almost 50% but we have not wavered. Labor  
11 shortages have hit construction the worst. He discussed supply chain issues. We have continued  
12 and honored our commitment to the State of New Hampshire and the Town of Salem. Tuscan  
13 Village is the gateway to New Hampshire. Last year we were voted the #4 lifestyle mixed use  
14 destination in the country. This year the Tuscan Village in Salem, New Hampshire is the #2  
15 lifestyle mixed use destination in the country. He thinks the Planning Board, Town Council and  
16 residents of Salem and State of New Hampshire should be proud of the landmark that you all  
17 helped create. He hears a lot of negative feedback about residential. Our residential is on Exit  
18 one, and not adding traffic to Route 28, and we significantly upgraded the roadway infrastructure  
19 around the development. We do not generate school age kids of any significance. We provide a  
20 unique lifestyle opportunity for all walks of life to live in Tuscan Village and to live in Salem,  
21 New Hampshire. We want the best and brightest in New Hampshire to stay in New Hampshire.  
22 Your Tuscan Village affords that opportunity for these young people to grow up here, get a job  
23 here and stay here. As he drives around Salem, he sees so much construction starting to happen.  
24 He mentioned Route 28 ten years ago when there were vacant buildings. Today Salem is a  
25 bustling development community. He explained that we have become a catalyst for revitalization  
26 of the Town of Salem and neighboring towns around Salem. You will see that all our hard work  
27 has resulted in a positive impact to the value of homes in Salem, and we are very proud of that.  
28 We are a true partner with the Town of Salem. He then showed a picture of 4<sup>th</sup> of July two hours  
29 before the fireworks. Our activities are free to the public, and we paid for the fireworks. We are  
30 the most impactful development in all of New England and now in the entire country. We have  
31 all kinds of events for charitable organizations. It takes a lot of work for our Tuscan team to do  
32 that. And we will continue to do that. He will show views of the walkable downtown. The  
33 original vision was to create a city street grid to allow people to walk through the development.  
34 Even though it allows cars, it's more of a pedestrian street. He then showed central square. 3 of  
35 the 4 blocks on the central piazza are under construction now. It is impressive to see it in person.  
36 He would encourage a site walk. We would be honored to host members of the Planning Board  
37 and the public to see it. He discussed the buildings in the picture. When you see what is built you  
38 will understand why we have master planned it in such a way. He mentioned the extensive  
39 landscaping and that the sidewalks are 24 feet wide. A traditional one is 5-8 feet. We are triple.  
40 These costs are part of what we do. The vision of having the public come and walk and enjoy  
41 with their families. We continue that vision as we program it. He mentioned streetlights and  
42 landscaping and that this street is designed to be closed off for certain events that are free to the  
43 public. He showed another view of between 1300 and 1200 with wide public spaces, and the  
44 central piazza. The fountain can be covered so that a Christmas tree can go on top of it. And we  
45 can celebrate the Christmas tree lighting in even more of a downtown setting. He showed the

1 entrance to Tuscan Village with an ode to Rockingham Park. He also showed a statue of  
2 Seabiscuit and a recreation of the sign that originally sat at the entrance on Route 28. He showed  
3 a chronology of the history of Rockingham Park starting in 1906 and up to 2000. There is a lot of  
4 green and open space, and pedestrians. It is designed to invite the public. This master plan was  
5 created in collaboration with the Town of Salem. When we arrived here in 2015 and bought the  
6 120 parcel in 2016, we took a white board and asked for their vision of downtown Salem, which  
7 he discussed. It was a live, work, stay, play vision. We are about to deliver that. He showed areas  
8 of outdoor dining, cafes, restaurants, and this is built. You will be able to see it. He showed the  
9 central piazza with building 1300 the same height as building 300. There will be no buildings  
10 taller than what was already approved. He heard the comments. We decided to stay with what we  
11 have already done and keep with that architectural scale to make sure the suburban downtown is  
12 that true master plan vision that we created in 2016. He will discuss who is here for tenants. He  
13 discussed who is here now. We have brought both national, regional and local scale business. We  
14 are very proud to bring the next group. He showed the next tenants such as Whole Foods,  
15 Friendly Toast, Athleta, Shake Shack, Tuscan Kitchen etc. Capital Grille outbid Ruth Chris for  
16 that space. Whole Foods said Salem will never be on our radar. If we get this update, we will  
17 have Whole Foods. He thanked the board and residents and Mark Gross.

18  
19 Mark Gross showed the currently approved master plan. He then showed the revised master plan.  
20 The footprints haven't changed much. He showed a letter that the board received. He will discuss  
21 the socio economic impact. When all is said and done with the master plan, the tax revenue will  
22 be in excess of \$15 million yearly. That is gross revenue. \$10 million of that goes to the School  
23 District. Revenues from one time impact fees and building fees are in excess of \$30 million. The  
24 project on Route 28, with upgrades to sewer and water, most of that will be financed through dba  
25 fees, and very little will be financed from the taxpayers. He discussed the creation of jobs.

26  
27 Chairman Belair asked for public input.

28  
29 Steve Diantgikis, 11 Captains Drive, is not here as a developer or representative, but as a  
30 concerned citizen. He has called Salem home for 56 years, and his business is in town and his  
31 children go to school here. He is here in support of the project. While he understands and  
32 respects the concerns, he believes that this project will bring numerous benefits to the town. One  
33 is the potential to increase our tax base. We rely on taxes. He discussed how the taxes will help  
34 pay for things. And he also discussed how the project will create jobs. By fostering local  
35 employment, we strengthen the fabric of our community. Beyond the economic benefits, this  
36 project allies with the long term vision of Salem's growth and progress. Responsible  
37 development can bring new life to underutilized areas, rejuvenate neighborhoods, and enhance  
38 the overall appeal of our town. We have an opportunity to shape the future of Salem. He  
39 acknowledges that some residents have concerns about the impacts on traffic, the environment,  
40 etc but it is crucial to remember that developers have a vested interest in creating a project that  
41 harmoniously integrates with our community. Collaborative efforts between developers and the  
42 community members are pivotal to create a project that benefits everyone. As citizens we have a  
43 shared responsibility to participate in the development. He would encourage his fellow residents  
44 to engage in this process, share thoughts and work together to provide solutions. He believes this  
45 development project brings many benefits, which he discussed. We have the unique opportunity

1 to embrace progress while preserving the essence of what makes Salem a special place to call  
2 home.

3  
4 Steve Malisos, 6 Captains Drive, has been paying attention to the Tuscan Village project and he  
5 has noticed a significant amount of unfair criticism directed at Mr. Faro and the project as a  
6 whole. He decided to speak up and offer his thoughts. He is a retired police lieutenant, and has  
7 spent his entire life in Salem. If you pay attention to the Salem info group on Facebook, he has  
8 been vehemently defending the project from attacks. He has known Joe Faro since 1987 and he  
9 considers him a friend. Mr. Faro always gives back to the community, veterans, Salem Boys &  
10 Girls Club, and other local charities. He is a local boy who not only made it, but he is self made.  
11 He took a vision he had from when he was a college student, and turned it into a multi-million  
12 dollar company. In 2017 Mr. Malisos ran into Joe and Joe asked him to come to his office to see  
13 his plans for the Tuscan Village. He was blown away and impressed. His first thought was, this  
14 is what Salem needs. An identity and downtown and place to walk, socialize, shop, eat, or get  
15 coffee. He was always impressed with other local areas like Andover and Newburyport, and he  
16 noted how we didn't have that in Salem. He asked Joe, why are you doing this? Steve was  
17 concerned that there are no guarantees and the economy can turn on a dime. Few can predict it.  
18 Joe said he was too young to just go away into retirement and he wanted to invest in an area he  
19 calls home. This isn't some big corporation pushing its weight around. This is a local guy  
20 creating jobs for other locals. Tuscan Village is estimated to bring 2,500 permanent jobs to  
21 Salem. Not only are people being employed but those workers will spend their earnings back into  
22 the local economy and support other local businesses. The consumers have shifted from malls to  
23 other retail areas. He believes that attracting those consumers is a benefit for Salem. At the end  
24 of the day, this 170 parcel of land was going to get bought and developed. What would you  
25 rather have there? What is your alternative? Development opportunities are limited because very  
26 few suitors have the means to develop and purchase such a large piece of commercial property.  
27 Do you want Amazon or an industrial or commercial park? You don't want it to be exclusively  
28 residential. That's why this project makes so much sense. It's a mix of retail, commercial and  
29 residential and it's the perfect compromise. Many critics believe that Mr. Faro is pushing the  
30 town around and gets what he wants. Mr. Malisos said he doesn't believe this to be true. Mr.  
31 Faro has funded infrastructure which the town would otherwise be responsible for. He discussed  
32 the drainage and floodplain mitigation on Route 28. Route 28 in the area of Good Luck Trailer  
33 Park no longer floods. The cost of the onsite infrastructure to Mr. Faro is around \$30 million.  
34 Many asked the question, will this cause taxes to go down? Property taxes will not go down but  
35 estimated annual tax revenue is \$15 million so the town can complete projects without raising  
36 taxes. He mentioned the complaint that the town is getting too big. He explained why he believes  
37 that is exaggerated. He mentioned the complaint that the schools are busting and this will impact  
38 the already crowded student population. This is not true. He discussed the student population  
39 over the years. It is 41 students for all grades at Tuscan Village. He mentioned traffic. He  
40 believes the job they did creating 6 separate points of entry around this development should be  
41 sufficient to prevent back ups on the other streets like Route 28 and Rockingham Park  
42 Boulevard. Yes, there has been deviation from the original 2017 plans, but he believes the  
43 numerous benefits that this project has already brought, which he discussed, has far outweighed  
44 the increase in residential housing that Mr. Faro is promising. He fully supports Tuscan Village  
45 and the changes being proposed.

1  
2 Dan Uber from 12 Lamplighter Lane, said we bought land 22 years ago. We love this town. He  
3 explained why he moved here. He has done a lot of different things for the town, such as being  
4 on the Budget Committee and being a coach. He is here on behalf of Tuscan Village. He worked  
5 at the village for over a year, the traffic it's almost nonexistent from Route 28. There is no extra  
6 traffic. The traffic from Route 28 is minimal. He explained that he goes there 5-6 times a week.  
7 It's an incredible place for families and a beautiful property. He thinks you will regret cutting the  
8 housing because as these businesses go in, housing isn't just someone who will sweep floors, it is  
9 people that will work at the hospital, and in these businesses and offices and they will make good  
10 money. There are good jobs coming. These apartments are already sold out and there is a waiting  
11 list. He has friends who are waiting to get apartments at Hanover and Dolben. There is a housing  
12 shortage of 25,000 in New Hampshire, and it is probably 1,500 to 2,000 in Salem. Our town  
13 needs housing and this is a great place for that. The Tuscan Village is a great place to play,  
14 socialize and is great for the town. Joe really cares about this project. He cares like it's a family  
15 member. He discussed how Joe helped someone who had an employee whose car was  
16 vandalized. Joe spoke with that employee and he gave him a gift card and he installed dozens of  
17 cameras in each streetlights so that he could catch the next person. They take care of the  
18 facilities. He spoke about how clean the place is. It is maintained at a meticulous level. This is  
19 the only place like this in New Hampshire. There are probably only a few in the country that  
20 come close to the quality and scale of what he has created. He has seen this town change and he  
21 has seen stuff happen, but also, the Tuscan Village for over 30 years was rundown buildings and  
22 people were overdosing there. We turned that into an incredible place that draws people from all  
23 over. He appreciates the hard job that the board has. It is a thankless job. Look at this and realize  
24 the scope its bringing and the positive impact it will have. He has been over there 5-7 times a  
25 week. There is not a problem with crime or trash. It's well maintained and a great thing for us as  
26 a town.

27  
28 Harry Nelson, 5 Cove Road Extension, has lived there for 51 years. He was concerned as a  
29 retiree on a fixed income, about the taxes and the new residents and the impact on the school  
30 system. That fear is somewhat allayed by the amount he is saying has gone to the school system  
31 as a result of this development. His father and uncle were firefighters. He is well aware that  
32 upper floors, stuff inside is flammable. They will be putting out fires way up, and yet Salem still  
33 only has a 100 foot ladder. That limits how far the ladder can go up. Holding it to 5 stories  
34 comforts him. There were several references to coordinating with the Police and Fire  
35 Departments, which also comforts him. He worked for a major utility company for many years.  
36 Newburyport did it extremely well and this looks even better. He believes Joe, and he thinks his  
37 presentation was good. Mr. Nelson said he is far more impressed than he was when he got here.  
38 It sounds good to me and he thinks the Planning Board is keeping an eye on it, and in  
39 coordination with public safety, which is what we need. He is glad to hear that there is minimum  
40 impact on the schools, since that is a concern for him. He didn't expect taxes to go down, but he  
41 doesn't think they will go up as much as they could have with this development.

42  
43 Maggie Verette, 3 Artisan Drive, is a small business owner. She owns Vibeco Cycle. She wants  
44 to speak on behalf of her experience at Tuscan Village. When she graduated college, she didn't  
45 know what she wanted to do, she was commuting back and forth to Boston. In spring 2020 she



1 heard about the Tuscan Village project and she met with Joe Faro and proposed her ideas and  
2 everything she had in mind of what she wanted to bring to the community. She is forever grateful  
3 for him for taking a chance on her and giving her space to express what she wants to do and  
4 make a successful career for herself and give her purpose. If Tuscan Village wasn't part of  
5 Salem, she would probably be doing something she is not passionate about. She is forever  
6 grateful for the opportunity. She wants to speak in favor of the project. She has employees and  
7 customers and people she has met that are part of Salem and the surrounding areas. She doesn't  
8 believe that she would be as successful as she is today if she wasn't in Tuscan Village. She  
9 thanked Joe Faro for taking a chance on her.

10  
11 Janie Manning, 500 Central Street, is a small business owner in Salem. She has lived in Salem  
12 her entire childhood, and after working for Whole Foods, she opened a business in her  
13 hometown. She is happy that Whole Foods is coming. She heard the concerns. She has watched  
14 the Tuscan Village be berated on Facebook and she is sad at the comments. Change is inevitable.  
15 As a small business owner, she wants to speak about how the Tuscan Village project has helped  
16 her. We have seen a huge uptick in walk in business since the village has come to Salem. We sell  
17 something called Pupcakes. We have cultivated a following and she thinks a lot of them come  
18 from Tuscan Village. Everything in Tuscan Village is dog friendly. It's such an amazing feeling  
19 to see people coming in from the development. She has also hosted classes in their classroom  
20 and some walk from their homes in the village. She has worked with multiple employees from  
21 Tuscan Village and they are some of the best. The way they care about their community starts  
22 from the top to the bottom. She opened a second location in Newburyport and walking through  
23 Tuscan is like walking through Newburyport and she can't imagine how it will feel at the end of  
24 the project. She mentioned the space for the community and local businesses to come together  
25 with the markets that they host. She has seen multiple small business owners' lives change  
26 through these markets. That is something we should be proud of. She lives within Tuscan Village  
27 and she and her neighbors walk to many different things in the village like for groceries, or to get  
28 a drink and dinner, or to walk their dogs, etc. We feel safe at any time of day. High rents were  
29 brought up as a concern. She looked at surrounding towns. Even in Manchester, in an area that  
30 she wouldn't feel safe, she would only be saving \$150 a month. She would love to raise family in  
31 Tuscan Village.

32  
33 Joy Garon, Palomino Road, said that she is one of the Facebook people. She asks hard questions  
34 and got good answers tonight. She still has questions but she will take you up on the site walk.  
35 She wants to understand it. She thinks it is unfair that you don't have visibility to the impact fees.  
36 What about water? We just had the bond issue where we took the pipeline from Manchester. We  
37 had drought conditions and we can't water lawns every other day. This year isn't that case, but  
38 she has some concerns about what does this do to our infrastructure, not just in terms of Police  
39 and Fire Departments. She has been pushing for a new Fire Department. Regarding schools, one  
40 person said she hopes to have children and live in Tuscan Village, so the whole argument about  
41 its low impact on schools, she doesn't think that will be the case throughout the years. As people  
42 grow and have families that will change. Her question is about water and also the residential unit  
43 deficit. We talked about having 10 percent of the units be affordable. Why are we waiting to do  
44 any of that until the next phase? She doesn't understand why the wait. She is a fan of Tuscan  
45 Village. She likes to go there and have dinner. Her concerns were mainly about the 8 stories. Are

1 we sticking with the original village downtown feel? The 55 plus housing went out the window  
2 and the theater is gone. Covid happened in the middle of this and she understands that, and that  
3 you have to pivot, but she wants to make sure it doesn't really detract greatly from the original  
4 feel.

5 Chairman Belair said, regarding water, we get regular updates and assurances from Municipal  
6 Services. They are available if you want to see the current one, Jacob can get that. That's what  
7 we go by when we make our decision. Roy Sorenson is the Director of Municipal Services, and  
8 he tells us what we need to know.

9 Ms. Garon said, her concern is OK as long as we are not just kicking the can down the road. She  
10 wants to make sure the village feel is maintained and that our infrastructure supports it. She  
11 thanked Joe Faro for feeding her father on Veterans Day.

12  
13 Brice Hines, 109 Zion Hill Road, said he is a family friend of Joe Faro and his family for years.  
14 and he is a resident of Salem for 20 years. He mentioned the community aspect that Tuscan has  
15 brought to Salem. He mentioned the fireworks show, the auto show and Christmas decorations.  
16 The community factor is underrated and something he appreciates that. The Tuscan Village is a  
17 great opportunity to have more tax revenue come into the town, which goes towards the  
18 infrastructure. He thinks that is efficient use of the property rather than cutting down more trees.  
19 He knows Joe and went to school with his son. The family has been great to him. He would hate  
20 for the town to pass up on this opportunity. His family and business mean well for the Town of  
21 Salem. Bryce mentioned that his family also uses Tuscan. He has nothing but great things to say  
22 about the Faro family. He mentioned others that are grateful to the Faro family. We want to build  
23 more condominiums and apartments, that would be great for Salem sports. Building more  
24 housing will help with that. He thanked Joe and his family. They are very down to earth. Joe  
25 means what he says.

26  
27 Paul Donatio, 24 Sycamore Avenue, has been a resident for 30 years. He is originally from  
28 Massachusetts. When we were looking at starting a family, he worked in Massachusetts and the  
29 prices were out of our range. We came to Salem. The one thing he didn't like was that there is no  
30 downtown. Now we have an opportunity to have that downtown area. Joe is building it and  
31 people will come. He mentioned the free music and fireworks. It's a great community. He thinks  
32 what he has done has been amazing. It's always clean and its high quality work. It's a great  
33 opportunity for Salem to make a destination for work, stay and play. He supports it 100 percent.  
34 He mentioned the comments on Facebook. On Route 28 all we see is vape shops and mattress  
35 stores. We have a great development here, and he can't wait for it to be finished. He thinks it is a  
36 win win for everybody.

37  
38 Matt Norcross, 22 Sycamore Avenue, moved here in 1971 from Massachusetts. We had financial  
39 difficulties, and because of that, he had a distrust for people in corporations and even Joe he  
40 wouldn't have trusted years ago. But then he started working for Salem Police Department, and  
41 its people like Joe and other local business owners, that contribute so much to this community.  
42 Matt worked with the Salem Boys & Girls Club, and Joe donated so much to that. To the people  
43 who have doubt about what Joe is doing, he is an honest man who comes to this community and  
44 is doing the right thing. If you have questions, you don't have to go to Facebook, you can reach  
45 out to Joe or the board and ask those questions. He mentioned that he met someone who lived in

1 the village. The residents in the village are helping our community. They are spending their  
2 money in our community and it's a great thing to have the village there. More residents are a  
3 good thing. You always rely on people coming into the community from outside to spend  
4 money, but we will have people there spending money. This is a great plan. He likes to see the  
5 value of his house going up.

6  
7 Steven Goddu, 5 Candlestick Lane, served on the Budget Committee for 8 years. He is not here  
8 for the Budget Committee, just for him and his opinion about approval of this master plan. This  
9 is a plan that he would encourage you to approve. Tuscan is a beautiful place. He is here because  
10 of taxes. He got involved in town government because of taxes. His taxes went up too fast, so he  
11 got involved in the Budget Committee. We work diligently to keep the taxes at a low rate. The  
12 reason we are able to do so is because we have a solid commercial tax base. Our forefathers had  
13 the foresight to allow development along Route 28, and have a town that was able to sustain  
14 itself from all the taxes that we collected. Finishing this project will continue that legacy and  
15 allow us to be a community that will be able to afford all of the infrastructure that we need with  
16 the tax revenue. He was not thrilled with 600 units and 8 stories. That did concern him. But Mr.  
17 Faro has shown that he is a good partner in the town and he has come back with a proposal that  
18 is reasonable and has given consideration to what the town people have had to say. He would  
19 encourage you to vote for this master plan. It is good planning for Salem.

20  
21 Tom Linehan, 151 Lowell Road, grew up here. His grandfather had a farm on the corner of  
22 Brady Avenue and Route 38. He has deep roots here. He went to school here at Soule. And also  
23 Woodbury High School. His kids grew up here. He was kind of skeptical of this at first, because  
24 he has lived in downtowns and he hates them. He mentioned the traffic. He was here when the  
25 racetrack was here and he worked there. All we did is sit in traffic. So he had visions of that.  
26 Maybe that will still come about here, but what Mr. Faro has done so far has been good. The  
27 rotary slows things down which is the idea behind that, and it gives us an access east to west,  
28 which we never had in this part of town. The people voted for this. They didn't vote by a little.  
29 The proposal before this was for a casino. Imagine the traffic for that? 80% of the town voted for  
30 a casino. They should have known what they were voting for. That is what we are getting. People  
31 complain about the tall buildings. In the original proposal, you can have tall buildings. They have  
32 mentioned congestion, but the whole idea was a congested area. It's not like he is springing this  
33 on people, that's how it started. He has no relationship with Mr. Faro.

34  
35 Mary Burke, 500 Central Street, moved here a few years ago after living in Boston. Moving here  
36 brought back that childhood hometown feel. She has made many friends here and many are still  
37 waiting on the wait list to get into the apartment buildings. She feels so much safer compared to  
38 when she was in Boston and that includes walking at night. She is grateful for that. She and the  
39 residents are really grateful for the downtown community that you have created.

40  
41 Chris Label, 16 Poplar Road, is originally from New York. His wife was born and raised here.  
42 We chose to start our family here. What he loves about Salem is that his kids are on their bikes  
43 and in the front lawns and they are safe. And we have the ability to go to the village and see  
44 friends and family there. And others who bring their kids there. We no longer have to drive to  
45 other areas for this. It has been a wonderful thing for the community.

1  
2 Jake Alexa, businessman in town since 1995 and has been on Route 28 for 28 years. He owns  
3 Alexa Auto and he owns the property across the street with the Shell station and corner market.  
4 Back in the early days of Tuscan he was at one of these meetings. That is where he got the first  
5 site of Joe's plan and vision. At the time he thought it was great, but he was skeptical of all that  
6 was happening. Years later, the project has exceeded all of his expectations. He is good friends  
7 with Joe and our kids grew up together. He was disappointed by the fact that the 600 units were  
8 shot down. He wanted to give you his perspective from being a businessman in town. He has  
9 travelled Route 28 millions of times. The flow of traffic with the new infrastructure, is the best  
10 he has seen it. He complimented the Planning Board. He has watched this project develop and  
11 the hard work you guys have put into this to give us what we have now. He is proud of what is  
12 going on. Regarding Route 28 and seeing smoke shops and vape, he was concerned about that  
13 early on. This is like night and day. The biggest impact on his business is the nice people that  
14 come in everyday to service their cars. They work at Tuscan Village and also the new residents.  
15 They are very nice people of all walks of life. We talk to Salem residents all the time. He has not  
16 heard anyone that we have spoken to say anything negative about the village. They love this  
17 place and what Joe and the board has done. He is in favor of moving forward with these plans  
18 and he can't wait to see the finished product.

19  
20 Chuck Saba, 20 Braemoor Woods Road, was at the last meeting. The two things he wanted  
21 addressed were answered. He mentioned the workforce housing within the actual village that will  
22 happen. And the recreation which is pretty amazing. He moved to Salem about 8 years ago. We  
23 live close to it. He sees the improvements going on every day. He can walk there. He loves the  
24 fact that it is a downtown area. He mentioned Lynnfield, but getting out of there is a nightmare.  
25 In Tuscan Village, there are so many ways to get around. He can't imagine the traffic being  
26 worse. The improvements on Route 28 heading north are amazing. Some simple changes have  
27 made something that used to take 15 minutes from the VFW through the depot to about 5  
28 minutes. There is only one thing missing, Cassata cake.

29  
30 Jeff Margrath, 5 Nottingham Lane, has been there 24 years and raised his kids here. He has  
31 known Joe since 1983. Joe is the same person that he was long ago: sincere, passionate and will  
32 give you the shirt off his back. If he says that he will do something, it will get done. Having been  
33 here before Tuscan Village, he remembers the dilapidated piece of land. There is nothing bad  
34 going on here. We should be thankful that we have a developer like Joe that will work with the  
35 board and compromise. We are very lucky. Most of the people support this and hopefully you  
36 will consider approving it.

37  
38 Jake Bozzy is co-founder and CEO of Drive Custom Fit in Tuscan Village. He is here to speak  
39 on behalf of his support for the project. We were one of the first tenants to come to Tuscan  
40 Village in April 2021. We are in support of the project all the way through. He mentioned the  
41 residents. We have over 2,000 members and 1,000 of them are Salem residents. Our mission is  
42 community fitness through health and wellness. We also have 100 employees at Drive. Many  
43 young people. They need places to live. Over the past 24 months, he has lost employees because  
44 they have leave the area because they couldn't find a place to live. That's been a little strain on  
45 the business to lose great employees because they have no place to live. Many of our people

1 want to be here and are waiting to get residences in the village so they can walk to work. Our  
2 business is growing and we anticipate an additional 50 more employees through 2024 and they  
3 need a place to live. It's a project that we are enthusiastic about. The residents are important to us  
4 as a small business, along with the people who work for us, and the members that want to be part  
5 of Drive. He hopes you consider the proposal and changes. We are in support of them.

6  
7 Kelly Moss, 9 Park Avenue, is not opposed to Tuscan Village. She thinks it's great and we need  
8 more housing. There are a lot of good compromises that came out of this. She is a math and  
9 numbers person. All the numbers reported are gross numbers, not net numbers, and there is not a  
10 revised fiscal impact for this change of use from how it was 2 weeks ago. Before you approve it,  
11 she thinks it is important to make sure it's a net positive and that these changes haven't somehow  
12 made it a net negative. A lot of money coming in at a gross level doesn't necessarily mean that  
13 the town is getting a net positive. She hopes it is a net positive and she hopes this goes forward,  
14 but it is important to get the fiscal impact and get it right before we go forward and approve it.  
15 Chairman Belair said, we are waiting for that report ourselves.

16  
17 Jeff Hatch, 35 Royal Circle, agrees with most of what was said. Joe has created something  
18 beautiful there. He would rather see what is there than the old broken down barns. He apologized  
19 to Mark Gross about a post he made where someone replied in a not so nice manner. Mark is the  
20 best at what he does and he should be treated so. He discussed the revision history. The original  
21 plan, from way back, the amount of residential units was around 860. If this gets approved, it  
22 will be just under 1,500 residential units on site. We are mostly here for building 1300, they  
23 want to change what was originally a two story building with retail on the first floor and office  
24 space on the second. The task for this board is to make them justify why they can't make it work  
25 with a two or three story building which would fall into all our zoning laws. Why do we have to  
26 go up to 6? They have to be able to justify that. With this change to this plan he asked the board  
27 to look at the notes on the plan and revisit some of those stipulations that are in the notes. Mr.  
28 Faro has already addressed one that Mr. Hatch was concerned about, regarding the workforce  
29 housing being onsite. That note should be stricken from the plan if this is approved. Regarding  
30 the workforce housing, they said they want credit for what was already built on Main Street. We  
31 had 4 meetings on that building, which he discussed. It was originally 100 units. They were told  
32 that wouldn't work. They came back with 92 units. They basically got the same response. They  
33 came back in September 2021 and requested 74 units. By this time Mr. Hatch was on the board.  
34 And he was ecstatic because he knew they only were obligated to do about 50. At that time, there  
35 were no more residential units that were going to be built in Tuscan Village. So now they want  
36 credit for those 25 extra units on Main Street. He doesn't think they should get that credit. He  
37 thinks they should be required to put 10 percent workforce housing in this building. The other  
38 problem he found, the building on Main Street, we let them do that on the depot overlay district.  
39 By doing so, we made the mistake, that building does not meet the requirements of the State  
40 RSA's nor our zoning laws for workforce housing. The zoning law states that at least 50% of all  
41 workforce housing has to be two bedrooms. The State RSA says 50% has to be two bedrooms.  
42 The breakdown over on the Main Street workforce housing is 74 units total, and only 19 units are  
43 two bedrooms. The rest are all studios or one bedrooms. So therefore that building is workforce  
44 housing in name only. It did not meet those requirements. The idea of workforce housing is to  
45 support younger families. That building would not meet the requirements. He suggested that if

1 you approve this plan, any workforce housing required in Tuscan Village, be done under the  
2 workforce housing ordinance. Mr. Faro stated that there will be no residential building in  
3 building 4000. That brings up the question, he has a feeling there is more coming so that tells  
4 him the life science will end up being residential. He asked about why that workforce housing  
5 needs to be in that building and not on a site by itself. We were told that the companies that are  
6 building these, like Dolben and Hanover, they do it because they can't make the units all the  
7 same because of cost. He is sure they do this all the time. He doesn't believe that they don't deal  
8 with workforce housing with all the projects that they build.  
9

10 Cliff Morotta, 10 Central, lives in Tuscan Village. He is in and out of that neighborhood 5-10  
11 times a day and traffic is not a problem. You can get in and out without issues. Regarding  
12 students, there are about 40 total. His neighbors and himself, there are no school age children.  
13 All the taxes are for public safety and are not a burden on our school system. He watched this  
14 development for 2 years and everything Joe said he would do, he has done. He is excited to see  
15 what is coming next. We are talking about one building, 300 units. We are looking to get more  
16 units in one building. He fully supports that because he has seen what the neighborhood is. He  
17 talked about the activities they do there. We use everything that is part of Tuscan. He is in full  
18 support and he hopes there is more residential. He would ask you to approve this as presented.  
19

20 Christopher Kashby, 3 Warren Avenue, is a potential business owner at Tuscan Village. He has  
21 been a resident off Salem for 29 years. He is excited about this and if you listen to the comments  
22 being made, everyone is here to say that Joe follows up with everything he says he is going to  
23 do. He is excited to see that you are listening to everyone and he is excited to see this project  
24 come to fruition. The project has taken many years and to delay this for 300 units, prohibits the  
25 growth of the community, and the potential of his business. We look for new residents to supply  
26 the demand of the workforce and now it is difficult to get new hires and new residents to the  
27 area. He hopes you come together and realize that we need more residents. It's important for the  
28 community to come together and help someone who is dedicated. The area prior to Tuscan  
29 development was dead. Without the development in this village, the outcome of Salem was  
30 decimate. The residents here are necessary for the growth of the community. Many people are  
31 here in support. He hopes that you let this fly.  
32

33 Tom Campbell, 160 Zion Hill Road, has a concern about traffic. A couple people said it's not  
34 bad now and that may be the case. But as you add 300 units and if you have more units, traffic  
35 will increase. You talk about bringing in people from the region. That is a big concern. You need  
36 to understand the numbers. You need to have Steve Pernaw or someone look at it and project  
37 where we will be in ten years with this traffic. He has been in town since 1964 and has seen a lot  
38 of changes. He thanked Joe for how responsive he has been. He wishes we had more developers  
39 like him who listen to residents and is willing to be a partner with the town. Mr. Campbell said  
40 he served for a long time on the Conservation Commission. It is a fight to get anything done. Joe  
41 has stepped up and done stuff and he is grateful for that. He thanked Joe for being a good  
42 partner, but keep traffic in mind.  
43

44 Mr. Gross said he has one other person to hear from. Two weeks ago Jacob sent him a bunch of  
45 emails. Jacob was criticized for not responding to everyone. Jacob has a job, he is the planner.

1 He understands that when you send an email you want a response. But when you get 50, it is  
2 kind of hard. Jacob was trying to respond to all the emails. Good for him. In this flurry of  
3 sending Mark the emails that Jacob was getting, Mark got a letter from our Governor, and he  
4 would like the Chairman to read it into the record. He then gave the letter to the Chairman.  
5

6 Chairman Belair read the letter from the Office of the Governor, to Jacob LaFontaine: As the  
7 Town of Salem is reviewing the next phase of the Tuscan Village master site plan, he wanted to  
8 take the opportunity to express his full support of the proposed update including 300 additional  
9 residential units, Whole Foods and other retail opportunities. This project has been  
10 transformational not only for the Town of Salem, but for the State of New Hampshire, and is  
11 vital to keep it moving forward and to be a successful example of the opportunities that New  
12 Hampshire is creating. Housing availability is the number one issue we face in the State of New  
13 Hampshire. The New Hampshire Finance Authority 2023 annual report shows a statewide  
14 vacancy of .8 % and .4 percent for Rockingham County. Since 2021, the State has invested more  
15 than \$140 million to solve this crisis. But this can't be achieved without the willingness of cities  
16 and towns to approve modern and sustainable projects. Additionally, our efforts to cut taxes,  
17 streamline or eliminate licensure barriers and cut red tape and grow our workforce cannot be  
18 fully realized without the influx of significant residential units into the State. Our new grant  
19 programs call on all communities to support their local businesses and make investments into  
20 housing to ensure that New Hampshire is not left behind. Salem is the first stop for so many  
21 experiencing the live free or die spirit for the first time and these economic opportunities are the  
22 envy of the rest of New England. It is no small task to manage the gateway and he commends all  
23 the hard work Salem has undertaken to make this reality for the State. Approving the update to  
24 the master development site plan will contribute to our collective efforts in creating opportunities  
25 for businesses to thrive under the New Hampshire advantage. The benefits and opportunities that  
26 the Tuscan Village development continues to create are numerous for the entire region. Tuscan  
27 Village has allowed the town to upgrade its infrastructure in previously unimaginable ways and  
28 funds millions of dollars of expansion into schools and beyond. An update to the plan will help  
29 further realize those benefits and set a tone that will help New Hampshire be the premier  
30 northeast destination for new and future workforce. New Hampshire is already the envy of New  
31 England because it's the only state in the region that is growing in population. That is no  
32 accident. It is because we are opening doors and capturing businesses that others take for  
33 granted. Salem is a huge part of that success and we are all excited for what's to come. Thank  
34 you once again for your hard work and dedication to designing the best opportunities for New  
35 Hampshire's economic gateway. Sincerely Chirstopher T Sununu, Governor.  
36

37 Mr. Feole said thanks for addressing a lot of the concerns that the board had, especially with  
38 workforce housing and impact fees and recreation. What would satisfy his concerns on recreation  
39 is if we saw something like the parks that Jacob showed in Assembly Square and the one at the  
40 Childrens Museum in Boston. Something like that would satisfy what he expects for recreation.  
41 Some of the statements and in the memo on the public safety concerns, there is talk in here about  
42 some proposals for the Town of Salem Police and Fire Departments. Is that a proposal that has  
43 been made or is that coming up?

44 Mr. Gross said, as Joe mentioned, we are making contributions over and above the impact fees to  
45 public safety. Both the Fire Department and Police Department. We have had several meetings

1 with the Police Department, Fire Chief, Town Council Members and the Town Manager about  
2 how we put this proposal together. It is more than just a proposal. We need input from fire and  
3 police, in terms of what their needs are. He mentioned revenues from these project don't happen  
4 until 2 years from now. So we call this stop gap financing. That is what this contribution will do  
5 is provide that gap ahead of when the actual projects start generating revenue. They can be used  
6 as matches to the police and fire public safety impact fees. For example, in order to use the  
7 impact fees, the Fire Department requires, for every \$1,000 dollars, they need a match of \$1,600.  
8 For the police, for every \$1,000 dollars they need a match of \$2,300. Our contribution can go  
9 towards those matches so that now you have quite a bit of dollars to use. Those impact fees can  
10 only be used for equipment and capital projects. In terms of personnel, that would have to be  
11 done through some process where it goes to the Budget Committee and we are looking at how to  
12 reserve those funds so that through the budget, they are budgeted, these personnel or whatever  
13 they need. The Fire Department needs them now, not two years from now when we get revenue.  
14 We are working now with the Finance Department to see how we can do that. It is up to the Fire  
15 and Police Departments on how to use the contributions. We had a meeting today with Jacob,  
16 the Town Manager, the Chairman of Town Council, Fire Chief and Police Chief.  
17 Mr. Feole asked, the proposal will memorialize where that \$3 million contribution is going as far  
18 as public safety?  
19 Mr. Gross said yes.

20  
21 Mr. Feole asked why you capitulated so quick on the other 300 units.  
22 Mr. Gross explained that the day after the meeting, he spoke with Joe and we talked about it, and  
23 we thought, we were probably a little aggressive with the plan and realistically building 4000  
24 was just kind of a placeholder but 1300 was a real deal. Without residential, you wouldn't see  
25 Whole Foods coming here. That is just the way it is. We stepped back and there were other  
26 issues we addressed, like height. Regarding recreation, Rec Park, which is in between the two  
27 building projects, just opened up. We have playground equipment in there and we will work with  
28 Jacob and we want to add to that. Viewshed had a lot of examples and we are also looking at  
29 other recreation opportunities within the village itself. Those progress as we go through the  
30 development. We have another open public space between 1200 and the Whole Foods building.  
31 It evolves. He showed a picture of the playground area. People are starting to use it. We want to  
32 see how many kids use it. There is no sense building something and spending money on  
33 something that people don't use. We will monitor it for use and add as we go along.  
34 Mr. Feole mentioned the 240,000 square feet of office space. You mentioned a lot of concerns  
35 about market dynamics. Is the intention to keep that as 240,000 square feet of office space?  
36 Mr. Gross said, it may be less. There are people out there looking for office. We have a good  
37 tenant coming in. He can't announce it. They really want to be in the village. As more people in  
38 the downtown area, when they start looking, maybe CEO's they will say, I want to be there. That  
39 is what will drive that office space. Things have changed since Covid. The work from home  
40 thing is a real thing. A lot of company owners are fine with it.

41  
42 Mr. Pelletier said he heard two comments from residents about feeling safe in this development.  
43 You have your own security system. With the addition of 300 more units, and the amount of  
44 people increase, what are your intentions on increasing your own in-house security so we don't  
45 have to burden our Police Department as much. Do you have any plans for that?



1 Mr. Gross said, we call them Guest Services. As the project grows, Guest Services will grow as  
2 well. There will be an onsite space for both fire and police to be, not full time, unless they want  
3 to be, but for events and they have a space to go. That will be in the mercantile building.

4 Mr. Pelletier said, that is a good feeling to have people say that they feel safe walking around  
5 there at night. He also mentioned the continuation of the railtrail once your project is all done.  
6 Along with the road continuation across Route 28, and through the Coke plant and out to Main  
7 Street. There is a lot of preparation involved in that because of that culvert that has to be placed  
8 in the railtrail to get that road through there, from the depot to the Boulevard. Can you explain  
9 how that will work? And the pedestrian bridge from the parking lot to the railtrail.

10 Mr. Gross said, the railtrail project has been delayed because of this new crossing that will go  
11 and create the 4<sup>th</sup> leg of the intersection at the Coke plant. You have to go through a long process  
12 with Federal Highway. This is a new crossing of the rail property. Because it is considered a  
13 public crossing, they are more apt to allow another public crossing. All the crossings to date  
14 those were all existing driveways into the racetrack, so they have to allow those. It takes about a  
15 year and we are probably about 6 months into the process with the State and Federal Highway.  
16 Originally the thought was that the railtrail would go over the roadway. In order to meet the  
17 requirements of the railtrail and a crossing under the bridge, you would need at least 15 feet  
18 clear. You would have ended up having to put the railtrail over that crossing about 14 feet in the  
19 air over what is already there. And it would be ugly and cost prohibitive. So we are talking about  
20 depressing the rail to meet the grade. That is currently where the plans are with the State in terms  
21 of this driveway crossing. Once that is approved, we can move forward with the railtrail which  
22 has a Cmap grant for the construction, and that grant is still applicable until 2026. So you will  
23 see next year, a design going forward on the railtrail along with this crossing, and probably by  
24 2025 you will see that constructed with grants. The pedestrian bridge, we are not going to build  
25 that until we have a railtrail. That probably will happen in 2025 as well.

26 Mr. Norcross thanked all the citizens that were here two weeks ago and tonight and that wrote in  
27 comments. It goes far beyond what we saw in 2021. He mentioned recreation. It is so important.  
28 One part of the ordinance that we have to look at when evaluating, is open space, pedestrian  
29 amenities, usable common land and sidewalks. As density increases with housing, he hopes to  
30 see a greater footprint of square footage dedicated to recreation. The applicant said in 2021 that it  
31 was important and on the town podcast he said it was important and in the letter we received he  
32 said it's important. He is a little discouraged so far on the 12,000 square foot park. He thinks the  
33 play structure and design of it does not match the quality or creativity that we are used to seeing  
34 from Tuscan. It seems as it's a bit of an afterthought. He is not focused on play structures for  
35 children. We have a wonderful Field of Dreams. We said there is not a lot of youth in the village  
36 right now. But getting something concrete and try go figure that out. He would like to see  
37 something more concrete there. He also mentioned the life science. The revised master plan has  
38 345,000 additional square feet of space provided to it. Two weeks ago we heard that you were  
39 not quite sure what will happen with life science and that was also in a letter we received on July  
40 27<sup>th</sup>. A lot of revenues are tied to life science. He is interested in what comes back from RKG  
41 with regard to what are we looking at now if life science isn't there. We are increasing it but we  
42 are also saying it is going away. It's a big question mark for him.

43 Mr. Gross said, on the fiscal impact, the final report was issued based on the original proposal  
44 with the 600 units. The residential is a net positive municipal impact. Combined with the  
45 commercial, it is a net positive municipal and also the school. They get the majority of the tax

1 revenue with the least amount of cost. With the 600 units, residential alone does pencil in the  
2 black, it's a positive revenue generator. The total \$15.8 million projected, does include the life  
3 science, but that will be replaced with something that could be equal to or greater than the value  
4 for the taxes. The reason we did that is to be consistent with the site plan approval. The 2021  
5 master plan had it at 867,000. We came in after that with the life science in 2022 and that got  
6 approved at 1.1 million. To be consistent with our site plan approval, that's why we showed that  
7 it was an increase of 300,000. We wanted it to be accurate with what this board approved as an  
8 actual site plan.

9 Mr. Norcross asked about the \$15 million.

10 Mr. Gross said that's gross revenue.

11 Mr. Norcross said the net fiscal impact based on the RKG study is \$962,000 for the town and  
12 \$1.6 million for local education. But it is noted by RKG that the life science component, which  
13 may be vanishing in some fashion is a major contributor to the towns estimated local education  
14 tax receipts due to its estimated evaluation. Education will be made whole. But understanding the  
15 numbers and having them accurate is important.

16 Mr. Gross said, the numbers in the RKG report are only the delta between the 2021 plan and this  
17 current plan. It is not representative of the total amount of municipal tax increase.

18 Mr. Norcross said, when they ask us questions, they aren't asking what the gross is. This board  
19 has a responsibility to make sure that this is a net positive. He wants to see final numbers and  
20 make sure they all check out.

21 Mr. Gross said, with the proposal from two weeks ago, that report came out based on 600 units  
22 and that was a net positive on the municipal side in terms of tax revenue. If you eliminate those  
23 and replace it with something else, the residential is not as good of a municipal revenue  
24 generator as commercial is. Going back to what we had before with the office, you will get an  
25 increase, but not as much as with the 600 units. The impact fees for building 1300 went from  
26 about \$300,000 to like \$2.3 million because residential has a huge payment on the impact fees,  
27 especially the school. Impact fees increase significantly even with the 300.

28  
29 Mr. Lewis agrees with Mr. Feole and Mr. Norcross on recreation. It looks nice, it could expand.  
30 He spoke with people looking for a splash pad or water based recreation in town. He agrees with  
31 Mr. Hatch regarding workforce housing. He would like to see it on site and see workforce  
32 housing specific to this development, especially after what we just learned about the Main Street  
33 development. He asked, you are estimating a little under 32,000 gallons of water per day  
34 additional. What is your current draw for the property as a whole?

35 Mr. Gross said he believes it is just over 200,000 gallons per day.

36 Mr. Lewis asked, going from this change, to site plan to this building being up and functional,  
37 what is the timeline?

38 Mr. Gross said, we want to be in the ground. We have some deadlines with Whole Foods. We are  
39 looking at probably fall of 2025 for opening and want to be in ground by fall 2023. It's a two  
40 year project.

41 Mr. Lewis said that one of his primary concerns is water usage. Regarding traffic, he thinks in  
42 the previous proposal it was plus 7,000 trips for the week.

43 Mr. Gross said we ran a budget with DOT in terms of our trip generation. They look at PM peak  
44 hour and Saturday peak hour, and we are well under our budget. The AM budget has gone over,  
45 but the total number of trips is much less than a PM or a Saturday, so the State is not concerned.

1 They reviewed this most recent proposal and have basically signed off. There is a letter from  
2 them in the packet.

3 Mr. Lewis said, he doesn't have an issue with the traffic, but it was brought up.

4 Mr. Gross said there has been a big miscommunication on what workforce housing is. Your  
5 ordinance speaks about affordable housing. It's not workforce. Workforce housing is just a term  
6 that is used for affordable. It's a type of affordable. He discussed this. The requirement on  
7 workforce housing and number of bedrooms has nothing to do with the ordinance. We have met  
8 the requirements. Tuscan is not in the business of doing affordable housing. If you want a good  
9 version of what you have to do, because you can get tax credits from the government based on  
10 criteria in your zoning ordinance. Steve Lewis is the authority on affordable housing and he will  
11 tell you it has nothing to do with number of bedrooms. If it did, that project would meet that  
12 requirement. The only way to get tax credits, is to meet the Federal requirements for affordable  
13 housing. If you are interested, speak with Mr. Lewis about the requirements. That project meets  
14 all the requirements of affordable housing that are in your ordinance. Regarding the project, we  
15 came in with 100 because it was always the intention to build as many as we could to cover us  
16 for any additional residential that we may do in the village. It's not an easy type of housing to  
17 build. We did reduce it and he explained why. It got reduced because we went from 4 stories to  
18 3, and that's how we ended up with 74. Also, the units have to be a specific size for affordable  
19 housing. That whole project, the requirement for workforce housing, when we came in, in  
20 February 2021 we didn't have to meet that requirement because it had not been passed yet. It was  
21 a proposal that Ross came up with and was on the docket for the 2021 town meeting. We said  
22 we'll comply with it and at that time, because it was not an ordinance that was in effect at the  
23 time, we agreed we'd do something and it would be offsite. That was a decision we made with  
24 the Planning Department to get these 74 units of workforce housing built and that's how it  
25 happened. When we agreed to this, it was with the idea that it would cover us for any additional  
26 residential we wanted to do in the village. What we are saying now is, that any new additional  
27 residential over and above this proposal, we'd do the workforce housing on site. Now it says on  
28 site, but before it was not an approved ordinance at the time.

29 Mr. Lewis asked, is all of this in writing?

30 Mr. Gross said he thinks in the presentations it was said, but he would have to look at the master  
31 plan, but he thinks we only need to build 50.

32 Mr. LaFontaine said there was a condition of approval. We didn't adopt the ordinance in 2021  
33 until after the Tuscan master plan was approved, which was in January. It came from a  
34 discussion that this board and members of the public advocated for workforce housing. Initially  
35 the desire was to have it on site but we came to a compromise either on or off site. It's a  
36 condition of the 2021 plan. It is noted on this plan as a reference. In terms of workforce housing,  
37 he read the definition. There is confusion in the workforce housing ordinance regarding the  
38 bedroom count. He read from the ordinance. The Main Street project didn't come in under  
39 workforce housing ordinance, it came in under the depot overlay ordinance which doesn't have  
40 that criteria. He discussed this. Mr. Gross is right, he partnered with Elm Grove Realty and Steve  
41 Lewis and they will be deed restricted for 99 years to be applicable to that workforce definition  
42 that is produced by the U.S. Department of Housing and Economic Development. He is  
43 confident that the units on Main Street will be workforce housing. In terms of the ordinance that  
44 was adopted, he read from this. Any development that exceeds the density 10 percent needs to be  
45 set at a workforce rate. He explained that they have excess units on the Main Street project. He

1 feels confident that the condition from the 2021 master plan update is satisfied to date, which he  
2 explained.

3 Mr. Lewis said, he will probably circle back with you offline. He wants to understand what was  
4 and was not agreed to. His preference is to see affordable housing on site.

5 Mr. Gross said, there was an expectation from that approval that we were covered for however  
6 many additional units from the 74. 740 would be the total additional units that we were covered  
7 for.

8  
9 Ms. Carlson said, the public is having a hard time understanding the recreation and what Tuscan  
10 has provided to the town. It is important to circle back on how much of this is actually completed  
11 to date. A lot of people are not understanding that this is nowhere near completed. How complete  
12 is the park as of today?

13 Mr. Gross said we are probably 33%. The downtown is not done yet. It will open shortly. That  
14 will put us up to 50-60%.

15 Ms. Carlson said, a lot of people have said that they are disappointed in the restaurants that are  
16 there and not enough they hoped for. She thinks it's just a matter of, enough time hasn't been  
17 allowed.

18 Mr. Gross said, you can't please everyone. You saw the new tenants and new restaurants that are  
19 coming in.

20 Ms. Carlson asked, what portion of the development will be done within the next year.

21 Mr. Gross said, about 60% will be done in the next year. He discussed when things are opening.

22 Ms. Carlson asked, will building 1300 include the 10 percent affordable?

23 Mr. Gross said no. We are covered with the 74 units. This will be ten years, that is a short time to  
24 build this type of project.

25 Ms. Carlson said, she is asking because she hears a lot of the chatter.

26  
27 Chairman Belair said, in the very beginning, it said 279 units. Is building 1300, an even 300?

28 Mr. Gross said, this comes because, in building 2000 where it is 70 condo units that was  
29 originally 91 apartments.

30 Chairman Belair said, so that is the net change. On the plan that was just up, and the one we got  
31 today, the garage on building 4000 is a slight shade lighter. Does that mean it may not happen, or  
32 you don't know if you need a garage?

33 Mr. Gross said we do need a garage. It is probably just a CAD thing.

34 Chairman Belair said he appreciates that you came back with a plan that is more palatable. We  
35 are still waiting on things.

36  
37 Mr. LaFontaine said that's correct. We are waiting for the updated fiscal impact analysis and for  
38 comments from Steve Pernaw and RKG who is doing the fiscal impact analysis. They are  
39 scheduled to give a presentation on August 22<sup>nd</sup>.

40 Chairman Belair said, we have an impact fee schedule that should be put together prior to then.

41 Mr. LaFontaine said yes, we have work to do on that, and we are trying to figure out how to  
42 approach the commitment that the applicant has made to pay impact fees as amended. We want  
43 to make sure we handle that appropriately.

44 Mr. Gross said, we have a lot of tenants that don't have CO's yet. He would like to think that the  
45 restaurants that paid the highest impact fees, that we could talk to the board about, we are

1 amenable to paying the new ones, for anything new that has not been approved or is under  
2 construction.  
3 Chairman Belair asked, where are we with that? Weren't the impact fees determined for things  
4 that are approved now at the time of site plan approval?  
5 Mr. LaFontaine said, typically we assess them at site plan approval.  
6 Chairman Belair said, and they are due at time of CO, so those should be in place.  
7 Mr. Gross said, for example, Capital Grille is under construction and won't have a CO until next  
8 year. If you impose a new impact fee, we can't surprise tenants.  
9 Chairman Belair asked, didn't we already determine the impact fee when we approved building  
10 3000?  
11 Mr. Gross said yes.  
12 Mr. LaFontaine explained when they are assessed.  
13 Chairman Belair said he is talking about the new schedule for these two buildings.  
14 Mr. Gross said we give you an estimate of what the impact fees will be, based on what we know  
15 is going in there at the time. If you decide to push up the impact fee, he is saying anything  
16 beyond what we already have approved and are under construction.  
17  
18 Mr. LaFontaine said that was stated in the memo that was provided by Tuscan, and he doesn't  
19 think there was any disagreement on that. He read from that memo.  
20  
21 Mr. Gross said given that the fiscal impact which shows a positive impact, regarding traffic, we  
22 will reduce this by 300 units. Some of the retail we went from 125,000 to 62,000. We can give  
23 you guys the presentation in two weeks. We have agreed to that, and he is asking if we can move  
24 this along tonight with conditions with reviews.  
25 Chairman Belair said, Jacob has told him different.  
26 Mr. Feole said he wants to see the fiscal impact.  
27 Mr. LaFontaine agreed. He understands the urgency but he thinks they can come back at the  
28 August 22nd meeting and we will have RKG present the impact analysis. Regarding the impact  
29 fee schedule, he drafted it. He would be hesitant to rely on what he drafted, so he wants to have it  
30 reviewed. We did receive 49 emails from the public both in opposition and support and he  
31 acknowledged that those were all forwarded to the Planning Board, and we appreciated the input.  
32 It was nice of Mr. Gross to defend him on that.  
33  
34 **MOTION by Mr. Feole to continue the Tuscan Village master development site plan.**  
35 **SECOND by Mr. Lewis.**  
36  
37 **VOTE ON MOTION: 7 - 0**  
38 **UNANIMOUS**  
39  
40 **PUBLIC MATTERS**  
41  
42 1. Dicks Sporting Goods  
43

1 Mr. LaFontaine said he got an email from Dicks Sporting Goods. They asked to occupy the  
2 former Lord & Taylor on a temporary basis while the current store is remodeled. He explained  
3 this. He wanted to bring it to you. It is retail to retail, on a temporary basis.  
4

5 The consensus of the board is that they are OK with it.  
6

7 Mr. LaFontaine said we did meet with representatives regarding a charitable gaming facility at  
8 67 Main Street, called Ace of Salem LLC. Their proposal is to convert Tuscan Kitchen to a 256  
9 seat gaming facility with a 68 seat restaurant. No changes to existing driveways on Willow and  
10 Main Street. One discussion we wanted to bring before you, is if you want the applicant in that  
11 case to review the depot intersection or if you are comfortable with the previous studies done on  
12 site.

13 Chairman Belair suggested that we not poke that bear. It is being rebuilt, and should be done this  
14 year. There is nothing he could imagine this board would want to impose upon our existing  
15 facility that would cause any sort of disruption to the process of the depot.

16 Mr. Pelletier asked, will they come in to see us?

17 Chairman Belair said yes. Jacob was looking to see if they need to commission a study of the  
18 depot. That's been studied.

19 Mr. LaFontaine said, but they won't produce a traffic study.  
20

21 **MOTION by Ms. Carlson to adjourn.**

22 **SECOND by Mr. Lewis.**  
23

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

25 **UNANIMOUS**  
26

27 The meeting adjourned at 9:58 p.m.  
28

29 For further information, kindly refer to the DVD dated 8/8/2023, located in the Planning Office.  
30

31 Minutes by: Susan Strugnell, Planning Board Recording Secretary

32 Approved: Planning Board

33 Date: August 22, 2023, approved