

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 co-posted with the Committee of the Whole  
met in the Council Chamber on May 4, 2022 at 6:00 P.M.  
for the purpose of discussing the matters(s) listed below. Notice of this meeting was posted on  
May 2, 2022 at 3:03 P.M.

**(This meeting is being recorded)**

**ATTENDANCE**

**ABSENT WERE: None;**

**COW:** C Merkl, C Hapworth C Morsillo; City of Salem; Beth Rennard; Esmeralda Bisono, Cassie Moskos

**SUBJECT(S)**

**#18 Zoning Ordinance relative to Green Infrastructure**

Cassie Moskos from the City of Salem planning department presented her two options in response to feedback from the previous OLLA meeting. The first “Option” was commentary from the City Solicitor and the Zoning Enforcement Officer that municipal properties (IE Schools) would be considered exempt and would not fall under regulations of this ordinance. C Riccardi confirmed this meant that if a school that is located in the RC zone wanted to install Ground Mount Solar, even though there is a “N” for RC ground mount on the draft in front of us, the location would be exempt, and they would be able to install.

Option 2 creates a definition and line to the use table for Accessory Use and Canopy-Mounted Solar Energy System. B Rennard confirmed this is within the four corners of the posted zoning amendment, but that means we must use the current accessory structures rules in Section 3.2.4. This can be revised later via a new JPH process. Additional discussion around the definitions of ground mounted and canopy mounted.

OLLA then reviewed the full ordinance, including previous redlines. These redlines included the removal of all language referencing Bicycle Infrastructure and EV Charging requirements.

On the motion of C. Cohen, Seconded by C Varela, to recommend that the redlines discussed in Committee be accepted, RVC 5/0 in favor, motion passed unanimously

On the motion to recommend adoption as amended for first passage by C. Cohen, Seconded by C Varela, RVC 5/0 in favor, motion passed unanimously

**#103 Zoning Ordinance relative to Visibility at Intersections Sec. 6.8**

C Riccardi provided a recap on this order: the JPH was held on 3/15/2022 and the Planning Board met on 3/31/2022 and presented their recommendations back to council at our 4/14/22 meeting. C Riccardi also shared the drawing made by the Zoning Enforcement officer of how the measurement is made. The planning board comments were reviewed, along with B Rennards comments in response; what is and is not included in the four corners of the posted public hearing that occurred.

C Morsillo noted that the PD could not attend the meeting this evening, due to a major car crash on Highland Ave. She stated this was submitted for amendment after a request from a constituent that almost had a major crash turning on to Highland Ave due to the line of sight being blocked by an item that was exactly 25 feet.

C Dominguez asked if we could take these issues on a case-by-case basis.

B Rennard confirmed that if this passes, it would not affect pre-existing items (ie a fence that is at 30 feet for example would not need to change)

C Prosniewski feels additional discussion needs to occur on this item

C Hapworth noted safety should be our priority. He also commented that other ordinances that he found were nuanced when it came to length and type of intersection - for exmple a intersection at a highway had a larger amount of visibility then one in a residential neighborhood

C Dominguez noted we are a growing population, and we are a community for all, especially the private taxpayers that own houses, and we should not be removing rights from them, especially when it comes to the property and their expression.

C Riccardi noted that the item in front of us was specific to the visibility at intersection language, and we need to not include the political sign discussion – that would need to be a different conversation and she welcomed a member research and to submit this for discussion if so desired.

C Morsillo noted that the item in front of council is not just related to signs. She agrees with C Hapw orths comments about perhaps revising to include just entrance corridor intersections

Motion made by C Varela to edit the item in front of us by keeping the existing 25 feet and amend to add “And 35 feet in lots located in the Entrance Corridor Overlay District”. There was not a second on the motion

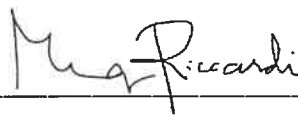
Motion made by C Dominguez to keep the matter in committee, seconded by C Prosniewski

RVC: C Cohen Yes C Dominguez Yes C Prosniewski Yes C Varela No C Riccardi Yes

Motion carries 4/0

C Riccardi asked who the committee would like to include in these additional discussions. The PD and a member of the planning department were requested.

On the motion of C. Varela, Seconded by C Dominguez, RVC 5/0 in favor, the meeting adjourned at 7:44 P.M.



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(Chairperson)