

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

A Regular Meeting of the City Council was held in-person and remotely via zoom on Thursday, May 26, 2022, at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 24, 2022, at 2:01 P.M. This meeting is being recorded and is live on S.A.T.V.

All Councillors Present.

Council President Morsillo presided.

Councillor Hapworth 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. Robert Callahan, 8 Stearns Place, Salem, Elected Rep for City of Salem Retirement Board – Supports COLA increase for retirees
2. Dominick Pangallo, 25 Buffum St., Salem, Chair of Salem Retirement Board, supports COLA increase for retirees
3. Don Famico, 95 Margin St., Salem, Animal Control Officer, Salem PD – Supports increase in fines for animal violations
4. Paul Findlen, Executive Director of Salem Retirement Board, supports increase in COLA for retirees
5. Matt Veno, 20 Forest Ave., Salem, Fifth Member of Retirement Board, supports increase in COLA for retirees
6. Sally Hayes, 21 Fairmount St., Salem, Member of Retirement Board, supports increase in COLA for retirees

#368 – (#357) – NATIONAL GRID TO INSTALL CONDUIT ON ESSEX STREET

A hearing was held on the order from National Grid to install conduit on Essex Street.

Sibhita Mahabier a representative from National Grid appeared in favor. She stated it was to provide service.

No one appeared opposed.

Councillor Watson-Felt moved that the Public Hearing be Closed.

Councillor Watson-Felt moved that the order be granted.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

(#333) – APPOINTMENT OF ELIUD ALCALA TO THE COUNCIL ON AGING

Held from the last meeting the Mayor's Appointment of Eliud Alcala 11 South St. #3 to the Council on Aging Board with a term to expire March 1, 2023 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 Mr. Alcala to address the Council.

#369 - #373 – REAPPOINTMENTS TO VARIOUS BOARDS

The Mayor's re-appointments of the following to various boards and commissions were confirmed by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

<u>NAME</u>	<u>ADDRESS</u>	<u>BOARD/COMMISSION</u>	<u>TERM TO EXPIRE</u>
Liz McGovern	8 Lyme St.	Scholarship & Education Committee	June 1, 2025
Tyler Carlton	22 Hancock St.	Scholarship & Education Committee	June 1, 2025
David Moisan	45 St. Peter St.	Commission on Disabilities	June 1, 2025
Gary Santo	25 Washington Sq N	Licensing Board	June 1, 2028
Mickey Northcutt	9 Northey St.	Affordable Housing Trust Fund Board	May 26, 2024

Councillor McClain made a motion to send a City Seal and Letter of thanks to Donna Clifford for her years of service. It was so voted.

#374 – MAYOR SUBMITTING FY2023 BUDGET AND CAPITAL PLAN

The Fiscal Year 2023 Operating and Capital Budget submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

Honorable Salem City Council
 Salem City Hall
 Salem, MA 01970

Ladies and Gentlemen of the Council:

Enclosed please find the proposed FY2023 operating and capital budgets for the City of Salem and the Salem Public Schools. I am pleased to submit this proposed expenditure plan and recognize that the coming fiscal year presents unique challenges and opportunities for our community.

As we continue the recovery from the COVID-19 pandemic, the uncertainty of the future course of the virus, as well as the scope of state and federal resources to address it, is complicated by a

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

larger economic picture impacted by global conflicts, historic supply chain and labor issues, and rapidly rising interest rates and prices. Against this backdrop we must also consider the impacts of inflation on energy costs, materials and supplies, and wages, not to mention the unavoidable increase in fixed cost centers with which the City must contend. These contextual challenges are exacerbated by level funding of our school aid from the state, increased state assessments, aging infrastructure, and a housing market where costs and values are rapidly escalating.

There are reasons for optimism, however.

I am proud to say that the pro-active measures we used locally to safeguard, strengthen, and rebuild our local economy during the pandemic have worked. Our revenues are rebounding, and our local economy is coming back stronger than ever. During the pandemic Salem had a net zero loss in businesses and our storefront vacancy rate decreased to 4%. Our local unemployment rate has returned to its pre-pandemic level. We weathered the fiscal challenges without having to draw down substantially from our reserve funds or tap heavily into our levy capacity.

Indeed, Salem should be proud of our record stabilization levels, bond rating, and considerable levy capacity. We have also enjoyed a low average tax bill increase relative to our region and to the considerable increases Salem endured prior to this administration. Lastly, while net state aid has been reduced and Salem is being disproportionately and negatively treated under the new Chapter 70 formula, we do have the benefit of one-time relief funds from the American Rescue Plan Act (ARPA), the Bipartisan Infrastructure Investment and Jobs Act, the Elementary and Secondary School Emergency Relief Fund, and other federal and state sources that we are working to creatively leverage and apply to one-time needs related to recovery or to investing in our capital needs.

All of this is thanks in large part to a collective partnership between local elected officials to see our way through the early stages of this pandemic as a team united in our efforts to address the impacts of this virus on our community. The professionalism and commitment of City staff, including the early actions taken to support businesses and embrace investment in our city, as well as our thoughtful approach to managing municipal finances all played a hand in our efforts to date to weather pandemic related challenges. Our collaborative partnership with the City Council, small business owners, private and public partners and our neighboring municipalities in the region has helped us to meet our needs and grow back stronger than ever.

The proposed FY2023 Salem budget is \$188,157,262, a change of 3.4% over the FY2022 budget. Fixed costs, such as health insurance, pension and retirement payments, insurance, debt payments, and state and other government assessments, account for about \$1 of every \$3 in the budget and will increase by roughly \$2.5 million in FY2023, accounting for around 40% of the budget increase.

Our schools' budget is \$68,747,963, an increase of \$2,150,044 or 3.2%, over the FY2022 school budget. This does not include school-related costs that appear elsewhere in the budget, such as school employee health insurance increases, unemployment costs, debt for school building

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

projects, and so forth. When those factors are included, a substantial amount of Salem's budget is tied to our schools and our students, easily the largest single area of spending.

The enterprise fund budgets will increase by \$335,929, or 1.7%, over the FY2022 enterprise funds budget, due to increases in assessments for these services and the need for ongoing infrastructure maintenance and upgrades. Ordinances have been submitted to you establishing the water and sewer rates necessary to fund these budgets.

The FY2023 Capital Improvement Plan (CIP) is also included as part of this budget, as are the associated bond orders to fund these capital investments. I am proud that we instituted a practice of including a forward-looking capital plan in our budget each year as a responsible and transparent way of planning for future obligations while meeting present-day needs to best serve Salem residents.

One point you will notice for FY2023 is a larger reliance on "pay-as-you-go" or short-term capital outlays, as well as retained earnings for water and sewer capital and ARPA allocations, all over traditional bonding. This is because rising interest rates make borrowing less cost effective at the current moment, even with our historically high bond rating. This has the additional benefit of lessening our long-term debt service payments. Highlights in the capital plan include \$2.5 million in sidewalks, crosswalks, and roads, over \$1 million in school building upgrades, signature park projects including the Willows Pier and the next phase of the Pioneer Village/Camp Naumkeag project, a major enhancement of the Mayor Jean Levesque Community Life Center kitchen facility, over \$250,000 for new public safety vehicles, and the first phase of a much-needed overhaul of our critical police and fire radio communication system.

From having around \$35,000 in our stabilization fund when I took office in 2006, we today have over \$14.2 million in that fund thanks to permanent, prudent finance policies that we have worked collectively with the Council to put in place.

Despite the past financial difficulties we faced, Salem remains dedicated to policies that foster economic growth, to stable financial management practices, and to sustainable and transparent budgeting. Since 2006 we have implemented professional financial management standards and our debt payment as a share of the budget has been reduced by 33%. We have been able to accomplish this by leveraging hundreds of millions in grants, as well as PILOT, SILOT, and other tax agreements, and by being responsible, thoughtful, and prudent with tax dollars. Over the last 16 years, the average single-family tax bill in Salem increased by half as much as it did in the 16 years before 2006.

In our budgeting practices, the taxpayers of Salem have always been foremost in mind, and FY2023 is no different. This budget recognizes and respects the impact of property taxes on our residents, especially as many are suffering from the financial hardship afflicting many Americans today. Salem's average tax bill change over the last decade has been well below the average for our region and bolstered by the adoption of as many exemptions and abatements as practical, particularly focused on our neediest taxpayers, including lower income residents, seniors, veterans, and those living with disabilities, as well as through increasing the share of the

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

cost burden being exported to visitors and non-residents through fees and excises. Salem has never sought a Proposition 2-1/2 override and we continue to tax below our allowable levy limit. For FY2023, we will continue to maintain excess levy capacity – in the amount of \$6.2 million – a further demonstration of our prudence and care with taxpayer dollars.

Despite the overwhelming impact of the pandemic on our budgetary situation, it does not diminish the other external influences with which we still must also contend. Whether it is housing needs, fears about growth, the opioids epidemic, changing demographics, or a changing climate, our community is facing many challenges that require strategic and sensible leadership. Indeed, in some respects the pandemic and ensuing economic downturn only exacerbated some of these challenges, such as the need for affordable and available housing.

On the financial side, we continue to see challenges with the state not fully funding their obligations for charter school reimbursements and the existing PILOT with the South Essex Sewerage District failing to adequately compensate our community for hosting this regional facility. Most egregiously this year, an embedded flaw in the state's school aid formula means that Salem will effectively be level funded in Chapter 70 funds for our schools: where other Gateway Cities are seeing an average increase in Chapter 70 funds of around 13%, Salem's increase is just 1%. Aid is increasing to all other Gateway Cities by between \$1.6 million and \$35.8 million; in Salem, our aid is only increasing by \$248,340. Rising health care costs are impacting both the public and private sector and we continue to face the challenge of OPEB and pension liabilities, not to mention costly sick-leave buybacks, agreed to decades ago, but impacting our retirement stabilization fund now.

We have worked hard to tackle these challenges by allocating funds to reserve and stabilization accounts to plan for the future and by taking actions like entering into the Group Insurance Commission and annually reassessing the cost-effectiveness of that choice. However, the financial challenges presented by these fixed cost centers are still very real and have a real effect on our budget. Despite those pressures and despite the economic setbacks of the past year, the FY2023 budget maintains our dedication to fiscal responsibility while making important investments to strengthen our community.

I am proud of our collective efforts to limit impacts on Salem taxpayers while also providing much needed services to constituents. This is possible due to our joint attentiveness to City finances, as well as our ongoing efforts at identifying efficiencies in the delivery of services.

Our fiscal practices have resulted in not only affirmation of our historic high AA bond rating for the last nine years in a row, but also our regular receipt – for fourteen years in a row – of recognitions and awards from the Government Finance Officers' Association, a national agency that provides professional guidelines for government budgets and fiscal practices.

In its most recent affirmation of the AA bond rating, issued just this month, S&P Global Ratings specifically cited Salem's "robust and strong economy...consistent positive financial operations...[and] strong financial management conditions, including conservative budgeting and long-term financial planning."

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Lastly, another key factor in enhancing our local economy and contributing to new revenues to help meet the projected budget deficit are the public and private investments we continue to see in our community. These projects enhance our short- and long-term economic growth, create much needed housing, add to our tax base, and generate jobs. We are projecting the value increase of new growth for FY2023 at around \$1 million; that is \$1 million less burden on existing Salem taxpayers. Without responsible new growth we cannot provide the services and improvements that our constituents rightly demand and deserve. Given the reliable increase in fixed costs to the City and the financial challenges of the past year, a reflexively anti-growth position is equivalent to endorsing substantial tax increases on Salem homeowners and reduction in critical City services like public safety and public works. With appropriate new growth comes much needed housing, commercial enterprises with jobs, and new revenues to support the needs of Salem taxpayers and local government.

In FY2023 we will continue to strive to exceed the service level expectations of our constituents, while simultaneously ensuring fiscal prudence in all expenditures. The mission of City government in Salem is to provide open, honest, and pro-active services effectively and efficiently, focusing on the needs of today, with a vision for the future. To accomplish this, the proposed budget aligns operations with short-term and long-term strategic goals and objectives, while maintaining necessary fiscal controls and a careful attention to our financial forecasts in our budgeting.

Balancing the City's budget in a normal year itself is no easy task and I appreciate the hard work and cooperation our department heads have put into the preparation of this year's budget. I cannot say enough about the efforts made by our Finance Department especially. The department's work ensured that the budget was ready for submission and in compliance with the high standards we set for ourselves pursuant to GFOA Distinguished Budget guidelines. We are one of only a handful of Massachusetts communities who annually qualify for both a Certificate of Excellence for our Comprehensive Annual Financial Reporting and a Distinguished Budget Presentation Award from the GFOA. New this year, in furtherance of the GFOA's prioritization of improving transparency in public budgets, we are proud to offer a "Budget in Brief" summary that quickly highlights the most important parts of the FY2023 City budget.

The proposed FY2023 budget represents a strong commitment to the people we are fortunate enough to have been elected to serve. It continues our balanced and responsible approach to City finances. It invests in the critical services that make Salem a vibrant city and one with schools in which we can all take pride – in short, a stronger, more livable city for all. I recommend adoption of the proposed FY2023 budget, CIP, and other associated budgetary measures and I look forward to working with you in the coming days to enact this proposed spending plan to continue ensuring that Salem is a financially strong and professionally administered community.

Sincerely,

A handwritten signature in dark ink, reading "Kimberley Driscoll". The signature is written in a cursive, flowing style.

Kimberley Driscoll, Mayor, City of Salem

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#375 – BOND ORDER – FY2023 GENERAL FUND CIP FOR \$5,745,000.00

The following Bond Order submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

Fiscal Year 2023 General Fund Capital Improvement Program Funded from Bond Authorization as amended below:

Ordered:		
That the sum of \$5,745,000 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY23 CIP-Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related thereto, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Sections 7 and 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.		
FY2023 CIP-Funded from BOND AUTHORIZATION		
Electrical	FORD F 650 AREAL/Bucket Truck	\$175,000
Engineering Municipal	Boston Street Complete Upgrade - Design	\$ 210,000
Engineering Municipal	McGrath Park Soils Remediation -	\$300,000
Engineering Municipal	Citywide Roads, Sidewalks, and Crosswalk Improvements (Non-Chapter 90)	\$1,200,000
Engineering Municipal	Transfer Station Clean Up Phase 2 Capping	\$2,200,000
Police	Police Headquarters - Flooring replacement	\$150,000
Public Services	Traffic Division Utility Truck	\$170,000
Public Services	DPS Building Project	\$250,000
Public Services	JD Front Loader (replacement of loader #41)	\$290,000
School	Bates Envelope Repair Project	\$ 75,000
School	Collins Roof/Masonry Repair	\$110,000
School	School Life Safety, MEP, Utility, Roof Repairs, Upgrades, Studies	\$ 200,000
School	Districtwide Sprinkler Repairs	\$265,000
Sustainability	Comprehensive Energy and Water Upgrades at City and School Facilities	\$150,000
TOTAL BOND AUTHORIZATION:		\$5,745,000
Be it further Ordered:		

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the

Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.

#376 – BOND ORDER – FY2023 WATER & SEWER CIP FOR \$3,600,000.00

The following Bond Order submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

Fiscal Year 2023 Water and Sewer Capital Improvement Program Funded from Bond Authorization as amended below:

Ordered:			
That the sum of \$3,600,000 be and hereby is appropriated to pay costs of the following capital equipment and capital improvement projects listed under the heading FY23 CIP – Funded from BOND AUTHORIZATION and for the payment of all costs incidental and related there to, and that to meet said appropriation the Treasurer, with the approval of the Mayor, is authorized to borrow said sum under M.G.L. Chapter 44, Sections 7 and/or 8, or pursuant to any other enabling authority, and to issue bonds or notes of the City therefor.			
FY2023 CIP-Funded from BOND AUTHORIZATION			
Water	Pioneer Village Relocation and Expanded Facility Phase 1: Sewer/Water/Stormwater		\$ 100,000.00
Water	Citywide Flushing, Valve Repair/Maintenance, Leak detection, GIS		\$ 400,000.00
Water	Water Distribution Main System Improvements		\$ 800,000.00
Water	Water Transmission Main System Improvements		\$ 1,000,000.00
Sewer	Palmer Cove Park Drain Outfall Installation of Stormwater Treatment		\$ 100,000.00
Sewer	Citywide Drain & Sewer cleaning, inspection, replacement, engineering, GIS, construction		\$ 400,000.00
Sewer	Pioneer Village Relocation and Expanded Facility Phase 1: Sewer/Water/Stormwater		\$ 200,000.00
Sewer	SSES Report Implementation (eliminate I/I sources citywide)		\$ 600,000.00
TOTAL BOND AUTHORIZATION:			\$ 3,600,000

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Be it further Ordered:		
That the Mayor and the Treasurer are each authorized to file an application to qualify under Chapter 44A of the		
Massachusetts General Laws any and all bonds of the City issued under and pursuant hereto, and to provide such information and execute such documents as may be required in connection therewith.		

#377 – FY2023 SHORT-TERM CIP IN THE AMOUNT OF \$3,078,020.00

The following Order submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

FY 2023 Capital Improvement Plan

Ordered:

That the sum of \$3,078,020 be and hereby is appropriated as part of the FY 2023 Capital Improvement Plan to be expended as listed below in accordance with the recommendation of Her Honor the Mayor.

Department	Description	Account	Amount
Assessor	City wide aerial imagery and software that documents changes in parcels	20002301-5846DN	\$ 12,000
Assessor	Just appraised software for entering deeds.	20002301-5846DO	\$ 14,800
Building	ADA Compliance and Associated Improvements	20002322-5846DP	\$ 30,000
Building	City Hall Long Term Restoration Study	20002322-5846DQ	\$ 40,000
Building	Annual Priority Small Repairs, Upgrades, FF&E & Associated Improvements	20002322-5846DR	\$ 75,000
Building	City Hall Phased Short Term Priority Improvements	20002322-5846DS	\$ 85,000
Clerk	High Speed Scanner for Voting and Multilanguage Software	20002303-5846DT	\$ 32,000
Electrical	ADA walk signal buttons	20002308-5846DU	\$ 20,000
Engineering Municipal	Citywide Seawall Improvements and Studies	20002329-5846DV	\$ 50,000
Engineering Municipal	Furlong Park Soil Remediation	20002329-5846DW	\$ 170,000
Engineering Municipal	Essex Street Roadway & Townhouse Sq.	20002329-5846DX	\$ 200,000

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Fire	ADA Compliance and Associated Repairs	20002310-5846DY	\$ 20,000
Fire	Lexipol - Standard Operating Guidelines	20002310-5846DZ	\$ 27,000
Fire	Annual Priority Small Repairs, Upgrades, FF&E & Associated Improvements	20002310-5846EA	\$ 30,000
Fire	Bathroom, Women's Locker and ADA Code Upgrades Headquarters Study	20002310-5846EB	\$ 30,000
Fire	Replace Front line response vehicle #2 Deputy Chiefs Car	20002310-5846EC	\$ 50,000
Fire	Vehicles for Fire Prevention inspectional services, safety officer and fire investigation	20002310-5846ED	\$ 66,000
Fire	Fire Station 5 - site improvements	20002310-5846EE	\$ 100,000
Harbor Master	Harbormaster Department Truck	20002311-5846EF	\$ 58,000
IT	IT Lifecycle Management (City)	20002307-5846EG	\$ 190,000
Library	ADA Improvements and Associated Repairs at Library	20002314-5846EH	\$ 10,000
Library	Annual Priority Small Repairs, Upgrades, FF&E & Associated Improvements	20002314-5846EI	\$ 20,000
Library	Repairs to Brownstone Stairs	20002314-5846EJ	\$ 50,000
Park & Recreation	Court/Field and Associated Renovations	20002317-5846EK	\$ 100,000
Park & Recreation	Golf Cart Paths - Phase II	20002317-5846EL	\$ 100,000
Parking	Parking Infrastructure Improvements, EV, and Equipment Install/Maintenance	20002318-5846EM	\$ 50,000
Parking	Garage Improvements - Annual Repairs & ADA Compliance	20002318-5846EN	\$ 80,000
Parking	Fort Ave/Columbus Ave Intersection Re-Design Project	20002318-5846EO	\$ 183,000
Parking	Traffic Calming Capital Improvements	20002318-5846EP	\$ 200,000
Planning	Harmony Grove Multiuse Path Study/Design	20002320-5846EQ	\$ 12,000
Planning	Neighborhood Interpretive Signs	20002320-5846ER	\$ 14,000
Planning	Old Town Hall & Artists' Row Annual Repairs, Minor Renovations, Studies Etc. (non-ADA)	20002320-5846ES	\$ 20,000

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Planning	Old Town Hall & Artists' Row ADA Compliance and Associated Repairs	20002320-5846ET	\$ 20,000
Planning	Historic Cemetery Headstone and Tomb Conservation	20002320-5846EU	\$ 30,000
Planning	Artists' Row Roof Repair	20002320-5846EV	\$ 60,000
Police	Small ADA Compliance and Associated Repairs	20002321-5846EW	\$ 15,000
Police	PSGP 2020 Harbor Security Camera Project Expansion	20002321-5846EX	\$ 32,500
Police	Salem Police Headquarters General Repairs, Upgrades, FF&E, Studies, and Associated Replacements	20002321-5846EY	\$ 35,000
Police	Cameras - Community/Police	20002321-5846EZ	\$ 45,000
Police	Body Worn Cameras	20002321-5846FA	\$ 67,220
Police	Vehicle Replacement Plan - Patrol and Non Patrol -	20002321-5846FB	\$ 187,000
Public Services	Annual Small Repairs, DPS Building Studies - DPS & Cemeteries	20002323-5846FC	\$ 15,000
Public Services	ADA Improvements and Associated Repairs- DPS & Cemeteries	20002323-5846FD	\$ 20,000
Public Services	Update Safety and SOP for trench safety and general best practices plans and manuals for DPS operations	20002323-5846FE	\$ 50,000
Public Services	Expansion of Greenlawn Cemetery Interment	20002323-5846FF	\$ 20,000
School	New Liberty and Salem Prep Schools Facility	20002325-5846FG	\$ 60,000
School	Architectural/Interior, Site Repairs, Upgrades, Studies Schools	20002325-5846FH	\$ 75,000
School	ADA and Associated Repairs Schools	20002325-5846FI	\$ 100,000
Sustainability	Environmental Education Signage	20002330-5846FJ	\$ 7,500
Sustainability	Climate Change Resiliency Project - Point - Design	20002330-5846FK	\$ 100,000
TOTAL CAPITAL OUTLAY FUND			\$ 3,078,020

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#378 - \$405,000.00 APPROPRIATION FROM RETAINED EARNINGS
WATER/SEWER FOR FY2023 CIP PROJECTS

The following Order submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole.

ORDERED: That the sum of Four Hundred Five Thousand Dollars (\$405,000.00) is hereby appropriated from the "Retained Earnings – Water/Sewer Fund" account (6000-3120) to the following accounts for the FY2023 capital improvement plan projects as listed below in accordance with the recommendation of Her Honor the Mayor.

FY2023 CIP-Funded from Water/Sewer Fund Retained Earnings		
Sewer – 600132-5877	Point Area Neighborhood Catch Basin Screening & Improvements	\$ 100,000.00
Sewer – 600132-5878	Derby St. Interceptor Sewer Cleaning and Evaluation	\$ 125,000.00
Water – 610032-5879	Replacement of Water/Sewer Utility Truck	\$ 180,000.00
Total:		\$ 405,000.00

#379 - \$27,000.00 APPROPRIATION TO PLANNING FOR COSTS TO ASSIST WITH
FLOOD HAZARD OVERLAY DISTRICT ZONING

The following Order submitted by the Mayor was adopted under suspension of the rules.

Ordered: That the sum of Twenty-Seven Thousand Dollars (\$27,000.00) is hereby appropriated and transferred from the "Capital Outlay Fund 2000" to ST CIP Planning (20002220-5846DN) for costs associated with contracted services to assist with revisions to the Flood Hazard Overlay District zoning ordinance in accordance with the recommendation of Her Honor the Mayor.

Councillor McCarthy requested and received suspension of the rules to all Tom Devine from Planning to speak on this matter.

Tom Devine stated that this was time sensitive. Instead of putting it in the budget the Planning Department is looking to get head start to get a person on board now. There was Wetlands Ordinance adopted this year and we are required to update our plans.

Councillor Dominguez asked what the money was for.

Tom Devine stated the existing ordinance only meets minimum requirements which will soon be out of date for flood insurance. There is a new kind of work involved and we seek an expert for their assistance.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Councillor McClain asked what potential impact if go through the regular process?

Tom Devine stated there are many projects coming through now and only be approved by the existing flood risk and not for future risk. He also stated that the work takes so long since it involves working groups.

Councillor Riccardi asked if this collaboration will be similar to the Wetlands process.

Tom Devine stated it was not to repeat it but to build upon it.

#380 – DONATION TO COUNCIL ON AGING

The following Order submitted by the Mayor was adopted.

Ordered: To accept the donation from Friends of the Salem COA in the amount of One Thousand Five Hundred Dollars (\$1,500.00) for the upcoming Father's Day Luncheon and Heritage Days BBQ. These funds will be deposited into the Council on Aging Donation Account #24011-4830 in accordance with the recommendation of Her Honor the Mayor.

#381 – DONATION TO PARK AND REC. FOR GOLF TOURNAMENT

The following Order submitted by the Mayor was adopted.

Ordered: To accept the donation from St. Jeans Credit Union Charitable Foundation Inc. in the amount of One Thousand Dollars (\$1,000.00) for the upcoming Friends of Park and Recreation Golf Tournament at Olde Salem Greens. These funds will be deposited into the Parks and Recreation Donation Account #24061-4830 in accordance with the recommendation of Her Honor the Mayor.

#382 – MGL CH. 44, SEC. 64 – PAYING PRIOR FY INVOICE WITH CURRENT BUDGET EXPENSES – POLICE DEPARTMENT

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: Per MGL Chapter 44 Section 64 which allows for a municipality to pay for prior fiscal year invoices using current fiscal year appropriations by two-thirds vote of the City Council we request the sum of Five Hundred Nineteen Dollars and Ninety-Nine Cents (\$519.99) of outstanding Fiscal Year 2021 invoices is hereby allowed to be paid from the Fiscal Year 2022 Police Department budget as listed below in accordance with the recommendation of Her Honor the Mayor.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Department	Vendor	Amount
Police	Salem Cycle	\$ 519.99
	Total	\$ 519.99

#383 – FY2023 LIST OF REVOLVING FUND ACCOUNTS

The following order submitted by the Mayor was referred to the Committee on Administration and Finance co-posted with Committee of the Whole

ORDERED: That the Salem City council vote, pursuant to the provisions of MGL Chapter 44, Section 53E ½ to authorize the establishment of the revolving funds for fiscal year 2023 has herein described. Expenditures from said funds shall not exceed the amount of funds received in the respective accounts or as authorized as stated, shall come from any funds received by respective boards for performing services, shall be used solely for the purpose of implementing the programs delineated and shall be approved by a majority vote of any respective boards in accordance with Her Honor the Mayor.

Dept.	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2023 Budget Request Maximum Annual Expenditures
COA	COA Programs	2374	To defray program costs including instructors, presenters, entertainment, decorations, food, etc.	Revenues and fees charged for programs	COA Director and Mayor	40,000.00
Electrical	Telecom	2376	To fund public information technology, telecommunication and electrical initiatives and projects	Application fees and rental revenue from telecommunications attachments pursuant to sections 12-125 and 12-170 of the City Ordinances	City Electrician and Mayor	50,000.00
Fire	R/A Local Emergency Planning Comm	2433	Training and special equipment needed to respond to hazardous materials incidents per CH 21E	Fees charged to persons spilling or releasing hazardous materials	Fire Chief and Mayor	40,000.00
Harbormaster	R/A WI STORAGE	2368	To Fund Capital items for Harbormaster, maintenance costs of equipment and maritime access projects.	Fees charged for Boat and Float Storage at Winter Island and Kernwood Marina	Harbormaster and Mayor	55,000.00

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Health Dept	Health Clinics	2364	To support vaccination program and other Health Promotion activities of the Health Department	Reimbursements from vaccination programs	Health Agent and Mayor	20,000.00
Mayor	Special Events	2361	To cover expenses for Fireworks, bands, portable potties and other unanticipated expenditures	Revenue from RFP's for services from vendors, and from misc sponsorships.	Mayor	125,000.00

Dept.	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2023 Budget Request Maximum Annual Expenditures
Recreation	Winter Island Store	2362	To increase and replenish store inventory as needed and to enhance and maintain Winter Island Store & Facilities.	Revenue from sale of inventory/services at Winter Island.	Recreation Director and Mayor	40,000.00
Recreation	Proctor's Ledge	2384	For Maintenance of Proctor's Ledge site	Revenue of 25 cents from the sale of each ticket at the Witch House.	Recreation Director and Mayor	12,000.00
Recreation	Road Race Fees	2385	For Park Maintenance	Field rental fees and five percent of race and event registration fees.	Recreation Director and Mayor	6,000.00
Recreation	Dog Park	2435	Renovations and Maintenance of Dog Park at Leslie's Retreat Park.	Fee charged for pass to use dog park (pooch pass). \$25. annually for pass.	Recreation Director and Mayor	5,000.00
Recreation	Park & Rec Public Access	2452	To be used for the operation and maintenance of Winter Island and McCabe Marina	Parking and launch fees charged at McCabe Marina & Winter Island	Recreation Director and Mayor	50,000.00
Recreation	Salem Willows Meters	2459	Renovations and Maintenance of Willows Park.	Money generated from Willows Meters	Recreation Director and Mayor	30,000.00
Recreation	Witch House	2499	To support Salem Award committee and the Salem Witch Trial Memorial	25 cent surcharge to tickets beginning in May 2009	Recreation Director and Mayor	10,000.00
Planning & Community Development	Old Town Hall	2373	Maintenance costs of old town hall	Rental revenue of old town hall	Director of Planning and Mayor	50,000.00

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Planning & Community Development	Derby Square/Artists' Row	2375	Improvements for Derby Square and Artists' Row including outdoor furniture, signage, lighting, public art, marketing and stipends for performers	Vendor fees from Derby Square Flea/Salvage Art Market, Rent and Vendor Fees at Artists Row	Director of Planning and Mayor	50,000.00
Sustainability/ Planning & Community Development	Utility Energy Credit Fund	2377	To be used for City projects or programs that reduce utility costs, use, and/or emissions. This may include personnel costs associated with participation in the programs that generate the credits.	Credits or payments received for City projects or programs that specifically result in reduction in utility costs, use, or emissions.	Director of Planning and Mayor	250,000.00
Planning & Community Development	Bike Sharing	2383	To receive and expend revenue from bike share program for system operation and promotion	Revenue from rentals and annual memberships	Director of Planning and Mayor	50,000.00

Dept.	Fund Name	Fund #	Programs & Purposes	Type of Receipts Credited	Authorization for Spending	FY 2023 Budget Request Maximum Annual Expenditures
Planning & Community Development	Salem Ferry/Salem Wharf Operational	2453	Fund operational costs of the Salem Ferry and operating, maintenance, capital repairs, security, utilities related to Salem Wharf	Fees received during the season for leasing of the Salem Wharf, MBTA Salem Passes, and fuel reimbursements	Director of Planning and Mayor	500,000.00
Insp Services	Abandoned Prop Maint	2371	To maintain abandoned and foreclosing residential and commercial properties	Registration fees (\$300.00) for vacant and/or foreclosing residential properties.	Inspectional Services Director and Mayor	85,000.00
Public Services	Tree Replacement	New 2330	To replace trees removed during construction as directed by the Tree Warden or Planning Board	Revenue from contributions per the Tree Ordinance or Planning Board decision	Director of Public Services And Mayor	30,000.00
Engineering	Traffic Island	2439	Projects related to City beautification events including Traffic Island, Beautification, and special events	Primarily from: Traffic Island Sponsorships, Special Events Revenues, Event and Beautification effort sponsors	City Engineer and Mayor	20,000.00
					Totals	1,518,000.00

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#384- ORDINANCE AMENDING RATES FOR USE OF WATER

The following ordinance submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

An Ordinance to amend an Ordinance relative to Rates for Use of Water

Be it ordained by the City Council of the City of Salem, as follows:

Section I. Chapter 46, Section 66 is hereby amended by deleting subparagraph (b) in its entirety and replacing it with the following:

“(b) The rate for all water furnished by meter measurements effective July 1, 2022, shall be as follows:

(1) Residential, per 100 cubic feet \$3.72

(2) Nonresidential, per 100 cubic feet \$5.04

Section 2. Chapter 46, Section 66 is hereby further amended by deleting subparagraph (e) in its entirety and replacing it with the following:

“(e) The minimum rate for residential metered water for each quarter shall be \$37.20 per 1000 cubic feet effective July 1, 2022.

The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

Section 3. This Ordinance shall take effect as provided by City Charter.

#385 - ORDINANCE AMENDING RATES FOR SEWER USER CHARGES

The following ordinance submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole.

An Ordinance to amend an Ordinance relative to Sewer User Charges

Be it ordained by the City Council of the City of Salem, as follows:

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Section I. Chapter 46, Section 230 is hereby amended by deleting subsection (c) in its entirety and replacing it with the following:

“(c) The rates for sewer use charges effective July 1, 2022, shall be as follows:

Residential, per 100 cubic feet...	\$ 7.58
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Nonresidential, per 100 cubic feet up to 25,000 cubic feet per month	\$11.48
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Nonresidential, per 100 cubic feet for 25,000 cubic feet and greater per month	\$14.70
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The use of all water and sewer funds and SESD funds shall be excluded from all private development projects.”

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

#386 - ORDINANCE AMENDING RATES FOR SOLID WASTE FEES (TRASH)

The following ordinance submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole

In the year Two Thousand and Twenty-Two

An Ordinance to amend an ordinance relative to solid waste management.

Be it ordained by the City Council of the City of Salem, as follows:

Section 1.

1) Chapter 36, Section 36-6 Collection fee for certain residences is hereby amended by deleting the fee of “\$20.00” as it appears in paragraph (a) and replacing it with the fee of “\$20.50” and further amending this paragraph (a) by deleting the fee of “\$127.00” and replacing it with a fee of “\$130.25”.

2) Chapter 36, Section 36-8 Collection fee for certain commercial establishments is hereby amended by deleting the fee of “\$29.00” and replacing it with the fee of “\$29.75”.

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

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#387 – ZONING ORDINANCE AMENDING HALLOWEEN PARKING OVERLAY DISTRICT

The following Zoning Ordinance Amendment was referred to the Planning Board to hold a Joint Public Hearing.

In the year Two Thousand and Twenty-two

An Ordinance to amend an ordinance relative to special district regulations.
Be it ordained by the City Council of the City of Salem, as follows:

Section 1. The City of Salem Zoning Ordinance Section 8.0 – Special District Regulations is hereby amended by adding a new sub-section as follows:

“8.7 – HALLOWEEN PARKING OVERLAY DISTRICT

8.7.1 Purpose

The purpose of the Halloween Parking Overlay District (“HPOD”) is to augment the underlying zoning regulations in the overlay district to allow for additional necessary off-street parking during periods of peak demand associated with the Halloween season.

8.7.2 Establishment of Halloween Parking Overlay District

The Halloween Parking Overlay District is hereby established and consists of the area(s) shown on the Map entitled “Halloween Parking Overlay District” on file with the City Clerk, as it may, from time to time, be amended.

8.7.3 Permitted Uses

1. Any use permitted in the underlying zoning district shall be a permitted use in the HPOD.
2. In addition, each year during the period beginning on the Friday preceding October 1 and ending on the first Monday after October 31, Lots in the HPOD lawfully in use for non-residential purposes may be used for independent public parking as follows:
 - a. Parking on any Lot shall only be permitted in spaces that are lawfully existing off-street parking and
 - b. Subject to any regulation adopted by the Traffic and Parking Commission which may include, but not limited to, an application and fee.”

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

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#388 – INCREASE COST OF LIVING ADJUSTMENT BASE FOR RETIREES TO \$15,000.00

The following Order submitted by the Mayor was adopted by a roll call vote of by 10 yeas, 0 nays, 1 absent. Councillor Prosniewski recused himself from this matter and was recorded as absent.

An Order Approving An Increase Of The Cost-Of-Living Adjustment Base To \$15,000 Pursuant To Massachusetts General Laws, Chapter 32, §103j

ORDERED: That, pursuant to MGL c. 32, § 103(j), an increase of the maximum base upon which the cost-of-living adjustment is calculated shall be increased from \$12,000 to \$15,000 for all retirees and beneficiaries of the Salem Contributory Retirement System effective July 1, 2022.

Councillor Riccardi requested and received suspension of the rules to allow the Executive Director or any of the Board members to speak.

Councillor Cohen stated these are people who served the city so it makes sense to increase the COLA.

Councillor Dominguez stated how professional the board is functioning this year. The retirees worked for us and now it is time for us to do for them.

#389 – RESOLUTION TO ACCEPT GRANTS FROM EEA FOR FOREST RIVER PARK

The following resolution submitted by the Mayor was referred to the Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole.

RESOLUTION TO FILE AND ACCEPT GRANTS WITH AND FROM THE COMMONWEALTH OF MASSACHUSETTS, EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS FOR THE LAND AND WATER CONSERVATION FUND GRANT PROGRAM FOR IMPROVEMENTS TO THE FOREST RIVER PARK for the FOREST RIVER OUTDOOR RECREATION & NATURE CENTER

Whereas: The Forest River Park is by far a community-wide asset and the preservation and improvements to this facility are a City priority as evidenced in the most recent Open Space and Recreation Plan; and

Whereas: The Forest River is dedicated to park and recreation purposes under M.G.L. Chapter 45, Section 3; and

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Whereas: The Forest River Park's ultimate restoration, guided in principle by the Open Space Plan, will greatly enhance this facility with improved pool, water recreation, infrastructure, path systems, site lighting, universal access, nature education opportunities, wildlife viewing, bathhouse, tree and landscape planting, restored coastal resource areas etc.; and

Whereas: The main focus of the project is to provide an accessible, affordable, resilient pool, recreation, and nature center for use by Salem residents and other communities. This overall cost and fiscal budget constraints prevented the City from proceeding forward with implementation as one project; and

Whereas: The project was instead viewed as a series of phases, to be implemented over time, by priority as fiscal resources were available, with the intention of securing grant funding, when and if available, to assist in this effort; and

Whereas: The Executive Office of Energy and Environmental Affairs (EEA) is offering reimbursable grants to cities and towns to support the preservation and restoration of urban parks through the Land and Water Conservation Fund Act (P.L. 88-578, 78 Stat 897); and

Whereas: the Forest River Outdoor Education and Nature Center will cost a total of \$13.1M (Thirteen million, one hundred thousand dollars) and the City has allocated \$13.1M in Community Preservation Act Funds, capital improvement plan bonds, bond premiums, water and sewer enterprise bonds, and other sources.

NOW, THEREFORE, BE IT RESOLVED

1. That the Mayor be and is hereby authorized to file and accept grants from the Executive Office of Energy and Environmental Affairs; and
2. That the Mayor be and is hereby authorized to take such other actions as are necessary to carry out the terms, purposes, and conditions of this grant to be administered by Parks and Recreation and Engineering Departments; and
3. That this resolution shall take effect upon passage

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#390 – RESOLUTION RECOGNIZING HALE BRADT FOR HIS COMMITMENT TO HISTORIC PRESERVATION

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

Resolution: Recognizing Hale Bradt for his commitment to historic preservation

WHEREAS: Around 1910 the Almy, Bigelow & Washburn Department Store on Essex Street in Salem, close to its 50th anniversary, installed an E. Howard Clock Company post clock outside its store; and,

WHEREAS: As part of a refurbishment in the 1980s, the original clock faces were removed and new ones added to the clock; and,

WHEREAS: In 2021 the City of Salem began a preservation project to restore and refurbish the clock as an important landmark and reminder of downtown Salem's important role in the 20th century commercial economy of the region and in the memories of generations of Salem residents who have fond remembrances of shopping or working at Almy's and other large department stores of the time; and,

WHEREAS: As part of that current historic preservation and restoration project on the clock, the 1980s faces were removed to be replaced by more historically appropriate faces; and,

WHEREAS: Mr. Hale Bradt, a Salem resident of the Essex Condominiums next to the clock, played a leading role in volunteer efforts to repaint the clock and faces and repair the clock workings over the past many years, and was a vocal advocate for the clock's restoration; and,

WHEREAS: When Electric Time Co. removed the 1980s faces for the current preservation project, Mr. Bradt, at his own expense, paid to have the 1980s faces electrified and kept operable, one to be displayed in the Essex Condominiums, which has supplied the electricity to keep the clock operating since Almy's closed in 1985, and the other in a City building for public viewing.

NOW THEREFORE BE IT RESOLVED: That the Mayor and City Council do hereby recognize and honor Hale Bradt on National Preservation Month May 2022 for his many years of commitment to the community and to the preservation and restoration of the historic Almy's Clock and his generosity and dedication in saving and sharing for future generations a unique and special symbol of Salem's 20th century history, and direct the City Clerk to provide a copy of this Resolution and a Seal of the City of Salem to Mr. Bradt in appreciation for his efforts.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#391 – MEETING WITH PLANNING BOARD TO REVIEW AND APPROVE A SALEM HOUSING ROAD MAP

The following request from the Mayor was referred to the Committee of the Whole.

Communication from the Mayor regarding the Salem Housing Roadmap: A Housing Plan for All.

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

In the fall of 2021, the City of Salem kicked off a planning process to develop the *Salem Housing Roadmap: A Housing Plan for All*. The Housing Roadmap is intended to serve as the City of Salem's Housing Production Plan, a state-recognized planning tool that assists municipalities in identifying the location, type, and pace of affordable housing development. I am pleased to inform you that the draft plan will be ready for review in June and that it will be transmitted to you and posted publicly for review in the coming weeks.

The Roadmap has been guided by a Steering Committee comprised of City Councillors, members of the Affordable Housing Trust Fund Board, Planning Board, Housing Authority, Board of Health, Redevelopment Authority, Salem for All Ages, public schools, Council on Aging, and affordable housing finance professionals. Thanks to the tremendous efforts of the Steering Committee, over 500 points of community participation have occurred to date through stakeholder interviews, focus groups, online community forums, online and paper surveys, and Meeting-in-a-Box sessions. Through the multiple engagements people have shared their perspectives on housing needs, issues, and opportunities in Salem and set the direction for the Roadmap's vision, goals, and strategies.

The next step is to refer the matter to a mid-June meeting with the Committee of the Whole and the Planning Board to review and approve the plan. That meeting should take place after the draft plan has been completed and shared with you, the Planning Board, and the public, and with enough time to allow for people to read it prior to the meeting. I look forward to discussing the Roadmap with you and invite you to contact Amanda Chiancola, Deputy Director of Planning and Community Development, if you have any questions regarding this initiative.

Sincerely,
Kimberley Driscoll, Mayor, City of Salem

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#392 – DISCUSS PROPOSED ORDINANCE AMENDMENTS RELATIVE TO CH. 8 - ANIMALS

The following order introduced by Councillor Merkl and Councillor Varela was adopted.

ORDERED: That the Committee on Public Health, Safety and Environment co-posted with the Committee of the Whole meet to discuss proposed ordinance amendments relative to Ch. 8 Animals.

#393 – LEGAL DEPARTMENT REVIEW REPLACING THE WORD MARIJUANA WITH CANNABIS

The following order introduced by Councillor Varela was adopted.

ORDERED: That the Salem Legal Department be requested to review the language within the Salem Zoning Ordinance Ch. 6.10 Marijuana Establishments and the Salem Code of Ordinances Ch. 24, Sec. 30 – Retail Marijuana establishments; limits and recommend amendments to these Ordinances to replace the word “marijuana” with the word “cannabis.”

Councillor Varela stated the word Marijuana has a anti Mexican sentiment. The money received from Cannabis sales should be put into diverse programs.

Councillor Watson-Felt stated that words matter, semantics matter. It’s worth a conversation.

Councillor Prosniewski agrees that semantics matter, but may have legal implications.

Councillor Varela has had conversation with the City Solicitor and is looking into this to see if this can be changed.

#394 – TRAFFIC ORDINANCE AMENDING HANDICAP PARKING – RIVERVIEW ST.

The following ordinance introduced by Councillor Varela was adopted for first passage.

In the Year Two Thousand and Twenty-Two

An Ordinance to amend an Ordinance relative to Traffic

Be it ordained by the City Council of the City of Salem, as follows:

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Section I. Chapter 42 Section 50B – Handicap Zones, Limited Time shall be amended by adding:

Riverview Street – One Handicap Parking space to be added on Riverview Street. The space will begin approximately 63 feet from Loring Avenue, running for twenty (20) feet

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

#395 – POLLING LOCATION FOR WARD 2 SHALL BE THE COMMUNITY LIFE CENTER

The following order introduced by Councillor Watson-Felt was adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

ORDERED: That the permanent Polling Location for Ward 2, Precinct 1 and 2 shall be the Community Life Center located at 401 Bridge Street.

Councillor Watson-Felt stated the polling location was moved to the Community Life Center due to having increase physical distancing due to Covid. It has better lighting, better parking, better accessibility. The ventilation is much safer. The data provided did not reflect that this move does not work.

Now it is more walkable due to the new sidewalks and better pedestrian lights. Better access and safety all around. It's accessible for everyone.

#396 – RESOLUTION – JUNE PRIDE MONTH

The following resolution introduced by Councillor Watson-Felt adopted by a unanimous roll call vote of 11 yeas, 0 nays and 0 absent.

Resolution: June Pride Month

WHEREAS, In the month of June, for over 50 years, Lesbian, Gay, Bisexual, Transgender, Queer, Questioning, Intersex, Asexual, A-romantic, and A-gender people across the country have commemorated and memorialized the anniversary of the “Christopher Street Uprisings” – of which the Stonewall Uprising is the most known – a pivotal moment in LGBTQIA+ history; and

WHEREAS, June was first historically and civically designated as Gay Pride Month by President Clinton in June 2000; and

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

WHEREAS, “Pride Month” is an opportunity to memorialize members of the LGBTQIA+ community who have been lost to us, and who are still dying every day, from the AIDS epidemic and the fallout ripple effects of those terrible days, from hate and violence, from suicide, and the perils of living on the streets when young people are neglected and excommunicated from their families and communities; and

WHEREAS, while society at large increasingly supports LGBTQIA+ equality, it is essential to acknowledge that the need for education and awareness remains vital to end discrimination and prejudice and “Pride month” is a life affirming opportunity to celebrate our diversity and bring awareness and strong allyship to the ongoing struggles of the LGBTQIA+ community – especially at this time of the “Don’t Say Gay” bill and increasing legal and bodily threats to the dignity, humanity, and safety of transgender and non-binary people in America and;

WHEREAS, Salem has long been a community of diversity, acceptance, and inclusion and acknowledges that Salem’s LGBTQIA+ residents make great contributions to all aspects of life in Salem as business owners, artists, public and private leaders, educators, doctors, lawyers, civil servants, volunteers, and more; and

WHEREAS, Salem wishes to honor the important history of the LGBTQIA+ liberation movement which includes the historic and ongoing fight for equitable treatment in healthcare, fair and equal legal rights, justice, and accurate education of the history and lives of the LGBTQIA+ community; and

WHEREAS, Salem wishes to acknowledge, support, and actively work to advance the rights of the broadly intersectional diversity of our community, here in our City of Peace, to ensure all citizens experience equality and freedom from discrimination; and

WHEREAS, the City of Salem will once again raise the Inclusivity flag on June 1st in downtown Salem, will paint designated crosswalks in Salem with the colors of the rainbow, and will act as host for the North Shore Pride Parade as means of showing support of the LGBTQIA+ community and to celebrate our diversity and shared humanity;

NOW, THEREFORE BE IT RESOLVED, by the City Council of Salem, in partnership with Her Honor Mayor Kimberley Driscoll, hereby proclaim the month of June 2022 as Pride Month in Salem, Massachusetts, and encourages all people to share in the Pride of our LGBTQIA+ neighbors.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#397 – TAG DAY APPLICATION FOR SHS TENNIS

The following order introduced by Councillor Riccardi was adopted.

Ordered: That the Tag Day Application License for SHS Tennis for June 4th be granted.

#398 – (#348) - \$623,146.00 FOR CORRECTIVE INFRASTRUCTURE AT MUSEUM PLACE GARAGE

Councillor McCarthy offered the following report for the Committee on Administration and Finance co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Administration and Finance co-posted with the Committee of the Whole to whom was referred the matter of a \$623,146.00 appropriation to fund needed corrective infrastructure measures at the Museum Place Garage, has considered said matter and would recommend adoption.

#399 – (#270) – POLICE INSTALLING VIDEO SURVEILLANCE EQUIPMENT IN CERTAIN LOCATIONS

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.

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of the Salem Police Department installing Video Surveillance Equipment in Certain Locations, has considered said matter and would recommend adoption.

The locations include the Fire Stations so the Ballot Drop Boxes can be monitored.

#400 – (#103) – ZONING ORDINANCE RELATIVE TO VISIBILITY AT INTERSECTIONS

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.

REGULAR MEETING

The Committee on Ordinances, Licenses and Legal Affairs co-posted with the Committee of the Whole to whom was referred the matter of Zoning Ordinance relative to Visibility at Intersections has considered said matter and had no report to bring out. All votes ended in committee ended in a 2 to 2 tie therefore the matter failed in committee. No other motion was brought up on the floor.

#401 – (#363 & #364) – 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 of Certain Licenses; has considered said matter and would recommend the following license be granted:

Salem Veterans Council May 27th, 29th & 30th, 2022
July 1st, 2nd, 3rd & 4th, 2022
November 4th, 5th & 6th, 2022

SHS Marching Band December 3, 2022

#402 – (#239) – PETITION FOR NO VENDORS ON THE SALEM COMMON IN 2022

Councillor Hapworth offered the following report for the Committee on Government Services. It was voted to accept the report and adopt the recommendation.

The Committee on Government Services to whom was referred the matter of a Petition from Alan Hanscom requesting no vendors on the Salem Common for 2022 (Temporarily) has considered said matter and would recommend that the matter remain in committee.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#403 – (#230) – PRESENTATION BY SUPT. OF SCHOOLS TO GIVE UPDATE ON SALEM PUBLIC SCHOOLS

Councillor McCarthy assumed the chair.

Councillor Morsillo offered the following report for the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee of the Whole to whom was referred the matter of meeting with Superintendent of Salem Public Schools for a presentation and to update the City Council on Salem Public Schools, has considered said matter and would recommend that the presentation be received and filed.

Councillor Morsillo assumes the chair.

#404 – (#19 & #404A) – FOODWARE AND PACKAGING ORDINANCE

Councillor Prosniewski offered the following report for the Committee on Public Health Safety Environment co-posted with the Committee of the Whole. It was voted to accept the report and adopt the recommendation.

The Committee on Public Health Safety Environment co-posted with the Committee of the Whole to whom was referred the matter of an Ordinance to establish a foodware & packaging ordinance has considered said matter and would recommend adoption for first passage.

#405 – PLANNING BOARD REAPPOINTING KIRT RIEDER TO THE TREE COMMISSION

The following reappointment was confirmed by a majority vote of the City Council, per Ch. 43 Sec. 12.

Dear Ms. Simons:

At its regular meeting on Thursday, May 19, 2022, the Planning Board voted five (5) in favor (Bill Grisct, Kirt Rieder, Carole Hamilton, Tom Furey, and Zachary Caunter) and zero (0) opposed to designate Planning Board Member Kirt Rieder to serve on the Tree Commission, for a 3-year reappointment with a term to expire May 23, 2025, pending confirmation by a majority vote of the City Council. Please place this on the next available City Council meeting agenda for confirmation.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

If there are any questions regarding this matter, please feel free to contact me at 978-619-5685, extension 42513.

Sincerely,
 Elena Eimert
 Planner, City of Salem

Cc: Bill Griset, Chair

#406 – APPROPRIATION OF \$966,500.00 FOR THE FY2023 CPA FUNDS AND ACCOUNTS

The following Order was submitted by Jane Guy, Planning Department was adopted.

Ordered: That Nine Hundred Sixty-Six Thousand, Five Hundred Dollars (\$966,500.00) is hereby appropriated to the CPA Funds for FY 2023 to the accounts listed below in accordance with the recommendation of Her Honor the Mayor.

Fund	Description	Org/Obj	Amount
2001	CPA - General Admin - Expenses	2001323-5713	48,325.00
2001	CPA - General Admin - Stipends	2001323-5150	5,000.00
2001	CPA - General Admin - Reserves	2001323-5000	593,225.00
2002	CPA - Open Space - Reserves	2002323-5000	106,650.00
2003	CPA - Historical Preservation - Reserves	2003323-5000	106,650.00
2004	CPA - Community Housing - Reserves	2004323-5000	106,650.00
			966,500.00

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#407 – APPROPRIATION OF \$1,173,078.66 FROM CPA FUNDS FOR FY2023 PROJECTS

The following Order submitted by Jane Guy, Planning Department was adopted.

ORDERED: That One Million One Hundred Seventy-Three Thousand Seventy-Eight Dollars and Sixty-Six Cents (\$1,173,078.66) is hereby appropriated within the CPA Funds for the FY 2023 projects listed below in accordance with the recommendation of the Community Preservation Committee (CPC)

FY2023 CPA Funding Requests						
FY	Fund	Fund Name	Description	Funding	Amount	Total
2023	2001	CPA General Funds	Leefort Terrace	FY23 Fund Balance	93,350.00	
2023	2004	Community Housing	Leefort Terrace	FY23 Housing Reserve	106,650.00	200,000.00
2023	2001	CPA General Funds	Residences at St. James	FY23 Fund Balance	166,553.66	
2023	2001	CPA General Funds	Residences at St. James	FY23 Budgeted Reserve	83,446.34	250,000.00
2023	2001	CPA General Funds	Palmer Cove Park	FY23 Budgeted Reserve	115,000.00	115,000.00
2023	2003	Historical Resources	Salem Deed Conservation	FY 23 Historic Reserve	15,430.00	15,430.00
2023	2001	CPA General Funds	Replacement of Floating Docks	FY23 Budgeted Reserve	96,500.00	96,500.00
2023	2003	Historical Resources	Pickering House Front Façade Replacement	FY 23 Historic Reserve	80,000.00	80,000.00
2023	2003	Historical Resources	Dickson Memorial Chapel Stained Glass Window Restoration	FY 23 Historic Reserve	11,220.00	
2023	2001	CPA General Funds	Dickson Memorial Chapel Stained Glass Window Restoration	FY23 Budgeted Reserve	48,780.00	60,000.00
2023	2001	CPA General Funds	St. Peter's Church Coping Stone Reinstallation and Cellar Window Preservation	FY23 Budgeted Reserve	40,000.00	40,000.00
2023	2001	CPA General Funds	Volunteer Bridge, Forest River Conservation Area (rehabilitation & improvements)	FY23 Budgeted Reserve	66,148.66	66,148.66
2023	2002	Open Space/Rec	Salem Willow s Pier	FY2023 O/S Reserve	106,650.00	
2023	2001	CPA General Funds	Salem Willow s Pier	FY23 Budgeted Reserve	143,350.00	250,000.00
					1,173,078.66	1,173,078.66
				Total Housing-- >		106,650.00
				Total Historic-- >		106,650.00
				Total Open Space/Rec-- >		106,650.00
				Total FY23 Budget Reserve-- >		593,225.00
				Total FY23 Fund Balance-- >		259,903.66
				Grand Total-- >		1,173,078.66

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

#408 – BLOCK PARTY – SUMMIT AVENUE

The request from the residents of Summit Ave. to hold a Block Party June 18, 2022, from 4:00 P.M. – 6:00 P.M. was granted.

#409 – REQUEST FROM CULTURAL COUNCIL FOR A CITY COUNCIL LIAISON

A request from the Cultural Council to have a Salem City Council Liaison was referred to the Committee on Government Services.

#410 – PUBLIC GUIDES LICENSE APPLICATIONS

The Following License Applications were granted.

PUBLIC GUIDES: Henry Lawrence Juckett III 18 Russell St., Marblehead
Jonathan Kieran 52 Buffum St., Salem

#411 – DRAINLAYER / CONTRACT OPERATOR LICENSE APPLICATIONS

The Following Contract Operator/Drainlayer Licenses were granted.

Murray Masonry and More 85 Constitution Ln. Ste 1C, Danvers
Strong Back Systems 31 Dudley Rd., Billerica

#412 - #413 – CLAIMS

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

McKenzie Dalton 3 Abbey Road, Georgetown
Eric Cambria 16 Horton St., Salem

#414 - #415 – BONDS

The Following Drainlayer Bonds were referred to the Committee on Ordinances, Licenses and Legal Affairs and returned approved.

Murray Masonry and More 85 Constitution Ln. Ste 1C, Danvers
Strong Back Systems 31 Dudley Rd., Billerica

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

(#18) - ZONING ORDINANCE AMENDMENT RELATIVE TO GREEN INFRASTRUCTURE

The Second Passage of Ordinance to amend Zoning relative to Green Infrastructure was then taken up. It was adopted for second and final passage 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 3.1 Table of Principal and Accessory Use Regulations by inserting the following uses within C. Commercial Uses and E. Accessory Uses:

<i>C. Commercial Uses</i>	RC	R1	R2	R3	B1	B2	B4	B5	BPD	NRCC	I
Medium-Scale Ground Mounted Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Large-Scale Ground Mounted Solar Energy System	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
<i>E. Accessory Uses</i>											
Canopy Mounted Solar Energy System	Y	Y	Y	Y	Y	N	N	N	N	-	PB
Roof-Mounted Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Small-Scale Ground Mounted Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Medium-Scale Ground Mounted Solar Energy System	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y

Section 2. Amend Section 4.1.2 Notes to Table of Dimensional Requirements by inserting the phrase “roof-mounted solar energy systems” immediately following the word “ventilators” as it appears in paragraph 7 and further amend this Section by inserting the following new paragraphs:

“8. Small- and medium-scale ground mounted solar energy systems accessory to principal use may be located no closer than ten (10) feet from the front, side, or rear lot line.

9. Lot Coverage-Ground mounted solar energy systems shall not count towards building coverage as defined in Section 10.0 definitions.”

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Section 3. Amend Section 6 Special Regulations by adding the following new section:

“Section 6.12-Solar Energy Facilities

6.12.1 Purpose. The purpose of this section is to accommodate solar energy facilities in appropriate locations, while minimizing any adverse visual, safety, and environmental impacts of the facilities.

6.12.2 Applicability. This section applies to all uses identified as requiring a site plan review per Section 9.5.2 or a special permit for ground mounted solar energy facilities per Section 3.1, Table of Uses.

6.12.3 Siting Preferences. Where a solar facility is sited, as well as placement on the site once selected, is an important consideration. The City strongly discourages locations that result in significant loss of land and natural resources, including farm and forest land, and encourages rooftop siting, as well as locations in industrial and commercial districts, or on vacant, disturbed land. Significant tree cutting is problematic because of the important water management, cooling, and climate benefits trees provide.

6.12.4 Dimensional Regulations

1. Height- For primary uses see Section 4, Table 4.1.1. For accessory uses see Section 4.1.2.7
2. Setbacks- For primary uses see Section 4, Table 4.1.1. For small- and medium-scale ground mounted solar energy systems accessory to principal use may be located no closer than ten (10) feet from the front, side, or rear lot line. All ground-mounted solar energy systems in residential districts shall be installed either in the side yard or rear yard to the extent practicable.
3. Lot Coverage-Ground mounted solar energy systems shall not count towards building coverage as defined in Section 10.0 definitions.

6.12.5 Special Permit.

1. The Planning Board is hereby designated the Special Permit Granting Authority (SPGA) for solar energy systems. The SPGA shall adopt rules relative to the application for special permits for ground mounted solar plan approval and file a copy with the City Clerk. After notice and public hearing and after due consideration of the reports and recommendations of other city boards, commissions and or departments, the SPGA may grant such a permit. The SPGA shall also impose any applicable conditions determined by the SPGA to be reasonably appropriate to improve the site design and to serve the purposes of this section.
2. The Planning Board shall include as part of its special permit review and proceedings all the provisions and requirements of the Site Plan Review standards applicable to large-scale ground-mounted solar energy systems. See Section 9.4 for additional Special Permit Requirements.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

6.12.6 Large and Medium Scale Ground Mounted Solar Energy System Site Plan Review

1. Site Plan Documentation Required. In addition to the requirements of Section 9.5, the following items shall be included:

- (a) Scaled drawings or designs of the solar energy system showing the proposed layout of the system, any potential shading from nearby structures, the distance between the proposed solar collector and all property lines and existing on-site buildings and structures, and the tallest finished height of the solar collector;
- (b) Documentation of the major system components to be used, including the panels, mounting system, and inverter(s);
- (c) Additional requirements for large scale ground mounted solar energy systems
 - (i) One or three line electrical diagram detailing the solar photovoltaic installation, associated components, and electrical interconnection methods, with all Massachusetts Electric Code (527 CMR 12.00) compliant disconnects and overcurrent devices;
 - (ii) Documentation of actual or prospective access and control of the project site (see also Solar Design Guideline Document);
 - (iii) An operation and maintenance plan (see Solar Design Guideline Document);
 - (iv) Proof of liability insurance; and
- (d) Decommissioning plan, including details from 6.12.7.2.a-b.

6.12.7 Large and Medium Scale Ground Mounted Solar Energy System Maintenance, Removal, and Abandonment

1. Monitoring and Maintenance.

- (a) Solar Energy System Installation Conditions - The ground-mounted solar energy system owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Building Commissioner. The owner or operator shall be responsible for the cost of maintaining the solar energy system and any access road(s), unless accepted as a public way.
- (b) Modifications - All material modifications to a ground-mounted solar energy system made after issuance of the required building permit shall require approval by the Site Plan Review Authority.

2. Abandonment or Decommissioning

- (a) Removal Requirements-Any ground-mounted solar energy system which has reached the end of its useful life or has been abandoned consistent with Subsection (b), below of this ordinance shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Site Plan Review Authority by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
 - (i) Physical removal of all solar energy systems, structures, equipment, security barriers and transmission lines from the site
 - (ii) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

(iii) Stabilization and re-vegetation of the site as necessary to minimize erosion. The Site Plan Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(b) Abandonment-Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the large-scale ground-mounted solar energy system shall be considered abandoned when it fails to operate for more than one year without the written consent of the Site Plan Review Authority. If the owner or operator of the solar energy system fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the City retains the right, after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous, or decommissioned large-scale ground-mounted solar energy system. As a condition of Site Plan approval, the applicant and landowner shall agree to allow entry to remove an abandoned or decommissioned installation.

(c) Once decommissioning is complete, the owner shall request an inspection from the City within ten (10) days of removal.

6.12.8 Site Plan Review-Roof-mounted and Small-scale Ground-Mounted Solar Energy Systems

1. Applicability-Where these solar energy systems may be accessory to a use allowed through Site Plan Review, the Site Plan Review shall include review of their adequacy, location, arrangement, size, design, and general site compatibility.

6.12.9 Pre-Existing Non-Conforming Uses and Structures

Improvements that do not change the use or the basic exterior characteristics of the building or structure are allowed. Such improvements include but are not limited to the installation or replacement of solar energy systems.”

Section 4. Amend Section 8.4.15 *Site Plan Review* of Section 8.4 *North River Canal Corridor Neighborhood Mixed Use District* by inserting the following additional site plan requirement as the fourth requirement and renumbering the requirements to a total of five:

“4. Adequate net-zero-energy plan;”

Section 5. Amend Section 9.4.2 *Criteria* of Section 9.4 *Special Permits* within Section 9 *Administration and Procedures* by deleting the following:

“5.Impacts on the natural environment including view; and”

and replacing it with the following:

“5.Impacts on the natural environment including greenhouse gas emissions and view; and”

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Section 6. Amend Section 9.5.2 *Applicability* of Section 9.5 *Site Plan Review* within Section 9 *Administration and Procedures* by adding the following at the end of paragraph number 2:

3. Large scale ground mounted solar energy system in the R3, B2, B4, B5, BPD, NRCC, or I district; or
4. Medium scale ground mounted solar energy system in the RC, R1, R2, or R3 district.”

Section 7. Amend Section 9.5.3 *Application* of Section 9.5 *Site Plan Review* within Section 9 *Administration and Procedures* by deleting the phrases “fifteen (15) copies of” and “include fifteen (15) copies of” as they appear in the first paragraph and further amend this Section by adding the following to the end of this Section:

- “11. Plans depicting the property lines and physical features, including roads, for the project site;
12. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
13. Locations of active farmland, wetlands, permanently protected open space, Priority Habitat Areas and BioMap 2 Critical Natural Landscape Core Habitat mapped by the Natural Heritage & Endangered Species Program (NHESP) and “Important Wildlife Habitat” mapped by the DEP.
14. Locations of floodplains or inundation areas for moderate or high hazard dams; and
15. Locations of local or National Historic Districts.
16. Location, arrangement, size, and design of roof mounted and small-scale ground mounted solar energy systems.”

Section 8. Amend Section 9.5.4 *Narrative* of Section 9.5 *Site Plan Review* within Section 9 *Administration and Procedures* by inserting the Phrase “, including parking with electric vehicle charging stations and parking for bicycles;” at the end of paragraph number 2 and further amending this Section by inserting the following after paragraph number 8 and renumbering the requirements to a total of 10:

- “9. Sustainability and resiliency, including energy planning and alignment with local climate mitigation goals;”

Section 9. Amend Section 9.5.5 *Distribution* of Section 9.5 *Site Plan Review* within Section 9 *Administration and Procedures* by replacing the words “his” with “their” as they appear in the first paragraph and further amending the first paragraph of this Section by inserting the phrase “Head of the Sustainability Department or their designee,” immediately preceding the phrases “Board of Health”.

Section 10. Amend Section 9.5.6 *Review Criteria* of Section 9.5 *Site Plan Review* within Section 9 *Administration and Procedures* by adding the following to the end of this Section:

14. Adequacy and general site compatibility of roof mounted and small-scale ground mounted solar energy systems; and
15. Adequacy of a net-zero-energy plan to outline site energy uptake, creation, and consumption.”

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Section 11. Amend Section 10 *Definitions* by adding the following new definitions:

Net-zero energy site: a site that is optimally efficient, and over the course of a year, generates energy onsite, using clean renewable resources, in a quantity equal to or greater than the total amount of energy consumed onsite.

Net-zero-energy plan: A document outlining a development's energy sources, locations (on or off-site), and consumption. The Plan outlines how the development can become a net-zero energy site, as defined above; or, why achieving net-zero energy site is not possible through renewable resources on-site, given site or other constraints.

Photovoltaic System (also referred to as Photovoltaic Installation): An active solar energy system that converts solar energy directly into electricity.

Rated Nameplate Capacity: The maximum rated output of electric power production of the photovoltaic system in watts of Direct Current (DC).

Solar Access: The access of a solar energy system to direct sunlight.

Solar Collector: A device, structure or a part of a device or structure for which the primary purpose is to transform solar radiant energy into thermal, mechanical, chemical, or electrical energy.

Solar Energy: Radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

Solar Energy System: A device or structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.

Solar Energy System, Active: A solar energy system whose primary purpose is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

Solar Energy System, Canopy-Mounted: An active solar energy system that creates a roof over an existing parking lot; may be of any size (small, medium, large), so long as it complies with Section 3.2.4 Accessory Buildings and Structures.

Solar Energy System, Grid-Intertie: A photovoltaic system that is connected to an electric circuit served by an electric utility.

Solar Energy System, Ground-Mounted: An Active Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale).

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

Solar Energy System, Large-Scale: An Active Solar Energy System that occupies more than 20,001 square feet of surface area (equivalent to a rated nameplate capacity of about 250kW DC or greater).

Solar Energy System, Medium-Scale: An Active Solar Energy System that occupies more than 1,751 but less than 20,000 square feet of surface area (equivalent to a rated nameplate capacity of about 10 - 250 kW DC).

Solar Energy System, Off-Grid: A photovoltaic solar energy system in which the circuits energized by the solar energy system are not electrically connected in any way to electric circuits that are served by an electric utility.

Solar Energy System, Passive: A solar energy system that captures solar light or heat without transforming it to another form of energy or transferring the energy via a heat exchanger.

Solar Energy System, Roof-Mounted: An Active Solar Energy System that is structurally mounted to the roof of a building or structure; may be of any size (small-, medium- or large-scale).

Solar Energy System, Small-Scale: An Active Solar Energy System that occupies 1,750 square feet of surface area or less (equivalent to a rated nameplate capacity of about 10 kW DC or less).

Solar Thermal System: An Active Solar Energy System that uses collectors to convert the sun's rays into useful forms of energy for water heating, space heating, or space cooling."

Section 12. This Ordinance shall take effect as provided by City Charter.

(#178) – ZONING ORDINANCE AMENDMENT RELATIVE TO BRIDGE STREET NECK OVERLAY DISTRICT

The Second Passage of Ordinance to amend Zoning relative to Bridge Street Neck Overlay District. It was adopted for second and final passage 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

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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).
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

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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:

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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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.

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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

- 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.

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

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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 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,

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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)

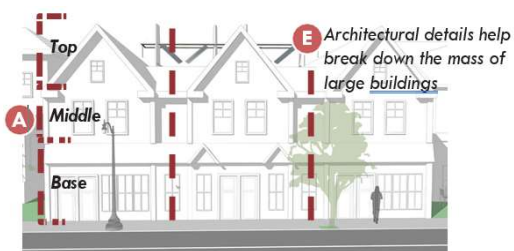


Figure 4: Facade Diagram (2 of 4)



Figure 5: Facade design diagram (3 of 4)



CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

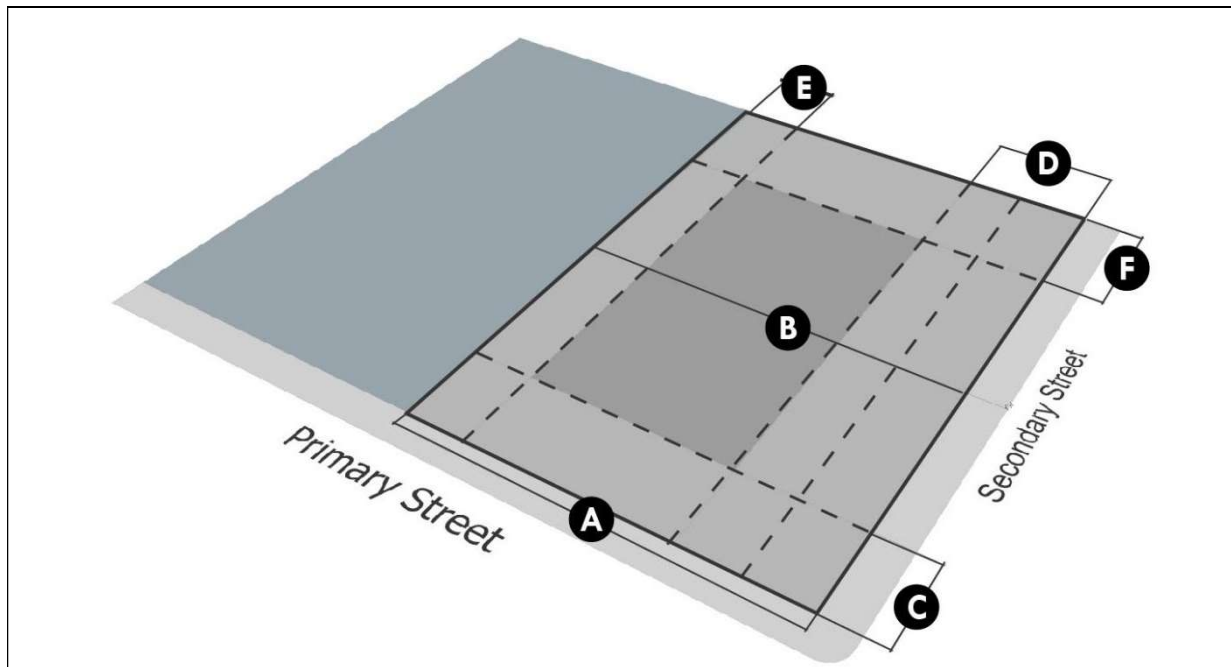
Figure 6: Facade design diagram (4 of 4)



CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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		
--	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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

- 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, 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.

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
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

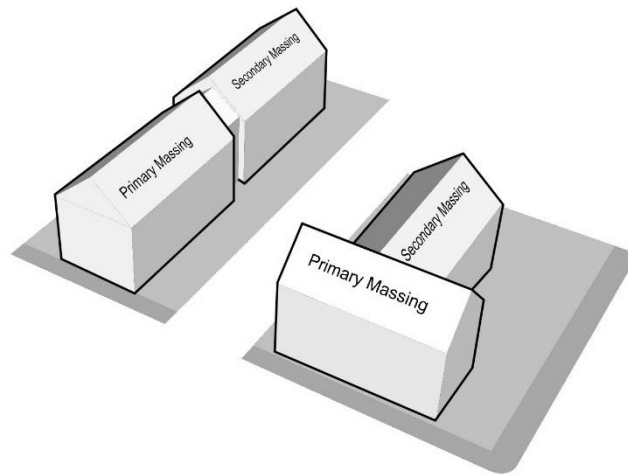
New buildings and substantial building renovations shall be reviewed with reference to the building design standards. If, in the opinion of the Planning Board, deviations from the standards and guidelines contained herein would improve the overall design of the proposed project, the standards in question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

1. The Planning Board may permit multiple buildings and uses on the same lot, provided all standards are met.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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.

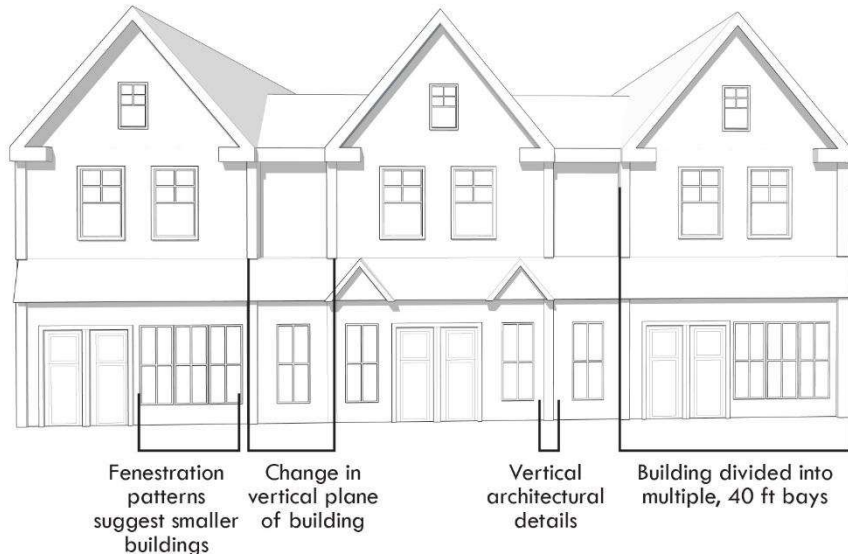
Examples of primary and secondary building mass assembly



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.
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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

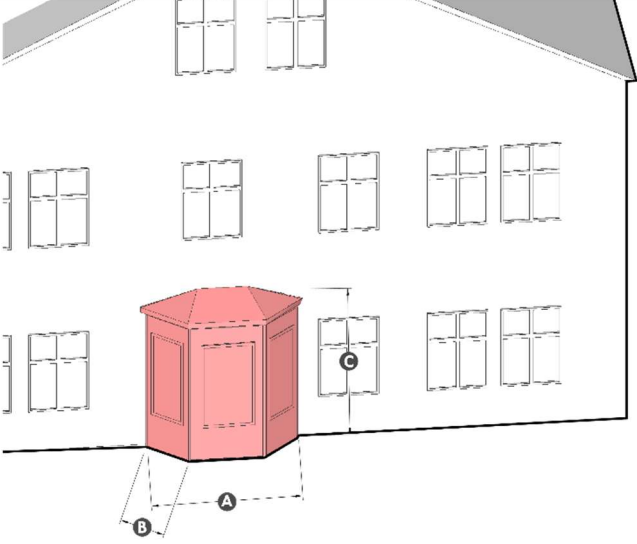
Example of vertical articulation elements



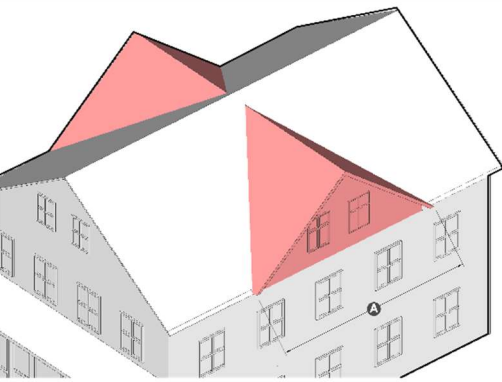
7. Building components are accessory elements integrated into the building's massing that increase a building's usefulness and provide a means for achieving variety and individuality in design.
 - i. The intent of this section is to provide a clear and flexible system for enabling the construction of 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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

i. Bay window

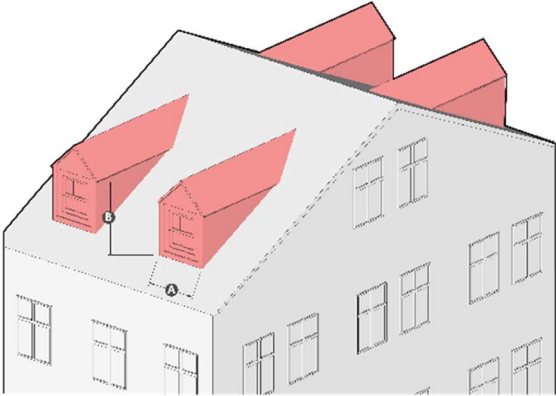
		Description: an enclosed window assembly extending from the face of a building element to permit increased light, multi-dimensional views, and articulate a building façade.
A	Width (max)	16 ft
B	Projection (min / max)	0.5 ft / 4 ft
C	Top Plate height	Max equal to total number of full building stories
--	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

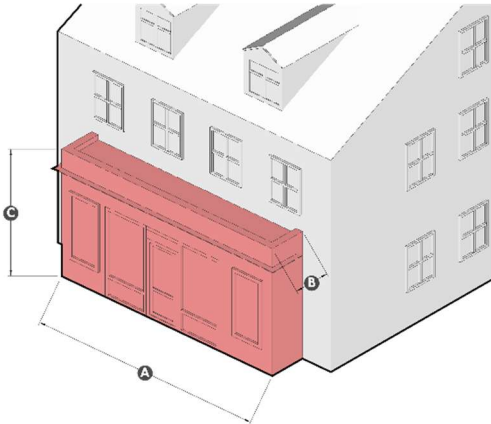
		Description: a gable roof that projects perpendicular from the roof of the primary building to increase the habitable space within the roof
A	Width	Equal to the width of the narrowest building face
--	Fenestration	20% min
Standards: <ol style="list-style-type: none"> 1. Height may not be higher than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

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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. 		

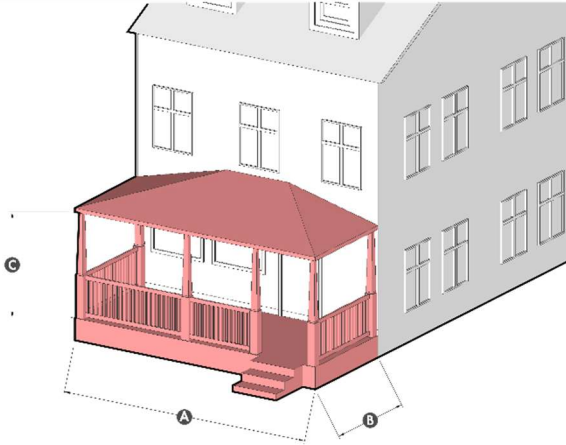
iv. Extended Shopfront

		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
Standards:		

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

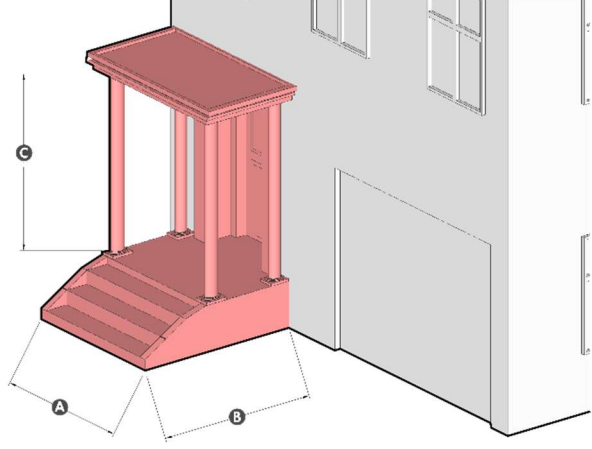
1. Extended shopfronts may wrap around corners of the building face.
2. An extended shopfront may have a flat roof.
3. Extended shopfronts are permitted only on new construction.

v. Porch

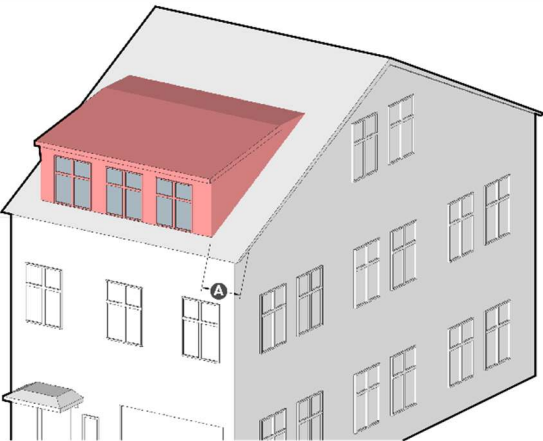
		Description: a raised platform with stairs that provides access to a building entrance.
A	Width (max)	No more than the width of the adjoining building face
B	Projection (min / max)	6 ft / 12 ft
C	Height (min)	7 ft
--	Fenestration (min)	60% when enclosed
Standards: <ol style="list-style-type: none"> 1. 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. 		

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

vi. Portico

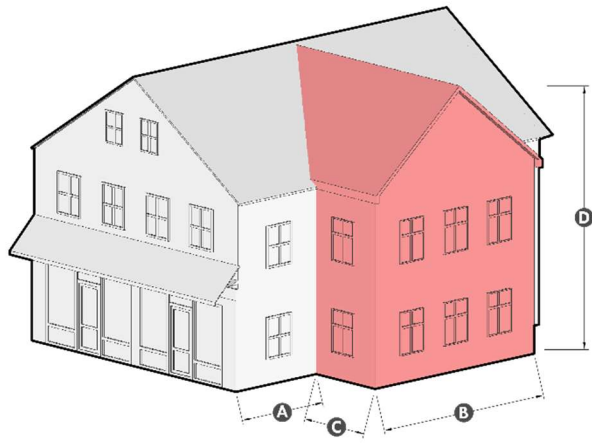
		Description: a roofed structure above a stoop or platform supported on columns or pillars, which shields occupants from inclement weather and provides access to a building entrance.
A	Width (min)	3.5 ft
B	Projection (min / max)	3.5 ft / 6 ft
C	Height (min)	8 ft
Standards: <ol style="list-style-type: 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

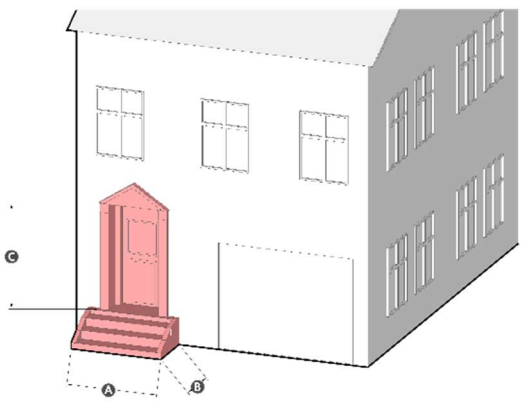
		Description: a room, or portion of a room with a shed roof that projects vertically from the roof of a building element, designed to provide increased light and expand the habitable space under a roof.
A	Gable end setback (min)	1 ft
--	Fenestration	30% min
Standards: <ol style="list-style-type: none"> 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. 		

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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	
Standards: 1. Stoops may be recessed into the building façade.			

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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 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.
 - 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 following the procedures of the Urban Land Institute

CITY OF SALEM**MAY 26, 2022****REGULAR MEETING**

(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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

- 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:

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

- 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 an advisory 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 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.

CITY OF SALEM
MAY 26, 2022
REGULAR MEETING

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

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.

On the motion of Councillor McCarthy the meeting adjourned at 9:16 P.M.

ATTEST:

ILENE SIMONS
CITY CLERK