

CITY OF SALEM
JOINT PUBLIC HEARING
OF THE CITY COUNCIL AND PLANNING BOARD
MARCH 15, 2022, AT 6:30 P.M.

The Salem City Council will hold a Joint Public Meeting with the Planning Board on Tuesday, March 15, 2022, at 6:30 P.M. for the purpose of discussing two (2) Zoning Ordinance Amendments relative to Buffer Zones for Marijuana Establishments and Green Infrastructure via remote participation in accordance with Chapter 40A, SS 5, of the Massachusetts General Laws and in accordance with Chapter 20 of the Acts of 2021.

Meeting opens at 6:30 pm

City Council:

Present: Alice Merkl, Robert McCarthy, Caroline Watson-Felt, Leveille McClain, Jeff Cohen, Andrew Varela, Megan Riccardi, Conrad Prosniewski, Patricia Morsillo, Ty Hapworth (10)

Absent: Domingo Dominguez (1)

Planning Board:

Present: Zach Caunter, Sarah Tarbet, Kirt Rieder, Carole Hamilton, Tom Furey, Todd Waller (6)

Absent: Bill Griset, Helen Sides, Noah Koretz (3)

Also in attendance: Elena Eimert, Kerry Murphy (2)

ZONING ORDINANCE AMENDMENT RELATIVE TO SEC. 6.8 – VISIBILITY AT INTERSECTIONS

Councilor Morsillo: This came from a complaint. Specifically at the Wilson and Highland intersection. Limit for signs was 25ft from intersections, think it makes sense to add another 10ft to avoid any type of obstructions at intersections.

- Councilor McCarthy: Where this is regarding temporary obstructions, has there been any thought to reducing the size of the obstructions? Would that help?
- Councilor Morsillo: It could potentially help, but think there is a lack of interest in dictating the size of political signs.
- Councilor Prosniewski: Saw that the signs aren't going to be any higher than 3ft and 35 sqft away.
- Councilor Morsillo: Think that is referring to signs within the 35 sqft.
- Councilor Prosniewski: Think there are quite a few intersections with signs that are closer than the 25ft limit already in place. Are we just talking about the Wilson and Highland intersections or all of them? Know of signs at other intersections that don't comply.
- Councilor Morsillo: Not sure I have the answer here. I did run this by Tom St. Pierre and he had no problem adjusting.

Kirt Rieder: Assuming this is going forward and not retroactive. What is not clear is where the dimension is measured from. Think we would all benefit from a graphic here. Is it measured from the center line, curb line, etc.?

- Councilor Morsillo: Is the text within not clear enough?
- Kirt Rieder: Not to me. If I pulled up Google Maps and drew the line, there is too much

opportunity for interpretation. A graphic may help tease out the language and alleviate questions.

- Councilor Morsillo: We have not changed any of the text, just the number. Understand what you're saying and can get clarity on that.

Todd Waller: What ordinance would take precedent here? In the Entrance Corridor Overlay District there is a 4ft max for fences.

- Kirt Rieder: I agree, is there a square footage obstruction? For example, street signs may not be considered despite being taller than 4ft. More language to define would be helpful.
- Councilor McCarthy: When this comes back from the Planning Board, would we look for language updates? Think this is more geared towards non-permitted temporary obstructions.
- Kirt Rieder: To build on that, think the Department of Traffic & Parking should also be a part of this. Suspect the whole premise of this is based on motor vehicle movement and safety.

Councilor Merkl: Thinking the Salem police might have some helpful input as well. Wondering if they have any suggestions or opinions on changing this.

A motion to close the public hearing is made by Megan Riccardi and passes 10-0 in a roll call vote.

The hearing is closed.

A motion to refer the matter to the Planning Board for further recommendation is made by Megan Riccardi and passes 10-0 in a roll call vote.

The matter is referred.

ZONING ORDINANCE AMENDMENT RELATIVE TO URBAN AGRICULTURE

Councilor Varela recused through the end of the meeting.

Kerry Murphy: Want to thank everyone involved in putting this draft together. There has been an interest in expanding agriculture. A way to make our community more resilient. Currently the ordinance only includes chickens, now expands to include composting, beekeeping, etc. Intending to additionally pull together a best practices guide, including a summary of what is being proposed, requirements, etc.

Councilor Riccardi: Thank you to the group of employees, residents and farmers that helped pull this together. Salem started as a fishing village; this is a way for us to go back to our roots.

Councilor Cohen: Grateful to be part of this team. Know Salem has experienced a lot of food scarcity due to COVID, think this will make a big impact on the community.

Councilor Merkel: This will contribute to the overall sense of community in Salem. The past few years have been very isolating. I've seen the joy this brings residents. A way for neighbors to connect. Mental health aspect here too.

Councilor McClain: Very exciting to see this come forward. Right in line with what we need to be doing to prepare for the future ahead of us. Has the Zoning Board taken a look at this?

- Councilor Riccardi: We've had multiple conversations with the Building Inspector and the

zoning expert. Compromise is that the setbacks for structures need to fit current building permits. A few minor differences, but for the most part meets current setbacks.

Councilor Hapworth: Echo what everyone else has said. What is the guidance around setbacks for beekeeping? What is that based on?

- Kerry Murphy: Based on a lot of research and guidance. Spoke with beekeepers as well. Everything we've included is current best practices and proper precautions. There is already beekeeping happening in Salem, this will help us provide guidance and monitoring. Inspections and permits will be required.

Councilor McCarthy: Looking at the chart and wondering why we are giving every zone the same ability here. Thinking about the industrial zone. Wondering the rationale here.

- Councilor Riccardi: For the industrial zone, think roof gardens. There are additional use cases. If a restaurant wants to do a roof garden, I don't think we should stop them.

Sarah Tarbet: Very excited to see this. Thank you for the hard work put into this. Think the setbacks for fowls and compost are going to rule out a lot of properties in the denser neighborhoods. Wondering if there is room for pushback on that? Also have concerns around pesticides. What your neighbors uses will affect you. Wondering if there is room to add something about only using pesticides approved for use in organic systems.

- Kerry Murphy: Setbacks have already been reduced to 5ft minimum. Know a lot of people have small lots but this is actually an improvement from previous setbacks. We are also working with the board of health on a separate set of health regulations. The pesticide concerns would be part of that. Planning to also provide a toolkit to help encourage sustainable and organic growing practices.

There was a further discussion of composting types.

Kirt Rieder: Just want to echo Councilor McClain. A lot to love in this.

Public comment:

Katie McGuire, 83 Essex St: Wanted to address the questions around setbacks for beekeeping. Completed a training for beekeeping in 2018 and have been practicing since. In training we were told bees are not territorial beyond about 3ft from their hive. Outside of that they are looking to pollinate. At the training they gave everyone a rule of thumb of 4ft. Though the side where bees are entering and exiting is different. I think that is why other communities have adopted the 5ft setback.

A motion to close the public hearing is made by Megan Riccardi and passes 9-0 in a roll call vote.

The hearing is closed.

A motion to refer the matter to the Planning Board for further recommendation is made by Megan Riccardi and passes 9-0 in a roll call vote.

The matter is referred.

A motion to adjourn is made by Robert McCarthy and passed with 9 hands in favor.

City of Salem City Council & Planning Board

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The meeting adjourned at 7:25 p.m.

Approved by the Planning Board 3/31/2022.