



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Manda Spittle of 8 Woodbury Court to the Commission on Disabilities for a three-year term to expire March 10, 2025. Ms. Spittle will take the seat previously held by Mr. Chris Nagle, who has stepped down from the commission. Please join me in thanking Mr. Nagle for his dedicated service to our community and the commission.

Ms. Spittle, herself a parent of a child living with a disability, has served as a parent instructor for the Arc of Massachusetts, working with young medical professionals to help them develop skills necessary for enhancing the health care of persons with developmental disabilities. From 2016 to 2019 she was statewide coordinator for Massachusetts Families Organizing for Change, a statewide, grassroots coalition of individuals with disabilities and/or chronic illnesses and their families. Prior to that Ms. Spittle was a psychiatric triage clinician for Mass General Brigham here in Salem. She volunteers with the Massachusetts Down Syndrome Congress as a parent mentor with their Parent First Call Program and holds Masters' degrees in Clinical Counseling and School Counseling from the University of Northern Colorado.

I strongly recommend confirmation of Ms. Spittle's appointment to the Commission. We are fortunate that she is willing to serve our community in this important role and lend her expertise and dedication to the Commission and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 24, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Jaime Garmendia of 6 Rawlins Street to the Traffic and Parking Commission for a three-year term to expire February 24, 2025. Mr. Garmendia will take the seat previously held by Ms. Robin Seidel, who recently stepped down from the Commission.

Mr. Garmendia is currently a project manager for capital projects for the MBTA, where he specializes in railway safety and signal systems, resiliency, and station projects. He has been with the MBTA in a variety of positions of escalating responsibility since 2015 and brings an extensive amount of experience in a large number of applicable areas to the Commission's work, including first- and last-mile connectivity, ADA and MAAB requirements in public infrastructure, and public transit. Mr. Garmendia holds Bachelor's degrees in communications studies and international relations from BU and is currently pursuing a Master's degree in project management and operations from Southern New Hampshire University. He is a member of the MBTA/MassDOT Bicycle Policy Working Group and has volunteered and worked as board member and organizer for TransportationCamp New England and Modernizing Rail.

I strongly recommend confirmation of Mr. Garmendia's appointment to the Commission. We are fortunate that he is willing to serve our community in this important role and lend his expertise and dedication to the Commission and its work.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over a horizontal line.

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 24, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Jamie Graham of 25 Roslyn Street #7 to the Historical Commission for a three-year term to expire April 11, 2025. Ms. Graham will take the seat previously held by Ms. Stacey Norkun, who has stepped down from the Commission. Please join me in thanking Ms. Norkun for her years of service to our community and the board.

Ms. Graham is an AIA accredited architect and currently works as a senior associate for CannonDesign, where she leads projects for clients in a variety of institutional and business sector. Prior to her time with CannonDesign, Ms. Graham was with Austin Design Inc, where she was part of the team that designed school buildings for Haiti following the 2010 earthquake that devastated the island. Ms. Graham received the Georgia Trust Historic Preservation Award in 2019 for sustainable rehabilitation and the AIA New England Design Award citation in 2020. Ms. Graham was a professor at the Rhode Island School of Design, where she also earned her Master's degree in architecture. She holds a Bachelor's degree in architecture from the University at Buffalo.

I strongly recommend confirmation of Ms. Graham's appointment to the Commission. We are fortunate that she is willing to serve our community in this important role and lend her expertise and dedication to the Commission and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I reappoint, subject to City Council confirmation, Fred Atkins of 3 Neptune Road to the Salem Harbor Port Authority for a term of 3 years to expire March 23, 2025.

I recommend confirmation of this reappointment and ask that you join me in thanking Mr. Atkins for his continued dedicated service and commitment to our community.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council,

March 10, 2022

Ordered:

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

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order transfers \$67,655.28 from the Human Resources Department Salary Reserve Account to the eight departments specified in the Order.

These adjustments are necessary to meet annualized costs associated with the most recent AFSCME Council 93, AFL-CIO, Local 1818 contract and COLA adjustments for employees in those departments where remaining personnel fund balances in those departments are not sufficient to meet these anticipated costs.

The Council established the Salary Reserve account in the FY2022 budget for the purposes of transfers such as these. Because these amounts are already reflected in the FY2022 budget in that reserve account, there is no net increase to the City budget for these transfers.

I recommend adoption of the enclosed Order and invite you to contact Finance Director Anna Freedman, Human Resources Director Lisa Cammarata, and City Solicitor Beth Rennard with any questions you may have regarding it.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council,

March 10, 2022

Ordered:

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



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following donation from Health Resources for Ten Thousand Dollars (\$10,000.00) for the Salem Youth Commission. These funds will be deposited into the donation account #23311-4830.

In order to accept this donation approval must be given by both the Mayor and City Council. I ask that the members of the City Council join with me in accepting this fund to be used towards the Salem Youth Commission.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over the printed name.

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

March 10, 2022

Ordered:

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



CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following donation from Pequot Charitable Fund for Five Thousand Dollars (\$5,000.00) for Tree Planting projects at the Salem Common. These funds will be deposited into the Tree Donation Account #26C0-4830.

In order to accept this donation approval must be given by both the Mayor and City Council. I ask that the members of the City Council join with me in accepting this fund to be used towards the Tree Donation Account.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Kim Driscoll", is written over a faint, larger version of the same signature.

Kimberley Driscoll
Mayor

THE PEQUOT CHARITABLE FOUNDATION

71 Washington Street, Second Floor
Salem, Massachusetts 01970

William J. Lundregan III, Esq. TR
Catherine Lundregan Oatway, Esq. TR
Christopher T. Casey, Esq. TR

Telephone: (978)-741-3888
Facsimile: (978)-745-3607

March 5, 2022

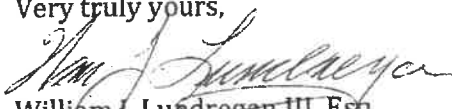
Ms. Darleen Melis
Chair, Salem Tree Commission
115 Federal Street
Salem, MA 01970

Dear Ms. Melis,

I am pleased to enclose a check from the Pequot Charitable Foundation in the amount \$5,000 to augment the number of trees that will be planted at the Salem Common within the state-funded project for Common improvements this spring. It is our understanding that the tree planting project has now secured the services of a landscape architect to design an appropriate and tasteful landscape for our gem of a park.

We are delighted to be able to increase the number of trees above what might have been previously planned. Thank you for carrying our check #176 to City Treasurer, Anna Freedman for deposit into the Salem Chapter 43, Sec. 43-62. - Tree Donation Fund. We understand that the fund is tax exempt under section 501(c)(3) of the Internal Revenue Code. We also understand that since the amount of the donation is over \$1,000 that the donation must be presented and acknowledged at the next City Council meeting. Please set that in motion for me.

Very truly yours,


William J. Lundregan III, Esq.
Trustee
WJL/jnb



CITY OF SALEM

In City Council,

March 10, 2022

Ordered:

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the following donation of One Thousand Five Hundred Dollars (\$1,500.00) for the Mack Park Food Farm. These funds will be deposited into the donation account #25801-4800.

In order to accept this donation approval must be given by both the Mayor and City Council. I ask that the members of the City Council join with me in accepting this fund to be used towards the Mack Park Food Farm Donation Fund.

Very truly yours,

A handwritten signature in black ink, appearing to read "Kim Driscoll", is written over the typed name.

Kimberley Driscoll
Mayor



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS

BOARD OF HEALTH

98 WASHINGTON STREET, 3RD FLOOR
SALEM, MA 01970
TEL. (978) 741-1800
health@salem.com



Public Health
Prevent. Promote. Protect.

DAVID GREENBAUM, RS
HEALTH AGENT

February 22, 2022

Mayor Kimberley Driscoll
City of Salem
93 Washington Street
Salem, MA 01970

Re: First Church in Salem donation to Mack Park Food Farm

Dear Mayor Driscoll,

The Health Department respectfully requests approval of a donation made by the First Church in Salem in the amount of \$1,500 to the Mack Park Food Farm Donations fund. The fund number is 25S0. The Munis Revenue Org/Object into which the money will be deposited is 25S01-4800. There are no restrictions associated with this donation. Thank you for your consideration.

Sincerely,

Kerry Murphy
Health & Wellness Coordinator
978-619-5652
kmurphy@salem.com



Resolution

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

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

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

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

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

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

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

March 10, 2022

Just weeks ago, the world witnessed an unprovoked and repugnant act of aggression by the Russian government towards the free and sovereign nation of Ukraine. Nations, communities, and individuals across the globe have rightly condemned this illegal war and Salem is proud to join with them in doing the same.

We are heartbroken by the violence being visited upon the people of Ukraine and we denounce it loudly and firmly. The people of Salem stand with our friends in Ukraine, and we hold them in our hearts as their nation suffers this atrocious invasion. To our Ukrainian neighbors here in Salem and throughout Massachusetts, we extend a supporting hand of friendship and of solidarity in these troubled times.

Kimberley Driscoll
Mayor, City of Salem

Patti Morsillo
City Council President
City Councillor, Ward 3

Domingo Dominguez
City Councillor, At-Large

Ty Hapworth
City Councillor, At-Large

Alice Merkl
City Councillor, At-Large

Conrad Prosniewski
City Councillor, At-Large

Bob McCarthy
City Councillor, Ward 1

Caroline Watson-Felt
City Councillor, Ward 2

Lev McClain
City Councillor, Ward 4

Jeff Cohen
City Councillor, Ward 5

Megan Riccardi
City Councillor, Ward 6

Andrew Varela
City Councillor, Ward 7

City of Salem

In the year Two Thousand and Twenty-Two _____

An Ordinance to amend a zoning ordinance.

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

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

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

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

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

B) Insert a new section

“8.2.9 Design Waivers.

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

A. In lieu of the standard three and one-half-inch to four-inch caliper DHB shade trees required per Section 8.2.5(1), the Planning Board may grant a waiver to allow up to 20% of the trees located within an ECOD to be smaller two-inch to three-inch caliper DBH ornamental trees and or container grown multi-stem and hedge species with a corresponding applicant payment to the Tree Replacement fund per Salem Code of Ordinances Ch. 43 Sec. 61, amount to be determined by the Tree Warden.”

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Zoning Ordinance amends the Entrance Corridor Overlay District (ECOD) to allow for more flexibility in the nature of tree plantings required of projects undergoing site plan review.

As explained in the enclosed letter from Planning Board chair William Grisct, the Board has received an increasing number of applications for projects in the ECOD that propose ornamental trees of a smaller caliper diameter than the current zoning requires. The proposed amendment here would allow applicants more flexibility to use smaller caliper trees in exchange for a corresponding payment to the City's Tree Replacement Fund, as determined by the City Tree Warden. Furthermore, the Ordinance caps the number of trees below the standard 3-1/2" caliber in the ECOD to no more than 20% of all trees in the district, to ensure the City's tree canopy remains substantial and with wide coverage.

I recommend adoption of the enclosed Ordinance and encourage its submission to the Planning Board for a joint public hearing at your earliest convenience. If you have any questions please feel free to contact our Tree Warden, Bob LeBlanc, and Planning Director Tom Daniel.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM PLANNING BOARD

March 7, 2022

Salem City Council
Salem City Hall
93 Washington Street
Salem, MA 01970

Proposed Amendment to the City of Salem Zoning Ordinance for the Entrance Corridor Overlay District

Dear Councilors:

I am pleased to present revisions to the City of Salem Zoning Ordinance that promote and encourage tree plantings in the Entrance Corridor Overlay District (ECOD) that are plentiful, healthy, and of a reasonable expense and availability. The proposed amendment is a collaboration of the Planning Board and City Staff, including the Tree Warden. The inspiration for this amendment came from the Planning Board encountering several Site Plan Review applications for projects in the ECOD that proposed the sourcing of ornamental trees, usually found at a smaller caliper diameter at breast height (DBH) than the ECOD's current requirement of three and one-half-inch to four-inches, at the size prescribed by the regulation. These trees would be very costly and challenging to source.

It is understood that the current language in Zoning Ordinance is intended to provide substantial trees and landscaping along the ECOD. The proposed amendment shares that intention while creating some flexibility as to tree species. This is done by creating a design waiver, to be issued at the discretion of the Planning Board, which allows for the substitution of smaller caliper trees within the ECOD with a corresponding payment to the Tree Replacement fund, to be determined by the Tree Warden. These smaller trees would be limited to twenty (20) percent of trees in the ECOD, to ensure that the corridors remain replete with large shade trees.

The next step is to refer the matter to the Planning Board to schedule a joint public hearing. If you have any questions, please contact Tom Daniel, City Planner, at 978-619-5685. We look forward to continuing this discussion.

Sincerely,

William Griset, Chair
Planning Board, City of Salem

CC: Robert LeBlanc, Tom Daniel, Councilor Jeff Cohen

Proposed Amendment: Red text indicates proposed additions; red strikethrough is language we are proposing be removed.

8.2.5 Parking Areas. All parking areas of more than twelve (12) spaces shall be arranged and landscaped to properly screen vehicles from adjacent properties and streets. The requirements for such landscaping are as follows:

1. Landscaping shall include one (1) medium to large shade tree of three and one-half-inch to four-inch caliper diameter at breast height (DBH) for each three (3) parking spaces unless otherwise waived pursuant to Section 8.2.9 of this section. Trees shall be planted in plant beds bounded by six-inch granite curbing.
2. No plant bed shall be less than fifteen (15) square feet, and no dimension of such plant bed shall be less than forty-two (42) inches ~~three feet~~, measured from inside face of curb to inside face of curb or wall.
3. A planting strip of no less than forty-two (42) inches ~~three feet~~ wide shall separate vehicles parked face to face in a parking area. Such planting strip shall include one (1) three and one-half-inch to four-inch caliper tree every twenty-seven (27) feet ~~in line with striping and other appropriate landscaping.~~

8.2.9 Design Waivers.

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

A. In lieu of the standard three and one-half-inch to four-inch caliper DHB shade trees required per Section 8.2.5(1), the Planning Board may grant a waiver to allow up to 20% of the trees located within an ECOD to be smaller two-inch to three-inch caliper DBH ornamental trees and or container grown multi-stem and hedge species with a corresponding applicant payment to the Tree Replacement fund per Salem Code of Ordinances Ch. 43 Sec. 61, amount to be determined by the Tree Warden.

City of Salem

In the year Two Thousand and Twenty-Two

An Ordinance to amend an ordinance relative to zoning.

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

8.7 Bridge Street Neck Overlay District

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

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

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

8.7.3 Eligible Uses.

1. A developer may elect either to develop a project in accordance with the requirements of the Bridge Street Neck Overlay District, or to develop a project in accordance with requirements of the regulations for use, dimension, Section 8.4, and all other provisions of the Zoning Ordinance governing the underlying zoning district(s).
2. If a use is permitted by the Bridge Street Neck Overlay District but not by the underlying zoning, it shall be considered a permitted use and is not eligible for a special permit pursuant to Section 3.3.2 of the Salem Zoning Ordinance.
3. Uses are permitted as set forth in the following Table of Bridge Street Neck Uses. Uses permitted through a Special Permit are granted by the Planning Board.

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

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

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

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

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

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

8.7.7 Building Design Guidelines

1. Purpose and overview

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

2. Site and building design

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

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)

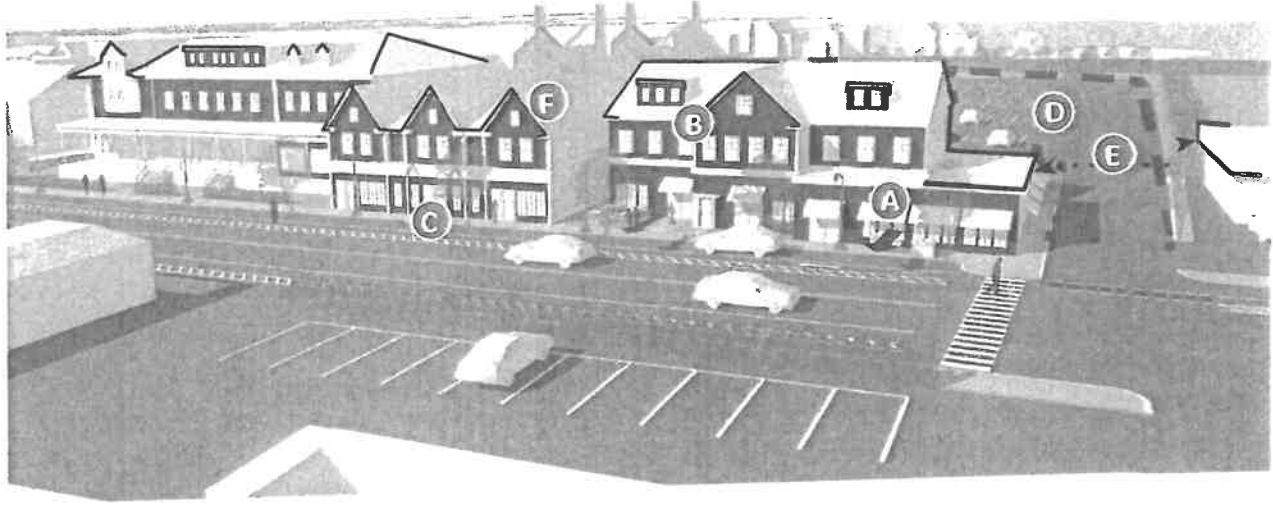


Figure 2: Site and building design diagram (2 of 2)



3. Façade Design

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

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

- C. Ground-floor Windows. The ground floor of buildings should generally include a higher percentage of window glazing compared to the rest of the building (60% is often a target). Glass should be clear, as opposed to tinted or reflective.
- D. Canopies and Awnings. Canopies and awnings can be used to provide a human-scaled element to the ground-floor of buildings by reducing the building's appearance of bulk and mass. They also provide protection from the elements.

- E. **Architectural Details.** Facade details help reinforce the neighborhood's character. Facade details can draw attention to the doors, windows, ground floor levels, cornices, and eaves of buildings. They can also help modulate the mass of large buildings by dividing them into a pattern of smaller bays.
- F. **High Quality Materials.** High quality and durable materials, such as clapboard (wood or composite), stone, and brick, should be used where possible. Vinyl siding and other synthetic materials should generally be avoided.

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

Figure 3: Facade Design Diagram (1 of 4)

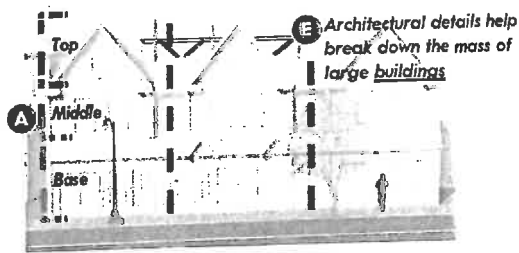


Figure 4: Facade Diagram (2 of 4)

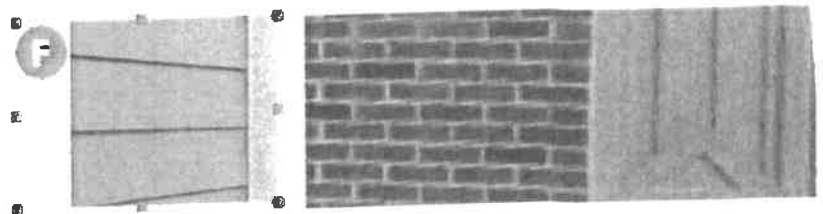
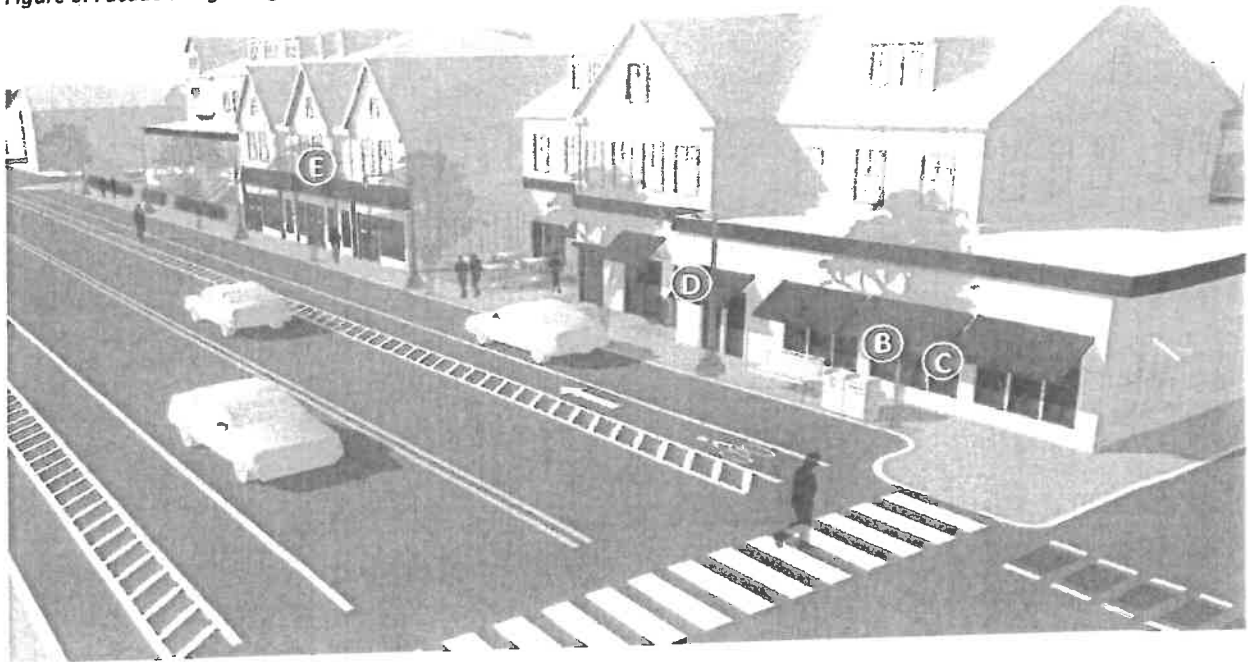


Figure 5: Facade design diagram (3 of 4)

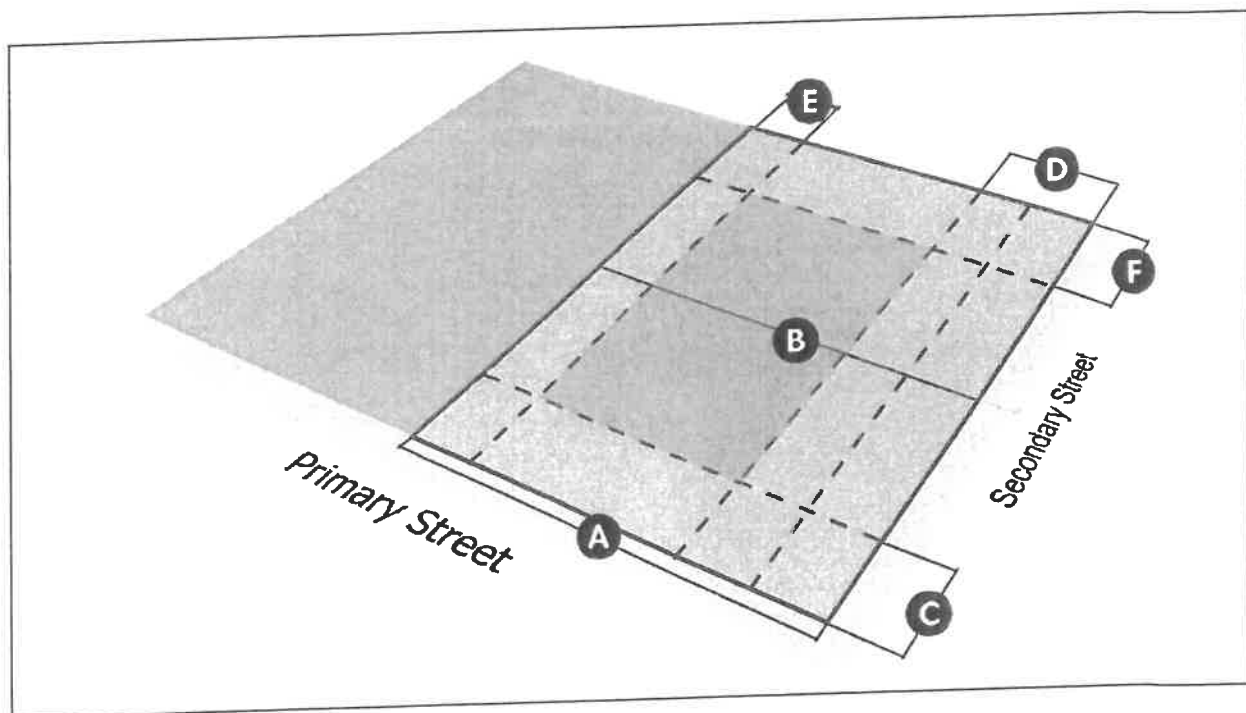


Figure 6: Facade design diagram (4 of 4)



8.7.8 Development Standards

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



Lot Requirements			Setback Requirements		
--	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:
- Within the front setback, the space shall be used for one or more combination of:
 - Outdoor seating associated with a ground-floor establishment.
 - Publicly available open space, such as a plaza or the like.
 - 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.
 - An enclosed extended shopfront occupying a portion of the building. See standards for extended shopfront in Section [insert].
 - Front garden space.
 - 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.
 - 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.
 - The setback requirements herein shall not be considered the setbacks for trees in Salem Code of Ordinances Section 43-51. The provisions of Chapter 43, public trees remain applicable.
- D. Open space requirements may include common roof-decks, courtyards, and other communal spaces. Private balconies are excluded from meeting the minimum requirement.

2. Building Standards

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

Building Requirements	
Building height (max)	38 ft for pitched roof building, excluding Mansard 35 ft flat roof building or Mansard

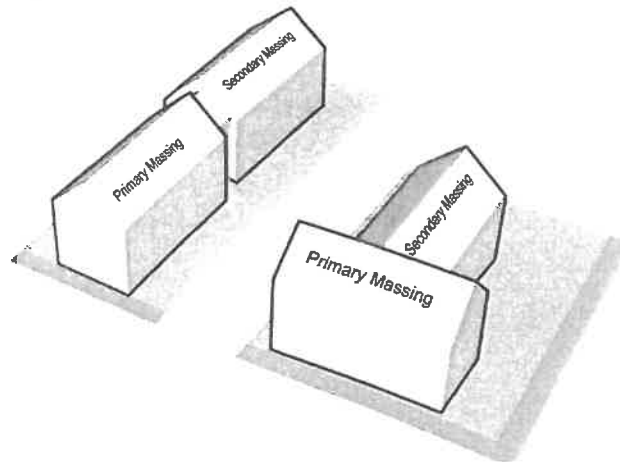
Ground floor height (min)	12 ft commercial; 10 ft otherwise
Second story height (min)	10 ft
Half story height (min)	10 ft
Ground floor glazing (min)	60% commercial 30% other
Maximum number of dwelling units	1,700 sf of lot area per dwelling unit
Space between multiple buildings on the same lot	10 ft or 0 ft if a common wall
Lot coverage (max)	75%
Building length (max)	100 ft
Vertical façade modulation (min)	40 ft

3. Building Design Standards

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

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

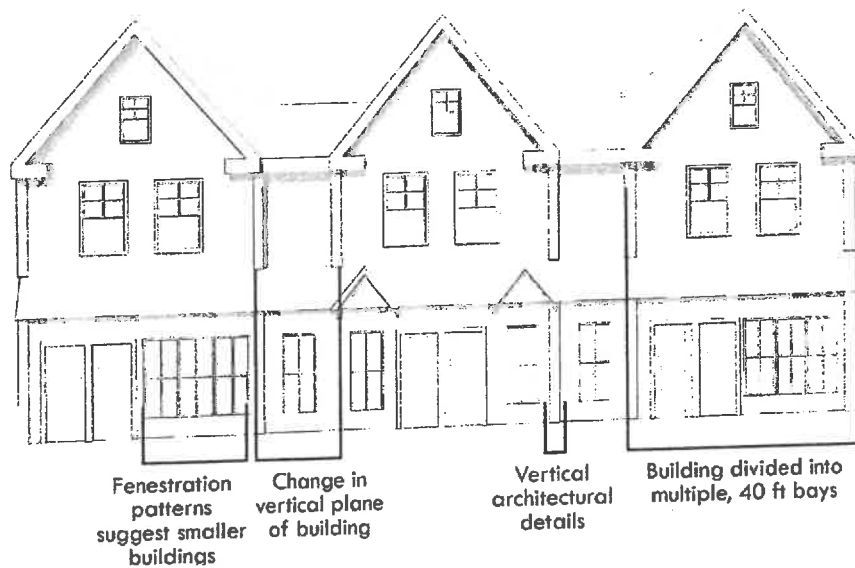
Examples of primary and secondary building mass assembly



3. Buildings shall have roofs that complement the existing context, including front gable, side gable, hip, Mansard, and flat roofs. The Planning Board may permit additional roof styles where it believes the applicant has demonstrated that the proposed roof will improve the visual character along Bridge Street.

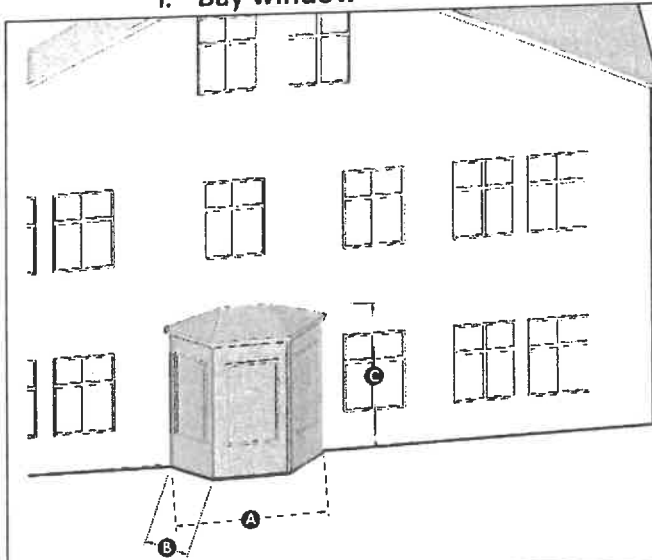
4. Multi-story buildings with ground-floor commercial spaces must have one principal entrance for each commercial space in addition to any principal entrance(s) necessary for upper floors.
5. Unless otherwise noted, façade glazing shall consist of highly transparent, low reflectivity glass. Façade glazing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

Example of vertical articulation elements



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

i. Bay window



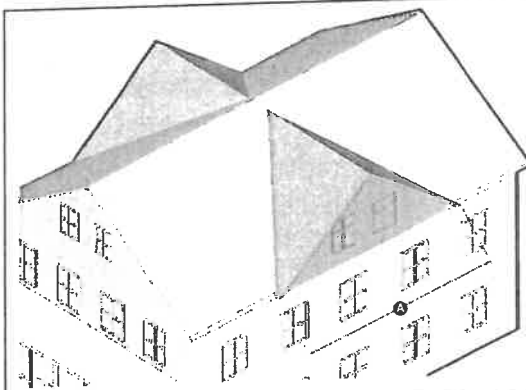
Description: an enclosed window assembly extending from the face of a building element to permit increased light, multi-dimensional views, and articulate a building façade.

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:

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



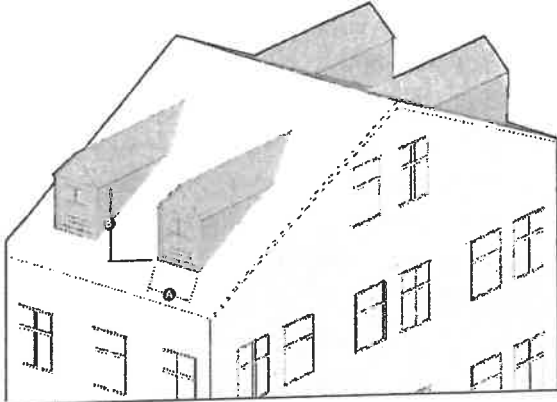
Description: a gable roof that projects perpendicular from the roof of the primary building to increase the habitable space within the roof

A	Width	Equal to the width of the narrowest building face
--	Fenestration	20% min

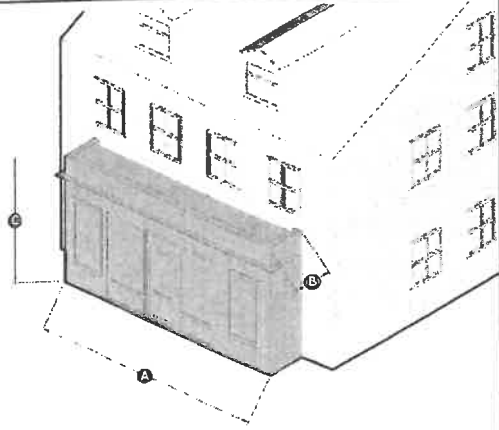
Standards:

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

iii. Dormer

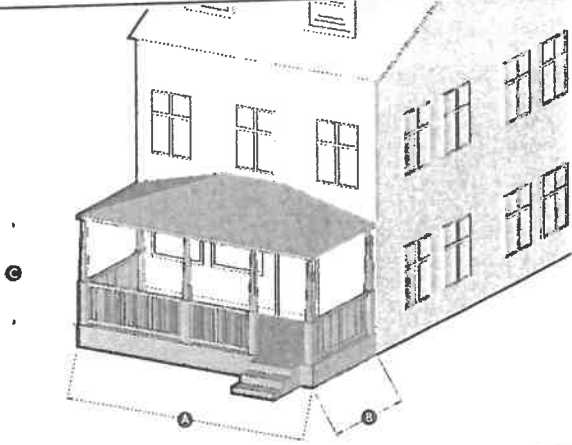
		<p>Description: a window or group of windows with a gable, hip, or shed roof that projects vertically from the roof of a building element, designed to provide increased light and expand the habitable space within a roof.</p>
A	Width (max)	Window(s) width + 18 inches
B	Height (max)	No higher than height of roof
<p>Standards:</p> <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

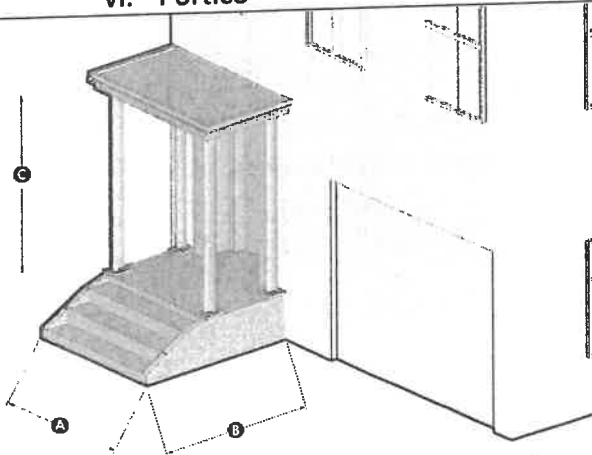
		<p>Description: an extension of the front of a building to provide new or expanded commercial space and a shopfront.</p>
A	Width (max)	No more than the width of the building face to which it attaches
B	Projection (max)	10 ft
C	Height (max)	Equal to the total number of full building stories
--	Fenestration (min)	70% ground floor 30% upper floors
<p>Standards:</p> <ol style="list-style-type: none"> 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

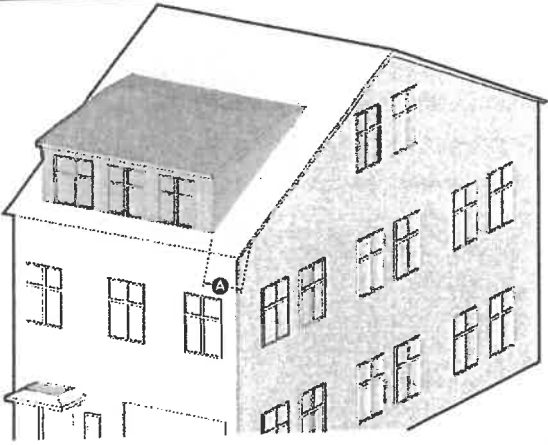
		Description: a raised platform with stairs that provides access to a building entrance.
A	Width (max)	No more than the width of the adjoining building face
B	Projection (min / max)	6 ft / 12 ft
C	Height (min)	7 ft
--	Fenestration (min)	60% when enclosed
Standards: <ol style="list-style-type: none"> 1.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

vi. Portico

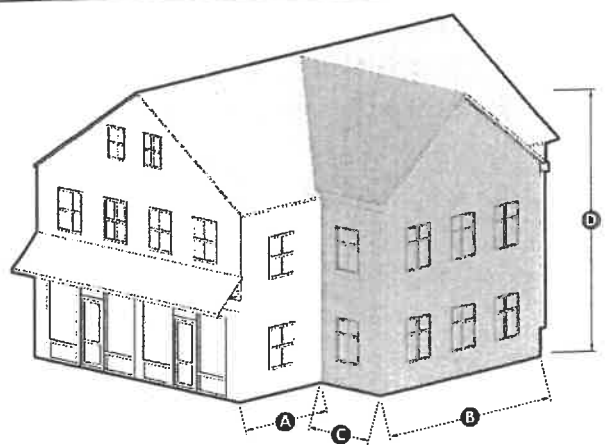
		Description: a roofed structure above a stoop or platform supported on columns or pillars, which shields occupants from inclement weather and provides access to a building entrance.
A	Width (min)	3.5 ft
B	Projection (min / max)	3.5 ft / 6 ft

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

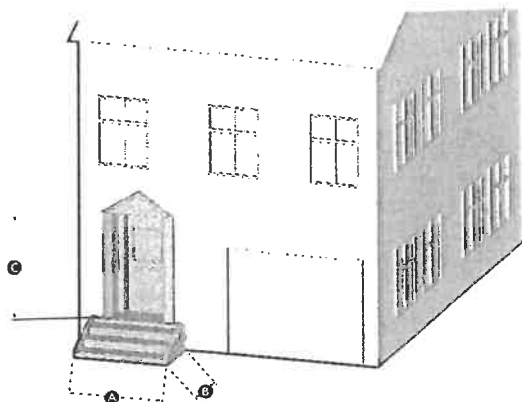
		Description: a room, or portion of a room with a shed roof that projects vertically from the roof of a building element, designed to provide increased light and expand the habitable space under a roof.
A	Gable end setback (min)	1 ft
--	Fenestration	30% min
Standards: <ol style="list-style-type: none">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

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: <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 1. Stoops may be recessed into the building façade. 2. Stoop may be built perpendicular or parallel to the building face, but must lead directly to ground level or an abutting sidewalk from the building entrance. 3. Stoops may be configured as a split stair to access a below grade unit. 4. If a stoop is built encroaching onto a sidewalk, it must provide at least 5 ft clear and unobstructed between its outermost face and the face of the curb. 		

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

A. Parking location

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

B. Parking ratios

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

C. Parking requirements reduction

- i. The Planning Board may grant a waiver that allows a decrease in the required number of parking spaces through consideration of the following:
 - i. On-Street Parking Off-Set. For commercial uses parking spaces required to meet the minimum off- street parking requirements may include publicly available on- street parking spaces along the building lot frontage on the same side of the street for non-residential uses.
 - ii. Shared Parking and Mixed Use.
 - 1. A combination of uses on-site using shared parking lots with offset peak demand times where: a shared parking agreement with onsite uses where uses have offset peak demand times; uses have a high rate of parking turnover; or evidence of similar uses and location situations operating successfully with lower amounts of parking.
 - 2. In commercial or mixed-use developments where shared parking is proposed, the Planning Board may require an evaluation prepared by the applicant following the procedures of the Urban Land Institute (ULI) Shared Parking Manual (latest edition) or the Institute of Transportation Engineers (ITE) Shared Parking Guidelines (latest addition), or other approved procedures determined by the Planning Board.
 - iii. Car-Sharing Program. The Planning Board may approve a parking reduction where an active car-sharing program is made available to residents and/or employees of a development Site; and where cars for the car-share program are available on the site or within a 700-foot walking distance of the site.

5. Screening requirements

A. Loading Facilities.

- i. Outdoor loading facilities, including all docks and areas used for the storage and staging of good or materials must be screened from view with landscaping or by a wall or fully closed fence, as necessary to sufficiently screen delivery vehicles. If a

wall or fence is used it must be constructed of materials that are compatible with the building in terms of texture, quality, and color.

- ii. Exterior entrances and access to loading facilities that are fully enclosed within a building must have an opaque, self-closing door constructed of materials that are compatible with the principal building in terms of texture, quality, and color.

B. Service Areas

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

C. Mechanical Equipment

- i. Roof-mounted mechanical equipment, except sustainable energy systems, and elevator or stairwell penthouses must be set back at least ten (10) feet from the exterior walls of a building.
- ii. New buildings must provide a parapet wall or other architectural element constructed of materials that are compatible with the building in terms of texture, quality, and color that screens the visibility of roof-mounted mechanical equipment from any a public street or public space.
- iii. Wall-mounted mechanical equipment on any surface that is visible from a public thoroughfare (excluding an alley) or civic space must be screened by landscaping or an opaque screen constructed of materials that are compatible with the principal building in terms of texture, quality, and color.
- 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:
 - A. Adequacy of the design to complement and harmonize with adjacent land uses (existing and proposed) with respect to architecture, scale, landscaping, and screening.
 - B. Adequacy of the use of building materials and details that are consistent with the architectural heritage of surrounding buildings.
 - C. Adequacy of new facade elements on existing buildings to use materials and details that are consistent with the architectural heritage of the buildings on which they are located.

8.7.14 Development Standards Waiver Special Permit Criteria. In the Bridge Street Neck Overlay, no development standard waiver shall be approved unless all the following

criteria, in lieu of those set forth in Section 9.4, are found to exist as part of the granting of a special permit by the Planning Board:

1. The Design Review Board makes a positive recommendation that the deviations from the standards and guidelines contained herein would improve the overall design of the proposed project.
2. The Planning Board finds that the overall design would be more compliant with the intent and purpose of the ordinance and the Bridge Street Neighborhood Vision Update (2020 or most recent edition) than a strict adherence to the guidelines.

8.7.15 Administrative Plan Review Action. The Planning Director or their designee shall approve the plan provided that the plan complies with the review criteria herein. If a project does not comply with the review criteria, the applicant shall be directed to revise the plan or apply for a Site Plan Review and Development Standard Waiver Special Permit.

8.7.16 Site Plan Review Action. The Planning Board shall not take final action on the application until it receives written recommendation on the application from the Design Review Board of the Salem Redevelopment Authority.

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

1. The Design Review Board's recommendation shall state the applicable standard(s), whether the alternative design approach meets the Design Guidelines and if a waiver is recommended.
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.

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

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

Bridge Street Neck Overlay District	(BSN)
-------------------------------------	-------

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.

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	-

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

March 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Zoning Ordinance establishes the Bridge Street Neck Overlay Zone and represents the culmination of many years of planning in collaboration with residents, business owners, and other stakeholders in the neighborhood.

The purpose of this proposed overlay is to maintain the Bridge Street Neck area as a thriving small and local business district and encourage a vibrant, family-friendly neighborhood. Bridge Street Neck currently consists of a hodge-podge of five different zoning districts allowing different uses and permitting paths within each of those districts. The configuration is inconsistent and, in places, incompatible with existing or desired uses. The proposed overlay would instead allow for a distribution of neighborhood compatible uses, including small-scale business, residential, and mixed use. It also places a strong emphasis on the built form and a building's relationship to the street and public realm through the inclusion of thoughtful design standards and design guidelines.

More information about the long history and planning process that led to this ordinance is available at <https://publicinput.com/bridgestreetneck>. I am very grateful to the numerous stakeholders who have been part of this process over the years and the City staff who helped support them in the careful development of this major neighborhood improvement measure.

I recommend adoption of the enclosed Ordinance and that it be referred to the Ordinances, Licenses, and Legal Affairs committee for further discussion before the joint public hearing.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council,

March 10, 2022

Ordered:

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



CITY OF SALEM

In City Council, March 10, 2022

Ordered:

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



CITY OF SALEM LEGAL DEPARTMENT

93 WASHINGTON STREET ♦ SALEM, MASSACHUSETTS 01970
TEL: 978-745-9595 ♦ FAX: 978-744-1279

KIMBERLEY DRISCOLL
MAYOR

ELIZABETH RENNARD, ESQ.
CITY SOLICITOR

VICTORIA CALDWELL, ESQ.
ASST. CITY SOLICITOR

March 10, 2022

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council

As some of you know, in 1996, the City Council voted by Council Order to accept a large number of streets, but did not take the proper steps to legally accept certain streets shown on the Order. One such street is Lee Fort Terrace, owned by the Salem Housing Authority.

The acceptance of Lee Fort Terrace did not follow the required process for street acceptance as provided in City Ordinance at Chapter 38, Sections 51 through 57 and 91 and Massachusetts General Law Chapter 82. The City Council record indicates that the Council failed to take any of the steps, as shown on the attached Street Acceptance Procedure Summary, when accepting this street.

The Housing Authority has requested that this matter be corrected. As the Housing Authority is the only entity with rights to the Terrace as it is the only abutter fronting on Lee Fort Terrace, I respectfully request that the Council adopt the enclosed Order to remove Lee Fort Terrace from the list of accepted City streets.

Thank you for your consideration.

Sincerely,

Elizabeth Rennard

STREET ACCEPTANCE PROCEDURE SUMMARY

- The city council may with approval of the city solicitor lay out a street. City Ordinance Section 38-51.
- At least seven days prior to the laying out of a street, the city council must provide written notice of its intention to lay out the street. Such notice must be left at the dwelling house of owners of land over which such street is proposed to be laid out. Further, the notice shall specify the time and place appointed by the city council for a meeting for all interested parties who wish to be heard regarding the proposed laying out of the street. City Ordinance Section 38-52.
- The notice in Section 38-52 may not be issued until a detailed plan of the proposed laying out...drawn by a competent engineer has been filed in the office of the city clerk. City Ordinance Section 38-53. Further, such plan shall show the present length, width, lines and grade of the street to be laid out; the abutting lands, with the fences and buildings thereon, and the length of frontage of each estate; the lands to be taken and the names of the owners of such lands; and also showing in red ink the proposed lines and grade of such street. City Ordinance Section 38-91.
- The city council shall hold a hearing for all parties who wish to be heard regarding the proposed laying out. If the city council, in its judgment, deems that the common convenience and benefit of the city inhabitants requires such street to be laid out, it may proceed to lay out such street and shall fix the boundaries and measurement of the street and determine what damages, if any, are sustained by any person in his property by the laying out of such street; shall determine the amount of compensation such person shall receive; shall specify the manner in which such laying out shall be completed; and shall determine the time allowed the owner of the land through which street may pass to take off trees, fences and other property that may obstruct the building of such street. City Ordinance Section 38-55.
- All costs, including the engineer's plan, are paid by the developer or proponent.



John A. Boris, Chairman
Kimberley Driscoll, Vice Chair
Charity Lezama, Treasurer
Benjamin Shalloo, Assistant Treasurer
Sue Kirby, Second Vice Chair
and Tenant Representative

Cathy Hoog, Executive Director

March 3, 2022

Beth Rennard, Esq.
City Solicitor, City of Salem
93 Washington Street
Salem, MA 01970

Dear Beth:

As you've indicated, in 1996, the City Council voted by Council Order to accept a large number of streets, but did not necessarily take the proper steps to legally accept certain streets shown on the Order. One such street is Lee Fort Terrace which is owned by the Salem Housing Authority.

The acceptance of Lee Fort Terrace did not follow the required process for street acceptance as provided in City Ordinance at Chapter 38, Sections 51 through 57 and 91 and Massachusetts General Law Chapter 82. The Salem Housing Authority respectfully requests that this matter be corrected. We appreciate your assistance with this process.

If you should have any questions with reference to this matter, please feel free to contact me at 978-744-4431 extension 111 or email me at choog@salemha.org.

Thank you in advance.

Very truly yours,

Cathy Hoog
Executive Director





Peabody Essex Museum

Peabody Essex Museum
161 Essex St
Salem, MA 01970

Dear Salem City Council,

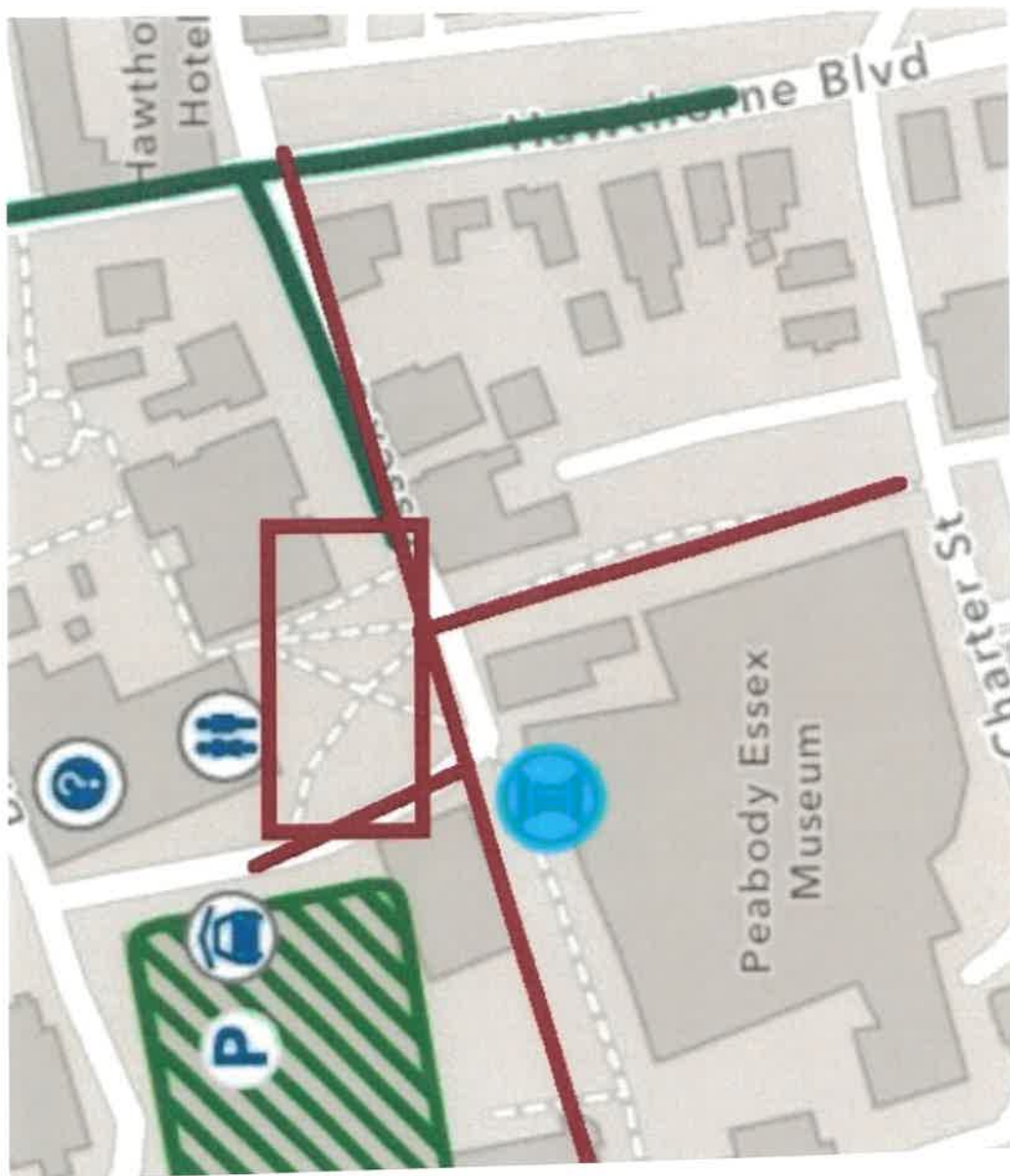
The Peabody Essex Museum is excited to announce a new initiative, the PEM Prize. The PEM Prize will be given to an artist or artists from any field whose work explores the catalytic relationship between creativity and civic engagement. Reinvigorating and reimagining the communities in which we live, these artists are leaders, connecting us to the possibilities that exist for more inclusive and understanding societies. PEM prize awardees will be individuals or groups who aim to deepen our global cultural connections, ignite our imaginations and inspire us into action.

We are requesting the approval to close Essex Street to traffic from Hawthorne Blvd to New Liberty St. on Sunday May 22nd from 8am - 7pm to safely execute the event below. We are also requesting permitted event space along the pedestrian mall on Essex St. from the entrance of the museum to the intersection of Derby St. (see attached map for festival permitting request) for vendor, artist and musician set-up and performances.

PEM asks for your consideration in holding its first ever PEM Prize festival in conjunction with the PEM Prize on May 22, 2022 from 10am - 7pm approx. This will be a daytime celebration free and open to the public featuring street musicians from Salem, Greater Boston and North shore area curated by PEM and the artist. In honor of Carlos Garaicoa and his groundbreaking exhibition *Partitura*, in which he imagined a new kind of orchestra — made up of 40 individual recordings of street musicians from Madrid and Bilbao, Spain. The artists varied widely in cultural background, skill level and musical tradition. The individual musicians brought the sounds of their city into the museum and with them a unique sense of place. In the spirit of *Partitura*, PEM will host an indoor/outdoor street music festival with artists bringing their unique sound to PEM throughout the day. The event will feature themed food and beverage offerings (including food truck and alcohol vendors for which we will request the appropriate permitting), live art making, street music, and art experiences to enjoy for all ages.

To learn more about the PEM Prize please visit: <https://www.pem.org/the-pem-prize>

Thank you for your consideration,
Lauren Fairweather and the PEM Prize Team





CITY OF SALEM, MASSACHUSETTS

PARK, RECREATION & COMMUNITY SERVICES

401 Bridge street, Salem, Mass.

Tel. (978) 744-0180/(978) 744-0924

Fax (978) 219-1655

pobrien@salem.com

Kimberley Driscoll
MAYOR

Patricia O'Brien
DIRECTOR

Salem Park, Recreation & Community Services Permit Request Form

Applications are to be received a minimum of 60 days in advance of requested date

1) Name of the Applicant/ Organization/ Group: Healing Abuse Working for Change (HAWC)
Street Address of App/ Org/ Group: 27 Congress St Suite 304 City: Salem State: MA
Phone number of App/ Org/ Group: 978-744-2299 ext. 114
Email Address of App/ Org/ Group: chris@hawc.org / Sara@hawc.org
Contact Person: CHRIS KENNEY Phone#: 978-744-2299 Email: chris@hawc.org
Is the Applicant a Non-Profit Group? Yes Non-Profit Doc/ Fed. EIN # 04-2655367
Park/ Field/ Beach/ Venue requested: Salem Common
Date(s) Requested: 6/5/22
Event times: Set up 7am / Start 10 / End 2 / breakdown finished 3
Electricity requested (if available): YES/NO Electricity times: ON 1 OFF 3
Lighting requested (if available): YES/NO Lighting Times: ON OFF
Describe Event: The 30th anniversary of the Walk for HAWC fundraiser critical funds for survivors of domestic violence.

2) Information Required For EVENTS

Is the Non-Profit Salem based? YES/NO Is the Event staff all Volunteers? YES/NO
Does the Non-Profit hire an outside group to manage this event? YES/NO Sapphire for event
If yes, please provide the name & contact information:
Estimated number of attendees/ participants: 250-400 Is there a fee to attend/ participate? YES/NO
Request for Amplified Sound: YES/NO Sound Set Up/ Removal by: Applicant or Others (circle one)
Request for Amusements/ Bouncy House, Etc.: YES/NO Amusement Set Up/ Removal by: Applicant or Others (circle one)
Amenities provided by Applicant: Food YES/NO Is Food provided by Outside Group (caterer)? YES/NO
Canopy/ Tent? YES/NO How Many? 4 Size (Sq. Ft) 10 Portable restroom: YES/NO
Vendors: YES/NO if Yes, How Many?
Parks and Rec. approved trash removal plan: YES/NO/N/A

Applicant Signature: [Signature]

Date 12/21/21

If the event is approved, a Certificate of Insurance, if required, must be provided before the final approval by the City Council.

For Office Use Only

Date Received: _____ Date Available: _____ Fee: _____
Date Fee Paid: _____ Fee Received by: _____
Director Approval: _____ Date Permit Issued: _____

Commission decision, if needed: **APPROVED / DENIED** Date: _____

Comments/ Restrictions: _____

All Races/Walks/Parades Are Required to Recycle and Remove Trash.

Please Explain Your Plan (Will You Bring to North Shore Recycled Fiber on 53 Jefferson Ave, Open M-F; Bring to Your Home Curbside, or Other?) If You Have Questions about Recycling, Please Contact Julie Rose for More Information 978-619-5679

Onsite EMT/Ambulance Service (Required): OK initial

Please Attach a Map of Route With the Following Items:

1. Race/Walk Course
2. Direction of Runners Through the Race/Walk course
3. Starting and Finishing Points
4. Meeting Points For Racers Before and After the Race/Walk
5. Last year's race financials

Certificate of Insurance Attached? Yes No

A certificate of insurance for general liability naming the City of Salem as primary additional insured for amount not less than \$1,000,000 combined single limit for injury or death or property damages (including loss of use) in any one occurrence, and \$1,000,000 general aggregate coverage. (The City of Salem reserves the right to increase coverage minimum if event presents extraordinary risk).

RELEASE & INDEMNITY AGREEMENT APPLICANT'S SIGNATURE The undersigned Sponsor, by signature below, shall defend, indemnify, and hold the City of Salem, its officers, agents and employees, harmless against all liability, loss, or expenses, including attorney's fees, and against all claims, actions or judgments based upon or arising out of damage or injury (including death) to persons or property caused by any act or omission of an act sustained in any way in connections with the performance of this event or by conditions created thereby, or based upon violation of any statute, ordinance or regulation. This contractual indemnity provision does not abrogate common law or statutory liability and indemnification to the City of Salem, but is in addition to such common law or statutory provisions.

Chris Kenney
Applicant's signature

Date: 12/21/22

Chrissy Kenney
Name of applicant

A copy of this permit will be sent to the applicant upon approval. Please call Park, Recreation & Community Services if you have any questions. 978-744-0924

CITY USE ONLY

Payment Received: Date Permit Issued: Date Permit Mailed to Applicant:

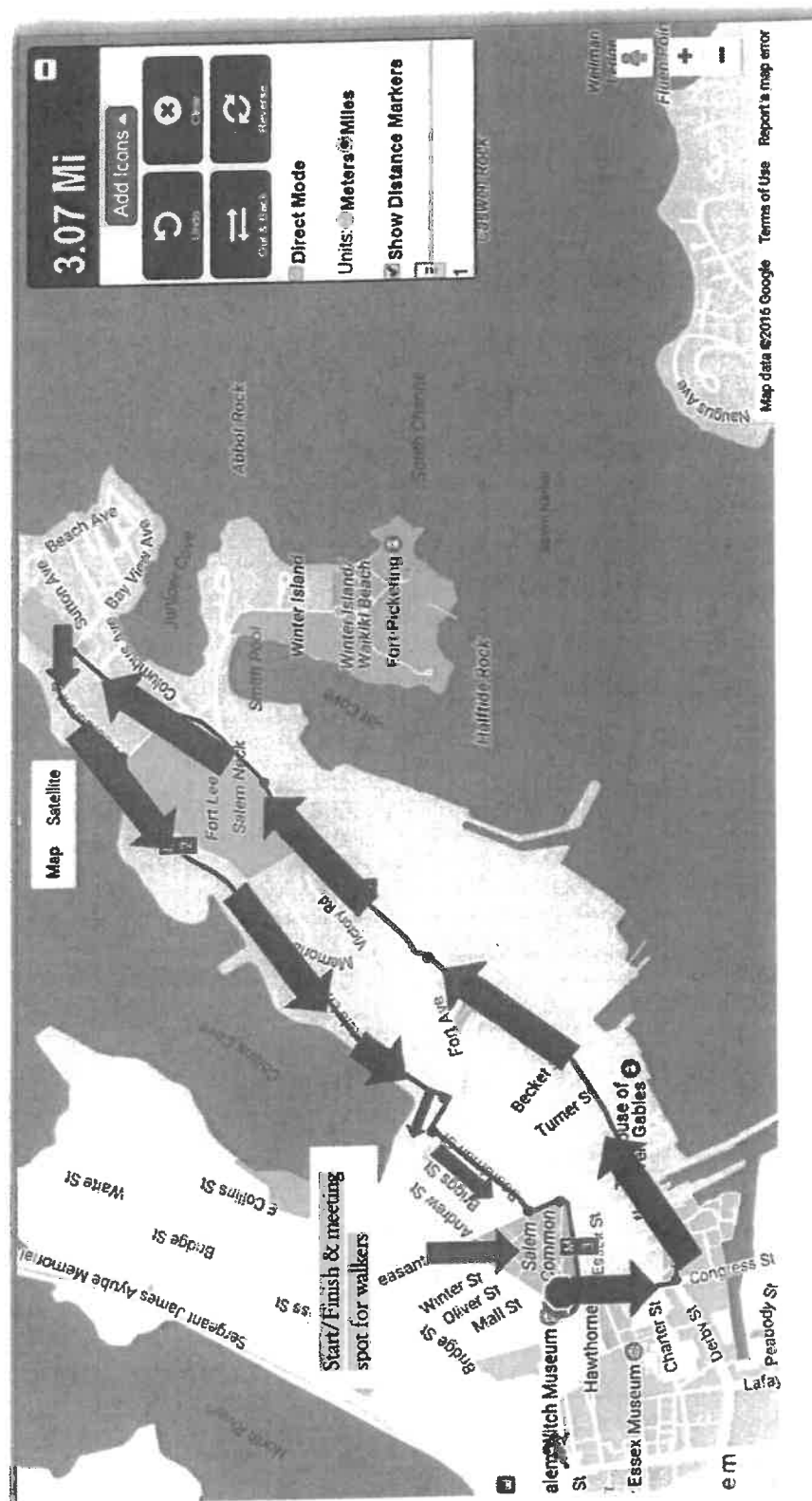
Approved By:

[Signature]
Director (Or Designee) of Salem Park, Recreation & Community Services

[Signature]
Salem Police Department

Effective date of form: 2/8/12

Revised date of form: 1/1/18





CITY OF SALEM, MASSACHUSETTS

PARK, RECREATION & COMMUNITY SERVICE

401 Bridge Street, Salem MA 01970

Tel. (978) 744-0180/(978) 744-0924

pobrien@salem.com

Kimberley Driscoll
MAYOR

Trish O'Brien
Superintendent

Road Bike/Race/Walk/Parade Application

PLEASE SUBMIT PAYMENT OF \$200 WITH THIS PERMIT APPLICATION TO THE CITY OF SALEM
PARK, RECREATION AND COMMUNITY SERVICES DEPARTMENT NO LATER THAN 45 DAYS

PRIOR TO THE EVENT.

Registered Non-Profit Fee \$150

ANY FOR PROFIT EVENTS WILL REQUIRE AN ADDITIONAL 5% FROM THE
REGISTRATION FEES POST EVENT.

We, the undersigned, respectfully apply for permission to host a road race/walk in the City of Salem as follows:

Applicant's Name: PAUL F KUCONIS

Organization Name: WICKED RUNNING CLUB

Name of Race/Walk/Parade: MILE 9 OVER THE MOON

Contact #: 978-239-7472 E-Mail Address: PFK@75306MAIL.COM

Address: PO Box 601

City/State/Zip: SALEM, MA 01970

Organization Tax Status (please include Tax ID Number): 27-1340153

What Charities Will This Race/Walk Be Benefiting?

WICKED YOUTH RUNNING FUND

Approximately How Much of the Race/Walk/Parade Proceeds Will Be Donated to Each Charity(s)

50% YOUTH FUND, 25% SALEM HS CH SCHOOL, 25% OTHER

Day of Race/Walk Contact Information:

ROBIL AT 134 SCHOOL

Name: PAUL F. KUCONIS Contact #: 978-239-7472

Date of Event: 15 JUL 2022 Estimated Number of Participants: 400 OR STATE/CITY APPROVED

LIMITS - 6000

Time of Event: 8PM Estimated Finish Time of Event: 9:15PM

Start Location: BENTLEY SCHOOL Finish Location: BENTLEY SCHOOL

Distance of Event: 4 MILES

Has This Event Been Held Before? ☒ Yes ☐ No

All Races/Walks/Parades Are Required to Recycle and Remove Trash.

Please Explain Your Plan (Will You Bring to North Shore Recycled Fiber on 53 Jefferson Ave, Open M-F; Bring to Your Home Curbside, or Other?) If You Have Questions about Recycling, Please Contact Julie Rose for More Information 978-619-5679

HOME CURBSIDE - PEACOCK

Onsite EMT/Ambulance Service (Required): MR initial

Please Attach a Map of Route With the Following Items:

1. Race/Walk Course
2. Direction of Runners Through the Race/Walk course
3. Starting and Finishing Points
4. Meeting Points For Racers Before and After the Race/Walk
5. Last year's race financials

Certificate of Insurance Attached? ☒ Yes ☐ No

A certificate of insurance for general liability naming the City of Salem as primary additional insured for amount not less than \$1,000,000 combined single limit for injury or death or property damages (including loss of use) in any one occurrence, and \$1,000,000 general aggregate coverage. (The City of Salem reserves the right to increase coverage minimum if event presents extraordinary risk).

RELEASE & INDEMNITY AGREEMENT APPLICANT'S SIGNATURE The undersigned Sponsor, by signature below, shall defend, indemnify, and hold the City of Salem, its officers, agents and employees, harmless against all liability, loss, or expenses, including attorney's fees, and against all claims, actions or judgments based upon or arising out of damage or injury (including death) to persons or property caused by any act or omission of an act sustained in any way in connections with the performance of this event or by conditions created thereby, or based upon violation of any statute, ordinance or regulation. This contractual indemnity provision does not abrogate common law or statutory liability and indemnification to the City of Salem, but is in addition to such common law or statutory provisions.

Applicant's signature

Date: 22 FEB 22

Name of applicant

A copy of this permit will be sent to the applicant upon approval. Please call Park, Recreation & Community Services if you have any questions. 978-744-0924

CITY USE ONLY

Payment Received: _____ Date Permit Issued: _____ Date Permit Mailed to Applicant: _____

Approved By:

Director (Or Designee) of Salem Park, Recreation & Community Services

Salem Police Department

Effective date of form: 2/8/12

Revised date of form: 1/1/18

Route Information

Start at Bentley School at Szetela, running East
Szetela to Memorial
Memorial to Restaurant Row at Dead Horse Beach
Restaurant Row, take Right onto Fort Ave
Fort Ave to Right on Memorial Drive
Memorial Drive to Left on Larkin, Left on Szetela
Szetela West to Essex
Essex Right to Washington Square East
Washington Square East to Left into Salem Common
Salem Common clockwise loop to Left on Pleasant
Pleasant to Right on Bridge
Bridge to Right on Osgood
Osgood to Right on East Collins St.
East Collins Street to Right on Bike Path
Bike Path to Left on Szetela running East
Finish at Bentley School

T

Route Information

Start at Bentley School at Szetela, running East
Szetela to Memorial
Memorial to Restaurant Row at Dead Horse Beach
Restaurant Row, take Right onto Fort Ave
Fort Ave to Right on Memorial Drive
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Pleasant to Right on Bridge
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Bike Path to Left on Szetela running East
Finish at Bentley School



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CITY OF SALEM, MASSACHUSETTS

PARK, RECREATION & COMMUNITY SERVICE

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Kimberley Driscoll
MAYOR

Trish O'Brien
Superintendent

Road Bike/Race/Walk/Parade Application

PLEASE SUBMIT PAYMENT OF \$200 WITH THIS PERMIT APPLICATION TO THE CITY OF SALEM
PARK, RECREATION AND COMMUNITY SERVICES DEPARTMENT NO LATER THAN 45 DAYS

PRIOR TO THE EVENT.

Registered Non-Profit Fee \$150

ANY FOR PROFIT EVENTS WILL REQUIRE AN ADDITIONAL 5% FROM THE
REGISTRATION FEES POST EVENT.

We, the undersigned, respectfully apply for permission to host a road race/walk in the City of Salem as follows:

Applicant's Name: CAROL A. MEYER

Organization Name: SALEM YMCA

Name of Race/Walk/Parade: SALEM ROAD RACE

Contact #: CAROL A. MEYER E-Mail Address: meyer@northshoreymca.org

Address: 1 JEWELL ST

City/State/Zip: SALEM, MA 01970

Organization Tax Status (please include Tax ID Number): 042-104-913

What Charities Will This Race/Walk Be Benefiting? SALEM YMCA

Approximately How Much of the Race/Walk/Parade Proceeds Will Be Donated to Each Charity(s)

\$10,000
Day of Race/Walk Contact Information:

Name: ED O'CONNOR Contact #: 617-398-0611

Date of Event: 9.11.2022 Estimated Number of Participants: 2500

Time of Event: 10:00AM Estimated Finish Time of Event: 11:30AM

Start Location: CONGRESS ST @ NOTCH BREWING Finish Location: SAME

Distance of Event: 10K

Has This Event Been Held Before? ☒ Yes ☐ No

All Races/Walks/Parades Are Required to Recycle and Remove Trash.

Please Explain Your Plan (Will You Bring to North Shore Recycled Fiber on 53 Jefferson Ave, Open M-F; Bring to Your Home Curbside, or Other?) If You Have Questions about Recycling, Please Contact Julie Rose for More Information 978-619-5679

Onsite EMT/Ambulance Service (Required): car initial
Please Attach a Map of Route With the Following Items:

1. Race/Walk Course
2. Direction of Runners Through the Race/Walk course
3. Starting and Finishing Points
4. Meeting Points For Racers Before and After the Race/Walk
5. Last year's race financials

Certificate of Insurance Attached? ☐ Yes ☒ No renews in April

A certificate of insurance for general liability naming the City of Salem as primary additional insured for amount not less than \$1,000,000 combined single limit for injury or death or property damages (including loss of use) in any one occurrence, and \$1,000,000 general aggregate coverage. (The City of Salem reserves the right to increase coverage minimum if event presents extraordinary risk).

RELEASE & INDEMNITY AGREEMENT APPLICANT'S SIGNATURE The undersigned Sponsor, by signature below, shall defend, indemnify, and hold the City of Salem, its officers, agents and employees, harmless against all liability, loss, or expenses, including attorney's fees, and against all claims, actions or judgments based upon or arising out of damage or injury (including death) to persons or property caused by any act or omission of an act sustained in any way in connections with the performance of this event or by conditions created thereby, or based upon violation of any statute, ordinance or regulation. This contractual indemnity provision does not abrogate common law or statutory liability and indemnification to the City of Salem, but is in addition to such common law or statutory provisions.

[Signature] Date: 01/07/2022

Applicant's signature

Kevin Mccarthy

Name of applicant

A copy of this permit will be sent to the applicant upon approval. Please call Park, Recreation & Community Services if you have any questions. 978-744-0924

CITY USE ONLY

Payment Received: _____ Date Permit Issued: _____ Date Permit Mailed to Applicant: _____

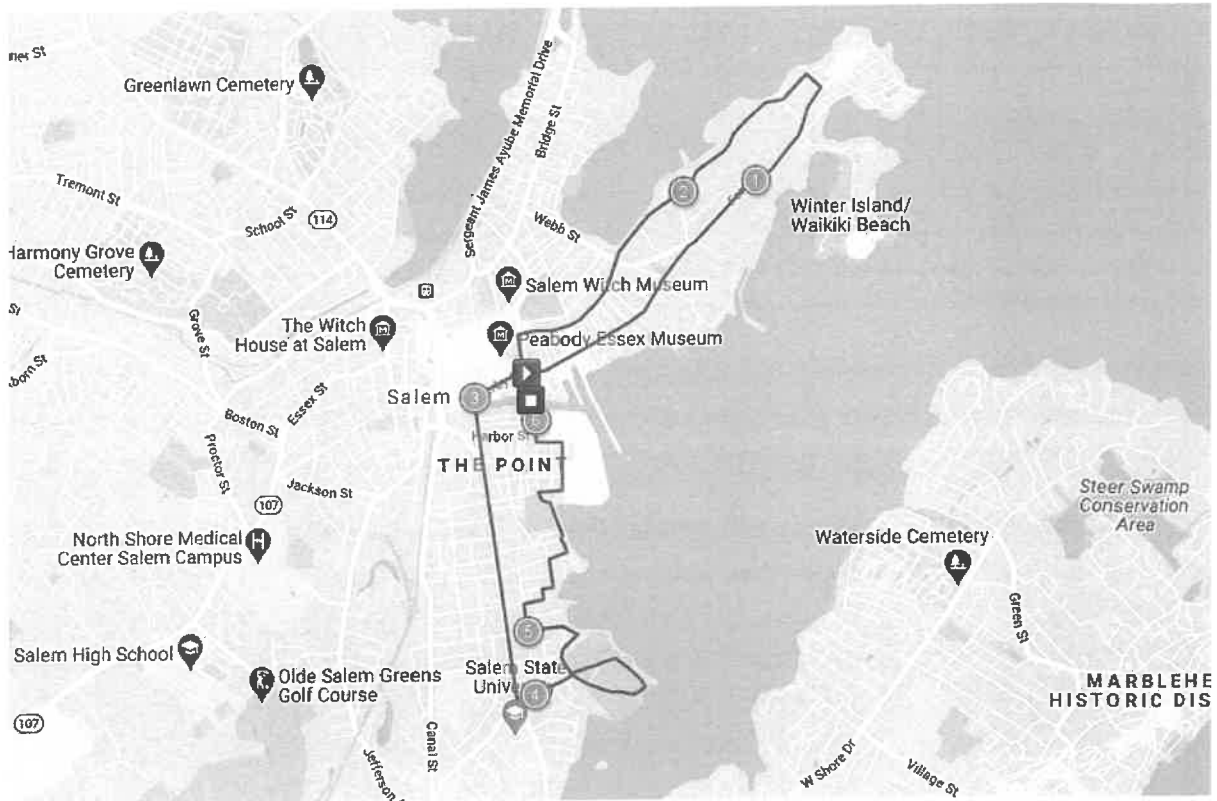
Approved By:

[Signature]
Director (Or Designee) of Salem Park, Recreation & Community Services

[Signature]
Salem Police Department

3-8-22

Effective date of form: 2/8/12
Revised date of form: 1/1/18



Salem Road Race - Course Map (2022)

The race starts and finishes on Congress St (near Notch Brewing). Runners turn right on Derby St, continue to Fort Ave, turn left on park access road near tennis courts, left on Restaurant Row, bear right on Memorial Dr, right on Szetela Ln, continue on Essex St, left on Hawthorne Blvd, right on Derby St, left on Lafayette St, left on West Ave, right on Forrester River Park loop, right on Shore Ave to Ocean Ave, right on Summit Ave, right on Willow Ave, left on JM Walsh Sq, right on Messervy St, left on Green St, right on Leach St, left on Lafayette Pl, continue to Palmer Cove Park footpath, right on Leavitt St, left on Pingree St, left on Lynch St, right on Congress St then continue to finish near Congress & Derby.

<https://www.salemroadrace.com/course>