

**MAY 10, 2018**

**REGULAR CITY COUNCIL MEETING**

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A Regular Meeting of the City Council held in the Council Chamber on Thursday, May 10, 2018 at 7:00 P.M. for the purpose of transacting any and all business. Notice of this meeting was posted on May 8, 2018, at 9:25 A.M. This meeting is being taped and is live on S.A.T.V.

Councillor Furey had an excused absent:

Council President Gerard presided.

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

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

**PUBLIC TESTIMONY**

**Public Testimony not to exceed 15 minutes**

**Public Testimony is not a public hearing or question and answer period**

**Name must be on roster 30 minutes prior to meeting**

**Agenda items only**

1. Eric Papetti, 11 Symonds St., - NRCC Zoning
2. Ana Nuncio, 20 Winter St., - Ad-Hoc Search Committee for City Clerk
3. Judith Reilly, 20 West Ave., - Ad-Hoc Search Committee for City Clerk
4. Diane Robichaud, 7 Foster St., - Cigarette smoking on public sidewalks
5. Jeff Cohen, 12 Hancock St., - Ad-Hoc Search Committee for City Clerk
6. Scott Sternberg, 25 Pickman Rd., - Ad-Hoc Search Committee for City Clerk

**CITY OF SALEM****MAY 10, 2018****REGULAR CITY COUNCIL MEETING****#281 – COMCAST TO INSTALL MANHOLE, CONDUITS AND VAULT ON HIGH STREET**

A hearing was held on the Order of Comcast to install a new underground manhole, conduits and a vault at 23-25 High Street. Appearing in favor was Dave Flewelling, representing Comcast. He stated that this was to install a new underground manhole, conduit and vault on High Street. Mr. Flewelling stated that they will adjust the vault at #25 High Street off to the right to accommodate a driveway. James Zavaglia from 25 High St. informed the Council that Mr. Flewelling came out to his property and as long as the move the manhole over to the right he is in favor of the order. There was no one opposed. The hearing was closed. Councillor Madore moved that the permit be granted. It was so voted.

**#282 – NATIONAL GRID TO INSTALL CONDUITS ON BEAVER STREET**

A hearing was held on the Order of National Grid to install conduits on Beaver St. from pole 557-84 to the private property at 70-92 Boston Street. Appearing in favor was Sabitah Mahbier-Sheehy representative from National Grid. She stated this was due to a new driveway going in at 70-92 Boston Street. There was no one opposed. The hearing was closed. Councillor Flynn moved that the permit be granted. It was so voted.

**#283 NATIONAL GRID AND VERIZON TO RELOCATE A JOINTLY-OWNED POLE ON BEAVER STREET**

A hearing was held on the Order on National Grid and Verizon to relocate one (1) Jointly-owned pole on Beaver Street. Appearing in favor was Sabitah Mahbier-Sheehy representative from National Grid. She stated that the pole had to be relocated due to a new driveway going in at 70-92 Boston Street. There was no one opposed. The hearing was closed. Councillor Flynn moved that the permit be granted. It was so voted.

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**#284 – APPOINTMENT OF STAVROULA MEIMETEAS-ORFANOS AS THE ASSISTANT BUILDING INSPECTOR**

The Mayor's appointment of Stavroula Meimeteas-Orfanos to serve as Assistant Building Inspector with a term to expire on September 14, 2019 was held to the next meeting of May 24, 2018 under the rules.

**#285 – APPOINTMENT OF STEPHANIE HAGYARD AND TY HAPWORTH TO THE BEAUTIFICATION COMMITTEE**

The Mayor's appointments of Stephanie Hagyard 8 Pope St., Salem and Ty Hapworth of 6 Brown St., Salem to serve as a member of The Beautification Committee with their terms to expire on May 10, 2021 were held to the next meeting of May 24, 2018 under the rules.

**#286 – REAPPOINTMENT OF DEBORAH AMARAL TO THE PARK & RECREATION COMMISSION**

The Mayor's reappointment of Deborah Amaral, 172 Marlborough Rd., Salem to serve as a member of the Salem Park & Recreation Commission with a term to expire on May 10, 2023 was confirmed by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

**#287 - REAPPOINTMENT OF TIM SHEA TO THE COMMUNITY PRESERVATION COMMISSION**

The Mayor's reappointment of Tim Shea, 21 Buchanan Rd., Salem to serve as a member of the Salem Community Preservation Committee with a term to expire on May 10, 2020 was confirmed by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

**CITY OF SALEM****MAY 10, 2018****REGULAR CITY COUNCIL MEETING****#288 – REAPPOINTMENT OF AIYANA LILLY TO THE SALEM YOUTH COMMISSION**

The Mayor's reappointment of Aiyana Lilly to serve as a member of the Salem Youth Commission with a term to expire on May 10, 2021 was confirmed by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

**#289 – REAPPOINTMENT OF VALENTINA MENDEZ TO THE SALEM YOUTH COMMISSION**

The Mayor's reappointment of Valentina Mendez to serve as a member of the Salem Youth Commission with a term to expire on May 10, 2019 was confirmed by a roll call vote of 10 yeas, 0 nays, 1 absent. Councillors Dibble, Dominguez, Flynn, Furey, Madore, McCarthy, Milo, Peterson, Sargent, Turiel and Gerard were recorded as voting in the affirmative. Councillor Furey was recorded as absent.

**#290 - CONSTABLE**

The Mayor's reappointment of Nikolas J. Berard to serve as a Constable with a term to expire on February 21, 2020 was received and placed on file.

**#291 – CONSTABLE**

The Mayor's reappointment of Michael J. Dobe to serve as a Constable with a term to expire on February 21, 2020 was received and placed on file.

**#292 - CONSTABLE**

The Mayor's reappointment of Dana Hagan to serve as a Constable with a term to expire on January 25, 2021 was received and placed on file.

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**REGULAR CITY COUNCIL MEETING**

**#293 – APPROPRIATION TO THE MAYOR’S “CONTRACTED SERVICES” ACCOUNT**

The following order was recommended by the Mayor. Councillor Turiel asked for suspension of the rules to bring it forward. Councillor Dibble object. The order was referred to the Committee on Administration and Finance co-posted with the Committee of the Whole under the rules. Let the record reflect that Councillor Flynn had left the Council Chambers until the discussion was over and then Councillor Flynn returned to the Chambers. Councillor Sargent voted opposes.

ORDERED: That the sum of Twenty Thousand Dollars (\$20,000) is hereby appropriated from the “Fund Balance Reserved for Appropriation – Free Cash” account to the Mayor’s “Contracted Services” Account for the purpose of conducting an assessment center to hire a new Fire Chief.

**#294 - APPROPRIATION IN THE “RETIREMENT STABILIZATION FUND – VACATION/SICK LEAVE BUYBACK FOR KATHLEEN CANNEY, SCHOOL DEPARTMENT**

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

ORDERED: That the sum of Seventeen Thousand six Hundred and Seventy-Seven Dollars and Ninety-Three cents (\$17,677.93) in the “Retirement Stabilization Fund – Vacation/Sick Leave Buyback” account to be expended for the FY18 Contractual buyback for Kathleen Canney from the School Department in accordance with the recommendation of Her Honor the Mayor.

**#295 – APPROPRIATION TO “POLICE PART-TIME SALARY” ACCOUNT**

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

ORDERED: That the sum of Six Thousand and Six Dollars (\$6,006.00) is hereby transferred from the “Police Contracted Services” account to “Police Part-Time Salary” account in accordance with the recommendation of Her Honor the Mayor

**CITY OF SALEM****MAY 10, 2018****REGULAR CITY COUNCIL MEETING****#296 – NAMING OF A ROOM INSIDE THE MAYOR JEAN LEVESQUE COMMUNITY LIFE CENTER**

The following Order recommended by the Mayor was adopted.

ORDERED: That a room in the Mayor Jean Levesque Community Life Center AT 401 Bridge Street be named in honor and memory of Irene A. Willey, late of Oak Street in Salem, whose generous bequest to the City of Salem enabled the furnishings of the new Community Life Center.

**#297 – REGULAR MEETINGS OF THE CITY COUNCIL FOR JULY AND AUGUST**

Councillor Peterson introduced the following order which was adopted.

Ordered: That the regular meetings of the City Council for the months of July and August be combined and held on Thursday, July 19, 2018.

**#298 – SMOKING PROBLEMS AND ISSUES OUTSIDE OF BARS AND RESTAURANTS**

Councillor Dominguez introduced the following order which was adopted.

ORDERED: That the Committee on Public Health, Safety & Environment co-posted with the Committee of the Whole meet to discuss the problem of restaurant and bar customers smoking on public sidewalks around these establishments. And that the City Solicitor, Health Agent and the Director of the Salem Chamber of Commerce be invited

**#299 – NAMING A VETERANS SQUARE AFTER U.S. ARMY AIR CORPS STAFF SERGEANT JOHN “JACK” RYAN**

Councillor McCarthy introduced the following order which was adopted.

ORDERED: That the corner of Hawthorne Blvd and Derby St. be designated as a Veteran's Square in memory of US Army Air Corps Staff Sergeant John “Jack” Ryan and that this square be named Ryan Square.

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**# 300 – (#277 - #278) GRANTING LICENSES**

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

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

TAG DAYS:                S.H.S. Boys Soccer, 8/25/18, 9/8/18 & 9/22/18  
                                 Salem Witches Youth Softball, 7/7/18, 7/8/18, 7/28/18 & 7/29/18

**#301 – (#265) TEMPORARY SIGNS FOR STREET SWEEPING AND OTHER EVENTS**

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

The Committee on Ordinances, Licenses & Legal Affairs to whom was referred the matter of discussing temporary signs for street sweeping and other events has considered said matter and would recommend that the matter remain in committee.

**#302 – (#262) DOUBLE POLES, ABANDONED CABLES AND OVERHEAD WIRES**

Councillor Dibble offered the following report for the Committee on Community and Economic Development. It was voted to accept the report and adopt the recommendation.

The Committee on Community and Economic Development to whom was referred the matter of discussing how to correct the many issues surrounding the overhead wires, abandoned cables and double poles throughout Salem has considered said matter and would recommend that the matter remain in committee and to revisit this matter in three months

**CITY OF SALEM****MAY 10, 2018****REGULAR CITY COUNCIL MEETING****#303 – (#153 & #267) AD-HOC SEARCH COMMITTEE TO FILL THE VACANCY OF THE CITY CLERK**

Councillor Gerard offered the following report for the Ad-Hoc Search Committee. It was voted to accept the report and adopt the recommendation.

The Ad-Hoc Search Committee to whom was referred the matter of filling the vacancy of the City Clerk has considered said matter and would recommend that the matter remain in committee.

**#304 (#162)– COMMUNICATION FROM BUILDING COMMISSIONER RELATIVE TO ZONING AMENDMENT REGARDING SWIMMING POOLS SEC. 3.2.5**

The following communication from Thomas St. Pierre, Building Commissioner/Zoning Officer relative to a zoning change request for Swimming Pools Sec. 3.2.5 was received and placed on file. (Full Communication printed below)

May 4, 2018  
City Council-Salem  
Beth Gerard-Council President  
93 Washington Street  
Salem Ma.01970

Re: zoning change request  
Dear Council Members,

The recent discussion around the requests for zoning changes and corrections, I asked that the language regarding requirements for a fenced in area around a pool be put back into place. The language was deleted when the zoning document was codified back in 2009. There was no discussion or vote to eliminate this language and we assumed it was a mistake.

The current Massachusetts State Building Code allows a guard rail fence to be affixed around the top edge of the pool and a removable ladder. This actually met building code for many years. The City, however, added a zoning requirement (section 7-10) section (f) that stated the following: "Safety Precautions. Pools shall be surrounded on all sides with a permanent wall or fence at least for feet high and located no further than (25) feet from any side of the pool. Fences shall be constructed of pickets, or stockade or chain link material. Rail fences shall not be permitted. The fence shall have only one opening, maximum of three feet in width, with a locking and closing device so as to keep the gate shut at all times".

This section was challenged several years ago and the resident somehow got before the City Council. The Council at the time affirmed that the City wanted to be more restrictive than what the Building Code minimums required.

I understand the Planning Board is recommending that this section not be adopted. Not sure the reasoning behind their recommendation. The reason I feel the fencing requirement is important is that density of Salem's housing stock means that pools can be located as close as six feet to property line. To me, the concern is that a pool ladder is left down for even a few minutes and a child from an abutting property gets into the pool and has a tragedy. The



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Councilors before you were concerned about this and voted this ordinance in and reaffirmed the ordinance when it was challenged.

I strongly recommend that either this language or something similar be added back into our current Zoning Ordinance.

Thank You for your efforts regarding this matter.

Sincerely,  
Thomas St. Pierre  
Building Commissioner/Zoning Officer

**#305 – (#162) – COMMUNICATION FROM PLANNING BOARD RELATIVE TO ZONING – SEC. 3.2.5 - SWIMMING POOLS**

A communication from the Planning Board submitting their recommendation relative to a proposed Zoning for Section 3.2.5 - Swimming Pools was received and filed.  
(See Full Recommendation and draft minutes below)

**Report to City Council**

April 30, 2018

At its meeting on April 19, 2018 the Planning Board voted to recommend denial of amending the City's Zoning Ordinance Section 3.2.5. Swimming Pools to correct Scrivener's errors from the 2009 recodification of the Salem Zoning Ordinance by inserting a new paragraph at the end of this section as follows: "2. Pools shall be surrounded on all sides by a permanent wall or fence at least four (4) feet high and located no further than twenty-five (25) feet from any side of the pool. Fences shall be constructed of pickets, stockade or chain-link type material. Rail fences shall not be permitted. The fence shall have only one (1) opening, three (3) feet maximum in width, with a locking and closing device so as to keep the gate shut at all times."

The Planning Board voted, none in favor and eight (8) opposed (Mr. Anderson, Mr. Veno, Mr. Koretz, Ms. Yale, Ms. Sides, Ms. Hamilton, Mr. Griset, Mr. Napolitano), to recommend approval of the proposed zoning amendment as it was referred to the Planning Board from the City Council.

In making this recommendation, the Planning Board made note of the following:

- The Board is concerned with short-term safety issues without having this language but does not agree with the language as submitted.
- The Ordinance already states that pools shall be in conformity with the requirements of the State Building Code. If there is a reason to go above and beyond the State Building Code, the Board needs to understand why this is necessary and what the additional requirements should be. The language as submitted is not clear to the Board.

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The draft minutes of this item from the April 19, 2018 meeting are attached to this report for reference. If you have any questions regarding this matter, please feel free to contact Tom Daniel, Director of Planning & Community Development, at 978-619-5685.

Yours truly,  
Ben J. Anderson, Chair

CC: Ilene Simmons, City Clerk

**DRAFT Meeting Minutes, April 19, 2018**

**A. Deliberate and vote on recommendation to City Council on two (2) separate proposed Zoning Amendments listed below:**

- 1. To amend the City's Zoning Ordinance Section 8.4.9. Parking Requirements by deleting 4(a) in its entirety and replacing it with: "One and a half (1.5) parking spaces per dwelling unit."**
- 2. To amend the City's Zoning Ordinance Section 3.2.5. Swimming Pools to correct Scrivener's errors from the 2009 recodification of the Salem Zoning Ordinance by inserting a new paragraph at the end of this section as follows: "2. Pools shall be surrounded on all sides by a permanent wall or fence at least four (4) feet high and located no further than twenty-five (25) feet from any**
- 3. side of the pool. Fences shall be constructed of pickets, stockade or chain-link type material. Rail fences shall not be permitted. The fence shall have only one (1) opening, three (3) feet maximum in width, with a locking and closing device so as to keep the gate shut at all times."**

**2. Swimming Pool fencing requirements**

There is some question as to whether this is correcting a scrivener's error from 2009 or if there was another change in between. The timing is unclear.

One comment brought up the question if one opening was enough; the Chair thinks it is not. The building inspector indicated he would be comfortable approving one fence around the entire yard, even if it did not meet the 25 foot requirement. The language needs clarification. Bill Griset notes that this is not guidance, and that an ordinance is a requirement.

It is noted that swimming pool and fencing requirements are laid out in the code used at the state level, the Building Officials Code Administrators International (BOCA) code. Bill Griset notes that that code has many details, so there is no need to redevelop Salem's code. There is some question as to whether Salem's mirrors that code. Bill Griset cites a section of the BOCA National Building Code from May 1, 1999, section 421.10.1, "Barriers and Fencing." Noah Koretz notes that these are developed industry standards providing greater detail and safety than what is proposed.

Chair Anderson notes that administratively, the Board must vote yes or no on the language before them, but he senses that members are not comfortable with it so recommends a no vote with recommendations for further changes. However, if the language is not changed, this still presents an opportunity for homeowners building pools to challenge the Building Inspector/Zoning Enforcement Officer since there is currently no language at all in the Zoning Ordinance. The missing language was accidentally omitted during the recodification. All construction must comply with building code regardless of zoning, but those are not in sync and they should be. Chair Anderson notes that if the Board votes no and the City Council does too, there would be no guidance in the Zoning Ordinance but pools and fencing would still have to meet Building code.

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Additional discussion of what State Code vs. Salem's Ordinance say occurs. It is unclear whether the City's matches the Building Code. Chair Anderson cites section 3.2.5, "Swimming Pools." Bill Grisette notes that the State code adopts the International Pool and Spa Code, and that the section above states that pools must conform to those, but there is no mention of fencing.

It is noted that the conversation in the Council meeting as well as the language itself are confusing. Is it more desirable to have this confusing language vs. no language at all for a period of time? It is again noted that the City Council will vote on the language as it is, regardless of Planning Board input, but that commentary and explanations can be provided. The Board can note that this is an urgent matter that it is recommending being approved due to the need to have some language, not because it is appropriate and complete.

Ultimately whether the Board votes no or yes, with guidance, does not really matter.

A motion to recommend that the City Council so amend item 2 re swimming pool fences is made by Noah Koretz, seconded by DJ Napolitano, and fails to carry in a roll call vote with Ben Anderson, Dale Yale, Helen Sides, Noah Koretz, DJ Napolitano, and Carole Hamilton, and Matt Veno opposed (8 opposed, 0 in favor).

Noah Koretz notes that since the ordinance references building code, instead of matching the building code, if it needs to go above and beyond that, is acceptable but the Council must understand why and what the language should be.

**(#162) – ZONING ORDINANCE AMENDING SEC. 3.2.5 – SWIMMING POOLS**

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

In the year two thousand and eighteen

An Ordinance to amend an Ordinance relative to Zoning

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

Section 1. Section 3.2.5 Swimming pools is hereby amended to correct Scrivener's errors from the 2009 recodification of the Salem Zoning Ordinance by inserting a new paragraph at the end of this section as follows:

"2. Pools shall be surrounded on all sides by a permanent wall or fence at least four (4) feet high and located no further than twenty-five (25) feet from any side of the pool. Fences shall be constructed of pickets, stockade or chain-link type material. Rail fences shall not be permitted. The fence shall have only one (1) opening, three (3) feet maximum in width, with a locking and closing device so as to keep the gate shut at all times."

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

**CITY OF SALEM****MAY 10, 2018****REGULAR CITY COUNCIL MEETING****#306 – (#165) – COMMUNICATION FROM PLANNING BOARD RELATIVE TO ZONING – NRCC PARKING REQUIREMENTS SEC. 8.4.9**

A communication from the Planning Board submitting their recommendation relative to a proposed Zoning for Section 8.4.9 – Parking Requirements section 4(a) – North River Canal Corridor has been received and placed on file. (See Full Recommendation and draft minutes below)

**Report to City Council**

April 30, 2018

At its meeting on April 19, 2018 the Planning Board voted to recommend approval of amending the City of Salem Zoning Ordinance Section 8.4.9, Parking Requirements by deleting 4(a) in its entirety and replacing it with: “One and a half (1.5) parking spaces per dwelling unit.”

The Planning Board voted, eight (8) in favor (Mr. Anderson, Mr. Veno, Mr. Koretz, Ms. Yale, Ms. Sides, Ms. Hamilton, Mr. Griset, Mr. Napolitano) and none opposed, to recommend the proposed zoning amendment as it was referred to the Planning Board from the City Council.

In making this recommendation, the Planning Board made note of the following:

- The parking requirement of 2.0 spaces per unit is the greatest parking requirement in any zoning district in Salem. Given that this area is accessible to transit and is within walking and biking distance to most amenities, the district is ideal for Transit Oriented Development. To encourage this, the City should lower the parking requirement from 2.0 spaces per unit to 1.5 spaces per unit.
- The NRCC district was established in 2004. The Planning Board now has the benefit of over a decade of actual development under the current regulations, and having data on the usage of parking for projects the Board has approved, the Board is now aware that the 2.0 parking space requirement is not necessary. Instead, this requirement is a burden to developers to try to fit more parking on the site when they could instead be adding other site amenities. The data collected from developments over this period indicate that the usage is below 1.5 spaces per dwelling unit.

The draft minutes of this item from the April 19, 2018 meeting are attached to this report for reference. If you have any questions regarding this matter, please feel free to contact Tom Daniel, AICP, Director of Planning & Community Development, at 978-619-5685.

Yours truly,

Ben J. Anderson, Chair

CC: Ilene Simmons, City Clerk

**DRAFT Meeting Minutes, April 19, 2018**

- A. Deliberate and vote on recommendation to City Council on two (2) separate proposed Zoning Amendments listed below:**
  - 1. To amend the City’s Zoning Ordinance Section 8.4.9. Parking Requirements by deleting 4(a) in its entirety and replacing it with: “One and a half (1.5) parking spaces per dwelling unit.”**

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2. To amend the City's Zoning Ordinance Section 3.2.5. Swimming Pools to correct Scrivener's errors from the 2009 recodification of the Salem Zoning Ordinance by inserting a new paragraph at the end of this section as follows: "2. Pools shall be surrounded on all sides by a permanent wall or fence at least four (4) feet high and located no further than twenty-five (25) feet from any side of the pool. Fences shall be constructed of pickets, stockade or chain-link type material. Rail fences shall not be permitted. The fence shall have only one (1) opening, three (3) feet maximum in width, with a locking and closing device so as to keep the gate shut at all times."

**1. Change parking requirements for NRCC district from two to 1.5 spaces per dwelling unit**

DJ Napolitano feels that this change would pose a burden, but he was not a Planning Board member when the discussion regarding this issue occurred. Carole Hamilton notes that this is an amendment the Planning Board specifically pushed for because of difficulties with Site Plan Review (SPR) on buildings in that area. It is close to the train station and does not warrant that kind of space. It is the largest parking requirement of anywhere in the city, yet is right in the heart of the City.

Noah Koretz observes that data from the City on existing developments in that Zone indicate that they do not even see usage even at the level of 1.5 spaces per dwelling unit in their current use, so the Ordinance is forcing developers to build more parking when they could be adding other site amenities instead. Good planning practice is to push for Transit Oriented Development (TOD), yet more parking is required in the NRCC than in any other downtown parking site. The Board wants to avoid having seas of parking, and allow Applicants to avoid being required to seek variances from the Zoning Board of Appeals (ZBA). All sites that this Board is aware of are self contained, fully parked on the site, and not using public parking, which Noah Koretz feels is something they should be doing. He feels that lowering the requirement to 1.5 is still a compromise and that it could be lowered further. It would be better to have multi-purpose parking; for example, the T garage is almost empty at 5:30 or 6PM, so could be used for residential parking at night. He concedes that this is not a political reality but reducing the required spaces is a step in the right direction.

Matt Veno says that the approval of the NRCC district was something he voted on in City Council as a member years ago, and he remembers the process and its politics. Councilors were doing their best and considering what "might be needed" in a brand new zone. The Planning Board, now having the benefit of over a decade of actual development under these rules, and having data on the usage of parking in projects it has approved, is simply acknowledging that learning and is making well informed and judicious changes to the zoning to accommodate that knowledge. As previous ward councilor, he would not have supported less parking, however being on this Board gives a different perspective and he thinks 1.5 spaces per dwelling unit will work. Chair Anderson notes that this is a City, an urban environment; we must think far enough ahead to attract transit oriented residents and businesses, so managing development must be considered. This is a progressive step, if a small one, forward.

Noah Koretz agrees, adding that Salem is a city in a regional housing crisis, and is out of space. Developments must be more dense in order for people to continue to be able to afford to live here as they get priced out of Boston. This affects our market.

Matt Veno opines that these are all zero sum game projects in that more parking means less green space and fewer amenities, so requirements must be considered along with other project goals. Chair is concerned that those opposed are not really considering the environment that they are in. They think they are in a rural environment but they are not, and this is a difficult change for some. Helen Sides notes that when improvements were made and downtown got busier, merchants on Front St. complained that when meters were installed, that they could no longer park in front of their own shops (as if that was desirable). This is no longer "just a quiet town." You cannot drive and park anywhere as there are businesses everywhere now.

Noah Koretz notes that the Board is in "repair mode," fixing an erroneous decision made when "cars were king." Every vibrant downtown has a "parking problem" because people want to be there. There are many ways that this Board controls development in this City, but using the overbuilding of parking as a way to control development is fundamentally harmful; there are better ways. Those engaging in political conversations make the argument that

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“buildings will get bigger if we have less parking,” but the converse of that is to have small buildings dominated by parking otherwise. Chair Anderson cites Hartford CT, a sea of parking with small footprint buildings. Noah Koretz states that he sympathizes with concerns but advocates smart growth.

Noah Koretz opines that based on various comments, he is not convinced that this will pass, so in that case, the inclusion of an explanation from the Board to City Council is important. Matt Veno notes that the deliberation the Board just had is good, so the Council should be presented with these minutes.

Chair Anderson notes that the Board has voted to approve a proposal with less parking than what was required, but then the Applicant must go before the Zoning Board of Appeals. If the Ordinance is changed, they will need to go before the ZBA if they are seeking to include fewer than 1.5 spaces per dwelling unit, not fewer than 2 as they have in the past.

Noah Koretz feels that an explanation will help the City Council make a decision in favor of this change. Ashley Green will summarize the discussion and run it by Chair Anderson, then a letter from him will be sent to the Council highlighting important issues. A copy of these minutes will also be attached for reference.

A motion to recommend that the language be changed is made by Helen Sides, seconded by Matt Veno, and passes 8-0.

**(#165) – ZONING ORDINANCE AMENDING SEC. 8.4.9 – PARKING REQUIREMENTS - NRCC**

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

In the year Two Thousand and Eighteen

An Ordinance to amend an Ordinance relative to Zoning

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

Section I. Sub-paragraph 4(a) of Section 8.4.9 Parking Requirements is hereby amended by deleting 4(a) in its entirety and replacing it with the following:

“a. One and a half (1.5) parking spaces per dwelling unit.”

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

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**REGULAR CITY COUNCIL MEETING**

**#307 – (#264) COMMUNICATION BY CITIZEN’S INN REGARDING THE SERVICES OFFERED TO SALEM RESIDENTS AND THE NORTH SHORE**

A Communication and Presentation from Peabody Councillor-At-Large, Tom Gould (unable to attend) and Executive Director of the Citizen’s Inn, Corey Jackson to address the Salem City Council regarding the services they provide to Salem Residents and to also provide an overview of the full spectrum of services they offer in the North Shore was received and placed on file.

**#308 – HAWC WALK**

A request from HAWC to hold their walk and use of city streets on May 12, 2018 was granted. (housekeeping purposes only)

**#309 – BLOCK PARTY – BAY VIEW AVENUE**

A request from the residents of Bay View Avenue to hold a Block Party on Sunday, May 27, 2018 from 11:00 A.M. to 6:00 P.M. was granted.

**#310 - #312- LICENSE APPLICATIONS**

The Following License Applications were granted:

PUBLIC GUIDE: Jeffrey Horton, 31 Sculpin Way, Swampscott

TAXI OPERATORS: Alexis Infante, 34 Harbor St., Salem

VEHICLE FOR HIRE  
OPERATORS ONLY: Douglas Pilkington, 1102 The Heights at Cape Ann, Gloucester  
Joel Cassidy, 35 March St., Salem  
Mary Ann Garnham, 7 March St. Ct., Salem  
Mark Gauthier, 40 Oak Avenue, Peabody

**CITY OF SALEM****MAY 10, 2018****REGULAR CITY COUNCIL MEETING****#312 - #315 LICENSE APPLICATIONS**

The Following License Application were referred to the Committee on Ordinances, Licenses and Legal Affairs:

TAG DAY:                      S.H.S. Spring Track – 6/3/18 & 6/10/18  
Salem Fire Dept. – MDA Boot Drive 9/1/18, 10/19/18, 10/21/18  
S.H.S Boys Basketball – 12/8/18, 12/15/18, 1/6/19 & 1/13/19

**#316 - #318 CLAIMS**

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

John Dumas, 20 Bridge St., Salem  
Andrew Ingemi (Village Tavern), 168 Essex St., Salem  
Saman Abazari, 23 Park St., Salem

**#319 - BONDS**

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

**(#263) – SECOND PASSAGE TRAFFIC ORDINANCE ORNE SQUARE – ONE WAY STREET**

On the matter of second and final passage of an Ordinance amending Traffic Chapter 42, Section 10, - “One Way Streets” is hereby amended by adding Orne Square from Broad Street to Hathorne Street, in a southwesterly direction only, One Way Traffic was then taken up. It was adopted for second and final passage.

On the motion of Councillor Sargent the meeting adjourned at 9:10 P.M.

ATTEST:

ILENE SIMONS  
CITY CLERK