

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 9, 2022 at 6:00 P.M. for the purpose of discussing the matters(s) listed below. Notice of this meeting was posted on May 4, 2022 at 3:16 P.M.

(This meeting is being recorded)

ATTENDANCE

ABSENT WERE: None. **Also in attendance:** COW C Morsillo, C Watson Felt C Hapworth C McClain C Merkl; **City of Salem:** Amanda Chiancola; **MAPC:** Chris Kuschel

SUBJECT(S)

#178 Bridge Street Neck Overlay District

Amanda Chiancola presented a recap of the commentary submitted to council from the Planning Board.

First topic reviewed in detail was the Design Standards version guidelines. Amanda noted why they chose to write the ord in the standards manner

C Hapworth recommended we keep the draft as is

C Morsillo asked if a Historic District was considered? This would cover many of the design standard items. Also noted the many styles referenced in the ordinance, but now new ones are now allowed. C Kuschel from MPAC noted that the design styles noted are not necessarily historic, but adhere to certain principles emerged from the process.

C Prosniewski noted that keeping the historic culture of the neighborhood can be obtained via this draft.

C Cohen commented that the public participation on this project was excellent, and he feels that BSN has a theme to it and agrees the current draft is expansive enough.

C McLain agrees notes that he agrees with the Planning Board recommendations and does not think the standards should be in just pockets in the city. He feels these would be extremely hard to change in the future.

C Dominguez asked if during the public process, this topic came up and what the support was like. C Kuschel MPAC noted that the public process did touch on this and

Public Comment

Flora Tonthat 30 Northey Street – Supports standards, not guidelines

Drew Nelson 102 Bridge St – She has participated in the public process and is mostly focused on helping scale, height requirements and does not want huge buildings on the street; likes what we have.

Emily Udy – 8 Buffum Street (HSI) Public Comment was emailed over earlier today and shared with the committee. She also noted the Historic District option was discussed and could still possibly be used as a tool to protect the vision.

No revision was moved by the Committee

Next topic discussed was the Administrative review.

The drafted ord adds a new layer to review to ensure the Standards are followed on smaller scale projects. A Chiancola noted the Admin review was noted that it was added for Design Standards to be met for smaller scale projects.

Public Comment

Flora Tonthat – Notes administrative review should not be burdensome to property owners so that it is still followed

No motion made by the committee to revise

Next Topic: Planned Unit Development.

PUDs were proposed to be precluded in the District in order to ensure high quality design through design standards. It was added to the ordinance per a recommendation from community members.

If Design Standards are not in the ordinance: PUDs could still be precluded, which would mean that new large-scale development would be to the subject to the design guidelines and the dimensional criteria of the ordinance.

C Morsillo asked if the large sites were to be divided, how would the streets be created. Chris noted the largest parcel is the Current Clipper Ship Inn and Brake and Clutch and that would most likely be one large re-development

C Hapworth noted adding the option of a PUD would negate a lot of work put into this ord. By allowing this as an option.

C Cohen agreed with C Hapworth – a PUD is not needed.

C Morsillo asked what we would be losing with not allowing a PUD. Amanda noted there would be less flexibility, mostly with density.

Public Comment

Flora Tonthat – asked which parcels would qualify for a PUD (a property must be 5 times the minimum lot size (60 sq ft) to qualify. Amanda thinks the Boat Storage and the Clipper Ship in are the two that would currently qualify for the PUD requirements. She also noted that parcels could be purchased and combined. In concept, it is large scale development.

Barbara Cleary – 104 Federal Street – also speaking for HSI – encourages PUDs are not allowed

C Watson Felt commented that she strongly agrees with the exclusion of the PUDs

C Cohen – feels that the overlay will limit the amount of density on a parcel that could benefit from

Amanda noted recent projects and what their units per lot size were in relation to this BSN draft. She also noted that height can be additional by a height variance.

C McClain agrees the PUD should stay excluded. Also noted that this overlay impacts not just this neighborhood, but also in the balance of the city.

Next Topic: Design Review Board Discussion

If a project requires site plan review, it will also go to DRB.

If the project does not meet the standards of the overlay, the DRB decision must be a positive recommendation on this specifically (As currently written) Planning board recommended to change this to advisory.

IF DESIGN STANDARDS ARE INCLUDED: The proposed ordinance includes a design standard waiver option. The waiver requires a positive recommendation from the DRB.

C Riccardi noted she is in favor of the planning board recommendation to have the DRB review as advisory – forcing this to be a positive recommendation could create two boards diverting.

C McClain noted he agrees that it should be advisory and the final say left to the Planning Board as they are looking at the project holistically

Public Comment

None

C Varela moved that the ordinance be revised to change the DRB recommendation to advisory as noted below:

Section 8.7.14

Development Standards Waiver Special Permit Criteria. In the Bridge Street Neck Overlay, no development standard waiver shall be approved unless all the following criteria, in lieu of those set forth in Section 9.4, are found to exist as part of the granting of a special permit by the Planning Board:

- i. The Design Review Board makes an advisory ~~positive~~ recommendation that the deviations from the standards and guidelines contained herein would improve the overall design of the proposed project.

8.7.17 Development Standard Waiver Special Permit Action. Action shall not be taken on any plan for a Site Plan Review until it has received a ~~positive~~ recommendation from the Design Review Board of the Salem Redevelopment Authority concerning the design of the project. The Design Review Board shall refer to the Development Standards and Guidelines herein and the Bridge Street Neck Vision Update Plan (2020 or most recent edition) when making their recommendation.

RCV on the motion: 5/0 in favor, matter carries

Next Topic: Density

C Morsillo was concerned that new buildings and developments would not be able to create smaller units with the density level (not enough workforce housing) as written in the BSN overlay

C Dominguez he is concerned about over crowding one section of the city more so than another. He feels more housing will destroy the character of the neighborhood. We need to be careful we don't create an area in the city where quality of life is affected negatively. He does not support an increase in density.

C Cohen feels we need more density. He would support more

C Hapworth noted that density = people. He would not feel uncomfortable voting to change this item after the intense public discussion that was held around this.

C McClain asked for more details around the properties that were currently not in compliance. He feels it could potentially more dense. C Cohen agreed we need smaller workforce housing and does not want to limit us on this matter

C Dominguez noted we need to be careful when we go over the limit. He wants to honor the neighborhood and what they proposed.

Public Comment

Emily Udy – Feels the dimensional standards that were developed support this density, but anything greater really does not. Higher density would be a way for a larger building that would most likely need a variance / waiver to the standards that were developed. This density also supports the existing building re-use vs large new re-development (so - "little a" affordability) . HSI supports the density as written as it was so well vetted during the public

C Cohen feels we need more tools other than increased density to support our housing needs. We need to create a system that allows us to create more things that we need (housing)

C Ricciardi asked if there was a motion to increase the density (there was none)

Next Topic: Clarifying Language

Amanda presented two items requested from the Planning Board, with suggested language. Including Substituting Hedging for Shrubbery in Section 3.4.A.ii) and language to Differentiate between Common Space, Open Space and Vehicular Space

C Varela moved to amend (Section 3.4.A.ii) as: Seconded y C Prosniewski

Where parking is located on the side of a building and visible from the street or adjacent properties, it shall be screened through densely planted ~~shrubbery~~ hedging or fencing, which in the opinion of the Planning Board effectively screens the parking and is of a quality that positively contributes to the character of the neighborhood.

RCV on the motion: 5/0 in favor, matter carries

On the language to Differentiate between Common Space, Open Space and Vehicular Space

C Dominguez moved to amend section 8.7.8(1)D seconded by C Varela as amended:

8.7.8(1)D. Open space requirements may include common roof-decks, courtyards, yards, gardens, space for seating associated with eating establishments and other communal spaces. Private balconies and vehicular space, such as parking and driving lanes, are excluded from meeting the minimum requirement.

RCV on the motion: 5/0 in favor, matter carries

C Riccardi opened the floor for any additional revisions or comments from the committee or council and from the attendees / public (there was none)

C Dominguez made a motion to recommend to the full council, adoption for first passage, as amended. Seconded by C Varela

RCV on the motion: 5/0 in favor, matter carries

On the motion of C. Varela , seconded by C Dominguez, RVC, 5/0, the meeting adjourned at 8:52 P.M.



(Chairperson)