

CITY OF SALEM
MARCH 10, 2022
REGULAR MEETING

A Regular Meeting of the City Council was held remotely via zoom on Thursday, March 10, 2022, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on March 8, 2022, at 9:42 A .M. This meeting is being recorded and is live on S.A.T.V.

All Councillors were present.

Council President Morsillo presided.

Councillor Dominguez moved to dispense with the reading of the record of the previous meeting. It was so voted.

President Morsillo requested that everyone please rise to recite the Pledge of Allegiance.

PUBLIC TESTIMONY

1. Lauren Fairweather, PEM, 161 Essex St., Salem, Am – Closing of Street for PEM Prize.

#169 – APPOINTMENT OF MANDA SPITTLE TO THE COMMISSION ON DISABILITIES

The Mayor's appointment of Manda Spittle of 8 Woodbury Court to the Commission on Disabilities with a term to expire March 10, 2025 was held under the rules.

(#127) – APPOINTMENT OF JAIME GARMENDIA TO THE TRAFFIC & PARKING COMMISSION

Held from the last meeting the Mayor's appointment of Jaime Garmendia of 6 Rawlins St, to the Salem Traffic and Parking Commission, with a term to expire on February 24, 2025 was confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Councillor McClain requested and received suspension of the rules to allow Jaime Garmendia to speak.

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(#128) – APPOINTMENT OF JAMIE GRAHAM TO THE HISTORICAL COMMISSION

Held from the last meeting the Mayor's appointment of Jamie Graham of 25 Roslyn St., to the Salem Historical Commission, with a term to expire on April 11, 2025 was confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Councillor Cohen requested and received suspension of the rules to allow Jaime Garmendia to speak.

#170 – REAPPOINTMENT OF FRED ATKINS TO THE HARBOR PORT AUTHORITY

The Mayor's re-appointment of Fred Atkins of 3 Neptune Road, to the Salem Harbor Port Authority with a term to expire March 23, 2025 was confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

#171 – APPOINTMENT OF KATHY WINN TO THE HARBOR PORT AUTHORITY

The following appointment was received after the deadline of Tuesday noon under suspension of the rules. The Mayor's appointment of Kathy Winn, 133 Fort Avenue to the Salem Harbor Authority with a term to expire January 12, 2023 was held due to the late file.

#172 – APPROPRIATION OF \$67,655.28 FOR FY2022 COST OF LIVING ADJUSTMENTS FOR PART-TIME AND AFSCME EMPLOYEES

The following order submitted by the Mayor was adopted under suspension of the rules by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the sum of Sixty-Seven Thousand, Six Hundred Fifty-Five Dollars and Twenty-Eight Cents (\$67,655.28) is hereby transferred from the Human Resources Department's "Salary/CB Reserve Account" (11521-5171A) to the accounts as provided below for mid-year personnel account adjustments due to planned FY2022 cost-of-living adjustments for part-time staff, annualized costs associated with the most recent AFSCME Council 93, AFL-CIO, Local 1818 contract, and other salary adjustments in accordance with the recommendation of Her Honor the Mayor.

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Description	Fund	Amount
Salaries Full-Time (Collector)	11461-5111	\$ 1,682.46
Salaries Full-Time (Harbormaster)	12951-5111	\$ 2,744.24
Salaries Part-Time (Human Resources)	11521-5111	\$ 3,769.84
Salaries Full-Time (Witch House)	16521-5111	\$ 714.03
Salaries Full-Time (Traffic/Parking)	14811-5111	\$ 49,232.68
Salaries Full-Time (Engineering)	14121-5111	\$ 4,107.69
Salaries Full-Time (Veterans)	15431-5111	\$ 2,205.29
Salaries Full-Time (Treasurer)	11451-5111	\$ 3,199.05
		\$ 67,655.28

#173 – DONATION OF \$10,000.00 TO THE SALEM YOUTH COMMISSION

The following order submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: To accept the donation from Health Resources In Action in the amount of Ten Thousand Dollars (\$10,000.00) for the Salem Youth Commission. These funds will be deposited into the Donation Account #23311-4830 in accordance with the recommendation of Her Honor the Mayor.

#174 – DONATION OF \$5,000.00 FOR TREES AT THE SALEM COMMON

The following order submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: To accept the donation from the Pequot Charitable Fund in the amount of Five Thousand Dollars (\$5,000.00) for tree planting projects at the Salem Common. These funds will be deposited into the Tree Donation Account #26C0-4830 in accordance with the recommendation of Her Honor the Mayor.

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#175 - DONATION OF \$1,500.00 FOR THE MACK PARK FOOD FARM

The following order submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: To accept the donation from First Church in Salem in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for the Mack Park Food Farm. These funds will be deposited into the Donation Account #25S01-4800 in accordance with the recommendation of Her Honor the Mayor.

#176 – RESOLUTION – EXPRESSING SOLIDARITY WITH THE PEOPLE OF UKRAINE

The following resolution submitted by the Mayor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Resolution: Expressing Solidarity with the People of Ukraine and Condemning the Russian Invasion of that Free Country

WHEREAS: The free people of Ukraine have suffered a criminal invasion of their sovereign lands by the Russian government, leading to widespread destruction and the senseless death of civilians; and,

WHEREAS: The name of our city, Salem, means “peace” and, at our core, we are a community built on compassion, respect, and amity; and,

WHEREAS: Generations of Ukrainian immigrants have contributed to the growth and success of Salem and today hundreds, if not thousands, of Salem residents of Ukrainian descent continue that legacy as valued members of our community;

NOW THEREFORE BE IT RESOLVED: That the Mayor and City Council do hereby express our community’s unequivocal solidarity with the people and democratic government of Ukraine, condemn the Russian government’s act of unprovoked and illegal war, and call upon all residents of our community to support our Ukrainian neighbors and all refugees from this conflict that find respite in our city; and,

BE IT FURTHER RESOLVED: That the City of Salem calls upon our federal representatives to support Ukraine in this time of conflict, to sanction and hold accountable those responsible for this war, and to protect our nation’s interests, and that the City of Salem additionally calls upon our state representatives and the Governor of the Commonwealth to act expeditiously to enact any measures necessary to provide support and humanitarian assistance to the Ukrainian people due to this international crisis; and,

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BE IT FURTHER RESOLVED: That a copy of this Resolution be transmitted by the City Clerk of Salem to Salem's state legislators, U.S. House member, U.S. Senators, the Governor of the Commonwealth of Massachusetts, and the President of the United States.

**#177 – ZONING ORDINANCE RELATIVE TO THE ENTRANCE CORRIDOR
OVERLAY DISTRICT**

The following zoning ordinance submitted by the Mayor was referred to the Planning Board to hold a joint public meeting by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

In the year Two Thousand and Twenty-Two

An Ordinance to amend a zoning ordinance.

Section 1. Section 8.2 – Entrance Corridor Overlay District of Section 8.0 Special District Regulations is hereby amended as follows:

A) Delete paragraphs 1 through 3 with Section 8.2.5 Parking Areas in their entirety and replace them with

“1. Landscaping shall include one (1) medium to large shade tree of three and one-half-inch to four-inch caliper diameter at breast height (DBH) for each three (3) parking spaces unless otherwise waived pursuant to Section 8.2.9 of this section. Trees shall be planted in plant beds bounded by six-inch granite curbing.

2. No plant bed shall be less than fifteen (15) square feet, and no dimension of such plant bed shall be less than forty-two (42) inches, measured from inside face of curb to inside face of curb or wall.

3. A planting strip of no less than forty-two (42) inches wide shall separate vehicles parked face to face in a parking area. Such planting strip shall include one (1) three and one-half-inch to four-inch caliper tree every twenty-seven (27) feet.”

B) Insert a new section

“8.2.9 Design Waivers.

1. Upon the request of the Applicant, the Planning Board may grant a Special Permit pursuant to Section 9.4 to waive the following requirements in the interests of design flexibility and overall project quality, and upon a finding of consistency of such variation with the overall purpose and objectives of the Entrance Corridor Overlay District. Applicants shall annotate plans to identify this distinction prior to approval.

A. In lieu of the standard three and one-half-inch to four-inch caliper DHB shade trees required per Section 8.2.5(1), the Planning Board may grant a waiver to allow up to 20% of the trees located within an ECOD to be smaller two-inch to three-inch caliper DBH ornamental trees and or container grown multi-stem and hedge species with a

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corresponding applicant payment to the Tree Replacement fund per Salem Code of Ordinances Ch. 43 Sec. 61, amount to be determined by the Tree Warden.”

Section 2. This Ordinance shall take effect as provided by City Charter.

#178 – ZONING ORDINANCE RELATIVE TO THE BRIDGE STREET NECK OVERLAY DISTRICT

The following zoning ordinance submitted by the Mayor was referred to the Planning Board to hold a joint public meeting by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

In the year Two Thousand and Twenty-Two

An Ordinance to amend an ordinance relative to zoning.

Section 1. Amend Section 8 Special District Regulations by adding the following new section:

8.7 Bridge Street Neck Overlay District

8.7.1 Purpose. The purpose of Bridge Street Neck Overlay District (BSN) is to enhance the Bridge Street Neck neighborhood by helping to achieve the vision and principles of the Bridge Street Neighborhood Vision Update Plan (2020 or most recent edition), including:

1. Maintain a thriving small and local business district.
2. Encouraging clusters of retail and mixed-use development on Bridge Street.
3. Developing a vibrant, family-friendly neighborhood, affordable to residents across a range of incomes.
4. Developing a sense of place based on the neighborhood’s location, unique assets, history, and architecture.
5. Enhancing the public realm through improved site-planning, sidewalk amenities, and open spaces.
6. To provide certainty regarding acceptable land uses and development design.

8.7.2 District Boundaries. The Bridge Street Neck Overlay District shall be established as an overlay district superimposed on all underlying zoning districts within the Bridge Street Neck Overlay District boundaries. The boundary extends to all parcels north of Webb Street that abut Bridge Street, in addition to 2, 4, 6, 8, and 10 Pierce Avenue; 2, 4, 6, 8 and 10 Waite Street; 38 Rear Bridge Street; 3-5, 6, and 7 Cromwell Street; 18 East Collins Street; and 9 Lathrop Street, as shown on the official zoning map.

8.7.3 Eligible Uses.

1. A developer may elect either to develop a project in accordance with the requirements of the Bridge Street Neck Overlay District, or to develop a project in accordance with requirements of the regulations for use, dimension, Section 8.4, and all other provisions of the Zoning Ordinance governing the underlying zoning district(s).

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2. If a use is permitted by the Bridge Street Neck Overlay District but not by the underlying zoning, it shall be considered a permitted use and is not eligible for a special permit pursuant to Section 3.3.2 of the Salem Zoning Ordinance.
3. Uses are permitted as set forth in the following Table of Bridge Street Neck Uses. Uses permitted through a Special Permit are granted by the Planning Board.

BRIDGE STREET NECK TABLE OF USES	
Residential	
Dwelling, Two-Family	Y
Dwelling, Multifamily	SP
Dwelling unit above first floor retail, personal service, or office use	Y
Planned unit development	N
Office	
Business or professional office	Y
Medical or dental office	Y
Retail	
Retail store, except department store	Y
Personal service establishment	Y
Restaurant; snack bar	Y
Restaurant	Y
Bank, financial agency	Y
Industrial	
Brewery, distillery, or winery with tasting room	Y
Computer hardware development	SP
Light manufacturing	SP
Publishing and printing	Y
Research, laboratories, and development facilities	SP
Commercial	
Arts and crafts studios and workshops	Y

8.7.4 Administrative Plan Review Applicability. The Director of Planning and Community Development or their designee shall review all Administrative Plan Review applications in accordance with the criteria set forth in 8.7.12, with no testimony or submission of evidence as would be allowed at a public hearing. Each project hereunder shall require an administrative plan review:

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1. An addition of less than two thousand (2,000) gross square feet.
2. Façade Improvements.

8.7.5 Site Plan Review Applicability. The Planning Board shall review all such submitted plans in accordance with the provisions of Section 9.5 and 8.7. At the time of filing an application under Section 8.7.13, the applicant shall provide a copy of the application to the City of Salem Design Review Board. Each project hereunder shall require site plan review approval:

1. An addition of more than 2,000 square feet; or,
2. Any project that includes a request for a Development Standard Waiver Special Permit.

8.7.6 Development Standard Waiver Special Permit Applicability. Recognizing that the Development Standards cannot anticipate all circumstances or innovative approaches, a waiver may be requested from the development standards specified in Section 8.7.8.

to provide the ability to create appropriate variations.

8.7.7 Building Design Guidelines

1. Purpose and overview

- A. Building investments should strengthen the neighborhood, reinforce its intimate and historic scale, and contribute to the vitality, activity, and continuity of a walkable place. The following design guidelines are intended to help achieve these goals. Although they are advisory in nature, project applicants are strongly encouraged to incorporate, as applicable. Explanatory diagrams are provided to assist with the various guidelines.
- B. Bridge Street Neck has experienced almost continuous development over its three centuries of existence, resulting in a variety of historic architectural styles present. While new development need not mimic previous buildings or styles, it should be designed in a way that complements and harmonizes with the character of nearby existing properties with respect to architecture, scale, landscaping, and screening.
- C. Additions to historic buildings, as defined by having a Form B on the State Massachusetts Cultural Resource Information System (MACRIS) database or listed as a contributing resource in the Bridge Street Neck National Register Historic District, should be clearly subordinate to the historic building.
- D. Historic architectural features should be preserved whenever possible or reproduced as needed. Retention of architectural detailing and inclusion of similar detail in new projects is encouraged.

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2. Site and building design

- A. Building Orientation. Buildings should be located and oriented towards the street.
- B. Building Mass. The historic context of the neighborhood should be respected. Large buildings should be visually reduced by changes in the massing, architectural elements, and other articulations. Generally, larger buildings should be articulated into bays of 40 feet or less.
- C. Setbacks. Historically, buildings had minimal front setbacks along Bridge Street. New development should replicate this streetscape pattern with minimal setbacks, as well. Setbacks are appropriate to provide outdoor seating. Setbacks may also be used strategically to set apart signature buildings.
- D. Reduce Visual Impact of Parking. Parking should be located in the rear of buildings. Where possible, driveways should be consolidated.
- E. Sensitive Building Height. Where appropriate, building height of proposed development should be sensitive to its context, such as through stepping down a portion of the building to meet the height of adjacent buildings, if the adjacent buildings are historic.
- F. Interesting Rooflines. No one roof type characterizes the neighborhood's buildings, although the front gable is most common. Roofs of new buildings should respect the styles that currently exist.

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The following two diagrams (Figure 1 and Figure 2) provide two views of a hypothetical development to visually represent the provisions of 8.7.7.2.A through 8.7.7.2.F. Figure 1: Site and building design diagram (1 of 2)



Figure 2: Site and building design diagram (2 of 2)



3. Façade Design

- A. Façade Organization. Facades should be divided horizontally into a base, middle, and top with distinct visual cues for each section. The base provides the anchor for the structure, while displaying ground-floor activity. The middle portion reflects uses on upper floors, often with smaller, regularly spaced windows. The top of the building transitions and integrates with the roof.
- B. Active Ground-floor Uses. Activity on the ground floor, facing the street, strengthens the vibrancy of the neighborhood. This activity traditionally includes

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shops, restaurants, and other businesses. It may also include residential lobbies, community rooms, exercise rooms, cafes, or gallery spaces.

- C. Ground-floor Windows. The ground floor of buildings should generally include a higher percentage of window glazing compared to the rest of the building (60% is often a target). Glass should be clear, as opposed to tinted or reflective.
- D. Canopies and Awnings. Canopies and awnings can be used to provide a human-scaled element to the ground-floor of buildings by reducing the building's appearance of bulk and mass. They also provide protection from the elements.
- E. Architectural Details. Facade details help reinforce the neighborhood's character. Facade details can draw attention to the doors, windows, ground floor levels, cornices, and eaves of buildings. They can also help modulate the mass of large buildings by dividing them into a pattern of smaller bays.
- F. High Quality Materials. High quality and durable materials, such as clapboard (wood or composite), stone, and brick, should be used where possible. Vinyl siding and other synthetic materials should generally be avoided.

The following two diagrams (Figures 3 through 6) provide diagrams and photos to visually represent the provisions of 8.7.7.3.A through 8.7.7.3.E.

Figure 3: Facade Design Diagram (1 of 4)



Figure 4: Facade Diagram (2 of 4)



Figure 5: Facade design diagram (3 of 4)



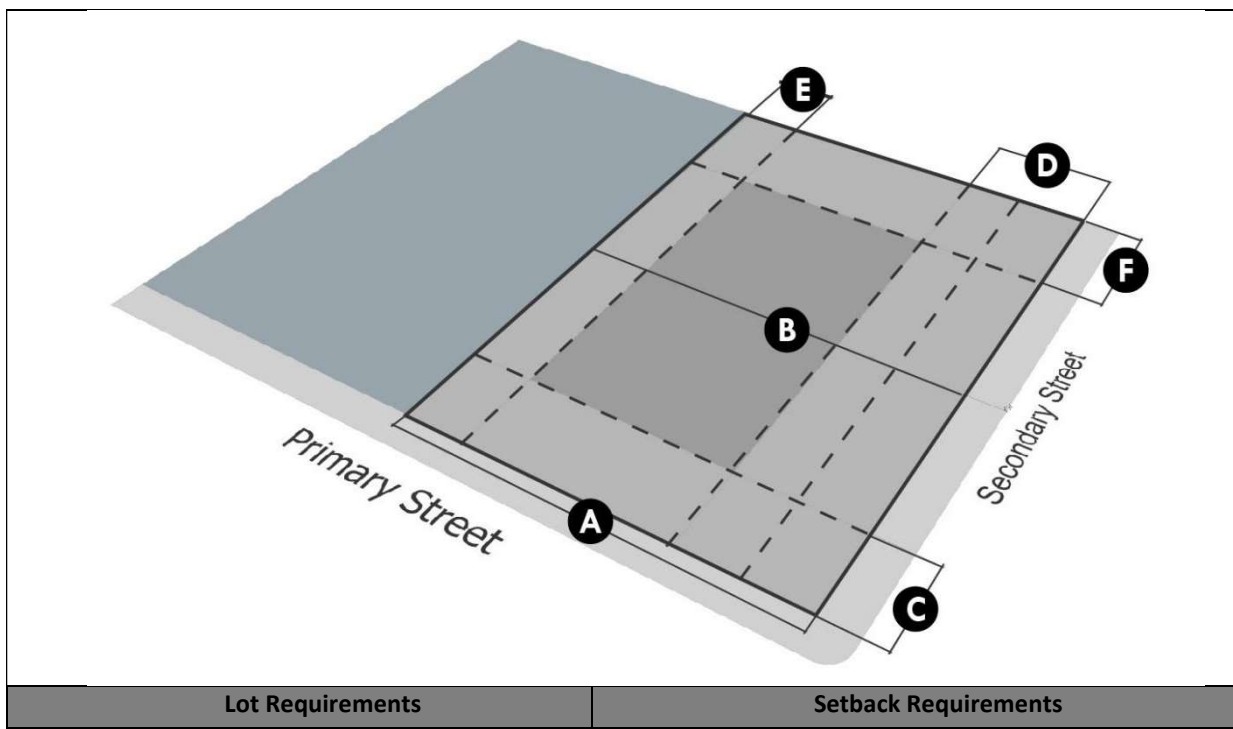
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Figure 6: Facade design diagram (4 of 4)



8.7.8 Development Standards

- 1. Lot Standards.** In order to achieve the purpose of this ordinance, all development shall comply with the following standards:



Lot Requirements

Setback Requirements

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--	Minimum lot size	5,000 SF	C	Primary street setback (min/max)	0 ft / 10 ft
A	Minimum frontage	60 ft	D	Secondary street setback (min/max)	10 ft / 20 ft
B	Minimum lot width	60 ft	E	Side setback (min)	10 ft or 0 ft if a common wall
--	Open space	15% if containing residential; 0% otherwise	F	Rear setback (min)	20 ft

- A. Primary street refers to Bridge Street
- B. Secondary street applies to corner lots and refers to the street which intersects Bridge Street
- C. Where a primary street setback is greater than 0 ft, the following standards shall apply:
- a. Within the front setback, the space shall be used for one or more combination of:
 - i. Outdoor seating associated with a ground-floor establishment.
 - ii. Publicly available open space, such as a plaza or the like.
 - iii. Stoops leading to the building's entryway. In such cases the area outside of the stairs and associated walkway, if any, shall be highly landscaped with a variety of native plants, shrubs, grasses, and trees.
 - iv. An enclosed extended shopfront occupying a portion of the building. See standards for extended shopfront in Section [insert].
 - v. Front garden space.
 - b. The Planning Board may allow a waiver for greater setbacks whereby in its judgement, doing so will contribute to an improved public realm. Space within the additional front setback shall not be used for parking purposes.
 - c. Parking is prohibited within the front setback, unless a waiver is granted by the Planning Board. Consideration will be given only in situations where locating parking beyond the front setback is considered impractical or infeasible.
 - d. The setback requirements herein shall not be considered the setbacks for trees in Salem Code of Ordinances Section 43-51. The provisions of Chapter 43, public trees remain applicable.
- D. Open space requirements may include common roof-decks, courtyards, and other communal spaces. Private balconies are excluded from meeting the minimum requirement.

2. Building Standards

The following table provides standards for new buildings constructed in the BSN.

Building Requirements	
Building height (max)	38 ft for pitched roof building, excluding Mansard 35 ft flat roof building or Mansard
Ground floor height (min)	12 ft commercial; 10 ft otherwise
Second story height (min)	10 ft

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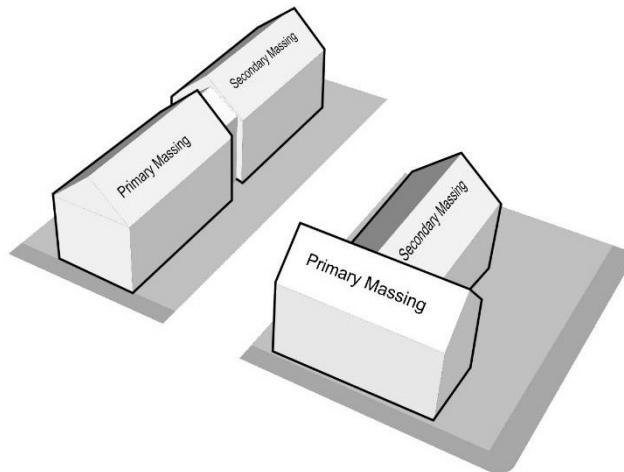
Half story height (min)	10 ft
Ground floor glazing (min)	60% commercial 30% other
Maximum number of dwelling units	1,700 sf of lot area per dwelling unit
Space between multiple buildings on the same lot	10 ft or 0 ft if a common wall
Lot coverage (max)	75%
Building length (max)	100 ft
Vertical façade modulation (min)	40 ft

3. Building Design Standards

New buildings and substantial building renovations shall be reviewed with reference to the building design standards. If, in the opinion of the Planning Board, deviations from the standards and guidelines contained herein would improve the overall design of the proposed project, the standards in question may be waived.

1. The Planning Board may permit multiple buildings and uses on the same lot, provided all standards are met.
2. A building shall be comprised of a primary mass and an optional secondary mass. The primary massing of a building must be of rectangular form. The primary massing may be oriented either with its narrow end or long side toward the front lot line. The building façade must be built parallel to the front lot line.

Examples of primary and secondary building mass assembly

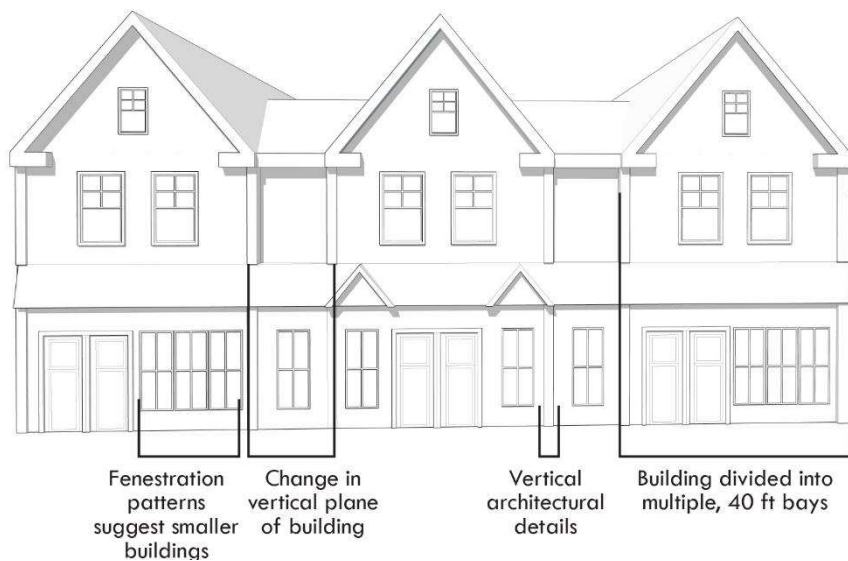


3. Buildings shall have roofs that complement the existing context, including front gable, side gable, hip, Mansard, and flat roofs. The Planning Board may permit additional roof styles where it believes the applicant has demonstrated that the proposed roof will improve the visual character along Bridge Street.
4. Multi-story buildings with ground-floor commercial spaces must have one principal entrance for each commercial space in addition to any principal entrance(s) necessary for upper floors.

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5. Unless otherwise noted, façade glazing shall consist of highly transparent, low reflectivity glass. Façade glazing requirements are only applicable to front facades along the primary street. Façade glazing is measured between two feet and twelve feet of the first floor façade.
6. Vertical façade modulation reduces the visual bulk of large buildings by designing buildings to visually read as smaller buildings. To achieve this effect buildings greater than 40 feet in width shall be articulated through changes in the vertical plane of the building (minimum one foot and maximum 4 feet), vertical architectural details such as columns, pilasters, and the like, or fenestration patterns that suggests smaller buildings.

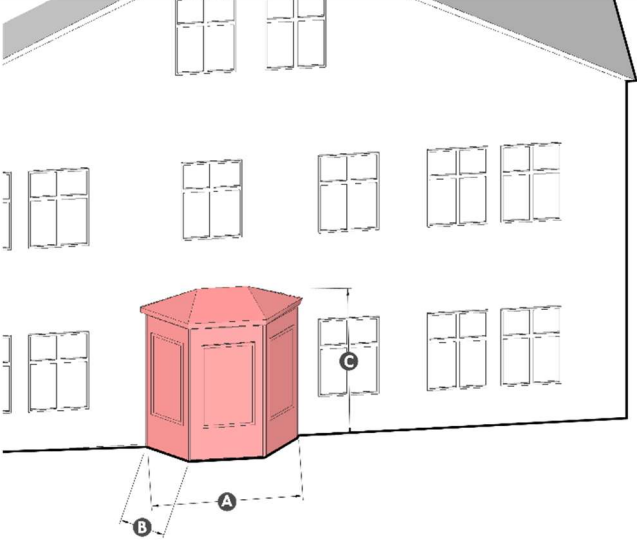
Example of vertical articulation elements



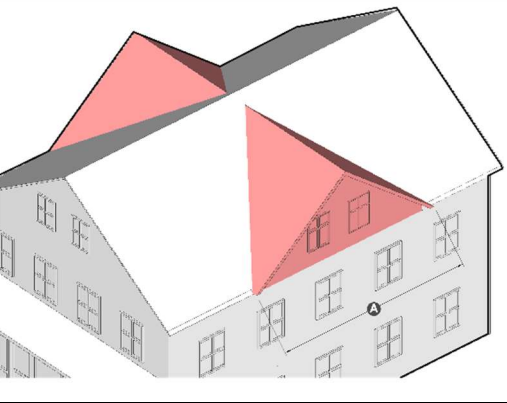
7. Building components are accessory elements integrated into the building's massing that increase a building's usefulness and provide a means for achieving variety and individuality in design.
 - i. The intent of this section is to provide a clear and flexible system for enabling the construction of new buildings and modification of existing buildings in a manner consistent with the neighborhood's character and vision.
 - ii. The following components and associated standards are allowed on buildings with frontage on the primary street.
 - iii. The Planning Board may permit additional building components via special permit if it determines the proposed component further enhances the building's design in relationship to the neighborhood character, is appropriate within the neighborhood context, and is consistent with the Purpose of this Ordinance.

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i. Bay window

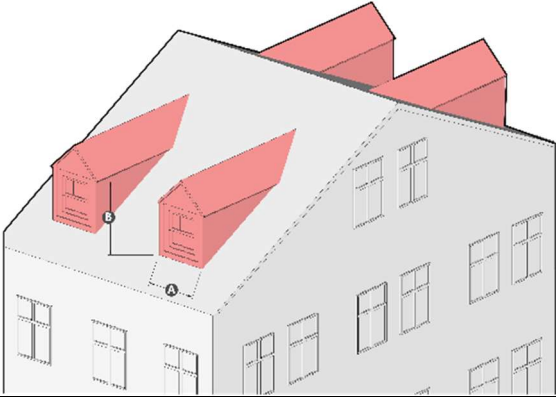
		Description: an enclosed window assembly extending from the face of a building element to permit increased light, multi-dimensional views, and articulate a building façade.
A	Width (max)	16 ft
B	Projection (min / max)	0.5 ft / 4 ft
C	Top Plate height	Max equal to total number of full building stories
--	Fenestration	30% min
Standards: <ol style="list-style-type: none"> 1. Bay windows must attach to a single building face and may not wrap around corners. 2. Bay windows may be three-sided or curved. 		

ii. Cross Gable

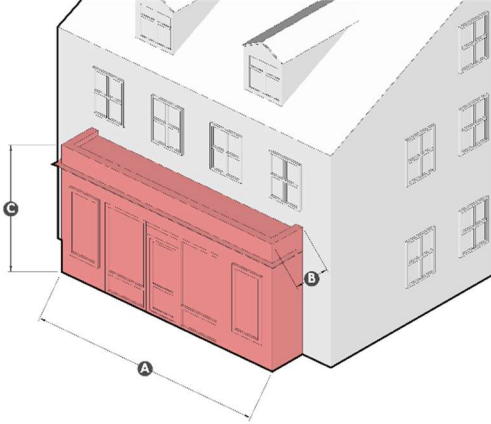
		Description: a gable roof that projects perpendicular from the roof of the primary building to increase the habitable space within the roof
A	Width	Equal to the width of the narrowest building face
--	Fenestration	20% min
Standards: <ol style="list-style-type: none"> 1. Height may not be higher than the ridge beam of the primary building 2. Two cross gables of equal size and roof pitch may be used together 		

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iii. Dormer

		Description: a window or group of windows with a gable, hip, or shed roof that projects vertically from the roof of a building element, designed to provide increased light and expand the habitable space within a roof.
A	Width (max)	Window(s) width + 18 inches
B	Height (max)	No higher than height of roof
Standards: <ol style="list-style-type: none"> 1. Setback from ridgeline must be 3 ft or greater. 2. Setback from side wall must be 1 ft or greater. 3. Separation between dormer(s) shall be a minimum of 50% of the dormer width. 4. 		

iv. Extended Shopfront

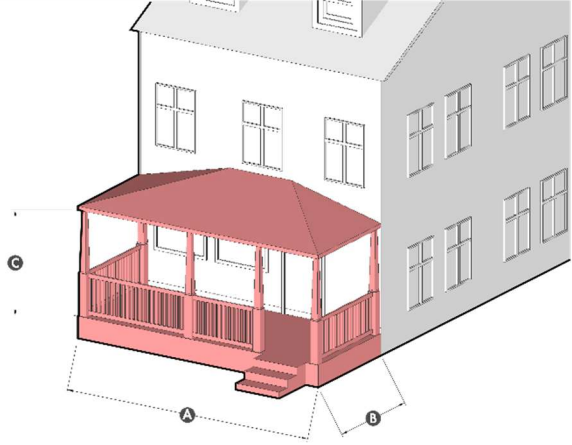
		Description: an extension of the front of a building to provide new or expanded commercial space and a shopfront.
A	Width (max)	No more than the width of the building face to which it attaches
B	Projection (max)	10 ft
C	Height (max)	Equal to the total number of full building stories
--	Fenestration (min)	70% ground floor 30% upper floors

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Standards:

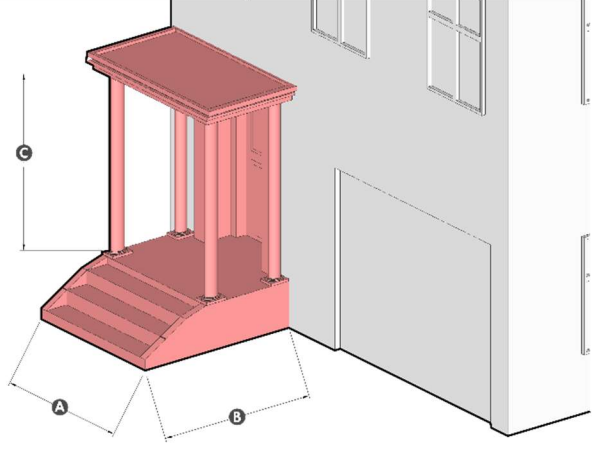
1. Extended shopfronts may wrap around corners of the building face.
2. An extended shopfront may have a flat roof.
3. Extended shopfronts are permitted only on new construction.

v. Porch

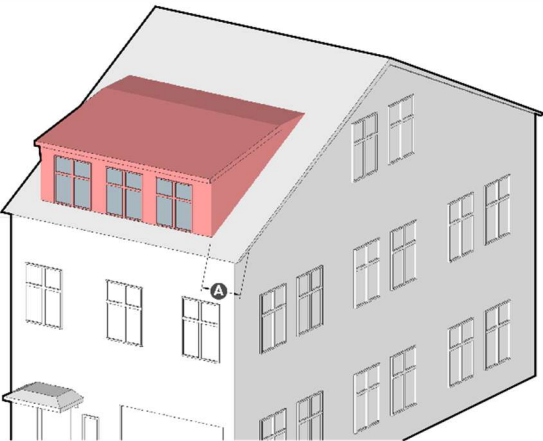
		Description: a raised platform with stairs that provides access to a building entrance.
A	Width (max)	No more than the width of the adjoining building face
B	Projection (min / max)	6 ft / 12 ft
C	Height (min)	7 ft
--	Fenestration (min)	60% when enclosed
<p>Standards:</p> <ol style="list-style-type: none"> 1. Porches may be partially or fully enclosed. 2. Stairs may extend off the front or side of the porch, except when a porch is located on an upper floor in which case the stairs cannot be located along the primary frontage. 3. The space between piles or piers shall be hidden with material or plantings on all sides. 4. 		

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vi. Portico

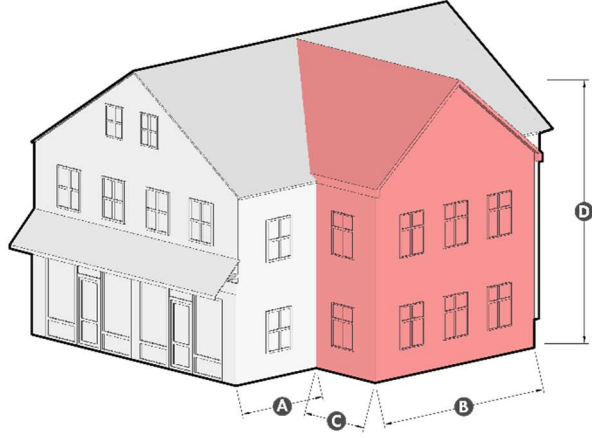
		Description: a roofed structure above a stoop or platform supported on columns or pillars, which shields occupants from inclement weather and provides access to a building entrance.
A	Width (min)	3.5 ft
B	Projection (min / max)	3.5 ft / 6 ft
C	Height (min)	8 ft
Standards: <ol style="list-style-type: none"> 1. A portico may not exceed the height of the primary ridge beam on the building element to which it attaches. 2. A portico must be elevated on a platform at least 1' from the ground. 		

vii. Shed Dormer

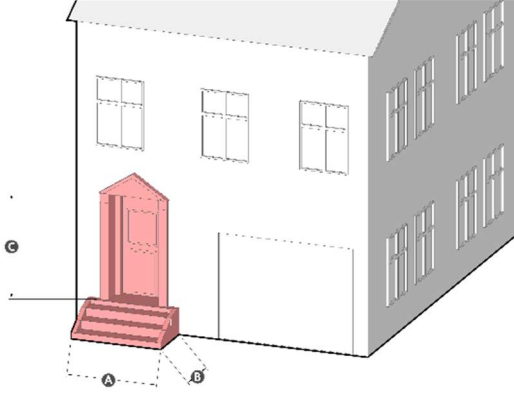
		Description: a room, or portion of a room with a shed roof that projects vertically from the roof of a building element, designed to provide increased light and expand the habitable space under a roof.
A	Gable end setback (min)	1 ft
--	Fenestration	30% min
Standards: <ol style="list-style-type: none"> 1. Windows should be vertically proportioned and no more than 3 ft wide. 2. Shed dormers must have a minimum 4:12 slope. 3. The dormer must not extend beyond the eave line. 		

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viii. Side wing

			Description: a multi-story extension from the side walls of a building's primary or secondary massing.
A	Setback from facade (min)	8 ft	
B	Width (max)	2/3 width of primary building	
C	Projection (max)	12 ft	
D	Height	Equal to or less than the height of the primary building	
--	Fenestration (min)	20%	
Standards: 1. A primary building mass may have only one side wing per side. 2. Additional building components, e.g. doors and porches, may attach to the side wing.			

ix. Stoop

			Description: a component featuring a set of stairs with a landing to the entrance of a building.
A	Width (min)	3.5 ft	
B	Projection (min)	3.5 ft	
C	Height (min)	7 ft	

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Standards:

1. Stoops may be recessed into the building façade.
2. Stoop may be built perpendicular or parallel to the building face, but must lead directly to ground level or an abutting sidewalk from the building entrance.
3. Stoops may be configured as a split stair to access a below grade unit.
4. If a stoop is built encroaching onto a sidewalk, it must provide at least 5 ft clear and unobstructed between its outermost face and the face of the curb.

4. Parking Standards. Parking areas in the BSN shall meet the following criteria:

A. Parking location

- i. Parking shall be located to the rear and side of a building where physically feasible.
- ii. 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 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.

B. Parking ratios

- i. Residential uses shall have 1.0 spaces per unit
- ii. Commercial uses shall have 4 spaces per 1,000 sf of leasable floor space
- iii. Other uses shall have 3 spaces per 1,000 sf of net floor area

C. Parking requirements reduction

- i. The Planning Board may grant a waiver that allows a decrease in the required number of parking spaces through consideration of the following:
 - i. On-Street Parking Off-Set. For commercial uses parking spaces required to meet the minimum off- street parking requirements may include publicly available on- street parking spaces along the building lot frontage on the same side of the street for non-residential uses.
 - ii. Shared Parking and Mixed Use.
 1. A combination of uses on-site using shared parking lots with offset peak demand times where: a shared parking agreement with onsite uses where uses have offset peak demand times; uses have a high rate of parking turnover; or evidence of similar uses and location situations operating successfully with lower amounts of parking.
 2. In commercial or mixed-use developments where shared parking is proposed, the Planning Board may require an evaluation prepared by the applicant

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following the procedures of the Urban Land Institute (ULI) Shared Parking Manual (latest edition) or the Institute of Transportation Engineers (ITE) Shared Parking Guidelines (latest addition), or other approved procedures determined by the Planning Board.

- iii. Car-Sharing Program. The Planning Board may approve a parking reduction where an active car-sharing program is made available to residents and/or employees of a development Site; and where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.

5. Screening requirements

A. Loading Facilities.

- i. Outdoor loading facilities, including all docks and areas used for the storage and staging of good or materials must be screened from view with landscaping or by a wall or fully closed fence, as necessary to sufficiently screen delivery vehicles. If a wall or fence is used it must be constructed of materials that are compatible with the building in terms of texture, quality, and color.
- ii. Exterior entrances and access to loading facilities that are fully enclosed within a building must have an opaque, self-closing door constructed of materials that are compatible with the principal building in terms of texture, quality, and color.

B. Service Areas

- i. Trash collection, trash compaction, recycling collection and other similar service areas must be fully enclosed within a building or located to the side or rear of the buildings and screened appropriately.
- ii. Exterior entrances and access to service areas that are fully enclosed within a building must have an opaque, self-closing door constructed of materials that are compatible with the principal building in terms of texture, quality, and color.
- iii. Outdoor service areas that are visible from a public street, public space, or abutting properties in the Residence district must be fully screened by a wall or fully closed fence at least six (6) feet in height with self-closing access doors and constructed of materials that are compatible with the principal building in terms of texture, quality, and color.

C. Mechanical Equipment

- i. Roof-mounted mechanical equipment, except sustainable energy systems, and elevator or stairwell penthouses must be set back at least ten (10) feet from the exterior walls of a building.
- ii. New buildings must provide a parapet wall or other architectural element constructed of materials that are compatible with the building in terms of texture, quality, and color that screens the visibility of roof-mounted mechanical equipment from any a public street or public space.
- iii. Wall-mounted mechanical equipment on any surface that is visible from a public thoroughfare (excluding an alley) or civic space must be screened by landscaping or an opaque screen constructed of materials that are compatible with the principal building in terms of texture, quality, and color.

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- iv. Ground-mounted mechanical equipment that is visible from a public street or public space must be screened by landscaping, a fence, or a wall constructed of materials that are compatible with the principal building in terms of texture, quality, and color.
- v. Vents attached to a wall must not be located along the façade of the Primary Street and should be painted to blend in with the color of the building façade upon which it is located.
- vi. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.
- vii. An acoustic study of any relevant mechanical equipment on the effects of abutting properties and the public realm shall be included in the application materials.

8.7.9 Administrative Plan Review Application. Any application for approval of an administrative plan review under this section shall be accompanied by the application requirements of Section 9.5.

8.7.10 Site Plan Review Application. In addition to the application requirements of Section 9.5, the site plan review shall include a narrative of how the project complies with the criteria set forth in Section 8.7.13.

8.7.11 Development Standards Waiver Special Permit Application. Such application shall be accompanied by a narrative that describes of how the project complies with the criteria in Section 8.7.14, despite the request for said Waiver set forth.

8.7.12 Administrative Plan Review Criteria. The Planning Director or their designee shall review all such submitted plans in accordance with the development standards established in Section 8.7.8.

8.7.13 Site Plan Review Criteria.

1. The Planning Board shall review all such submitted plans in accordance with the design guidelines herein and the following criteria:
 - A. The development standards established in Section 8.7.8. unless otherwise waived by special permit from the Planning Board.
 - B. Adequacy of the building layout in a way to create a presence on main corridor street edges.
 - C. Adequacy of the parking facility to be located to the rear or side of the structures whenever physically feasible and adequacy of avoiding large expanses that are unbroken by buildings or substantial landscaped areas.
 - D. Adequacy of the pedestrian connection to streets and pedestrian ways.
 - E. Adequacy of traffic calming measures that discourage cut through traffic in the rear parking lot of any site.
2. The Design Review Board shall review all such submitted plans in accordance with the design guidelines herein and the following criteria:

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- A. Adequacy of the design to complement and harmonize with adjacent land uses (existing and proposed) with respect to architecture, scale, landscaping, and screening.
 - B. Adequacy of the use of building materials and details that are consistent with the architectural heritage of surrounding buildings.
 - C. Adequacy of new facade elements on existing buildings to use materials and details that are consistent with the architectural heritage of the buildings on which they are located.
- 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:
- 1. The Design Review Board makes a positive recommendation that the deviations from the standards and guidelines contained herein would improve the overall design of the proposed project.
 - 2. The Planning Board finds that the overall design would be more compliant with the intent and purpose of the ordinance and the Bridge Street Neighborhood Vision Update (2020 or most recent edition) than a strict adherence to the guidelines.
- 8.7.15 Administrative Plan Review Action.** The Planning Director or their designee shall approve the plan provided that the plan complies with the review criteria herein. If a project does not comply with the review criteria, the applicant shall be directed to revise the plan or apply for a Site Plan Review and Development Standard Waiver Special Permit.
- 8.7.16 Site Plan Review Action.** The Planning Board shall not take final action on the application until it receives written recommendation on the application from the Design Review Board of the Salem Redevelopment Authority.
- 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.
- 1. The Design Review Board's recommendation shall state the applicable standard(s), whether the alternative design approach meets the Design Guidelines and if a waiver is recommended.

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2. The Planning Board must provide a written determination and finding whether the alternative design approach meets the requirements of the Design Criteria. Such determination shall state the applicable standard(s), the reason for granting an alternative, the applicable Design Criteria, and how the alternative meets the Design Criteria.

8.7.18 Administrative Plan Review Appeal. Any appeal of a decision of the Planning Director pursuant to this section shall be appealed to the Planning Board.

TABLE OF PRINCIPAL AND ACCESSORY USE REGULATIONS											
PRINCIPAL USES	RC	R1	R2	R3	B1	B2	B4	B5	I	BPD	NRCC
A. RESIDENTIAL USES											
Planned unit development***	N	N	N	PB	PB	PB	PB	PB	PB	Y	-

8.7.19 Site Plan Review Appeal. Any decision of the Board pursuant to this section shall be appealed in accordance with G.L. c. 40A, s. 17 to a court of competent jurisdiction.

Section 2. Amend Section 2.2 Overlay Districts by inserting the following district:

Bridge Street Neck Overlay District	(BSN)
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Section 3. Amend Section 3.1 TABLE OF PRINCIPAL AND ACCESSORY USE REGULATIONS by inserting three asterisks to Planned Unit Development with the following table note.

***Planned unit development is not permitted in the Bridge Street Neck Overlay District.

Section 4. This Ordinance shall take effect as provided by City Charter.

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#179 – RAISE THE IRISH FLAG

The following Order introduced by Councillor Dominguez and Councillor McCarthy was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the Director of Park, Recreation & Community Services raise the Irish Flag at Riley Plaza on March 16, 17 & 18th in honor of St. Patrick's Day

#180 - (#137) – APPROPRIATION OF \$90,000.00 FOR PLANNING TO STUDY PUBLIC PARKING DOWNTOWN

Councillor McCarthy offered the following report for the Committee on Administration and Finance co-posted with Committee of the Whole. It was voted to accept the report. The matter was adopted by a roll call vote of 7 yeas, 3 nays and 1 present. Councillors Hapworth, McCarthy, Merkl, Prosnowski, Riccardi, Watson-Felt and Morsillo were recorded as voting in the affirmative. Councillors Dominguez, McClain and Varela were recorded as voting in the negative. Councillor Cohen was recorded as present.

The Committee on Administration and Finance co-posted with Committee of the Whole to whom was referred the matter of an Appropriation of \$90,000.00 to Planning to study future public parking in downtown Salem has considered said matter and would recommend adoption.

Councillor McClain feels this can be done by internally by the Planning Department and the Salem Redevelopment Authority. Parking is a clear priority for us, but no one should come in from the outside and tell us how to the City works.

Councillor Varela stated he also feels this could be done in house with Traffic and Parking Department, Commission and Planning.

#181 – (#147) – APPROPRIATION OF \$185,822.00 FOR WITCHCRAFT HEIGHTS FLOOR REPLACEMENT

Councillor McCarthy offered the following report for the Committee on Administration and Finance. It was voted to accept the report and adopt the recommendation by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

The Committee on Administration and Finance to whom was referred the matter of an Appropriation of \$185,822.00 for Witchcraft Heights Elementary School floor replacement project has considered said matter and would recommend adoption.

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#182 – (#159 & #160) – GRANTING CERTAIN LICENSES

Councillor Riccardi offered the following report for the Committee on Ordinances, Licenses and Legal Affairs. It was voted to accept the report and adopt the recommendation.

The Committee on Ordinances, Licenses and Legal Affairs to whom was referred the matter of granting certain licenses, has considered said matter and would recommend that the following licenses be granted.

SECOND HAND VALUABLE: Witch City Consignment

SEAWORM: Jose Machado

#183 – (#53) – ORDINANCE TO INCREASE PROTECTION & CONSERVATION FOR WETLANDS

Councillor Riccardi offered the following report for the Committee on Ordinances, Licenses and Legal affairs co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

The Committee on Ordinances, Licenses and Legal affairs co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance to Increase Protection & Conservation for Wetlands has considered said matter and would recommend adoption for first passage.

#184 – (#54) – ORDINANCE AMENDING NON-CRIMINAL DISPOSITION FOR WETLANDS

Councillor Riccardi offered the following report for the Committee on Ordinances, Licenses and Legal affairs co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation as amended by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

The Committee on Ordinances, Licenses and Legal affairs co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance Amending Sec 1-10 (c) Non-Criminal disposition for Wetlands has considered said matter and would recommend adoption for first passage as amended. The amendments were to increase the second offense from \$150.00 to \$200.00 and the third offense from \$200.00 to \$300.00.

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#185 – TO REMOVE LEE FORT TERRACE FROM LIST OF ACCEPTED STREETS

The following Order submitted by the City Solicitor was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Ordered: The Salem City Council has determined, upon the advice of the City Solicitor, that Lee Fort Terrace is a private way. A City Council Order adopted June 27, 1996 accepting Lee Fort Terrace as a public street was not adopted in accordance with City Ordinance and Massachusetts General Laws. The City Clerk is hereby directed to correct the Salem Street Directory to identify Lee Fort Terrace as a street not accepted by the City.

Councillor Dominguez asked if this would affect their project?

Councillor McCarthy responded that when the Salem Housing Authority started the permitting process, they found the property was entirely owned by the SHA, so it won't impede the project. It will correct the problem by making it a private way.

#186 – BLOCK PARTY – FEDERAL STREET

The request from the Federal St. Neighborhood Association to hold a block party at the intersection of Federal and Beckford Streets on May 15, 2022, from 4:00 P.M. to 7:00 P.M. with a rain date of May 22, 2022 was granted.

#187 – CLOSING OF ESSEX ST. FOR PEABODY ESSEX MUSEUM

The Petition from The Peabody Essex Museum to close city streets from Hawthorne Blvd to New Liberty St. on May 22, 2022 was granted. Councillor McClain recused himself from this matter.

#188 – HAWC WALK

The Petition from HAWC to hold their HAWC Walk and use of city streets on June 5, 2022 was granted.

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#189 – ROAD RACE – WICKED RUNNING CLUB

The Petition from The Wicked Running Club to hold a Road Race the Miles Over the Moon and use of city streets on July 15, 2022 was granted

#190 – ROAD RACE – YMCA

The Petition from Salem YMCA to hold a Road Race the Salem 10K and use of city streets on September 11, 2022 was granted.

#191 – PUBLIC GUIDES

The Following License Applications were granted.

PUBLIC GUIDES:	Stephany Svorinic 15 Lynde St. Salem
	Katheryn Rutkowski 2 Essex St. Salem
	Elizabeth Walsh 17 May St. Salem
	Thomas Vallor 40 Boardman St. Salem
	Thomas Rash 184 Ocean Ave W Salem
	PJ Maguire 130 N Washington St North Attleboro
	Liam McKillop 130 Boston St Salem
	Stephanie Clements 43 Central St Beverly
	Ryan Sullivan 20 Hersey St Salem

#192 – DRAINLAYER APPLICATIONS

The Following Contract Operator/Drainlayer Licenses was granted

Super Service Today, 4 Jewel Dr., Wilmington

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#193 - #201 – CLAIMS

The Following Claims were referred to the Committee on Ordinances, Licenses and Legal Affairs.

Katherine Fawcett 333 Essex St Salem
Jason Gallant 36 Linden St Salem
Laurie Mignault 81 Gertrude St Lynn
Gil Torion 30 Clark St Salem
Adam Dahouz 22 Sutton St Peabody
Drew Santoro 15 Lynde St Salem
Mary Alice Alexander 9 Longview Dr W Marblehead
Lloyd Kropilak 6 Smith St Salem

Subrogated Claim: d'Oliveira and Associates for
Susan Kliemann 930 Kempton St New Bedford

On the motion of Councillor McCarthy the meeting adjourned at 8:27 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK