

City of Salem, Massachusetts



**"Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A ss. 18-25 and
City Ordinance Sections 2-2028 through 2-2033."**

The City Council Committee on Ordinances, Licenses and Legal Affairs

met remotely via zoom on Thursday, April 7th at 6:00 P.M.

for the purpose of discussing the matters(s) listed below. Notice of this meeting was posted on

April 4th, 2022 at 1:16 PM

(This meeting is being recorded)

ATTENDANCE

ABSENT WERE: C Dominguez joined at 6:20 PM

Also in attendance: C Watson Felt, C Hapworth, C Merkl, C McClain, C Morsillo

City of Salem; Dave Kucharsky, Jenna Ide, Casandra Moskos, Amanda Chiancola

SUBJECT(S)

- Temporary Parking Meter Zone Rates
- Zoning Ordinance relative to Green Infrastructure

C Riccardi opened meeting at 6:03pm. Stated agenda for meeting

Temporary Parking Meter Zone Rates

Dave Kucharsky provided stats around the 2021 pilot on Canal Street – there were 812 transactions and over \$3,000 in revenues. 38 tickets were issued; 11 of which were issued to City Residents.

C Cohen noted it was well received by neighbors in the area in 2021.

In Discussion, D Kucharsky provided additional detail: The fee for using the passport app for residents is .15 cents per transaction and cannot be removed (it is an all or nothing setting from the app). It was reiterated that if a resident is issued a ticket, there is the appeals process noted on the back of the ticket and if they can prove that the car is registered in Salem, the ticket would be waived.

It was also noted that the enforcement officers will not ticket if a Salem resident parking pass is on display in the vehicle (year-round or temp). In 2021, there were roughly 10,000 vehicles that were issued either a year-round (5,400) or temporary (4,500) pass. It is possible for the enforcement officers to look up residency status, but delays the officers and most likely is not the best use of their time when considering the numbers.

Motion made by C Cohen to recommend to full council that the order be adopted; seconded by C Varela. No further discussion
– Passed w/ a RCV 4/0

Zoning Ordinance relative to Green Infrastructure

C Dominguez joined at 6:20 PM

C Cohen noted his feedback that some items in the draft are not fully worked out and he is working on updating language for EV Chargers and Bicycle parking.

C Riccardi provided details around the timeframe – JPH closed March 17th – 90 days later is June 5th, so first passage must be at the May 12th Council meeting (Two passages are required). Revisions can happen in OLLA, but edits must stay within the “Four Corners” of what was advertised; generally cannot add new ideas. If it does not go to Council for a vote, or gets a negative vote from Council, the same language cannot be re-introduced this calendar year. If the language is different, it can be re-introduced this calendar year (and would start the JPH process again). C McClain asked if the matter is separable. Yes, a section can be stricken. In order to bring back the same topic, the process it would start again, and it must be different language.

C Cohen asked how the edits to the Solar portion would happen – is that what needs to be reported to council? C Riccardi noted that amendments should happen in OLLA – we can work out a version we are comfortable with (and is reviewed by B Rennard) then that could be referred back to council.

C Cohen asked about the RC zone and what that entailed; and if we should allow large ground mount solar. A Chiancola described the RC Zoning in Salem; RC = Residential Conservation. Large Lot zoning, requires 80,000 sq ft per dwelling unit. There is a lot of RC zones off of Highland Ave for example. It is one of the residential zoning districts in the city.

J Ide noted that the rules of the state allow solar by right (it is an exempt use) but city's are allowed to add guardrails around the use, but not allowed to prohibit outright.

C McClain asked the rationale around the Planning Board being the permitting authority and if R1 was appropriate. Cassie noted that the PB was the granting authority as the project would go in front of the PB for site review, but this could be different if the will of the body. C McClain noted difficulty in understanding allowing large scale solar array in R1 at all. C Varela seconded the concern of large solar arrays in R1 zones and requested the table be amended to “N”

Cassie pulled up the ordinance draft for review.

C Morsillo requested the RC in the zoning table also be amended to be “N”

Definitions of Large & Medium Scale use were discussed as well as what category a parking lot solar installation would fall into (Ground or Roof mounted). Commercial vs accessory use was also discussed.

Additional conversation occurred around many use cases specific to different locations in Salem

C Riccardi requested that the Cassie and the planning department utilize the extensive feedback, comments, and questions, provided by the committee tonight, and we meet again in a week or two to review proposed amendments that will hopefully be able to address the concerns and comments. Also, It appears to be the will of the committee to remove the portions of the ordinance related to EV Charging, and Bicycle infrastructure, with the intent to re-introduce those two items – if those redlines could also be included. Any amendments should also include the city solicitors feedback on the four corners requirement. Cassie confirmed she will be able to do this.

Motion made by C Varela to keep the matter in committee, Seconded by C Prosniewski; RCV 5/0 Passed

On the motion made by C Cohen, seconded by C Varela to adjourn; No Discussion – Passed w/ a RCV 5/0

the meeting adjourned at 7:58 P.M.



(Chairperson)