# **DRAFT Supplemental Case Report**

# St. Joseph's Redevelopment Salem, Massachusetts



### Submitted to:

Massachusetts Department of Housing & Community
Development, Lead Agency
Mass Housing, Agency Official

By the Proponent: Planning Office for Urban Affairs
July 2011.

## Planning Office for Urban Affairs

ARCHDIOCESE OF BOSTON

84 State Street, Suite 600 Boston, MA 02109 Tel. (617) 350-8885 Fax (617) 350-8889

July 22, 2011

Tina Brooks
Undersecretary
Massachusetts Department of
Housing & Community Development
100 Cambridge Street
Boston, MA 02114

Dear Ms. Brooks,

I am pleased to submit to the Massachusetts Department of Housing and Community Development as lead agency for the Section 106 review, additional materials regarding the proposed redevelopment of the former St. Joseph's campus on Lafayette Street in Salem. Our office submitted the Project Notification Form (PNF) to the Massachusetts Historical Commission (MHC) for this development on December 11, 2009. Since that time, we have been working to obtain local approvals and funding that would enable us to define the development program and continue the review process to comply with Section 106 of the National Historic reservation Act, M.G.L Chapter 9, Section 26-27C and MEPA ("Section 106").

Upon receipt of the PNF, MHC recommended that the lead federal agency initiate the consultation process in order to explore alternatives to avoid, minimize or mitigate any adverse effect of the development. At that time the consultation process was delayed pending resolution of a zoning-related legal challenge. With that matter now settled and funding committed, we wish to undertake the consultation process with the Lead Agency as soon as possible.

To facilitate this review, we have enclosed materials with this letter to provide additional information about the local review process that has already occurred, and the intensive design work that was undertaken with the City of Salem, historic preservation groups and professionals, regulatory bodies and neighbors and stakeholders to arrive at an innovative and sensitive plan that we believe balances preservation with the need for sustainable and feasible development and affordable housing at this location. Through this extensive local review process, that involved the neighborhood and the City, we believe we have arrived at a plan that reflects an analysis of alternatives and meets a wide array of objectives identified by the City of Salem, the community and the developer, including:

- Preserving an important campus by undertaking the adaptive reuse of the two oldest structures
  on the property that are contemporary to the construction of the surrounding neighborhood;
- Providing up to 76 new units of quality housing, the majority of which will be affordable workforce units, with access to an extensive public transportation network;
- Creating over 100 construction jobs, and permanent jobs associated with operating and managing the residential and neighborhood retail uses planned for the site;
- Creating new economic activity and retail traffic, and reinvigorating the streetscape at this
  critical gateway to both the Point Neighborhood and the Downtown Salem Business District;
- Leveraging a \$1 million in state grant funding for much-needed traffic improvements along the Lafayette Street corridor;

- Removing blight associated with a large vacant block that is vulnerable to vandalism and criminal activity since it was vacated nearly seven years ago; and
- Reversing the trend of disinvestment in the Point Neighborhood.

The additional materials and information we are submitting here include a presentation of the current design including plans, a narrative and timeline describing the site design development process over the last six years and the meetings with various stakeholders; and supporting studies and graphics.

The Planning Office has the utmost respect for the legacy of the St. Joseph's Parish community that worshipped, educated its children, and strengthened the ties of community and culture on this block for over 125 years. We believe that the redevelopment of the campus will continue this legacy of celebrating community by helping people in need, and have proposed to retain the physical structures on site that can feasibly be adapted to support this objective. In doing so, we will bring diverse families together to live at the new residential development, creating a similarly strong sense of community that was inspired by St. Joseph's Parish.

In closing, the Planning Office is proud to present this important development initiative to DHCD for your review under Section 106 of the National Historic Preservation Act, and M.G.L Chapter 9, Sections 26-27C and MEPA. We have worked hard, in conjunction with the City, to accomplish numerous goals of the community including preservation, the development of affordable housing and neighborhood revitalization. The City has taken seriously the responsibilities of both housing those in need, and balancing that goal with other community objectives, and we are pleased to work in partnership with them on this endeavor.

Thank you, again, for your review of the proposed St. Joseph development.

ြဲ့Sincerely,

Lisa B. Alberghini President

Cc: Dan Tobyne, DHCD

Paul Silverstone, MassHousing
Brandee Loughlin, Massachusetts Historical Commission
Lynn Duncan, Director of Planning & Community Development, City of Salem

Kevin Hurley, Director, North Shore HOME Consortium

# Supplemental Case Report for Section 106 Review St. Joseph's Redevelopment, Salem, MA

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### Development Narrative | St. Joseph's, Salem, MA

(Please See Also Plans in Exhibit 5)

The proposed redevelopment program for the 2.7-acre former St. Joseph's Parish property includes the preservation and adaptive reuse of the existing rectory and school buildings and the construction of a new mixed-use commercial and residential building on Lafayette Street. The proposed redevelopment preserves the integrity of the campus and will include up to 76 residential units: 51 units in a new four-story mixed-use building, and another 25 units in the redeveloped school and rectory. The ground floor of the new building would be anchored by approximately 4,400 square feet of neighborhood-serving commercial space and 1,000 square foot of community space. This mixed-use approach to the development was instrumental in leveraging significant improvements to the underperforming roadway system through a \$1 million Massachusetts Public Works and Economic Development (PWED) grant recently awarded to the City of Salem. The proposed redevelopment will reinforce the image of the Lafayette Street commercial district as a gateway to historic Downtown Salem and will restore important spatial, social and economic links between the historic Point Neighborhood, Downtown Salem and Salem Harbor.

The existing school and rectory buildings, which are the oldest buildings on the site and most consistent with the era and architectural style of the South Lafayette Corridor and Point Neighborhood (see Exhibit 12), will be rehabilitated. Building materials and massing for the proposed mixed-use building have been approved by the Salem Design Review Board and will reflect both the adjacent building typology and more contemporary materials, thereby creating a transition between the site and the surrounding area. The new building fills approximately the same visual space as the existing former church and a former high school building on the site at the corner of Lafayette and Dow Streets. The proposed new building will be approximately 48 feet in height, approximately 12 feet lower than the existing church building. The new building's façade is informed by the existing strong 4-story block buildings located just north of the site, at the intersection of Lafayette Street and Harbor Streets. The design matches this existing pattern with a ground floor retail base and 3-story brick façade above it. The proposed building has a continuous façade along Lafavette Street; but as a Ushaped building, it opens to a large landscaped courtyard on the building's east elevation. The courtyard will serve as the exclusive private space for residents and its landscaping will help create a sense of place for residents living in the building. The developer plans to re-use the granite from the former St. Joseph's Church steps as part of the hardscape in this courtyard.

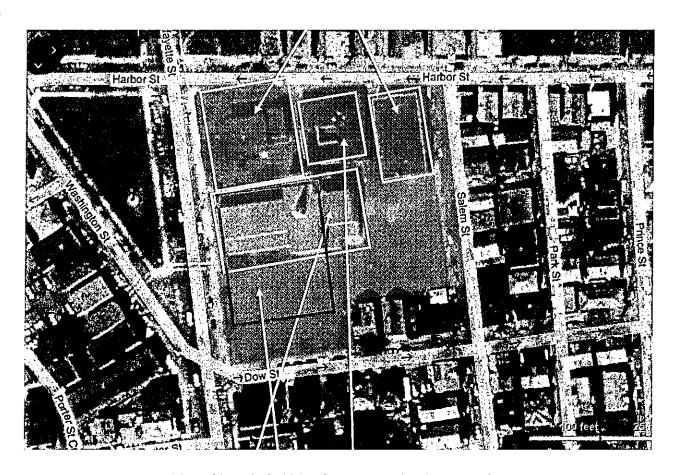
Principal access to the site will be at the site's southeast corner, and the development's driveway will have its own cycle in the new signalized intersection to be installed through the City's PWED grant. The existing curb cuts on Lafayette and Salem Street will be abandoned and several parking and loading spaces will be reclaimed as a result of that abandonment. Secondary ingress and egress will be provided by a relocated curb cut along Harbor Street. The majority of the parking lot allows for bidirectional traffic flow, providing full access to the parking area and buildings for patrons and emergency and service vehicles.

The proposed new development will include generous landscaping which will increase the planted areas and the amount of permeable surface on the site. The developer's plan proposes a dense screen of high shrubs to shield it from neighboring properties along Dow Street. The developer will plant small trees and shrubs in the medians throughout the parking lot. The east courtyard planting will include flowering trees, among other ornamental landscaping and lawn space.

The Developer understands that certain mitigation measures are appropriate in response to the demolition of the former church and convent and will work with the Parties/stakeholders regarding mitigation measures.

# Conceptual Plan of Site Changes St. Joseph, Salem

Historic Rectory, Rectory Lawn & School to Be Preserved



1949 Church & 1962 Convent to be Removed

New 4-story Mixed Use Building

Public Review Process Narrative & Timeline St. Joseph's, Salem, Massachusetts July 22, 2011 Prepared by the Planning Office for Urban Affairs

### **Community Engagement**

### City Study

Planning for the redevelopment of St. Joseph's was begun by the City of Salem prior to the developer's acquisition of the property. The City commissioned an independent third-party review by Crosswhite Property Advisors in 2004 to study development options that would be economically feasible and appropriate to the neighborhood context (see Exhibit 6 for full text of the St. Joseph's Parcel Re-Use Study, referred to hereafter as the "Re-Use Study"). Crosswhite Property Advisors held seven committee and public meetings with local stakeholders. The Re-Use Study included economic and market analysis, historical review and meetings with stakeholders. The "major themes" that surfaced during the community input process were important to shaping the Planning Office for Urban Affairs' approach to the site. These themes were:

- Site is an integral part of Point Neighborhood...
- Mixed-use and mixed-income development is necessary
- Development should replace meeting space lost with the church's closure
- Development should deliver community services
- Scale and massing of new construction should be consistent with the existing neighborhood
- Development should address neighborhood traffic, parking and pedestrian concerns
- Site should remain publicly accessible "part of the community"
- Site should generate tax revenue for the City of Salem

The Re-Use Study's analysis concluded that "among the physically possible and market supported uses, the only one which was also a community preference was housing, the community preference being for affordable housing" (p. 31). The Re-Use Study also notes that the former convent building, which is proposed to be taken down, is not historically significant (p. 25) and that the former church, also proposed to be eliminated, has several limitations, including:

- there this no market-supported use for this building (p.31);
- additional floors within the building would require construction of a structure within a structure (p. 24) (Note: Additional floors would be needed for a residential use, but constructing a structure within this structure is not financially feasible);
- deep vertical cracks exist in every vertical corner of the building, stress lines and horizontal cracks exist for long stretches of the walls, thermal cracks exist in some of the walls, the chimney is cracked and fragmented and the steel structure within the tower is rusting (p. 10, 11);
- the structure is limited as to future uses without significant modifications (p. 11).

Given the above factors, and noting an urban design and development efficiency perspective, the Re-Use Study illustrates that elimination of the church would be part of the most probable development scenario that would include approximately 167 units on the campus, or a density of 62 units per acre (p. 35). That probable development scenario illustrated by the City-

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sponsored independent third party review also called for the elimination of the former rectory building, the oldest structure on site, built around 1917.

In contrast to the development scenario described above, which was proposed by the City Study, the developer plans to preserve the two oldest structure on site (the 1917 rectory and the 1921 school) and limit density to 76 units, approximately 30 units per acre.

### Community Meetings

Soon after it acquired the site in June 2005, the Planning Office for Urban Affairs began to meet with the Point Neighborhood Association, the South Salem Neighborhood Association and the Lafayette Place Neighborhood Association and other interested stakeholders to learn about the area and gather recommendations for the site. Using the Re-Use Study as a guide, POUA approached the redevelopment of the former parish property as a neighborhood revitalization initiative, and was sensitive to the need for historic preservation where possible. Over the course of the first thirteen months that the developer owned the site, approximately 120 neighborhood residents, city officials and representatives of social service organizations participated in a wide ranging discussion of the needs and opportunities for neighborhood revitalization at the site. The developer was able to define a plan which responds to the needs of existing families, and offers stability through investment and economic development. Many Salem entities and institutions were involved in the community process including:

- Mayor of the City of Salem
- City of Salem Department of Planning & Community Development
- Local City Councilors
- Point Neighborhood residents (represented in part by the Point Neighborhood Association)
- South Salem Neighborhood Association
- Lafayette Place Neighborhood Association
- Salem Harbor Community Development Corporation
- Historic Salem Inc.
- The Salem Enterprise Center at Salem State College
- HAWC (Helping Abused Women with Children)
- Salem Boys and Girls Club

The developer held more than fifteen meetings over the course of a year and a half with these parties during a thoughtful and inclusive planning process that included discussions about historic preservation.

The most prominent suggestions to come from this process were for affordable housing and community space, including apartments and space for the elderly, as well as small retail and possible day care center locations (see notes from July 12, 2005 meeting, Exhibit 7). In 2006, in advance of a Planning Board hearing, 138 individuals from the neighborhood signed a petition in support of the developer's plans (see also Exhibit 7). The developer has continued to meet regularly with the Point Neighborhood Association over the last five years, with its most recent meeting in September 2010, in which neighbors strongly supported the long-stalled development moving forward, especially for more quality, affordable housing and for convenient retail opportunities.

### Public Hearings

In addition to the public meetings held by Crosswhite Property Advisors to gather public comment on the St. Joseph's Redevelopment, public comment was received at no less than 11

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hearings related to six zoning and planning board approvals that were sought for the project before the Salem City Council, the Salem Planning Board, the Salem Zoning Board of Appeals and the Salem Historical Commission (see timeline at the end of this document).

### Preservation

Throughout the course of the planning process described above, the question of which buildings to retain on site was examined closely. The developer relied heavily on the Re-Use Study and structural reports, as well as its own analysis and reports from historic preservation advisors. The Re-Use Study concluded the only physically possible reuses for the Church were as a church or assembly space. The study further concluded that there were *no* uses for the church that were market-supported, whereas the market could support new uses for the other buildings on the campus.

During the public discussion the developer was asked to explore the possibility of converting the church structure to a housing use, and to seek potential purchasers for the building. Regarding the conversion to housing, in addition to the information provided in the Re-Use study about the need to add additional floors, in a letter to the developer in August 2006 (Exhibit 11), Tremont Preservation Services reinforced the Re-Use Study's finding of economic infeasibility and commented on the options for reusing the church:

In order to retrofit the church for housing, the required addition of windows will dramatically impact the exterior and interior of the church in such a way that its integrity would be impaired. ...It is not clear that once these changes were made [new window openings, new structure inside the existing building] that the church would retain enough of its integrity to be eligible of listing on the National Register of Historic Places.

Despite the results of the Re-Use study and further feedback from Tremont Preservation Services, in response to requests from the community, the developer explored possible scenarios for preserving the church, including converting it to housing units or finding a purchaser or tenant that would use the building for an arts or cultural use.

The developer identified and described to the community four reasons why it would be infeasible to convert the church to housing: unworkable floor plans, difficult retrofit requirements, excessive cost and compromising the exterior appearance of the building. Based on the architect's study, the resultant units in a converted church would be long and narrow with a "box car" quality, and would be against code given the size of the windows and the amount of daylight penetration. The retrofit requirements included the removal and replacement of the existing foundation, construction of a new internal structural system to accommodate new floors, reinforcement of the existing ceiling system to accommodate a new mechanical system, replacement of the existing floor which was designed only to support assembly, replacement of the existing decaying structural system, addition of punched windows, bringing the building up to current seismic code and the potential for hidden conditions. The cost of the aforementioned retrofits, in addition to the construction of the residential units, would put the cost of rehabilitation far above the market-supported sales or rent prices. The developer's design team and Tremont Preservation Services both determined that the windows required to be added to the building's exterior would corrupt the exterior appearance and essence of the church building.

Positioning the church building for re-use as an assembly, arts or community space proved to be impossible, despite much effort. During the initial bidding phase, no buyer interested in

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reusing the church building emerged, after an aggressive and lengthy marketing process. In the first year that the developer owned the building, at the request of Historic Salem, Inc (HSI), POUA contacted four entities identified by HSI as potential re-use candidates for the church structure. Only two responded after repeated attempts to contact them, and only one of those parties (Boone Galleries) asked to tour the building. The other party indicated that it had no ability to retrofit or use the building. After analyzing the building, Boone Galleries concluded it could not utilize the church. One potential user for the church contacted the developer in 2009, but after asked to produce plans for reuse and to illustrate its financing capability; this user did not return the developer's phone calls. Finally, after five years of meeting with abutters, neighbors and city officials, there remain no viable re-use options for the former church structure.

Though the 1962 convent building is the most recently constructed and the building found by the Re-use Study to be in the best condition, like the church, it is difficult to adapt. Its walls are load-bearing and could only efficiently be retrofitted as SRO housing, something that is incompatible with the needs of the neighborhood. The removal of this building will allow for safe site access off of Harbor Street and additional parking and landscaping.

Again, according to the 2005 study by Tremont Preservation Services, the St. Joseph's eligibility for the National Register of Historic Places is as "an interrelated complex that provided religious, education and social services and spaces for the parish" and that it is also significant for its "religious and cultural associations with Salem's French Canadian community and in particular with the Point neighborhood." (See Exhibit 10). We believe that the current plan both respects the integrity of that campus and its history and is specifically designed to continue and enhance the cultural associations with the Point neighborhood. As recommended by Historic Salem, Inc., the plan preserves the two buildings on the site that are contemporary to the post-fire rebuilding period (the Late Gothic Revival rectory (1917) and the Late Classical Revival school (1921)) and similar in scale to the buildings in the Point neighborhood.

The St. Joseph's campus has a history of constant building, moving, razing and rebuilding of structures in order to respond to the changing needs of the parish and the community. We believe the current proposed plan is a continuation of that constant, dynamic change, honors the legacy of the parish and responds to contemporary needs.

Finally, absent the current proposed plan, it is likely that the site would see total demolition if developed by a private, for-profit developer. Additionally, the current plan will preserve the two oldest buildings and on the site and will memorialize the presence of the former church and parish property with interpretive plaque(s) and other efforts. The developer's contribution to the renovations of Lafayette Park is another key contribution by the developer as part of the St. Joseph's redevelopment. (See Planning Board Decision, Exhibit 5). The War Memorial in Lafayette Park across the street was donated by parishioners of St. Joseph's and is another permanent reminder in the neighborhood of the parish's legacy.

### Character and Design of New Construction

The site's development plan has been largely the same since it was first unveiled to the community in February 2006: the preservation of the school and rectory, the removal of the convent and church and the construction of a new building along Lafayette. The new building has gone through four design modifications (two design schemes at 6 stories and two design schemes at 4 stories) to incorporate the feedback of the neighbors, Historic Salem, the Planning Board of the City of Salem and the Salem Design Review Board (See Exhibit 9 for renderings).

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As evidence of the level of local scrutiny that this design has received, the developer's plans have also been unanimously approved four times by the City of Salem's governing bodies: (Zoning Board of Appeals in August 2006 for height variances, and in March 2007 for a Comprehensive Permit; and the Planning Board for Planning Unit Development in September 2006 and September 2010.)

It was clear from neighborhood discussions that quality, affordable housing is essential to neighborhood stability. However, the range of development concepts considered to accomplish the objective reflected of the diversity of interest in early design discussions. The Architectural Team prepared several separate development concepts in response to neighborhood issues that ranged from largely recreational in nature to fairly dense, monolithic apartment structures. The Re-Use Study estimated that the site could support densities at the site up to 167 units. The developer's first plan presented to the public moderated between these options. In February 2006, the developer unveiled a six-story building that included 97 units of affordable and market-rate rental and homebuyer condominiums, for a total of 119 units on the site with the renovated rectory and school. The architect and developer believed that the large scale of the church and school buildings that occupied the site in the past would allow the site to support a larger scale building. Tremont Preservation Services also found that "to respect the history of the St. Joseph's parcel, the new development should establish the street wall along Lafayette Street and reflect the existing scale of the site." The 2006 design for the new 6-story building had a more modern look that the developer then modified with a mansard roof and additional bays to give the building a more historic look in 2007. A third design lowered height and density of the building with the mansard roof and articulated bays as a four-story building.

With significant input from members of the City's Design Review Board, the final September 2010 design replaced the mansard roof with a strong 4<sup>th</sup> story cornice line, and set back the southern half of the Lafayette Street façade to break up the building and added bays along the south Dow Street façade to mimic the more residential buildings in the blocks to the south. The proposed building is in keeping with the recommendation of Historic Salem for a four-story building on the site. Its western elevation fronts on Lafayette Park and Lafayette Street/MA 114, a high-traffic corridor that is a gateway to Downtown Salem. As required by the Design Review Board, the new building is of brick construction, matching the materials of the existing rectory and school and majority of the building stock throughout the neighborhood. It also restores the street wall along Lafayette which was lost when the school building formerly located at the corner of Lafayette and Dow was demolished in 1982. Eliminating the asphalt parking lot frontage along such a prominent corridor is an improvement to the neighborhood as well.

A consistent component of the new building's design was mixed-use commercial space on the first floor of the new building, to enliven the streetscape and create more business traffic on Lafayette Street south of Downtown Salem. The first floor was originally designed to include an 18,000 square foot Community Life Center serving Salem's Senior Citizens and the Point community. This proposal was strongly supported by the neighborhood, but ultimately the City Council favored an alternative location for the Senior Center. Subsequent first-floor schemes have included a varying level of commercial space, from 4,400 square feet distributed across 2-3 smaller storefronts facing Lafayette Street (the current plan) to 15,000 square feet with a drive-through to be leased to a national chain. The developer has always reserved space on the first floor for at least 1,000 square feet of community meeting space. The façade, window treatment and signage standards governing tenancy in these spaces would be strictly governed by the City's Entrance Corridor Overlay District and other design guidelines.

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In closing, the Planning Office for Urban Affairs would like to underscore the amount of local process and professional study that has gone into the current redevelopment plan for the St. Joseph's property. The Planning Office would also like to underscore the number of alternatives and modifications suggested, proposed, considered, investigated, partially/fully developed or incorporated into the St. Joseph's Redevelopment plan in conjunction with local advisory bodies to address avoiding, minimizing or mitigating adverse effect – from the provision of affordable housing, to construction of possible Community Life Center at the site, to thoughtful landscaping, streetscape design, building height and scale, building design, building materials and the leveraging of area park and streetscape improvements.

It is our belief that the final development, which preserves the two oldest structures on the site, will be one that is viable, provides much needed workforce housing and investment in the Point Neighborhood, respects the history of the site and honors the legacy of St. Joseph's Parish. With the help and participation of dozens of Salem residents, it is a development that everyone across the City of Salem can be proud of for years to come.

### 5-Year Time Line of Site-Redevelopment Planning and Local Review

### August 2004

St. Joseph's Parish closes.

### December 2004-June 2005

Crosswhite Property Advisors, an independent third-party commissioned by the City of Salem to Study St. Joseph's reuse options, holds seven committee and public meetings with stakeholders.

### June 2005

The Planning Office for Urban Affairs (POUA) acquires the former St. Joseph's property and begins discussions with the community and to undertake analysis of redevelopment options.

### June 2005 - January 2006

POUA holds 3 meetings with the Point Neighborhood Association, 1 meeting with the South Salem Neighborhood Association, 1 meeting with the Lafayette Place Neighborhood Association and 2 meetings with Historic Salem to solicit input for the property redevelopment plan.

### July 2005 - June 2006

POUA worked with four entities proposed by HSI to market the church for re-use as a cultural or arts facility: two were not interested, one indicated some interest but never followed through, one looked at the church building, performed some calculations and determined it couldn't be re-used.

### November 2005

Crosswhite Property Advisors completes "St. Joseph Parcel Reuse Study" for the City of Salem.

### February 2006

POUA unveils plan build a new 6-story mixed income rental and condominium building with Community Life Center on the first floor, at the location of the former church structure.

### March - May 2006

POUA works with architects, engineers and community representatives on development plan for zoning approvals.

### June 2006

City and POUA host meetings unveiling plans for the Community Life Center.

### **July 2006**

City-hosted neighborhood meeting to review plan to take down the former church, build a new 6-story mixed income rental and condominium building with Community Life Center on the first floor.

### July - August, 2006

Applications to the Zoning Board of Appeals and the Planning Board for variances and Site Plan Approval, Environmental Impact Statements and Design Narrative prepared for Planning Board and City Departments. Meetings were held with the Board of Health, City Engineer, and the Fire Department to prepare for public hearings.

### August 2006

The Planning Office applies to the City of Salem to waive Demolition Delay ordinance for the St. Joseph's Convent and Church and makes presentation to the Salem Historical Commission.

### August 3, 2006

At a City Planning Board Meeting, the Board makes the following design suggestions to the developer, which the developer then incorporates into September 14 Design:

- Articulate the Façade Developer recesses the center of the front facade
- Create a Front Entrance Recesses center and adds significant Lafayette Street entrance.
- More Contextual –Developer adds mansard roof and dormers to mirror nearby buildings and the design of the former school that was demolished in 1981.
- More Residential, Less Downtown Developer eliminates faceted corner and 2story glazed entry
- Develop Massing Plans Developer presents massing studies that show proposed development in keeping with massing of existing and earlier demolished buildings on the site.

### August 24, 2006

ZBA votes 5-0 to grant Salem Lafayette Development variances for height and number of stories to construct a six-story building and 97 units of housing

### September 14, 2006

Planning Board votes 9-0 to grant a Special PUD Permit for six story building and 97 units of housing

### September 22, 2006

Zoning and Planning Board appeals filed in Superior Court.

### January 24, 2007

Comprehensive Permit Application submitted to the City of Salem ZBA for six story building and 97 units of housing.

### March 8, 2007

ZBA votes 6-0 to grant Salem Lafayette Development a Comprehensive Permit for six story building and 97 units of housing.

### June 2008

Salem City Council votes 6-0 to amend the City of Salem Zoning Ordinance and associated Zoning Map by extending the adjacent B-5 Central Development District to include the St. Joseph's Church parcel located at 129-151 Lafayette Street.

### August - September 2008

As a result of POUA's proposed redevelopment plan for St. Joseph's site, the City of Salem becomes eligible to apply for a \$1 million Public Works Economic Development grant to undertake 2 signalization improvements on Lafayette Street and add new streetscape and improvements to Lafayette Park.

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### October 2008 - June 2010

St. Joseph's project on hold while litigation challenging the B-5 zoning change is in court. Defendants City of Salem and the development entity Salem Lafayette Development LLC win Motion for Summary Judgment and Appeal. Plaintiff's Application for Further Appellate Review was ultimately denied by the Supreme Judicial Court.

### December 2009

POUA submitted Project Notification Form for St. Joseph's Project to MHC, triggered by its application to the U.S. Department of Housing and Urban Development for Section 202 capital funding for senior apartments in the historic school building.

### January 6, 2010

POUA meets with Salem Historical Commission to review Project Notification Form.

### January 16, 2010

POUA meets with Point Neighborhood Association for updates on litigation.

### July 26, 2010

POUA meets with Point Neighborhood Association for updates on appeal resolution; planning board applications, development schedule.

### July 30, 2010

POUA submits applications to Planning Board for hearing and Salem Planning Board votes unanimously on September 16, 2010 to approve the Plan "Mixed Use with Neighborhood Commercial."

### December 27, 2010 - March 17, 2011

Massachusetts Department of Housing & Community Development awards funding subsidies to the four-story building as the first phase of St. Joseph's Development.



### The Commonwealth of Massachusetts

William Francis Galvin, Secretary of the Commonwealth Massachusetts Historical Commission

January 12, 2009

Lisa B. Alberghini Office for Urban Affairs Archdiocese of Boston 84 State Street, Suite 600 Boston, MA 02109

RE: St. Joseph's Residential Development, 129-151 (or 131-135) Lafayette Street, Salem, MA; MHC# 47465

Dear Ms. Alberghini:

Thank you for your submission regarding the above referenced project, received December 14, 2009. We are also in receipt of comments from the Salem Historical Commission, Historic Salem, Incorporated and Linda Locke. The staff of the Massachusetts Historical Commission (MHC) have reviewed the information submitted and has the following comments.

It is not clear from your submittal as to which federal agency is the lead federal agency for Section 106 compliance for this project. The next step in the Section 106 process requires that the lead federal agency evaluate the Saint Joseph Complex to determine whether the agency believes the complex meets the National Register criteria of eligibility. In addition, the lead federal agency must make a determination of effect and recognize consulting parties (see 36 CFR 800.2 through 800.5).

This project involves the following four structures comprising the St. Joseph Complex in Salem: St. Joseph Church, St. Joseph Convent, St. Joseph Rectory, and St. Joseph School. It is the opinion of the MHC staff that these properties meet the criteria of eligibility for listing in the State and National Registers of Historic Places as a Historic District.

In addition, this project is located within the Stage Point Neighborhood (SAL.JC), an area that may be eligible for listing on the State and National Registers of Historic Places. Any construction design completed as part of this project must be sensitive in design and compatible with the historic architecture of the area.

It is the opinion of the MHC that the proposed demolition of the St. Joseph Church and Convent will have an "adverse effect" (36 CFR 800.5(a)(2)(i) & (950 CMR 71.07(2)(b)(3)) on this National Register eligible district. Pursuant to (36 CFR 800 and 950 CMR 71.04(2)), MHC recommends that the lead federal agency make an "adverse effect" determination and initiate consultation with MHC, HUD, DHCD, the North Shore HOME Consortium, the Archdiocese of Boston, the City of Salem, the Salem Historical Commission, Historic Salem, Incorporated and any other interested parties in order to explore alternatives to avoid, minimize, or mitigate the adverse effect.

MHC encourages HUD, DHCD, the North Shore HOME Consortium, the Archdiocese of Boston and the City of Salem to consider ways to avoid, minimize, or mitigate the potential adverse effect through the use of the state and federal historic tax credit program as a tool for preservation and rehabilitation. Potential developers should be made aware of the historic significance of the structures and the possible federal and state tax credit incentives to rehabilitate them appropriately and within the guidelines of the Secretary of the Interior's Standards.

It has been reported to the MHC that a large statue of Saint Joseph that was sculpted in Italy before 1914 was buried under the existing parking lot. The MHC recommends that an archaeological reconnaissance and historical research be conducted in order to establish whether the historic stature of Saint Joseph may still be buried within this parcel and to determine whether it can be preserved in place.

These comments are offered to assist in compliance with Section 106 of the National Historic Preservation Act of 1966 (36 CFR 800), M.G.L. Chapter 9, Section 26-27C, (950 CMR 71.00), and MEPA. Please do not hesitate to contact Brandee Loughlin of my staff if you have any questions.

Sincerely,

Brona Simon

State Historic Preservation Officer

Brona Simon

**Executive Director** 

Massachusetts Historical Commission

xc;

Julie Rose, Historic Salem, Incorporated Hannah Diozzi, Salem Historical Commission Lynn Duncan, City of Salem Planning & Development Robert Paquin, HUD DHCD HOME Program North Shore HOME Consortium Linda Locke

### **PUD Decision & Approved Plans**

On September 16, 2010, the City of Salem Planning Board granted approval of the site plan presented herein, and a total of up to 76 units with future phases.

The approved plan set is titled "Mixed Use with Neighborhood Commercial" and includes 121 parking spaces and 5,200 square feet of commercial space and community space.

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Site Plan Review/Planned Unit Development Decision 135 Lafayette Street. September 17, 2010

Salem Lafayette Development, LLC C/o Joseph Correnti, Esq. 63 Federal Street Salem, MA 01970

RF:

135 Lafayette Street/Former St. Joseph's Church site Site Plan Review/Planned Unit Development

On Thursday, August 19, 2010, the Planning Board of the City of Salem opened a Public Hearing under Sections 7-3 and 9-5 of the City of Salem Zoning Ordinance, Planned Unit Development Special Permit and Site Plan Review, at the request of Salem Lafayette Development, LLC (the applicant, its successors and assigns), for the property located at 135 Lafayette Street. The proposed project includes the razing of the former church and convent building, the renovation of the former rectory and school buildings, and the construction of a new four-story building on the site. The mixed-use development will include 76 dwelling units (51 in the new building, 17 in the renovated school, and 8 in the renovated rectory), 4560 square feet of commercial space, and a 1,000 square foot community center.

The Public Hearing was continued to, and closed on, September 16, 2010. The Planning Board hereby finds that the proposed project meets the provisions of the City of Salem Zoning Ordinance, sec. 7-3 and 9-5 as follows:

- 1) The proposed planned unit development is in harmony with the purpose and intent of this ordinance and the master plan of the City of Salem and that it will promote the purpose of this section through mixed use redevelopment of the site in a comprehensive manner.
- 2) The mixture of uses in the planned unit development is determined to be sufficiently advantageous to render it appropriate to depart from the normal requirements of the district. Specifically, the project incorporates affordable housing, providing substantial public benefit.
- 3) The planned unit development would not result in a net negative environmental impact. Based on the information from the Environmental Impact Statement and plans, the project will result in a decrease in peak stormwater discharge rates and will improve the vacant site significantly from its current condition.

At a regularly scheduled meeting of the Planning Board held on September 16, 2010, the Planning Board voted by a vote of eight (8) in favor (Puleo, Moustakis, Clarke, George, Kavanaugh, Ready, Sullivan, and Sides), and none (0) opposed (Member Names) to approve the Site Plan Review and Planned Unit Development application subject to the following conditions:

### 1. Conformance with the Plan

Work shall conform to the plans entitled, "St. Joseph's Redevelopment, Proposed Concept: Mixed Use with Neighborhood Commercial, 135 Lafayette Street, Salem, MA" Sheets T0.01, A3.01, A3.10, A4.01, A4.02, A5.01, C-1.1, C-2.1, C-3.1, C-4.1, C-4.2, C-5.1, and C-6.1 prepared by The Architectural Team, Inc., 50 Commandment's Way at Admiral's Hill, Chelsea, MA 02150, dated July 30, 2010 and revised September 16,2010. Revised Plans reflecting all conditions and incorporating by reference this decision must be submitted to and approved by the City Planner for consistency with this decision prior to the issuance of a building permit.

### 2. Amendments

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

### 3. Construction Practices

All construction shall be carried out in accordance with the following conditions:

- a. Exterior construction work shall not be conducted between the hours of 5:00 PM and 8:00 AM the following day on weekdays and Saturdays or at any time on Sundays or Holidays. Any interior work conducted during these times will not involve heavy machinery which could generate disturbing noises.
- b. All reasonable action shall be taken to minimize the negative effects of construction on abutters. Advance notice shall be provided to all abutters in writing at least 72 hours prior to commencement of construction of the project.
- c. Drilling and blasting shall be limited to Monday-Friday between 8:00 AM until 5:00 PM. There shall be no drilling or blasting on Saturdays, Sundays, or holidays. Blasting shall be undertaken in accordance with all local and state regulations.
- d. All construction vehicles shall be cleaned prior to leaving the site so that they do not leave dirt and/or debris on surrounding roadways as they leave the site.
- e. All construction shall be performed in accordance with the Rules and Regulations of the Planning Board, and in accordance with any and all rules, regulations and ordinances of the City of Salem.
- f. All construction vehicles left overnight at the site, must be located completely on the site.

- g. A Construction Management Plan and Construction Schedule shall be submitted by the Applicant prior to the issuance of a building permit. Included in this plan, but not limited to, shall be information regarding how the construction equipment will be stored, a description of the construction staging area and its location in relation to the site, and where the construction employees will park their vehicles. The plan and schedule shall be submitted and approved by the City Planner prior to the issuance of a Building Permit. All storage of materials and equipment will be on site.
- h. Special attention shall be paid by the developer to locate the statue of St. Joseph reported to be buried on the site. If said statue is located, the Applicant shall work with the Archdiocese of Boston to resolve its status, and if feasible, as determined by the Applicant, to preserve it in accordance with the requirements of the Archdiocese.
- i. A traffic management plan shall be submitted by the applicant to the Department of Planning and Community Development and approved by the Police Department prior to the issuance of any building permits.

### 4. Clerk of the Works

A Clerk of the Works shall be provided by the City, at the expense of the Applicant, its successors or assigns, as is deemed necessary by the City Planner.

### 5. Fire Department

All work shall comply with the requirements of the Salem Fire Department prior to the issuance of any building permits.

### 6. Building Inspector

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

### 7. Board of Health

- a. The individual presenting the plan to the Board of Health must notify the Health Agent of the name, address, and telephone number of the project (site) manager who will be on site and directly responsible for the construction of the project.
- b. If a DEP tracking number is issued for this site under the Massachusetts Contingency Plan, no structure shall be constructed until the Licensed Site Professional responsible for the site meets the DEP standards for the proposed use.
- c. A copy of the Licensed Asbestos Inspector's Report must be sent to the Health Agent.
- d. A copy of the Demolition Notice sent to the DEP, Form BWPAO6, must be sent to the Health Agent.
- e. The developer shall give the Health Agent a copy of the 21E report.
- f. A radon remediation kit shall be installed in each below grade dwelling unit.

- g. A radon test shall be conducted following the installation and operation of the remediation kit.
- h. The developer shall adhere to a drainage plan as approved by the City Engineer.
- The developer shall employ a licensed pesticide applicator to exterminate the area prior to construction, demolition, and/or blasting and shall send a copy of the exterminator's invoice to the Health Agent.
- j. The developer shall maintain the area free from rodents throughout construction.
- k. The developer shall submit to the Health Agent a written plan for dust control and street sweeping which will occur during construction.
- The developer shall submit to the Health Agent a written plan for containment and removal of debris, vegetative waste, and unacceptable excavation material generated during demolition and/or construction.
- m. The Fire Department must approve the plan regarding access for fire fighting.
- n. Noise levels from the resultant establishment(s) generated by operations, including but not limited to refrigeration and heating, shall not increase the broadband sound level by more than 10 dB(A) above the ambient levels measured at the property line.
- o. The developer shall disclose in writing to the Health Agent the origin of any fill material needed for the project.
- p. The resultant establishment shall dispose of all waste materials resulting from its operation in an environmentally sound manner as described to the Board of health.
- q. The drainage system for this project must be reviewed and approved by the Northeast Mosquito Control and Wetlands Management District.
- r. The developer shall notify the Health Agent when the project is complete for final inspection and confirmation that above conditions have been met.

### 8. Utilities

- I. Drainage
  - a. Confirm condition and capacity of 12-inch drain, and down stream piping to Salem Harbor, to convey new storm water flows by cleaning and internally inspecting that system, make improvements as necessary, including but not limited to the installation of a tide gate at the outfall pipe.
  - b. Confirm elevation of groundwater on the site will not impact the perforated drain pipe.
  - c. Confirm no roof drains are proposed from building in northwest corner.

- d. Provide enough on-site storm water re-charge to groundwater that reduces postdevelopment storm water flows leaving the site to less than pre-construction flows.
- e. Provide operation and maintenance plan for proposed storm water system.

### 2. Sewer

- a. Confirm condition and capacity of the existing sewer to convey new sewer flows by cleaning and internally inspecting that system, make improvements as necessary. Specifically evaluate the existing sewers proposed to be utilized in Dow and Salem Street, downstream to the connection at the sewer main in Congress Street.
- b. Remove existing sewer services to be abandoned in the public right of way, or fill with flowable concrete.

### 3. Water

- a. Confirm through investigations on the existing water mains in City streets, including fire hydrant flow tests, that sufficient capacity exists to eliminate the proposed 10-inch main loop on property. Connect buildings (domestic and fire flows separately) to existing mains in the Street.
- b. Hydrant on southwest corner of site should have service perpendicular off
  Lafayette Street, not 120 feet off Dow Street main as shown on the approved plan.

### 9. Department of Public Services

The Applicant, its successors or assigns shall comply with all requirements of the Department of Public Services

### 10. Signage

Proposed signage shall be reviewed and approved by the City Planner and the Sign Review Committee.

### 11. Lighting

- a. No light shall cast a glare onto adjacent parcels or adjacent rights of way.
- b. A final lighting plan shall be submitted to the City Planner for review and approval prior to the issuance of a building permit.
- c. After installation, lighting shall be reviewed and approved by the City Planner, prior to the issuance of a Certificate of Occupancy.

### 12. HVAC

If an HVAC unit is located on the roof or site, it shall be visually screened. The method for screening the unit shall be submitted to the City Planner for review and approval prior to installation.

### 13. Lafayette Park

The Applicant its successors and assigns agrees to contribute \$10,000 to the City of Salem for the purpose of maintenance and upkeep of Lafayette Park. Such payment shall be made to the Department of Planning and Community Development prior to the issuance of a certificate of occupancy.

### 14. Landscaping

- a. Trees shall be a minimum diameter of 3 1/2" dbh (diameter breast height).
- b. Maintenance of landscape vegetation shall be the responsibility of the developer, his successors or assigns.
- c. Any street trees removed as a result of construction shall be replaced. The location of any replacement trees shall be approved by the City Planner prior to replanting.
- d. A wood stockade fence shall be installed along the property line directly abutting the three residential properties on Dow Street. Details and specifications for the fence shall be submitted to the City Planner for review and approval prior to the issuance of any building permits.
- e. Evergreen trees approximately eight to ten feet in height shall be planted along the property line directly abutting the residences on Dow Street.
- f. A revised landscaping plan including the size, species, and number of all plantings shall be submitted to the City Planner for review and approval prior to the issuance of any building permits.
- g. Details and specifications for the fencing and wall at the corner of Lafayette and Dow Streets shall be submitted to the City Planner for review and approval prior to the issuance of any building permits.

### 15. Maintenance

- a. Refuse removal, ground maintenance and snow removal shall be the responsibility of the Applicant, his successors or assigns.
- b. Winter snow in excess of snow storage areas on the site shall be removed off site.
- c. Maintenance of all landscaping shall be the responsibility of the applicant, his successors or assigns. The Applicant, his successors or assigns, shall guarantee all trees and shrubs for a two- (2) year period, from issuance of the Certificate of Occupancy.

### 16. As-built Plans

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

The As-Built plans shall be submitted to the City Engineer in electronic file format suitable for the City's use and approved by the City Engineer, prior to the issuance of Certificates of Occupancy.

A completed tie card, a blank copy (available at the Engineering Department) and a certification signed and stamped by the design engineer, stating that the work was completed in substantial compliance with the design drawing must be submitted to the City Engineer prior to the issuance of Certificates of Occupancy; as well as, any subsequent requirements by the City Engineer.

### 17. Violations

Violations of any condition contained herein shall result in revocation of this permit by the Planning Board, unless the violation of such condition is waived by a majority vote of the Planning Board.

I hereby certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the Planning Board. The Special Permit shall not take effect until a copy of this decision bearing the certification of the City Clerk that twenty (20) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, is recorded in the Essex South Registry of Deeds and is indexed under the name of the owner of record is recorded on the owner's Certificate of Title. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.

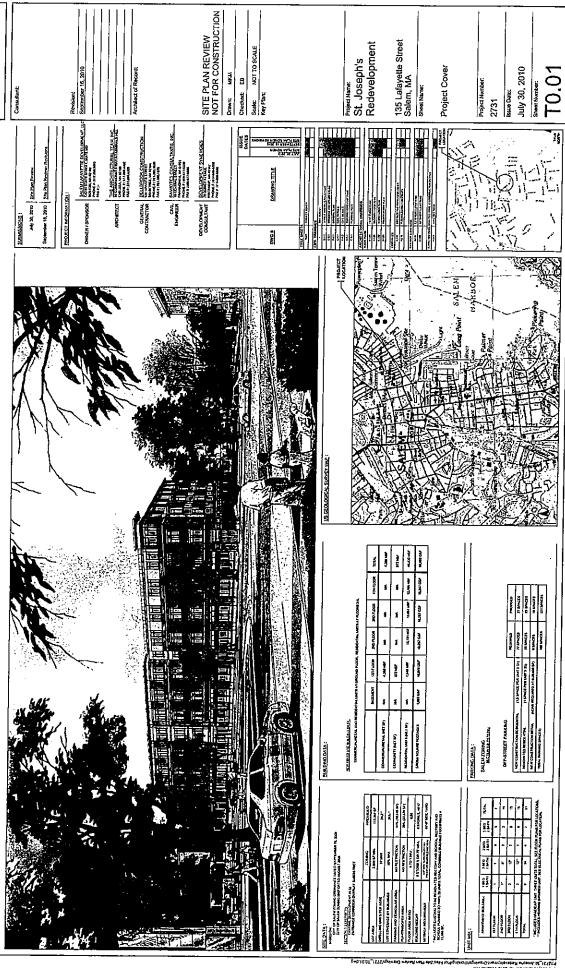
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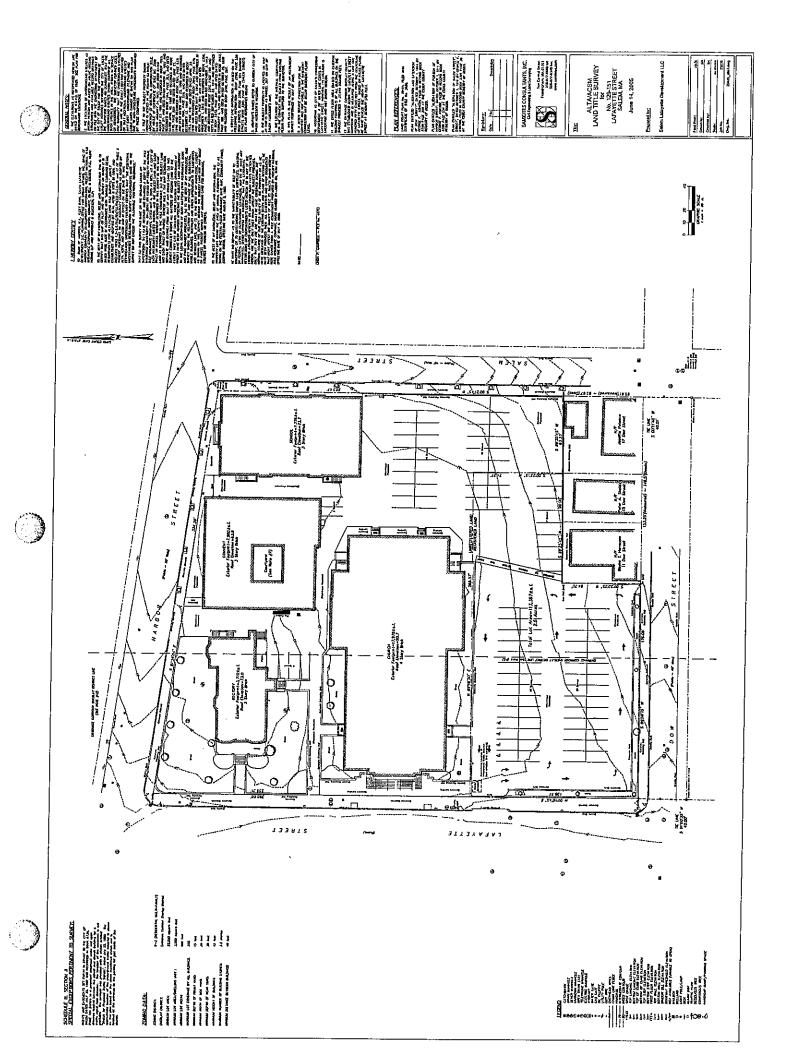
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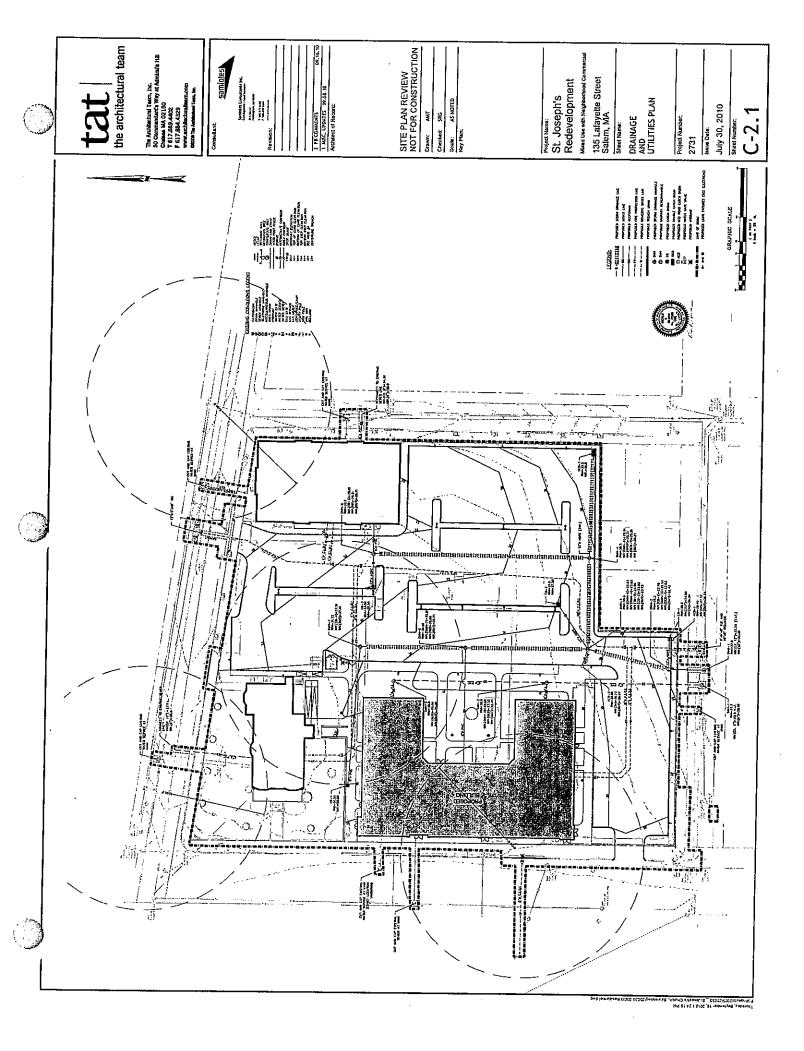
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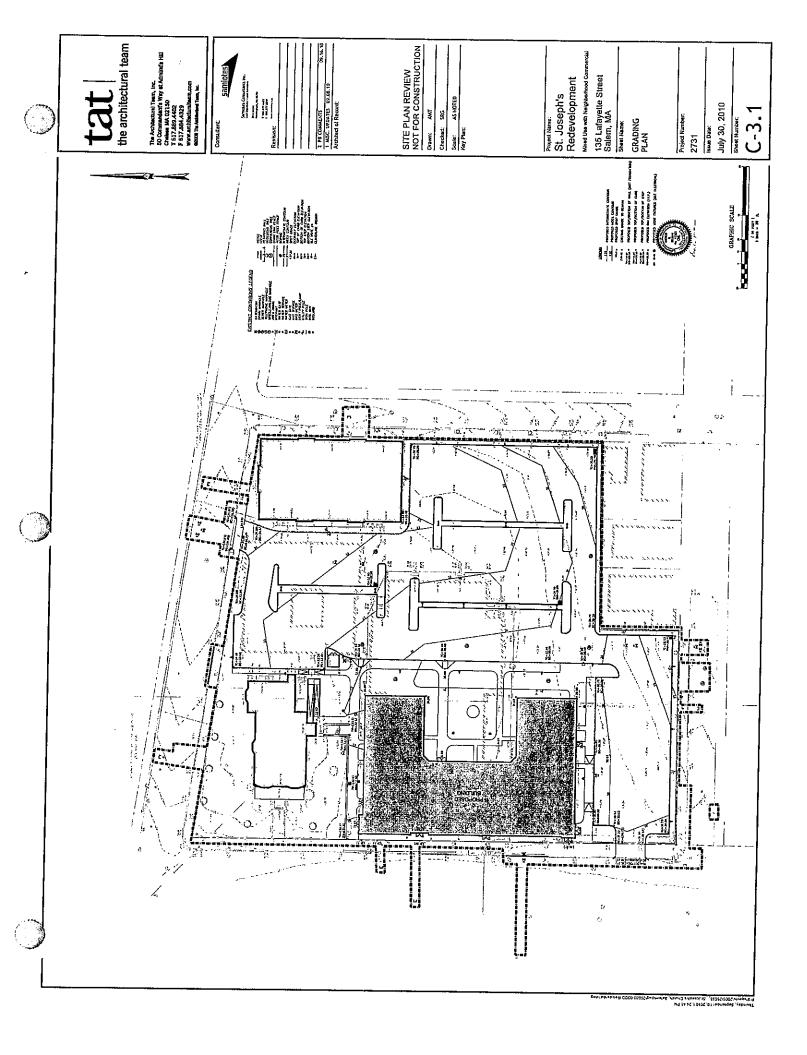
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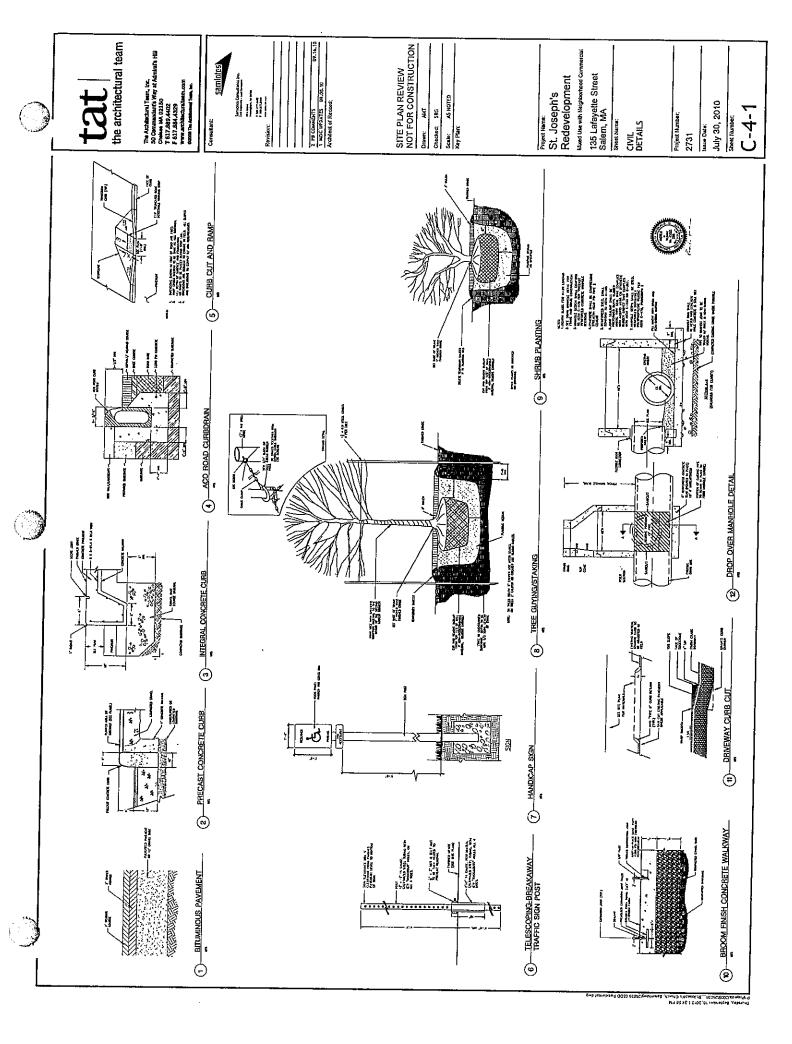


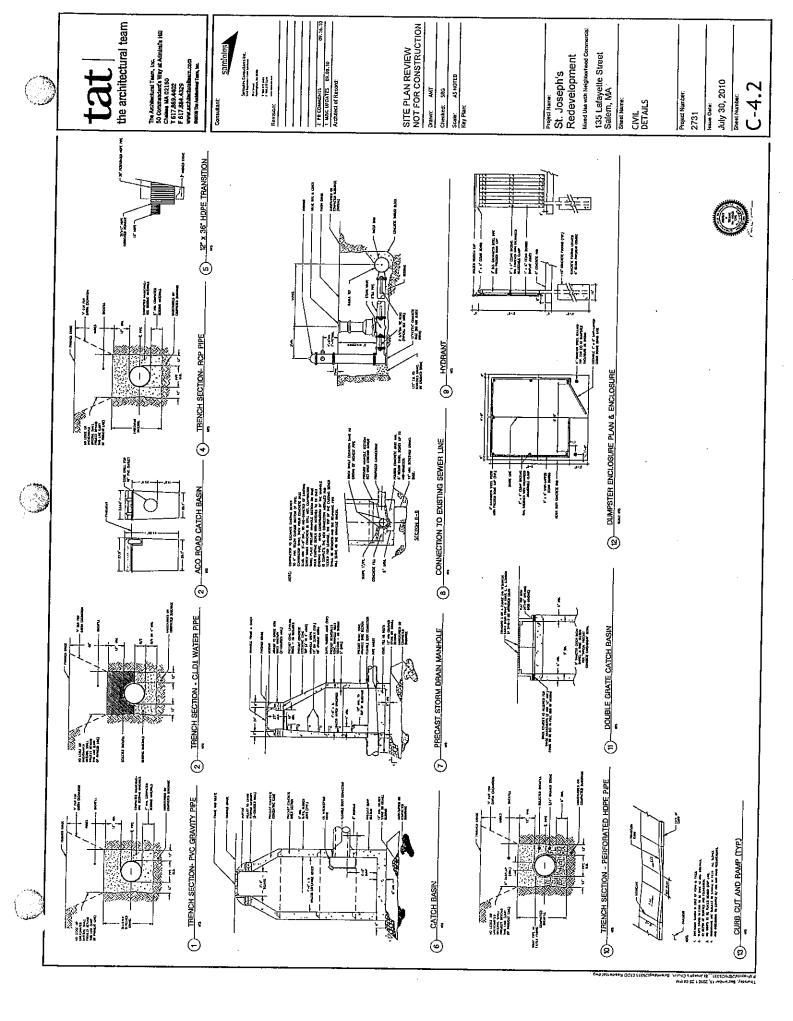


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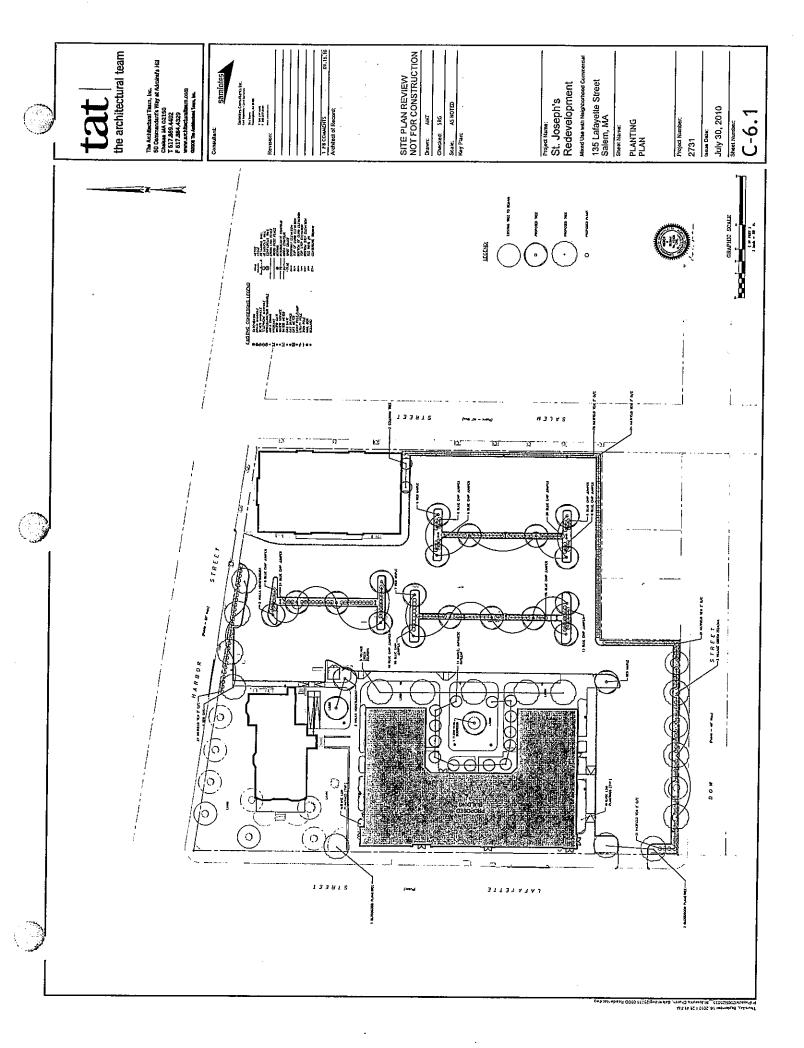








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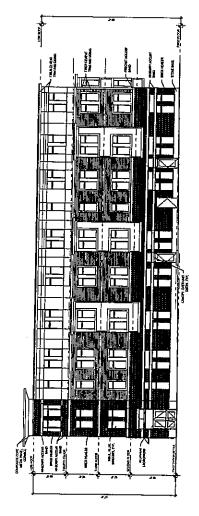
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