

ORDER FOR CONDUIT & POLE LOCATION

In the City Council for the City of Salem, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast Cable Communications Management LCC., to lay and maintain underground conduits, manholes and poles, with the wires and cables to be placed therein, under and above the surface of the following public way or ways as requested in petition of said Company dated January 19,2022

Lynde Street: Locating the existing Comcast Conduit located at number 6 Lynde Street. Excavating to place a 24" x 36" vault over the conduit. From the newly placed vault excavating to place (1) 1" PVC Conduit 5' +/- to number 2 Lynde Street.

Substantially as shown on plan, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Fifty Thousand Dollars (\$50,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Salem, Massachusetts, held on the _____ day of _____ 2022.

(over)

City Clerk

We hereby certify that on _____, 2022, at _____ o'clock M., at Salem, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

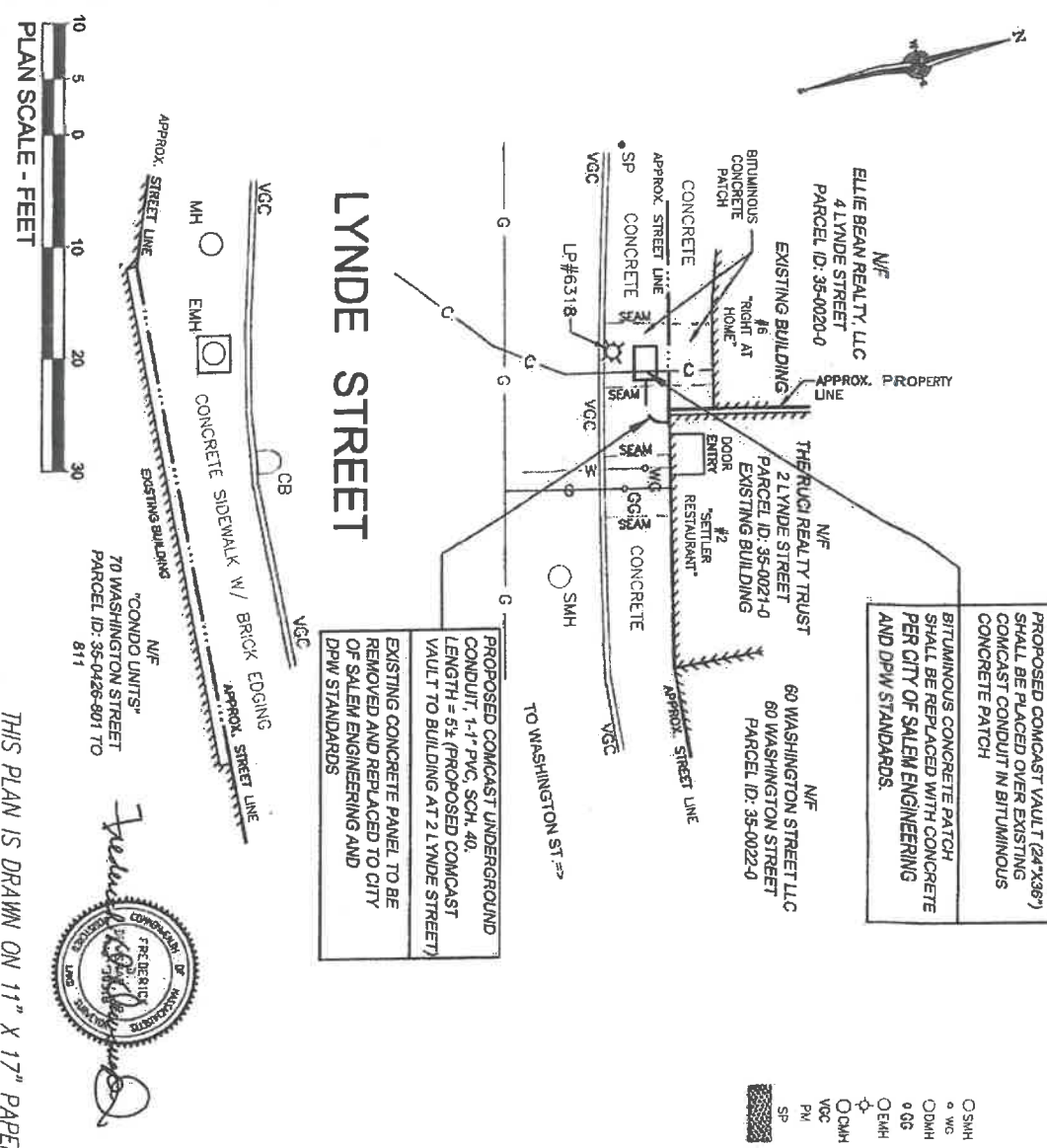
Salem City Council; Salem, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Salem, Massachusetts, on the _____ day of _____ 2022, recorded with the records of location orders of said City, Book _____, Page _____. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk



PROPOSED COMCAST UNDERGROUND CONDUIT, 1-1" PVC, SCH. 40, LENGTH = 5% (PROPOSED COMCAST VAULT TO BUILDING AT 21 LYNDE STREET)

EXISTING CONCRETE PANEL TO BE REMOVED AND REPLACED TO CITY OF SALEM ENGINEERING AND DPW STANDARDS

PROPOSED COMCAST VAULT (24"x36") SHALL BE PLACED OVER EXISTING COMCAST CONDUIT IN BITUMINOUS CONCRETE PATCH

BITUMINOUS CONCRETE PATCH SHALL BE REPLACED WITH CONCRETE PER CITY OF SALEM ENGINEERING AND DPW STANDARDS.

GENERAL LEGEND

○ SMH	SEWER MANHOLE	— C —	COMCAST UNDERGROUND CONDUIT
○ WG	WATER GATE	— D —	DRAIN LINE
○ DMH	DRAIN MANHOLE	— G —	GAS LINE
○ GG	GAS GATE	— W —	WATERLINE
○ EMH	ELECTRIC MANHOLE	— S —	SEWER LINE
○	LIGHT POLE	— E —	UNDERGROUND ELECTRIC LINE
○ CMH	COMCAST MANHOLE	— T —	UNDERGROUND TELEPHONE
VGC	VERT. GRANITE CURB	— P —	PROPOSED COMCAST UNDERGROUND CONDUIT(S)
PM	PARKING METER		
SP	SIGN POST		
ADA HANDICAP			

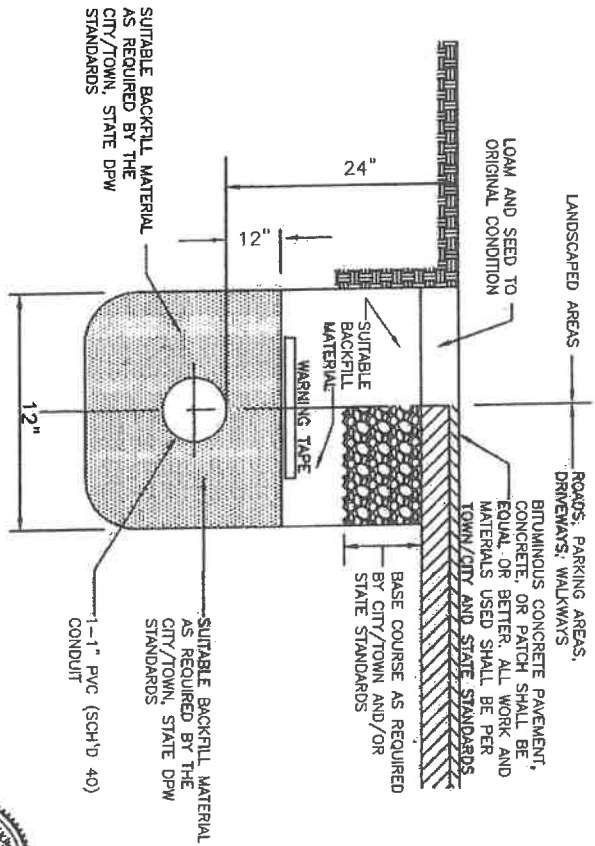
THIS PLAN IS DRAWN ON 11" X 17" PAPER.



WARD 2, PRECINCT 2	
PROPOSED COMCAST UNDERGROUND	
ESSEX COUNTY	
PLAN OF LAND	
IN	
SALEM, MA	
Prepared for:	COMCAST 9 ROBESON ROAD, SUITE 99 WOBURN, MA 01801
Prepared by:	DEWSNAP ENGINEERING ASSOC. LLP 178 Lincoln Avenue, Salem, MA 01938 Tel: (978) 701-233-0595
Date:	JANUARY 18, 2022
Scale:	1" = 10'
Checked By:	F.D.D. & P.A.D.
Drawn By:	P.A.D.
Field By:	P.A.D. & A.C.D.
Sheet No. 1 of 3	PROJECT LOCATION: 21 LYNDE STREET

DETAIL NOTE:

1. The details depicted are for general reference only. The final product used shall be the responsibility of the general contractor and shall be of equal or greater material than that depicted and shall conform to the Engineering/DPW Standards for the state, city/town where the project is located.



GENERAL CATV TRENCH DETAIL FOR 1" PVC, SCH. 40 CONDUIT
NOT TO SCALE



THIS PLAN IS DRAWN ON 11" X 17" PAPER.

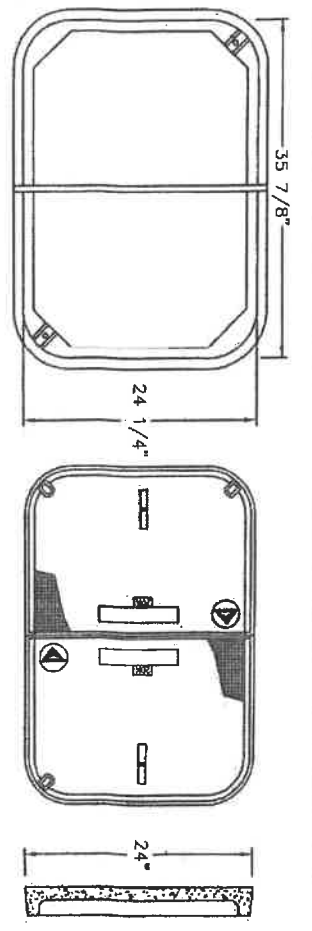
NOTES:

1. These plans were prepared from record plan data on file at the City of Salem, Registry of Deeds and various utility companies.
2. The locations of underground utilities shown are based on above ground structures and record drawings. If any, provided to the Surveyor. The locations of underground utilities/structures may vary from location hereon and are not warranted to be accurate and/or correct. Additional buried utilities/structures may be encountered. No excavations were performed during the progress of this survey to locate buried utilities/structures.
3. Prior to any construction the Contractor shall notify DIG-SAFE at least 72 hours in advance at 811 (National Call Number) for verification of utilities and for field locations.
4. It is the responsibility of the Utility Contractor installing the Comcast underground conduit to notify those utility companies not associated with the DIG-SAFE system to verify the locations of their respective utilities. Also, the installing contractor shall be responsible for repairing or replacing any traffic signal loops damaged during the installation of the new Comcast underground conduit.
5. All work to be performed is the installation of a Comcast underground conduit.
6. All work shall conform to the approving authorities Engineering and DPW Standards.
7. Prior to the start of any construction, the Utility Contractor shall confirm the number, vaults, the number of conduits and the size of the conduit(s) for this project with the Comcast project Coordinator.
8. Upon completion of the trench work for the day, the contractor shall backfill, compact and pave the trench and the work area shall be broom swept clean. In grassed areas the trench shall be loamed and seeded and hay mulch spread to keep the area stabilized until the grass has taken hold.
9. Street/Property lines are not the result of a boundary survey and are considered to be approximate.

CONSTRUCTION NOTES:

1. Following the Dig-Safe "mark out" and field verification of the existing underground utilities, the Proposed 4"x4" Manhole shall be adjusted in the field by the utility contractor to avoid being located over any existing utilities.

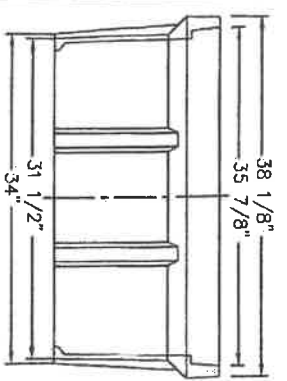
WARD 2, PRECINCT 2	
PROPOSED COMCAST UNDERGROUND	
ESSEX COUNTY	
PLAN OF LAND	
IN	
SALEM, MA	
Prepared for:	Prepared By:
COMCAST 9 FOREST ROAD, SUITE 88 WOBURN, MA 01801	DEWSNAP ENGINEERING ASSOC. LLP 178 Lincoln Avenue - Salem, MA 01980 Tel: #781) 234-0595
Date:	Scale:
JANUARY 18, 2022	AS SHOWN
Checked By:	PROJECT LOCATION:
F. D. D. & P. A. D.	2 LYNDE STREET
Drawn By:	
P. A. D.	
Field By:	
P. A. D. & A. C. D.	
Sheet No. 2 of 3	



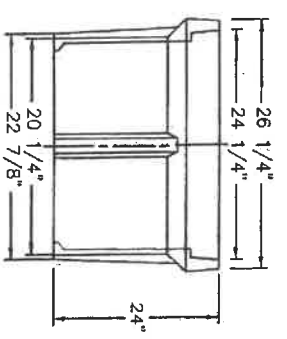
PLAN VIEW

2 PIECE POLYMER CONCRETE COVER

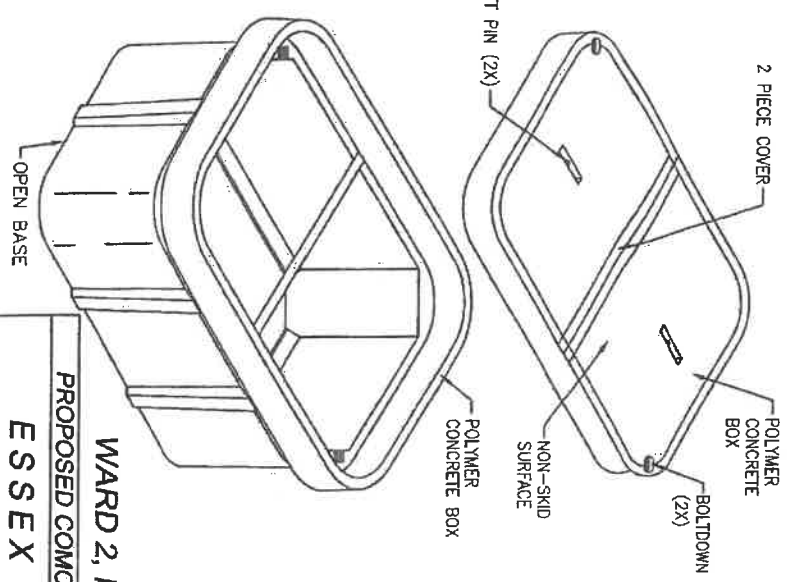
APPROX. WT. = 304 LBS.



SIDE VIEW



END VIEW



OPEN BASE

ARMORCAST 24" X 36" VAULT DETAIL

NOT TO SCALE

VAULT NOTES:
 VAULTS SHALL BE AS MANUFACTURED BY ARMORCAST PRODUCTS COMPANY, CHASTWORTH, CA, 24" X 36" X 24" DEEP, TIER 22, 20K LOAD RATED, MODEL #A6001974HDAPCX24 WITH 2 PIECE COVERS.



THIS PLAN IS DRAWN ON 11" X 17" PAPER.

WARD 2, PRECINCT 2 PROPOSED COMCAST UNDERGROUND	
ESSEX COUNTY PLAN OF LAND IN SALEM, MA	
Prepared for:	COMCAST 9 FOSBER ROAD, SUITE 98 WOBURN, MA 01801
Prepared by:	DEWSNAP ENGINEERING ASSOC. LLP 178 Lincoln Avenue - Salem, MA 01965 Tel: (978) 233-0595
Date:	JANUARY 18, 2022
Checked By:	F.D.D. & P.A.D.
Drawn By:	P.A.D.
Field By:	P.A.D. & A.C.D.
Scale:	AS SHOWN
PROJECT LOCATION:	2 LYNDE STREET
Sheet No.	3 of 3

Ilene Simons

From: Giovanna Zabaleta Recinos
Sent: Wednesday, January 26, 2022 11:28 AM
To: Ilene Simons
Cc: Maureen Fisher; Deborah Duhamel; Jay Carroll; David Knowlton
Subject: RE: Comcast Petitions

Good morning Ilene,

Please find below the comments we have for all the petitions we received last week.

- **Comcast @ 2 Lynde Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk.
- **Comcast @51 Charter Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated.

Let me know if you have any questions.

Sincerely,

Giovanna Z. Recinos
She/Her/Hers

Junior Engineer | Engineering Department | City of Salem
98 Washington Street, 2nd Floor | Salem, Massachusetts 01970
O: 978-619-5671 | grecinos@salem.com

Please be aware the Engineering Department is a **SCENT FREE ENVIRONMENT**

From: Ilene Simons <ISimons@Salem.com>
Sent: Wednesday, January 19, 2022 2:46 PM
To: Giovanna Zabaleta Recinos <GZabaleta@Salem.com>
Subject: FW: Comcast GOL Petition 51 Charter Street Salem

Ilene Simons
City Clerk
Justice of the Peace
93 Washington Street
Salem, MA 01970
(978) 745-9595 ext. 41201

Ilene Simons

From: John Giardi
Sent: Wednesday, January 19, 2022 1:14 PM
To: Ilene Simons
Subject: RE: Comcast GOL Petition 2 Lynde Street Salem

Electrical move approval

City Electrician
John Giardi

From: Ilene Simons <ISimons@Salem.com>
Sent: Wednesday, January 19, 2022 11:48 AM
To: David Knowlton <DKnowlton@Salem.com>; John Giardi <JGiardi@Salem.com>
Subject: FW: Comcast GOL Petition 2 Lynde Street Salem

Please let me know if you have any questions/comments/feedback/conditions... this petition will be going on the 1/27 agenda for a hearing to be held on Feb. 10th.

Ilene Simons
City Clerk
Justice of the Peace
93 Washington Street
Salem, MA 01970
(978) 745-9595 ext. 41201

From: Flewelling, Dave <Dave.Flewelling@comcast.com>
Sent: Wednesday, January 19, 2022 10:44 AM
To: Maureen Fisher <MFisher@Salem.com>; Gloria Felix <GFelix@Salem.com>
Cc: Ilene Simons <ISimons@Salem.com>; Caroline Watson-Felt <cwatsonfelt@Salem.com>
Subject: Comcast GOL Petition 2 Lynde Street Salem

Caution: This email originated from outside our system. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning All,

Attached is a Comcast request for an abutter list and grant of location for number 2 Lynde Street in Salem.

Please feel free to call me with any questions.

Sincerely,

Dave Flewelling
Comcast Cable Communications
Specialist 2, Construction

ORDER FOR CONDUIT & POLE LOCATION

In the City Council for the City of Salem, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast Cable Communications Management LCC., to lay and maintain underground conduits, manholes and poles, with the wires and cables to be placed therein, under and above the surface of the following public way or ways as requested in petition of said Company dated January 19, 2022

Charter Street: Excavating to enlarge the existing Comcast Manhole to 4'x4'.

Substantially as shown on plan, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work.

2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.

3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of Fifty Thousand Dollars (\$50,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.

4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Salem, Massachusetts, held on the _____ day of _____ 2022.

(over)

City Clerk

We hereby certify that on _____, 2022, at _____ o'clock M., at Salem, Massachusetts a public hearing was held on the petition of the Comcast for permission to lay and maintain underground conduits, manholes and connections, with the wires and cables to be placed therein, described in the order herewith recorded, that we mailed at least seven days before said hearing a written notice the time and place of said hearing to each of the owners of real estate determined by the last preceding assessment for taxation along the ways parts of ways upon which the Company is permitted to construct the lines said Company under said order. And that thereupon said order was duly adopted.

Salem City Council; Salem, Massachusetts

CERTIFICATE

I hereby certify that the foregoing is a true copy of a location order, and certificate of hearing with the notice adopted by the City Council for the City of Salem, Massachusetts, on the _____ day of _____ 2022, recorded with the records of location orders of said City, Book _____, Page _____. This certified copy is made under the provision of Chapter 166 of General Laws and any additions thereto or amendments thereof.

Attest:

City Clerk

NOTES:

1. These plans were prepared from record plan data on file at the City of Salem, Registry of Deeds and various utility companies.
2. The locations of underground utilities shown are based on above ground structures and record drawings, if any, provided to the Surveyor. The Locations of underground utilities/structures may vary from location hereon and are not warranted to be accurate and/or correct. Additional buried utilities/structures may be encountered. No excavations were performed during the progress of this survey to locate buried utilities/structures.
3. Prior to any construction the Contractor shall notify DIG-SAFE at least 72 hours in advance at 811 (National Call Number) for verification of utilities and for field locations.
4. It is the responsibility of the Utility Contractor installing the Comcast underground conduit to notify those utility companies not associated with the DIG-SAFE system to verify the locations of their respective utilities. Also, the installing contractor shall be responsible for repairing or replacing any traffic signal loops damaged during the installation of the new Comcast underground conduit.
5. All work to be performed is replacing the existing Comcast Manhole with a new Manhole (Cast in Place (C.I.P. 4'x4').
6. All work shall conform to the approving authorities Engineering and DPW Standards.
7. Prior to the start of any construction, the Utility Contractor shall confirm the size of the new manhole and city/town requirements for this project with the Comcast Project Coordinator.
8. Upon completion of the installation of the new manhole, the contractor shall backfill, compact and pave around the new manhole per city requirements, and the work area shall be broom swept clean.
9. Street/Property lines are not the result of a boundary survey and are considered to be approximate.

CONSTRUCTION NOTES:

1. Following the Dig-Safe "mark out" and field verification of the existing underground utilities, the Proposed 4'x4' Manhole shall be adjusted in the field by the utility contractor to avoid being located over any existing utilities.

WARD 1, PRECINCT 1

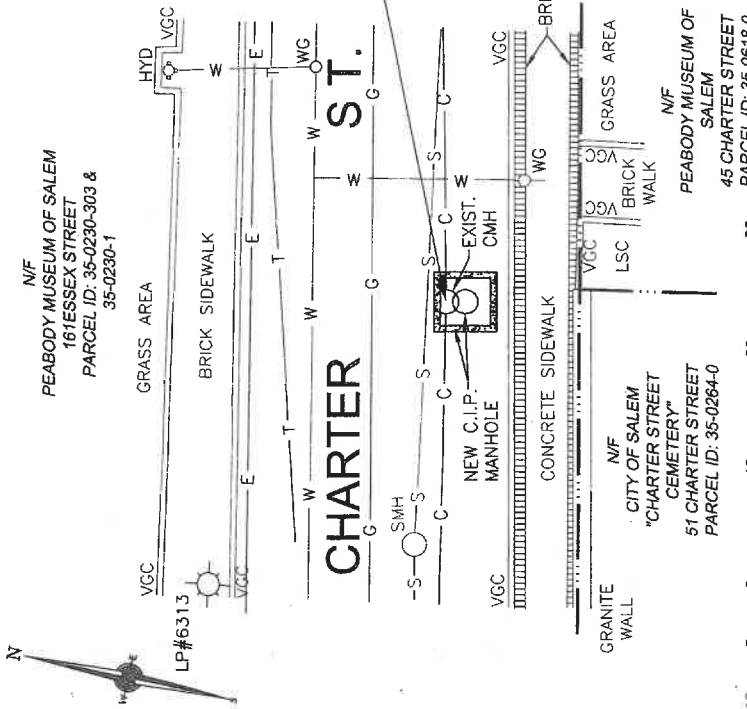
PROPOSED COMCAST UNDERGROUND

ESSEX COUNTY

PLAN OF LAND

SALEM, MA

Prepared for:	COMCAST 9 FORBES ROAD, SUITE 8B WOBURN, MA 01901	Prepared by:	DEWSMAP ENGINEERING ASSOC. LLP 178 Lincoln Avenue - Salem, MA 01968 Tel: (978) 233-0985
Date:	JANUARY 18, 2022	Scale:	1" = 10'
Checked By:	F. D.D. & P.A.D.	PROJECT LOCATION:	CHARTER STREET
Drawn By:	P.A.D.		
Field By:	P.A.D. & A.C.D.		
			Sheet No. 1 of 1



EXISTING COMCAST MANHOLE IS TO BE REPLACED WITH A NEW MANHOLE (C.I.P. 4'x4'). EXISTING FRAME AND COVER WILL BE INSTALLED WITH NEW MANHOLE CONTRACTOR INSTALLING THE NEW MANHOLE SHALL CONFIRM THE LOCATION OF THE SEWER MAIN TO INSURE THE NEW MANHOLE IS NOT PLACE OVER IT.



GENERAL LEGEND

- SMH SEWER MANHOLE
- WG WATER GATE
- DMH DRAIN MANHOLE
- GG GAS GATE
- EMH ELECTRIC MANHOLE
- CMH COMCAST MANHOLE
- VCC VERT. GRANITE CURB
- SWL SINGLE YELLOW LINE
- DYL DOUBLE YELLOW LINE
- C — COMCAST UNDERGROUND CONDUIT
- D — DRAIN LINE
- G — GAS LINE
- W — WATER LINE
- S — SEWER LINE
- E — UNDERGROUND ELECTRIC LINE
- T — UNDERGROUND TELEPHONE
- PROPOSED COMCAST CAST IN PLACE (C.I.P.) MANHOLE

Ilene Simons

From: Giovanna Zabaleta Recinos
Sent: Wednesday, January 26, 2022 11:28 AM
To: Ilene Simons
Cc: Maureen Fisher; Deborah Duhamel; Jay Carroll; David Knowlton
Subject: RE: Comcast Petitions

Good morning Ilene,

Please find below the comments we have for all the petitions we received last week.

- **Comcast @ 2 Lynde Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk.
- **Comcast @51 Charter Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated.

Let me know if you have any questions.

Sincerely,

Giovanna Z. Recinos
She/Her/Hers

Junior Engineer | Engineering Department | City of Salem
98 Washington Street, 2nd Floor | Salem, Massachusetts 01970
O: 978-619-5671 | grecinos@salem.com

Please be aware the Engineering Department is a **SCENT FREE ENVIRONMENT**

From: Ilene Simons <ISimons@Salem.com>
Sent: Wednesday, January 19, 2022 2:46 PM
To: Giovanna Zabaleta Recinos <GZabaleta@Salem.com>
Subject: FW: Comcast GOL Petition 51 Charter Street Salem

Ilene Simons
City Clerk
Justice of the Peace
93 Washington Street
Salem, MA 01970
(978) 745-9595 ext. 41201

Ilene Simons

From: John Giardi
Sent: Wednesday, January 19, 2022 1:13 PM
To: Ilene Simons
Subject: RE: Comcast GOL Petition 51 Charter Street Salem

Electrical move approval Ilene

City Electrician
John Giardi

From: Ilene Simons <ISimons@Salem.com>
Sent: Wednesday, January 19, 2022 11:50 AM
To: David Knowlton <DKnowlton@Salem.com>; John Giardi <JGiardi@Salem.com>
Subject: FW: Comcast GOL Petition 51 Charter Street Salem

Please let me know if you have any questions/comments/feedback/conditions... this petition will be going on the 1/27 agenda for a hearing to be held on Feb. 10th.

Ilene Simons
City Clerk
Justice of the Peace
93 Washington Street
Salem, MA 01970
(978) 745-9595 ext. 41201

From: Flewelling, Dave <Dave_Flewelling@comcast.com>
Sent: Wednesday, January 19, 2022 10:44 AM
To: Maureen Fisher <MFisher@Salem.com>; Gloria Felix <GFelix@Salem.com>
Cc: Ilene Simons <ISimons@Salem.com>; Robert McCarthy <rmccarthy@Salem.com>
Subject: Comcast GOL Petition 51 Charter Street Salem

Caution: This email originated from outside our system. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning All,

Attached is a Comcast request for an abutter list and grant of location for number 51 Charter St. Street in Salem.

Please feel free to call me with any questions.

Sincerely,

Dave Flewelling
Comcast Cable Communications

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a National Grid be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 20th day of January, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Peabody St - Salem - Massachusetts. Plan # 29981452.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Peabody St - National Grid to install beginning at a point approximately 270' +/- feet north/northeast of the centerline of the intersection of Lafayette St and Peabody St and continuing approximately 112' +/- feet in an easterly direction. Installation of 112' +/- of 6-4" PVC Conduits encased in concrete from MH 164 to 34 Peabody St.

I hereby certify that the foregoing order was adopted at a meeting of the
.....
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

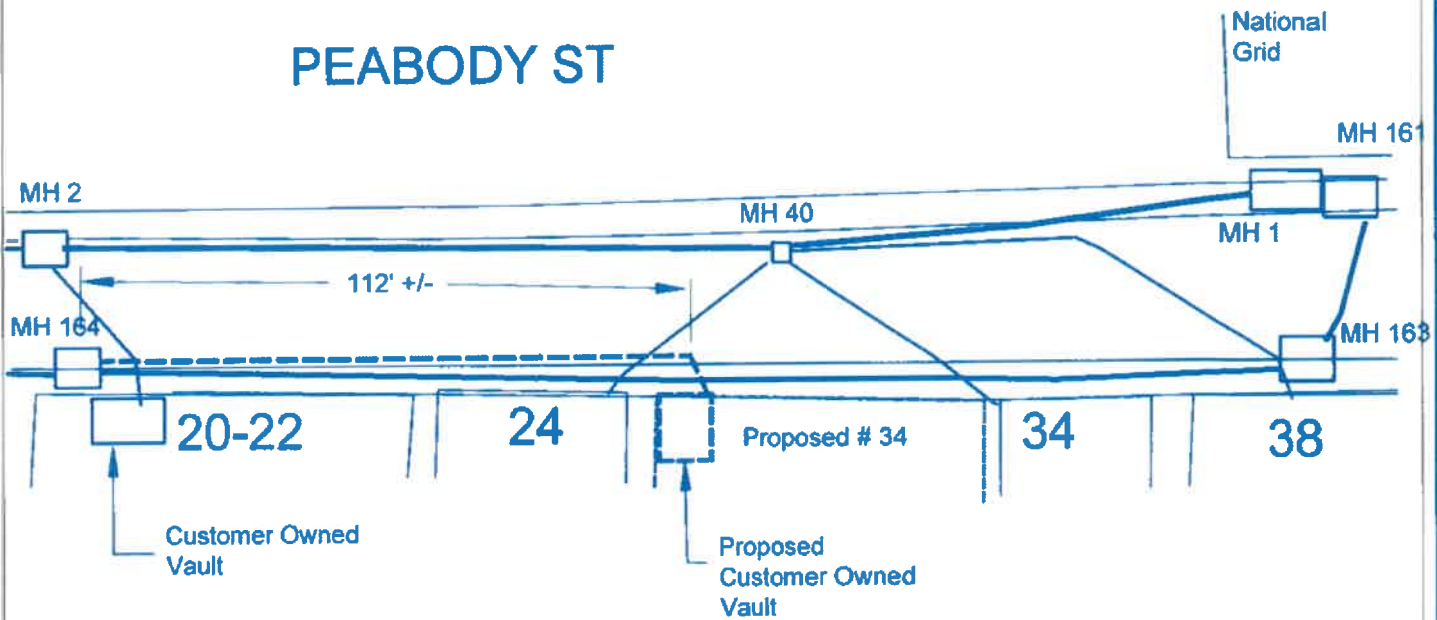
Attest:
.....

..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid for permission to construct the underground
electric conduits described in the order herewith recorded, and that I mailed at least seven days
before said hearing a written notice of the time and place of said hearing to each of the owners of
real estate (as determined by the last preceding assessment for taxation) along the ways or parts of
ways upon which the Company is permitted to construct the underground electric conduits under
said order. And that thereupon said order was duly adopted.

.....
.....



PEABODY ST



UNDERGROUND PETITION



-  POLE (EXISTING)
-  MANHOLE (EXISTING)
-  PROPOSED VAULT
-  EDGE OF STREET
-  PROPOSED CONDUIT 1-3"
-  EXISTING CONDUITS

Installation of 112' +/- of 6-4" PVC Conduits Encased in Concrete from MH 164 to Proposed Building Vault at 34 Peabody St., Salem, MA 01970.

Date: 01-14-2022

WORK REQUEST: 12-22-29981452

To The: City Of Salem

For Proposed: 6-4" Conduit Encased in Concrete Location: Peabody St

Drawn By: Sibhita Mahabier-Sheehy

DISTANCES ARE APPROXIMATE

Ilene Simons

From: Giovanna Zabaleta Recinos
Sent: Wednesday, January 26, 2022 3:18 PM
To: Ilene Simons
Cc: Maureen Fisher; Deborah Duhamel; Jay Carroll; David Knowlton; John Giardi
Subject: RE: National Grid Petition

Importance: High

Good morning Ilene,

Please find below the comments we have for all the petitions we received last week. Note that we have some major concerns with these two petitions which are identified in red below.

- **National Grid @ Norman Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk.

If the proposed excavation falls within the newly paved section of Norman Street, no openings will be allowed during first full year (until spring 2023). A hardship letter may be required to allow the work. The contractor will be responsible to restore the roadway surfaces following the City's special paving conditions, which will be included in the issued permit, and are outlined below:

- Temporary trench patch shall match existing Pavement Thickness (see attached detail D-1).
- Trench shall be allowed to settle for 90 days.
- After 90 days, complete 2" pavement mill and overlay curb to curb
- Reinstate brick sidewalks and base in kind; full concrete panel shall be replaced

Jay emailed Sibhita and Bob Coulter, curious what the purpose is for the new duct bank? Concerns with traffic management. Holyoke can be used as a quick detour around but it is heavily traveled and the neighborhood had to deal with construction all last summer and fall. Depending on the schedule of this work, could also conflict with detours at the Essex Street project.

- **National Grid @ Peabody Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk.

This duct bank on Peabody should be coordinated with the raised crosswalk being proposed in front of the development which will have new catch basins in gutter line. The proposed conduit would be in conflict with the proposed catch basin. This petition should be held until the Engineering has the opportunity to coordinate with National Grid the best location for their proposed conduit.

Let me know if you have any questions.

ORDERED:

Notice having been given and public hearing held, as provided by law, that the Massachusetts Electric Company d/b/a National Grid be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 19th day of January, 2022.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked - Norman St - Salem - Massachusetts. Plan # 30363542.

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Norman St - National Grid to install beginning at a point approximately 90 feet southeast of the centerline of the intersection of Norman St and Summer St and continuing approximately 30 feet in a northeast direction. Install 60ft +/- (2), 3" conduits southeast from existing manhole on Norman St.

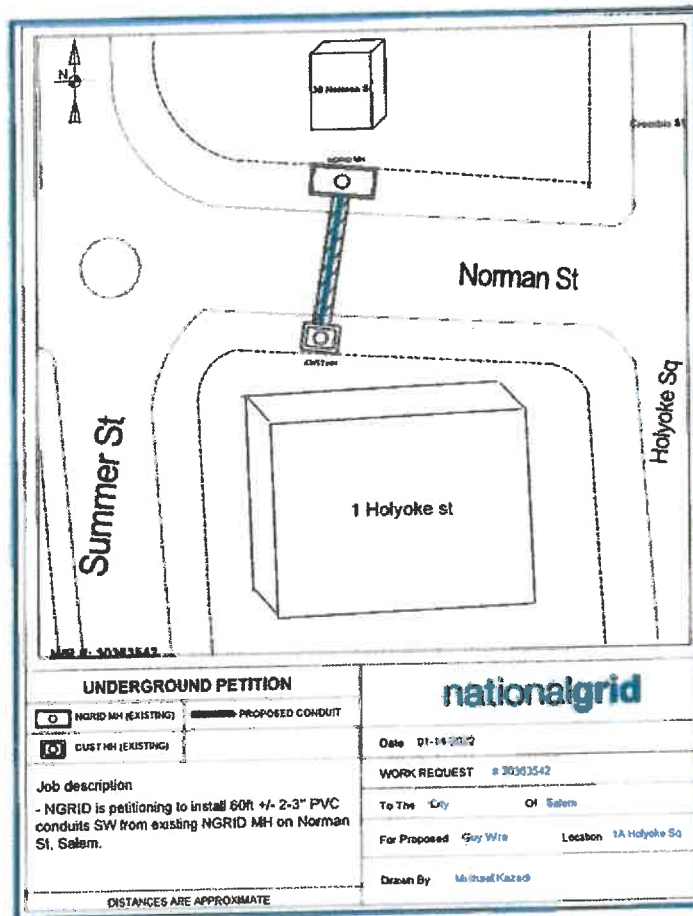
I hereby certify that the foregoing order was adopted at a meeting of the
....., held on the day of, 20
....., 20

Received and entered in the records of location orders of the City/Town of
Book Page

Attest:
.....




..... hereby certify that on20....., at o'clock,M
at, a public hearing was held on the petition of
Massachusetts Electric Company d/b/a National Grid for permission to construct the underground
electric conduits described in the order herewith recorded, and that I mailed at least seven days
before said hearing a written notice of the time and place of said hearing to each of the owners of
real estate (as determined by the last preceding assessment for taxation) along the ways or parts of
ways upon which the Company is permitted to construct the underground electric conduits under
said order. And that thereupon said order was duly adopted.

.....
.....



UNDERGROUND PETITION

nationalgrid

-  NGRID MH (EXISTING)  PROPOSED CONDUIT
-  CUST MH (EXISTING)

Date 01-14-2012
 WORK REQUEST # 30303542
 To The City Of Salem
 For Proposed Guy Wire Location 1A Holyoke Sq
 Drawn By Michael Kazan

Job description
 - NGRID is petitioning to install 60ft +/- 2-3" PVC conduits SW from existing NGRID MH on Norman St, Salem.

DISTANCES ARE APPROXIMATE

Ilene Simons

From: Giovanna Zabaleta Recinos
Sent: Wednesday, January 26, 2022 3:18 PM
To: Ilene Simons
Cc: Maureen Fisher; Deborah Duhamel; Jay Carroll; David Knowlton; John Giardi
Subject: RE: National Grid Petition

Importance: High

Good morning Ilene,

Please find below the comments we have for all the petitions we received last week. Note that we have some major concerns with these two petitions which are identified in red below.

- **National Grid @ Norman Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk.

If the proposed excavation falls within the newly paved section of Norman Street, no openings will be allowed during first full year (until spring 2023). A hardship letter may be required to allow the work. The contractor will be responsible to restore the roadway surfaces following the City's special paving conditions, which will be included in the issued permit, and are outlined below:

- Temporary trench patch shall match existing Pavement Thickness (see attached detail D-1).
- Trench shall be allowed to settle for 90 days.
- After 90 days, complete 2" pavement mill and overlay curb to curb
- Reinstate brick sidewalks and base in kind; full concrete panel shall be replaced

Jay emailed Sibhita and Bob Coulter, curious what the purpose is for the new duct bank? Concerns with traffic management. Holyoke can be used as a quick detour around but it is heavily traveled and the neighborhood had to deal with construction all last summer and fall. Depending on the schedule of this work, could also conflict with detours at the Essex Street project.

- **National Grid @ Peabody Street:** The contractor must submit a street opening permit application to Engineering prior to performing the work. This application must be submitted a minimum of 7 days prior to the propose start of work date. All vaults and other structures to be installed within public right of way shall be AASHTO H20 rated. Contractor will need to replace full concrete panels after work is complete. Scoring pattern of concrete should match existing concrete sidewalk.

This duct bank on Peabody should be coordinated with the raised crosswalk being proposed in front of the development which will have new catch basins in gutter line. The proposed conduit would be in conflict with the proposed catch basin. This petition should be held until the Engineering has the opportunity to coordinate with National Grid the best location for their proposed conduit.

Let me know if you have any questions.

Ilene Simons

From: John Giardi
Sent: Wednesday, January 19, 2022 1:12 PM
To: Ilene Simons
Subject: RE: Salem Petition - Norman St.

Electrical move approval Ilene

City Electrician
John Giardi

-----Original Message-----

From: Ilene Simons <ISimons@Salem.com>
Sent: Wednesday, January 19, 2022 11:51 AM
To: David Knowlton <DKnowlton@Salem.com>; John Giardi <JGiardi@Salem.com>
Subject: FW: Salem Petition - Norman St.

Please let me know if you have any questions/comments/feedback/conditions... this petition will be going on the 1/27 agenda for a hearing to be held on Feb. 10th.

Ilene Simons
City Clerk
Justice of the Peace
93 Washington Street
Salem, MA 01970
(978) 745-9595 ext. 41201

-----Original Message-----

From: Loguidice, Vincent <Vincent.Loguidice@nationalgrid.com>
Sent: Wednesday, January 19, 2022 9:33 AM
To: Ilene Simons <ISimons@Salem.com>; Maureen Fisher <MFisher@Salem.com>
Subject: Salem Petition

Caution: This email originated from outside our system. Please do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Morning Ilene and Maureen

Happy New Year. You ladies know what to do. Let me know. Great day and week. Vinny.

As always, Thank you.

Vinny LoGuidice
Work Support NE North



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

January 27, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Catherine Bertrand of 2 Beacon Street to the Salem Public Art Commission. Ms. Bertrand will complete the remainder of an unexpired two-year term to conclude January 11, 2024. The seat had previously been filled by Emily Larsen, who has stepped down from the Commission. I hope you will join me in thanking Ms. Larsen for her service to our community on this board.

Ms. Bertrand has spent the last 13 years working independently as an acting coach and a professional photographer. From 2006 to 2008 and 2014 to 2017 she served as the Artistic Director for the Salem Theatre Company and, also from 2006 to 2008, as the general manager for the Summer Theatre at Salem program at Salem State University, where she earned her Bachelor's degree in theater. Ms. Bertrand is a member of the Lincoln Center Directors Lab and volunteers locally on the board of the Clothing Connection and on the Salem Public School's LGBTQ+ Action Committee.

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

Sincerely,

A handwritten signature in black ink that reads "Kim Driscoll".

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

January 27, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

I am pleased to appoint Brooke Nagle of 35 Washington Square #2 to the Beautification Committee for a three-year term to expire January 27, 2025.

Ms. Nagle is a downtown resident and marketing professional who is passionate about improving our public spaces. She has volunteered with a youth mentoring organization in the past and is eager to bring that same service to the work of the Beautification Committee. In addition to the "ground" work for the committee, Ms. Nagle is particularly interested in helping boost the group's visibility more broadly in the community. She holds a Bachelor's degree in marketing from Champlain College and currently works as a Global Customer Advocacy Specialist for VMware in Boston.

I strongly recommend confirmation of Ms. Nagle's appointment to the Beautification Committee. We are fortunate that she is willing to serve our community in this important role and lend her insights and passion to the Committee and its work.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Kerry Neenan of 330 Lafayette Street #1 to the Commission on Disabilities for a term of 3 years to expire February 14, 2025.

I recommend confirmation of this reappointment and ask that you join me in thanking Ms. Neenan for her continued dedicated service and commitment to our community.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Anthony O'Donnell of 35 Washington Square #1 to the Cemetery Commission for a term of 3 years to expire February 14, 2025.

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

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Josh Gillis of 7 Union Street to the Bicycling Advisory Committee for a term of 3 years to expire February 14, 2025.

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

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Michael Williamson of 13 Beckford Street to the Bicycling Advisory Committee for a term of 3 years to expire February 11, 2025.

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

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Connor Ryan of 39 Daniels Street to the Bicycling Advisory Committee for a term of 3 years to expire February 11, 2025.

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

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Michael Jaros of 20 Fowler Street to the Bicycling Advisory Committee for a term of 3 years to expire February 11, 2025.

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

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 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, Matt Caruso of 1 Carol Way #301 to the Bicycling Advisory Committee for a term of 3 years to expire February 11, 2025.

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

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



CITY OF SALEM

In City Council,

Ordered:

February 10, 2022

That the sum of Three Hundred Thousand (\$300,000.00) is hereby appropriated from the "Fund Balance Reserved for Appropriation – Free Cash" account (1-3245) to the account listed below to fund supplemental costs associated with FY2022 fire department overtime in accordance with the recommendation of Her Honor the Mayor.

Overtime (General) – Fire Department	12201-5131	\$300,000.00
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CITY OF SALEM, MASSACHUSETTS
Kimberley Driscoll
Mayor

February 10, 2022

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request to transfer Three Hundred Thousand (\$300,000.00 Dollars from the Fund Balance Reserved for Appropriation – Free Cash account (1-3245).

This request is necessary to cover the costs associated with overtime (General) – for the Fire Department account (12201-5131) for the remainder of the fiscal year.

I recommend passage of this accompanying order.

Sincerely,

A handwritten signature in black ink that reads "Kim Driscoll".

Kimberley Driscoll
Mayor

CITY OF SALEM - Finance Department

Free Cash, W & S R/E, R/Res & Budget Transfer Request Form

From: Fire Department [Signature] Department Head Authorizing Signature 2/3/2022 Date

Budget or R/Res Transfers To: _____ Desc: _____ Budget Amt: _____ Balance: _____
(Org/Object)

From: _____ Desc: _____ Balance: _____
(*Note - Please include letter to Mayor for Transfers from different Personnel & Non-personnel lines)

Current Balance in Receipts Reserved Fund Above (if applicable) - \$ _____ Date: _____

Free Cash or Retained Earnings (W/S) To: 203 / 5131 Desc: Overtime Budget Amt: 1,076,834.00 Balance: 101,920.44
(Org/Object)

Raise & Appropriate
 Please circle one

Amount Requested: \$ 300,000.00

Reason (Be Specific) See attached request letter

For Finance Department and Mayor's Use Only:

Budget Transfer Mayor Approval City Council Approval
 Free Cash Appropriation - City Council Approval - Gen Fund \$ 6980685.53 Free Cash Balance
 R/E Appropriation - Water \$ _____ R/E Appropriation Sewer \$ _____ R/E Balance
 Receipts Reserve - City Council Approval \$ _____ R/Res Fund Balance
 Raise & Appropriate Other _____
Recommendation: Approved Denied [Signature] Finance Director

Completed: Date: _____ By: _____ CO # _____ JE#: _____ Transfer #: _____



CITY OF SALEM, MASSACHUSETTS FIRE DEPARTMENT



ALAN E. DIONNE
CHIEF
978-744-6990
ADIONNE@SALEM.COM

48 LAFAYETTE STREET
SALEM, MASSACHUSETTS 01970-3695
PHONE 978-744-1235 FAX 978-745-4646

FIRE PREVENTION
BUREAU
978-745-7777

February 3, 2022

Honorable Mayor Driscoll,

I am writing to request \$300,000 from Free Cash to cover budget shortfalls within the Fire Department Overtime Budget.

These overages are due to an excessive amount of overtime used to cover Covid related sick time and out time due to exposures. During a 4-6-week period in December and January we had as many as 15 or more department members out on sick leave regularly. 65 % of my department members experienced some need for time off during December and January due to Covid.

Additionally, when I started as Chief last February in 2021, we were short 5 department members and had another 8 members retire - we also had 2 members awaiting retirement on long term sick leave. As a result, we were down 15 members in total. This shortfall continued through the spring and summer months during peak time off periods - new personnel hired in June had to attend and complete the academy prior to being eligible to fill out the shifts. Covid contributed significantly with hiring delays at the State Civil Service Commission since their staff are working remotely - as a result we had a very hard time filling vacancies during 2020 & 2021.

I am working diligently to fill out the ranks here at the department and I expect to be at full staff by June 1st, 2022

I worked with Anna Freedman - using modeling we came up with the amount shown above - this should be the final amount needed to finish out the remainder of the fiscal year.

Sincerely,

Alan Dionne
Chief of Department



CITY OF SALEM

In City Council,

Ordered:

February 10, 2022

That the sum of Forty Thousand Dollars (\$40,000.00) is hereby appropriated and transferred from the "Capital Outlay Fund 2000" to ST CIP Planning (20002220-5846DG) for signage, painting, and other costs associated with the Heritage Trail project in accordance with the recommendation of Her Honor the Mayor.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

Office of the Mayor

February 10, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

The enclosed Order appropriates funds to carry out an overhaul of the Salem Heritage Trail.

I am grateful to the City staff, community partners, and members of the City Council who have worked to advance this reimagining of this important City asset. The Heritage Trail guides visitors and residents through key locations related to our community's unique history. The vision for the new Heritage Trail incorporates a more inclusive approach to that goal, reflecting stories, people, and places from too frequently overlooked parts of Salem's history. Additionally, the new Trail will include a new website and interpretive signage, to better relate the history behind the locations along the trail. Lastly, the Trail will be changed from a red line to a gold line, to move away from the problematic phrase "red lining" and reflect the more inclusive approach to telling Salem's story.

I recommend adoption of the enclosed Order. If you have any questions regarding this request, please contact our Historic Preservation Planner Patti Kelleher or Destination Salem Director Kate Fox.

Sincerely,

Kimberley Driscoll
Mayor
City of Salem



Resolution Celebrating Black History Month

WHEREAS: Africans were first brought involuntarily to the shores of the United States as early as the 17th century, suffering enslavement and the injustices of centuries of lynch mobs, segregation, and the denial of the basic and fundamental rights of American citizenship; and,

WHEREAS: in 2022 the vestiges of those injustices and inequalities remain evident throughout American society; and,

WHEREAS: thousands upon thousands of Black residents have, despite the systemic racism and inequities they faced, worked to oppose such challenges, and achieve success in our community, contributing to the economic, educational, political, artistic, athletic, literary, scientific, creative, and technological advancement of Salem; and,

WHEREAS: generations of Black residents lived, worked, and died in obscurity, never achieving the recognition or equal rights they deserved, yet paving the way for future generations to succeed; and,

WHEREAS: in 1926 historian Dr. Carter G. Woodson and minister Jesse Moorland's organization – today called the Association for the Study of African American Life and History – sponsored the first "Negro History Week" choose the second week of February to coincide with the birthdays of President Abraham Lincoln and Frederick Douglass, and over the following decades cities, schools, and colleges across America joined the movement as it grew to encompass an entire month, eventually prompting President Gerald Ford to first recognize national Black History Month in 1976; and,

WHEREAS: the City of Salem has made intentional strides toward undoing systemic and racist inequities embedded throughout our society, institutions, and community, but acknowledge there is far, far more work still to be done.

NOW THEREFORE BE IT RESOLVED: That the Mayor and City Council do hereby recognize and celebrate Black History Month, February 2022, as an opportunity for our community to reflect upon the history, culture, and struggles of Black residents. We further encourage all residents and members of the Salem community to use this occasion to commemorate and acknowledge the many contributions of Black residents to our city, to learn from the past, and rededicate themselves with resolve and self-reflection toward ensuring a more equitable and just community for every person, regardless of race.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

February 10, 2022

We are pleased to jointly present the enclosed Council Resolution celebrating and recognizing February 2022 as Black History Month in the City of Salem.

We are proud that Salem is a welcoming and inclusive community, but the work to address and undo systemic racism is an ongoing effort that requires constant commitment and intentional action. Generations of Black Americans have lived with these inequities for over four centuries and we know they are not going to vanish overnight. But that does not mean we should stop engaging in this important work.

The history of Black History Month itself is a story of the incremental progress that has characterized the journey toward full and equal rights and recognition for Black Americans. First established in 1926 it was only celebrated piecemeal by various cities and colleges for five decades before it finally was recognized on the national level by President Ford.

In March of 1968, five days before he was assassinated, the Reverend Martin Luther King, Jr. delivered a speech at the National Cathedral in Washington, D.C. in which he offered the now-famous observation that “the arc of the moral universe is long, but it bends toward justice.”

This month we celebrate Black History Month in Salem, but we commit ourselves as public servants to working every day of every month to move our own community more closely toward the justice Reverend King envisioned for all Americans.

Sincerely,

Kimberley Driscoll, Mayor

Patti Morsillo, City Council President and Ward 3 Councillor

Domingo Dominguez, Councillor-at-Large

Ty Hapworth, Councillor-at-Large

Alice Merkl, Councillor-at-Large

Conrad Prosniewski, Councillor-at-Large

Robert McCarthy, Ward 1 Councillor

Caroline Watson-Felt, Ward 2 Councillor

Lev McClain, Ward 4 Councillor

Jeff Cohen, Ward 5 Councillor

Megan Riccardi, Ward 6 Councillor

Andy Varela, Ward 7 Councillor

City of Salem

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:

Section 1. Chapter 42 Section 50B – Handicap Zones, Limited Time shall be amended by adding:

Shore Avenue – One Handicap Parking space to be added in front of #24 Shore Avenue, for a distance of twenty (20) feet

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

City of Salem

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:

Section 1. Chapter 42 Section 50B – Handicap Zones, Limited Time shall be amended by adding:

Boston Street – One Handicap Parking space to be added in front of #7 Boston Street, for a distance of twenty (20) feet

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

City of Salem

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:

Section 1. Chapter 42 Section 50B – Handicap Zones, Limited Time shall be amended by adding the following:

Congress St.– One Handicap Parking space to be added in front of #102 Congress Street. The space will begin thirty two (32) feet from the intersection with Palmer Street and run for a distance of twenty (20) feet

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

City of Salem

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:

Section 1. Chapter 42 Section 50B – Handicap Zones, Limited Time

Repeal: Leavitt St.– One Handicap Parking space, northerly side, beginning at the intersection of Prince Street for a distance of seventy-four (74) feet in a westerly direction and proceeding twenty (20) feet in a westerly direction on Leavitt Street

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



CITY OF SALEM

In City Council,

February 10, 2022

Ordered:

That the Committee on Administration and Finance co-posted with Committee of the Whole meet to review the "Compensation of the Mayor" Section 2-142 and that a recommendation be reported to the City Council no later than the first meeting in April. The Committee shall recommend the salary of the Mayor for the subsequent two fiscal years. And that the Human Resources Director will survey surrounding cities and towns as well as cities and towns of similar size.

City of Salem

In the year ~~two thousand~~ and ~~twenty two~~.

An Ordinance *to amend the zoning ordinance regarding Special Regulations*

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

Section 1 Section 6.8 Visibility at Intersections of Chapter 6 – Special Regulations is hereby amended by replacing the word twenty-five (25) with thirty-five (35) as follows:

“In order to provide unobstructed visibility at intersections, no sign, fence, wall, hedge or other structure or planting of more than three (3) feet above the established street grade shall be erected, placed or maintained within the triangular area formed by the intersection street lines and a straight line joining said street lines at points which are thirty-five (35) feet distant from the point of intersection, measured along said street lines.”

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



CITY OF SALEM, MASSACHUSETTS

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

KIMBERLEY DRISCOLL
MAYOR

TOM DANIEL, AICP
DIRECTOR

98 WASHINGTON STREET ♦ SALEM, MASSACHUSETTS 01970
TELE: 978-619-5685

January 25, 2022

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

RE: DHCD Draft Guidelines for MBTA Communities

Ladies and Gentlemen of the City Council:

Enacted as part of the [economic development bill](#) in January 2021, new Section 3A of M.G.L. c. 40A (the Zoning Act) requires that each MBTA community have at least one zoning district that meets certain criteria to enable housing production. The City of Salem is served by the MBTA, as such it is considered an MBTA community that must comply with the new Section 3A. On December 15, 2021, the Department of Housing and Community Development (DHCD) issued updated DRAFT Compliance Regulations for Section 3A, herein referred to as the Draft Guidelines (Attachment 1). DHCD is in the process of collecting public comment on the Draft Guidelines. To remain in compliance with Section 3A while DHCD is collecting public comment, each MBTA community is required to provide a presentation of the Draft Guidelines in a meeting of the City Council. The purpose of this agenda item is to satisfy DHCD's initial requirements by providing a summary of the framework to the City Council and requesting comments for DHCD.

Summary of Section 3A

Section 3A requires MBTA communities have at least one zoning district of reasonable size in which multi-family housing is permitted as of right and meets specific criteria. The specific criteria are listed in more detail in the next section. According to the Draft Guidelines, a general principle that informed the specific criteria is that all MBTA communities should contribute to the production of new housing stock given that these communities benefit from transit stations. The Act does not require that a specific number of units be constructed; it requires zoning that conforms to the Act.

Compliance with Section 3A

Communities that do not comply with Section 3A are not eligible for certain State funds, including grants from the Housing Choice Initiative, Local Capital Projects Fund, or the MassWorks Infrastructure

Program. Salem has had great success leveraging these programs in the past and relies on them for infrastructure improvements. Thus, it is essential for Salem to comply with Section 3A.

As previously noted, the required zoning district must be of reasonable size and must allow multi-family housing "as of right," meaning that the construction and occupancy of multi-family housing is allowed in that district without the need to obtain any discretionary permit or approval. Reasonable size is determined by a minimum land area of at least 50 acres or 1/10 of the land area within .5 mile of a transit station.

Other criteria that are set forth in the statute include:

- **Location:** Not more than ½ mile from the commuter rail station, subway station, ferry terminal or bus station if applicable.
- **Minimum Multifamily Unit Capacity:** The multifamily district in Salem must have the capacity to accommodate 4,070 units by right (20% of the 2020 year-round housing units). For minimum unit capacity, DHCD is counting what the zoning allows by right, not the number of units that currently exist.
- **Minimum gross density:** 15 units per acre.
- **Restrictions:** No age restrictions and must be suitable for families with children (meaning no bedroom restrictions).

Per the Draft Guidelines, each multi-family zoning district must satisfy both the unit capacity and minimum gross density requirements. In some cases, the minimum number of units will be equal to the minimum unit capacity. In other cases, the minimum number of units allowed as of right will be determined by the gross density requirement.

Compliance in Salem

It is anticipated the existing Central Business (B5) zoning district will fully comply with Section 3A. The zoning district already allows for many multi-family units through a site plan review, which is a by right permit. The district is approximately 120 acres; thus, it exceeds the minimum size of 50 acres, and it is within a half mile of transit (Attachment 2). As noted above, Salem must have the capacity to accommodate 4,070 units. An analysis will be undertaken to ensure the zoning district meets the unit capacity requirement.

Key Points

The unit capacity is not a mandate to construct a specified number of housing units, nor is it a housing production target. The guidelines recognize that in some communities, there may be a significant number of multi-family units already existing in the multi-family district; those communities should generally expect fewer new units to be produced in the district, because it is more fully built out.

Additional information, including FAQs on Section 3A can be found here: <https://www.mass.gov/info-details/multi-family-zoning-requirement-for-mbta-communities>.

Next Steps

The City has until December 31, 2022, to demonstrate full compliance with the criteria in Section 3A. In the coming months, staff will be requesting technical assistance from DHCD to calculate the current unit capacity within the B5 zoning district and will then submit the required compliance documentation.

Please contact me at 978 619-5685 with any questions.

Sincerely,

Amanda Chiancola, AICP
Deputy Director

Attachments:

1. DRAFT Compliance Regulations for Multi-family Districts Under Section 3A of the Zoning Act
2. Salem Transit Station Map



Commonwealth of Massachusetts
**DEPARTMENT OF HOUSING &
COMMUNITY DEVELOPMENT**

Charles D. Baker, Governor ♦ Karyn E. Polito, Lt. Governor ♦ Jennifer D. Maddox, Undersecretary

**DRAFT Compliance Guidelines for Multi-family Districts
Under Section 3A of the Zoning Act**

1. Overview of Section 3A of the Zoning Act

Section 18 of chapter 358 of the Acts of 2020 added a new section 3A to chapter 40A of the General Laws (the Zoning Act) applicable to MBTA communities (referred to herein as “Section 3A”). Subsection (a) of Section 3A provides:

An MBTA community shall have a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing shall be without age restrictions and shall be suitable for families with children. For the purposes of this section, a district of reasonable size shall: (i) have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A; and (ii) be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.

The purpose of Section 3A is to encourage MBTA communities to adopt zoning districts where multi-family zoning is permitted as of right, and that meet other requirements set forth in the statute.

The Department of Housing and Community Development, in consultation with the Massachusetts Bay Transportation Authority and the Massachusetts Department of Transportation, is required to promulgate guidelines to determine if an MBTA community is in compliance with Section 3A. DHCD promulgated preliminary guidance on January 29, 2021. DHCD updated that preliminary guidance on December 15, 2021. These guidelines provide further information on how MBTA communities may achieve compliance with Section 3A.

2. Definitions

“Adjacent community” means an MBTA community with no transit station within its border or within 0.5 mile of its border.

“Age-restricted housing” means any housing unit encumbered by a title restriction requiring occupancy by at least one person age 55 or older.

“Bus service community” means an MBTA community with a bus station within its borders or within 0.5 miles of its border, or an MBTA bus stop within its borders, and no subway station or commuter rail station within its border, or within 0.5 mile of its border.

“Bus station” means a building located at the intersection of two or more public bus lines, within which services are available to bus passengers; provided that a bus station does not include a shelter or other structure without walls and a foundation.

“Chief executive officer” means the mayor in a city, and the board of selectmen in a town, unless some other municipal office is designated to be the chief executive officer under the provisions of a local charter.

“Commonwealth’s sustainable development principles” means the principles set forth at <https://www.mass.gov/files/documents/2017/11/01/sustainable%20development%20principles.pdf> as such principles may be modified and updated from time to time.

“Commuter rail community” means an MBTA community with a commuter rail station within its borders, or within 0.5 mile of its border, and no subway station within its borders, or within 0.5 mile of its border.

“Developable land” means land on which multi-family housing units have been or can be permitted and constructed. Developable land shall not include land under water, wetland resource areas, areas lacking adequate water or wastewater infrastructure or capacity, publicly owned land that is dedicated to existing public uses, or privately owned land encumbered by any kind of use restriction that prohibits residential use.

“Gross density” means a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial, and other nonresidential uses.

“Housing suitable for families” means housing comprised of residential dwelling units that are not age-restricted housing, and for which there are no legal restriction on the number of bedrooms, the size of bedrooms, or the number of occupants.

“MBTA community” means a city or town that is: (i) one of the 51 cities and towns as defined in section 1 of chapter 161A; (ii) one of the 14 cities and towns as defined in said section 1 of said chapter 161A; (iii) other served communities as defined in said section 1 of said chapter 161A; or (iv) a municipality that has been added to the Massachusetts Bay Transportation Authority under section 6 of chapter 161A or in accordance with any special law relative to the area constituting the authority.” A list of MBTA communities is attached, including the designation of each MBTA community as a rapid transit community, a bus service community, a commuter rail community or an adjacent community for purposes of these compliance guidelines.

“Multi-family housing” means a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building.

“Multi-family district” means a zoning district, including an overlay district, in which multi-family uses are allowed by right.

“Rapid transit community” means an MBTA community with a subway station ~~within~~ its borders, or within 0.5 mile of its border. An MBTA community with a subway station within its borders, or within 0.5 mile of its border, shall be deemed to be a rapid transit community even if there is one or more commuter rail stations or MBTA bus lines located in that community.

“Reasonable size” means not less than 50 contiguous acres of land with a unit capacity equal to or greater than the unit capacity specified in section 5 below.

“Residential dwelling unit” means a dwelling unit equipped with a full kitchen and bathroom.

“Unit capacity” means an estimate of the total number of multi-family housing units that can be developed as of right within the multi-family district, made in accordance with the requirements of section 5.b below.

3. General Principles of Compliance

a. These compliance guidelines describe how an MBTA community can comply with the requirements of Section 3A. The guidelines specifically address:

- What it means to permit multi-family housing “as of right”;
- The metrics that determine if a multi-family district is “of reasonable size”;
- How to determine if a multi-family district has a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code;
- The meaning of Section 3A’s mandate that “such multi-family housing shall be without age restrictions and shall be suitable for families with children”; and
- The extent to which MBTA communities have flexibility to choose the location of a multi-family district.

b. The following general principles have informed the more specific compliance criteria that follow:

- All MBTA communities should contribute to the production of new housing stock.
- MBTA communities with subway stations, commuter rail stations and other transit stations benefit from having these assets located within their boundaries and should provide opportunity for multi-family housing development around these assets. MBTA communities with no transit stations within their boundaries nonetheless benefit from being close to transit stations in nearby communities.
- MBTA communities should adopt multi-family districts that will lead to development of multi-family housing projects of a scale, density and character that are consistent with a community’s long-term planning goals.

- “Reasonable size” is a relative rather than an absolute determination. Because of the diversity of MBTA communities, a multi-family district that is “reasonable” in one city or town may not be reasonable in another city or town. Objective differences in community characteristics must be considered in determining what is “reasonable” for each community.
- To the maximum extent possible, multi-family districts should be in areas that have safe and convenient access to transit stations for pedestrians and bicyclists.

4. Allowing Multi-Family Housing “As of Right”

To comply with Section 3A, a multi-family district must allow multi-family housing “as of right,” meaning that the construction and occupancy of multi-family housing is allowed in that district without the need to obtain any discretionary permit or approval. Site plan review and approval may be required for multi-family uses allowed as of right. Site plan review is a process by which a local board reviews a project’s site layout to ensure public safety and convenience. Site plan approval may regulate matters such as vehicular access and circulation on a site, architectural design of a building, and screening of adjacent properties. Site plan review may not be used to deny a project that is allowed as of right, nor may it impose conditions that make it infeasible or impractical to proceed with a multi-family use that is allowed as of right.

5. Determining “Reasonable Size”

In making determinations of “reasonable size,” DHCD will take into consideration both the area of the district and the district’s multi-family unit capacity (that is, the number of units of multi-family housing that can be developed as of right within the district).

a. *Minimum land area*

Section 3A’s requirement that a multi-family district be a “reasonable size” indicates that the purpose of the statute is to encourage zoning that allows for the development of a reasonable amount of multi-family housing in each MBTA community. A zoning district is a specifically delineated land area with uniform regulations and requirements governing the use of land and the placement, spacing, and size of buildings. A district should not be a single development site on which the municipality is willing to permit a particular multi-family project. To comply with Section 3A’s “reasonable size” requirement, multi-family districts must comprise at least 50 acres of land—or approximately one-tenth of the land area within 0.5 mile of a transit station.

An overlay district is an acceptable way to achieve compliance with Section 3A, provided that such an overlay district should not consist of a collection of small, non-contiguous parcels. At least one portion of the overlay district land areas must include at least 25 contiguous acres of land. No portion of the district that is less than 5 contiguous acres land will count toward the minimum size requirement.

b. *Minimum multi-family unit capacity*

A reasonably sized multi-family district must also be able to accommodate a reasonable number of multi-family housing units as of right. MBTA communities seeking a determination of compliance with Section 3A must provide to DHCD an accurate assessment of the number of multi-family housing units that can be developed as of right within the multi-family district, referred to as the district’s unit capacity.

A compliant district’s multi-family unit capacity must be equal to or greater than a specified percentage of the total number of housing units within the community. The required percentage will depend on the type of transit service in the community, as follows:

Category	Minimum multi-family units as a percentage of total housing stock
Rapid transit community	25%
Bus service community	20%
Commuter rail community	15%
Adjacent community	10%

The minimum unit capacity applicable to each MBTA community is determined by multiplying the number of housing units in that community by 0.25, 0.20, 0.15 or 0.10, depending on the type of service in that community. For example, a rapid transit community with 7,500 housing units is required to have a multi-family district with a multi-family unit capacity of $7,500 \times 0.25 = 1,875$ multi-family units. When calculating the minimum unit capacity, each MBTA community should use 2020 census data to determine the number of total housing units, unless another data source has been approved by DHCD.

When determining the unit capacity for a specific multi-family district, each MBTA community must estimate how many units of multi-family housing could be constructed on each parcel of developable land within the district. The estimate should take into account the amount of developable land in the district, as well as the height limitations, lot coverage limitations, maximum floor area ratio, set back requirements and parking space requirements applicable in that district under the zoning ordinance or bylaw. The estimate must also take into account the restrictions and limitations set forth in any other municipal bylaws or ordinances; limitations on development resulting from inadequate water or wastewater infrastructure, and, in areas not served by public sewer, any applicable limitations under Title 5 of the state environmental code or local septic regulations; known title restrictions on use of the land within the district; and known limitations, if any, on the development of new multi-family housing within the district based on physical conditions such the presence of waterbodies, and wetlands.

If the estimate of the number of multi-family units that can be constructed in the multi-family district is less than the minimum unit capacity, then the MBTA community must change the boundaries of the multi-family district or make changes to dimensional regulations applicable to that district (or to other local ordinances or bylaws) to allow for the development of a greater number of multi-family units as of right.

It is important to understand that a multi-family district’s unit capacity is not a mandate to construct a specified number of housing units, nor is it a housing production target. Section 3A requires only that each MBTA community has a multi-family zoning district of reasonable size. The law does not require the production of new multi-family housing units within that district. There is no requirement nor expectation that a multi-family district will be built out to its full unit capacity.

In some communities, there may be a significant number of multi-family units already existing in the multi-family district; those communities should generally expect fewer new units to be produced in the district, because it is more fully built out. Conversely, there may be some communities with relatively little multi-family housing in its multi-family district; there generally will be more opportunity for new

housing production in those districts in which there is a large gap between unit capacity and the number of existing multi-family units.

6. Minimum Gross Density

Section 3A states that a compliant multi-family district must have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A. DHCD will deem a zoning district to be compliant with Section 3A's minimum gross density requirement if the following criteria are met.

a. *District-wide gross density*

Section 3A expressly requires that a multi-family district—not just the individual parcels of land within the district—must have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 and title 5 of the state environmental code established pursuant to section 13 of chapter 21A. To comply with this requirement, the zoning must legally and practically allow for a district-wide gross density of 15 units per acre. The Zoning Act defines “gross density” as “a units-per-acre density measurement that includes land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.”

To meet the district-wide gross density the municipality must demonstrate that the zoning for the district permits a gross density of 15 units per acre of land within the district, “include[ing] land occupied by public rights-of-way and any recreational, civic, commercial and other nonresidential uses.” By way of example, to meet that requirement for a 50-acre multi-family district, the municipality must show at least 15 existing or potential new multi-family units per acre, or a total of at least 750 existing or potential new multi-family units.

b. *Achieving district-wide gross density by sub-districts*

Zoning ordinances and bylaws typically limit the unit density on individual parcels of land. To comply with the statute's density requirement, an MBTA community may establish sub-districts within a multi-family district, with different density requirements and limitations for each sub-district, provided that the gross density for the district as a whole meets the statutory requirement of not less than 15 multi-family units per acre.

7. Determining Suitability for Families with Children

Section 3A states that a compliant multi-family district must be without age restrictions and must be suitable for families with children. DHCD will deem a multi-family district to comply with these requirements as long as the zoning does not require multi-family uses to include units with age restrictions and does not place any limits or restrictions on the size of the units, the number of bedrooms, the size of bedrooms, or the number of occupants.

8. Location of Districts

Section 3A states that a compliant multi-family district shall “be located not more than 0.5 miles from a commuter rail station, subway station, ferry terminal or bus station, if applicable.” DHCD will interpret that requirement consistent with the following guidelines.

a. General rule for measuring distance from a transit station.

To maximize flexibility for all MBTA communities, the distance from a transit station may be measured from the boundary of any parcel of land owned by a public entity and used for purposes related to the transit station, such as an access roadway or parking lot.

b. MBTA communities with some land area within 0.5 miles of a transit station

An MBTA community that has a transit station within its boundaries, or some land area within 0.5 mile of a transit station located in another MBTA community, shall comply with the statutory location requirement if a substantial portion of the multi-family district is located within the prescribed distance. Absent compelling circumstances, at least [one half] of the land area of the multi-family district should be located within 0.5 mile of the transit station. The multi-family district may include land areas that are further than 0.5 mile from the transit station, provided that such areas are easily accessible to the transit station based on existing street patterns and pedestrian connections.

In unusual cases, the most appropriate location for a multi-family district may be in a land area that is further than 0.5 miles of a transit station. Where none of the land area within 0.5 mile of transit station is appropriate for development of multi-family housing—for example, because it comprises wetlands or land publicly owned for recreation or conservation purposes—the MBTA community may propose a multi-family use district that has less than one-half of its land area within 0.5 miles of a transit station. To the maximum extent feasible, the land areas within such a district should be easily accessible to the transit station based on existing street patterns, pedestrian connections, and bicycle lanes.

c. MBTA communities with no land area within 0.5 miles of a transit station

When an MBTA community has no land area within 0.5 mile of a transit station, the multi-family district should, if feasible, be located in an area with reasonable access to a transit station based on existing street patterns, pedestrian connections, and bicycle lanes, or in an area that otherwise is consistent with the Commonwealth’s sustainable development principles—for example, near an existing downtown or village center, near an RTA bus stop or line, or in a location with existing under-utilized facilities that can be redeveloped into new multi-family housing.

9. Determinations of Compliance

DHCD will make determinations of compliance with Section 3A upon request from an MBTA community, in accordance with the following criteria and schedule. An MBTA community may receive a determination of full compliance when it has a multi-family district that meets all of the requirements of Section 3A. An MBTA community may receive a determination of interim compliance for a limited duration to allow time to enact a new multi-family district or amend an existing zoning district in order to achieve full compliance with Section 3A.

a. Requests for determination of compliance

When an MBTA community believes it has a multi-family district that complies with the requirements for Section 3A, as set forth in these guidelines, it may request a determination of compliance from DHCD. Such a request may be made for a multi-family district that was in existence on the date that Section 3A became law, or for a multi-family district that was created or amended after the enactment of Section 3A. In either case, such request shall be made on a form required by DHCD and shall include, at a minimum, the following information, which shall be provided in a format or on a template prescribed by DHCD:

General district information

- i. A map showing the municipal boundaries and the boundaries of the multi-family district;
- ii. A copy of those provisions in the municipal zoning code necessary to determine the uses permitted as of right in the multi-family district and the dimensional limitation and requirements applicable in the multi-family district;
- iii. A plan showing the boundaries of each parcel of land located within the district, and the area and ownership of each parcel as indicated on current assessor records;

Location of districts

- iv. A map showing the location of the nearest transit station and how much of the multi-family district is within 0.5 miles of that transit station;
- v. In cases where no portion of the multi-family district is located within 0.5 miles of a transit station, a statement describing how the development of new multi-family housing within the district would be consistent with the Commonwealth's sustainable development principles;

Reasonable size metrics

- vi. A calculation of the total land area within the multi-family district;
- vii. A calculation of the multi-family district's unit capacity, along with a statement describing the methodology by which unit capacity was determined, together with:
 - a. A description of the water and wastewater infrastructure serving the district, and whether that infrastructure is sufficient to serve any new multi-family units included in the unit capacity;
 - b. A description of any known physical conditions, legal restrictions or regulatory requirements that would restrict or limit the development of multi-family housing within the district;
 - c. The number and age of multi-family housing units already existing within the multi-family district, if any.

District gross density

- viii. The gross density for the multi-family district, calculated in accordance with section 6 of these guidelines.

Housing suitable for families

- ix. An attestation that the zoning bylaw or ordinance does not place any limits or restrictions on the size of the units, the number of bedrooms, the size of bedrooms, or the number of occupants in multi-family housing units within the multi-family district.

Attestation

- x. An attestation that the application is accurate and complete, signed by the MBTA community's chief executive officer.

As soon as practical after receipt of a request for determination of compliance, DHCD will either send the requesting MBTA community a notice that it has provided all of the required information, or identify the additional information that is required to process the request. Upon reviewing a complete application, DHCD will provide the MBTA community a written determination either stating that the existing multi-family use district complies with Section 3A, or identifying the reasons why the multi-family use district fails to comply with Section 3A and the steps that must be taken to achieve compliance.

An MBTA community shall be deemed to be in compliance with Section 3A for the period of time during which a request for determination of compliance, with all required information, is pending at DHCD.

b. Action plans and interim compliance—New or amended district

Many MBTA communities do not currently have a multi-family district of reasonable size that complies with all of the requirements set out in Section 3A and these guidelines. These MBTA communities must take affirmative steps towards the creation of a compliant multi-family district within a reasonable time. To achieve interim compliance, the MBTA community must, by no later than the dates specified in section 9.c, send to DHCD written notice that a new multi-family district, or amendment of an existing multi-family district, must be adopted to come into compliance with Section 3A. The MBTA community must then take the following actions to maintain interim compliance:

- i. *Creation of an action plan.* Each MBTA community must provide DHCD with a proposed action plan and timeline for any planning studies or community outreach activities it intends to undertake in order to adopt a multi-family district that complies with Section 3A. DHCD may approve or require changes to the proposed action plan and timeline by sending the MBTA community written notice of such approval or changes. Rapid transit communities and bus service communities must obtain DHCD approval of an action plan by no later than March 31, 2023. Commuter rail communities and adjacent communities must obtain DHCD approval of a timeline and action plan by no later than July 1, 2023.
- ii. *Implementation of the action plan.* The MBTA community must timely achieve each of the milestones set forth in the DHCD-approved action plan, including but not limited to the drafting of the proposed zoning amendment and the commencement of public hearings on the proposed zoning amendment.

- iii. *Adoption of zoning amendment.* An MBTA community must adopt the zoning amendment by the date specified in the action plan and timeline approved by DHCD. For rapid transit communities and bus service communities, DHCD will not approve an action plan with an adoption date later than December 31, 2023. For commuter rail communities and adjacent communities, DHCD will not approve an action plan with an adoption date later than December 31, 2024.
- iv. *Determination of full compliance.* Within [90] days after adoption of the zoning amendment, the MBTA community must submit to DHCD a complete application requesting a determination of full compliance. The application must include data and analysis demonstrating that a district complies with all of the compliance criteria set forth in these guidelines, including without limitation the district's land area, unit capacity, gross density and location.

During the period that an MBTA community is creating and implementing its action plan, DHCD will endeavor to respond to inquiries about whether a proposed zoning amendment will create a multi-family district that complies with Section 3A. However, DHCD will issue a determination of full compliance only after final adoption of the proposed zoning amendment and receipt of a complete application demonstrating the unit capacity.

c. Timeframes for submissions by MBTA communities

To remain in interim compliance with Section 3A, an MBTA community must take one of the following actions by no later than December 31, 2022:

- i. Submit a complete request for a determination of compliance as set forth in section 9.a above; or
- ii. Notify DHCD that there is no existing multi-family district that fully complies with these guidelines, and submit a proposed action plan as described in section 9.b above.

10. Renewals and Rescission of a Determination of Compliance

a. Term and renewal of a determination of compliance

A determination of compliance shall have a term of 10 years. Each MBTA community shall apply to renew its certificate of compliance at least 6 months prior to its expiration. DHCD may require, as a condition of renewal, that the MBTA community report on the production of new housing within MBTA community, and in the multi-family district that was the basis for compliance. Applications for renewal shall be made on a form proscribed by DHCD.

b. Rescission of a determination of compliance

DHCD reserves the right to rescind a determination of compliance if DHCD determines that (i) the MBTA community submitted inaccurate information in its application for a determination of compliance, (ii) the MBTA community amended its zoning or enacted a general bylaw or other rule or regulation that materially alters the Unit capacity in the applicable multi-family use district.

11. Effect of Noncompliance

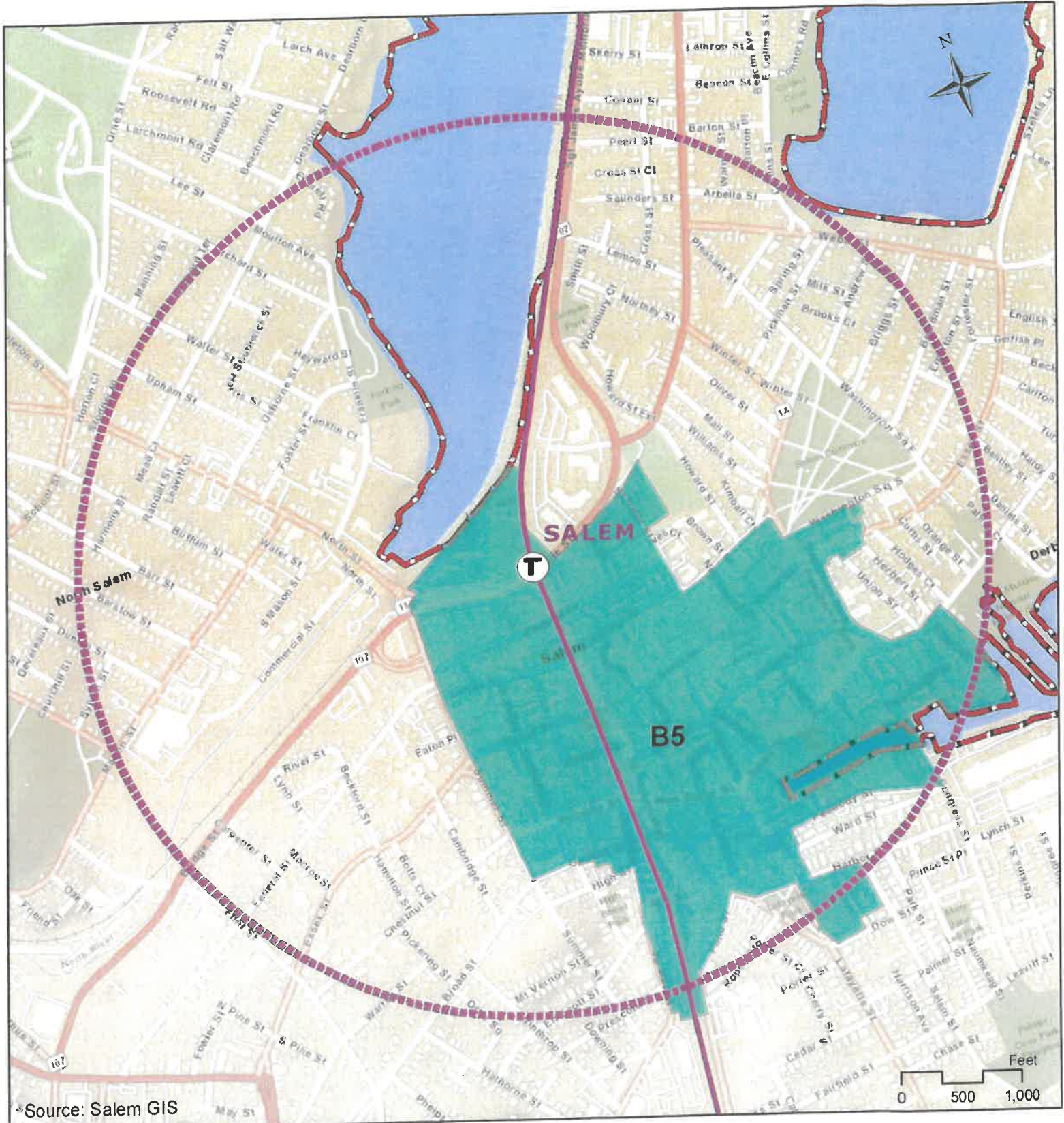
If at any point DHCD determines that an MBTA community is not in compliance with Section 3A, that MBTA community will not be eligible for funds from the following grant programs: (i) the Housing Choice Initiative as described by the governor in a message to the general court dated December 11, 2017; (ii) the Local Capital Projects Fund established in section 2E of chapter 29; or (iii) the MassWorks infrastructure program established in section 63 of chapter 23A. DHCD may, in its discretion, take non-compliance into consideration when making other discretionary grant awards.



Salem Transit Station and 0.5 Mile Buffer Around the T Station

MBTA Commuter Rail

- Regular Service
- Regular Service
- 0.5 mi Buffer
- Salem Zone B5
- Salem Boundary



CITY OF SALEM

In the year Two Thousand and Twenty-Two

An Ordinance to amend mooring permit fees.

Section 1. Section 10-24(d) Mooring Permit of Chapter 10 Boats and Waterways is hereby amended by deleting paragraphs (1) through (4) in their entirety and replacing them with the following:

- “(1) Fee for mooring, \$7.00 per foot of vessel per year.
- (2) Fee for slip, \$7.00 per foot of vessel per year.
- (3) Fee for commercial transient mooring, \$100.00 per year.
- (4) Fee for guest mooring (city owned), \$40.00 per day.
- (5) Fee for private float, \$100 per year.
- (6) Fee for a waitlist for a mooring, \$10 per year.”

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

In City Council January 27, 2022

Adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS
CITY CLERK



CITY OF SALEM

In City Council,

January 27, 2022

Ordered:

That the Rules of Orders and the City Council shall be amended as follows:

Section 26. – Appointment of chairperson when into committee of the whole; and

Section 27. – Rules when in committee of the whole

Be deleted in its entirety; and

Section 30. Committees, generally be amended by adding the following:

#6. Committee of the Whole. The Committee of the Whole shall consist of all members of the Council and be chaired by the President or their designee, and shall meet separately when required to address matters before it.

In City Council January 27, 2022
Held until the next meeting under the rules
In City Council February 10, 2022

ATTEST:

**ILENE SIMONS
CITY CLERK**

CITY OF SALEM

In the year Two Thousand and Twenty Two

An Ordinance Relative to Traffic Ch. 42, Sec. 75 - Parking prohibitions towing zone
(resident sticker)

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

Section 1. Section 75 – Parking prohibitions towing zone (resident sticker) of Article V-A be amended by adding the following:

Cleveland Street – ZONE D-COLOR YELLOW-north side only, beginning forty (40) feet from the intersection with Jefferson Avenue, proceeding in a westerly direction for a distance of thirty (30) feet. No visitor passes shall be issued for qualifying addresses on this street.

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

In City Council January 27, 2022

Adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS
CITY CLERK

CITY OF SALEM

In the year Two Thousand and Twenty Two

An Ordinance Relative to Traffic, Ch. 42 Sec. 51 - Parking Prohibited on Certain Streets

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

Section 1. Section 51 of Article V shall be amended by adding the following:

Jefferson Avenue – Parking Prohibited on Certain Streets – westerly side beginning approximately one hundred and sixty-five (165) feet south of the intersection with Jackson Street in a southerly direction for a distance of eight (80) feet

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

In City Council January 27, 2022

Adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS
CITY CLERK

CITY OF SALEM

In the year Two Thousand and Twenty Two

An Ordinance Relative to Traffic Ch. 42, Sec. 51 - Parking Prohibited on Certain Streets

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

Section 1. Section 51 of Article V shall be amended by adding the following:

Leavitt Street – Parking Prohibited on Certain Streets – southerly side beginning at the intersection with Prince Street in a westerly direction for a distance of one hundred and five (105) feet

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

In City Council January 27, 2022

Adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS
CITY CLERK

CITY OF SALEM

In the year Two Thousand and Twenty Two

An Ordinance Relative to Traffic, Ch. 42 Sec. 49 - Obedience to Isolated Stop Signs

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

Section 1. Ch. 42, Section 49 – Obedience to Isolated Stop Signs shall be amended by adding the following:

Cedarcrest Road – Stop Sign – southeast bound traffic on Cedarcrest Road at Cedarcrest Avenue

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

In City Council January 27, 2022

Adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS
CITY CLERK

CITY OF SALEM

In the year Two Thousand and Twenty Two

An Ordinance Relative to Traffic, Ch. 42, Sec. 50B – Handicapped Zones, Limited Time

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

Section 1. Section 50B – Handicapped Zones, Limited Time shall be amended by adding the following:

Naumkeag Street – One Handicap Parking space to be added in front of #36 Naumkeag Street, for a distance of twenty (20) feet

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

In City Council January 27, 2022

Adopted for first passage by a roll call vote of 11 yeas, 0 nays and 0 absent

ATTEST:

ILENE SIMONS
CITY CLERK