



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

October 11, 2018

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Enclosed herewith is a request to accept the donation of Two Thousand Eight Hundred Dollars (\$2,800.00) from Heidi Cassista and Tammy Mace to purchase picnic tables. These funds will be deposited into the Park and Recreation Department Donation fund 24061-4830.

In order to accept the donations approval must be given by both the Mayor and City Council. I ask that the members of the City Council join with me in accepting this donation for the Park Department.

Very truly yours,

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

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

October 11, 2018

To accept the donation(s) listed below totaling Two Thousand Eight Hundred Dollars (\$2,800.00). These funds will be deposited into the account listed below in accordance with the recommendation of Her Honor the Mayor.

From:	Fund Name	Org/Obj	Amount	
Heidi Cassista	Recreation Donation	24061-4830	\$	1,400.00
Tammy Mace	Recreation Donation	24061-4830	\$	1,400.00
Total			\$	2,800.00



Kimberley Driscoll
MAYOR

CITY OF SALEM, MASSACHUSETTS
PARK, RECREATION & COMMUNITY SERVICES
5 Broad Street, Salem MA 01970
Tel. (978) 744-0180/(978) 744-0924
Fax (978) 744-7225

October 5, 2018

Dear Mayor Driscoll:

I am writing to request the acceptance of the following donations written to the City of Salem to the Park and Recreation Donation Account 24061-4830.

Heidi Cassista - \$1,400 for dedication picnic table
Tammy Mace - \$1,400 for a dedication picnic table

Sincerely,

A handwritten signature in black ink, appearing to be "Tricia O'Brien", is written over the word "Sincerely,".

Tricia O'Brien
Superintendent
Park, Recreation & Community Service



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll

Mayor

October 11, 2018

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentleman of the Council:

Enclosed herewith is a request for an appropriation of Thirteen Thousand Dollars (\$13,000.00) from the "Receipts Reserved" funds listed below to the Department of Public Services Burial Account (14112-5383).

FROM			TO	AMOUNT
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	\$ 9,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	\$ 4,000.00
Total:				<u>\$13,000.00</u>

This appropriation is necessary to purchase burial boxes for burial services for cemetery.

I recommend passage of the accompanying Order.

Very truly yours,

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

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

October 11, 2018

Ordered:

That the sum of Thirteen Thousand Dollars (\$13,000.00) is hereby appropriated from the Receipts Reserved funds listed below to the Department of Public Services Burial Account (14112-5383) in accordance with the recommendation of Her Honor the Mayor.

From		To		Amount
2430-4800	R/Res Sale of Lots	14112-5383	DPS Burial	9,000.00
2431-4800	R/Res Sale of Vaults	14112-5383	DPS Burial	4,000.00
Total				13,000.00



KIMBERLEY DRISCOLL
MAYOR

DAVID KNOWLTON P.E.
DIRECTOR OF PUBLIC SERVICES

CITY OF SALEM, MASSACHUSETTS

DEPARTMENT OF PUBLIC SERVICES
5 JEFFERSON AVENUE - FACILITY LOCATION
98 WASHINGTON STREET - MAILING ADDRESS
SALEM, MASSACHUSETTS 01970
TEL. (978) 744-3302
FAX (978) 744-6820
DKNOWLTON@SALEM.COM

September 27, 2018

The Honorable Mayor Kimberly Driscoll
City of Salem
93 Washington Street
Salem, Massachusetts 01970

Subject: Burial Service for Q2FY19

Dear Mayor Driscoll,

We respectfully request an appropriation of funds in the amount of Thirteen Thousand, (13,000.00) from the following account:

2430-4800 Sale of Lots	\$9,000.00
2431-4800 Sale of Vaults	\$4,000.00

to be transferred in to the Public Service Burial Services Line 14112-5383. This appropriation will allow for the burial services and operations for the second quarter of Fiscal Year 2019.

Respectfully yours,

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

David Knowlton
Director of Public Services

Cc: Laurie Giardella
File Copy

CITY OF SALEM – Finance Department

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

From: DPS Cemetery
Department

[Signature]
Department Head Authorizing Signature

9/27/18
Date

Budget or R/Res Transfers

To :	<u>14112/5383</u> <small>(Org/Object)</small>	Desc: <u>Burial Services</u>	Budget Amt: <u>20,000.00</u> Balance: <u>3,750.00</u>
From :	<u>2430/4800</u>	Desc: <u>Sale of Lots</u>	Budget Amt: <u>0</u> Balance: <u>80,1068.00</u>

(*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 : _____ Desc: _____ Budget Amt: _____
Please circle one (Org/Object) Balance: _____

Amount Requested: \$ 9,000.00

Reason (Be Specific) funds needed for Burial services for cemetery.

For Finance Department and Mayor's Use Only:

<input type="checkbox"/> Budget Transfer	<input type="checkbox"/> Mayor Approval	<input checked="" type="checkbox"/> City Council Approval
<input type="checkbox"/> Free Cash Appropriation – City Council Approval – Gen Fund \$ _____ Free Cash Balance		
<input type="checkbox"/> R/E Appropriation –Water \$ _____ R/E Balance	<input type="checkbox"/> R/E Appropriation Sewer \$ _____ R/E Balance	
<input checked="" type="checkbox"/> Receipts Reserve – City Council Approval	\$ <u>55,668.00</u> R/Res Fund Balance <u>MB 10/2/18</u>	
<input type="checkbox"/> Raise & Appropriate	<input type="checkbox"/> Other <u>[Signature]</u> Finance Director <u>10/2/18</u>	

Recommendation: ☐ Approved ☐ Denied

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

CITY OF SALEM – Finance Department

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

From: DPS Cemetery
Department

[Signature]
Department Head Authorizing Signature

9/27/18
Date

Budget or R/Res

Transfers

To: 14112/5383
(Org/Object)

Desc: Burial Services

Budget Amt: 20,000.00

Balance: 3,750.00

From: 2431/4800

Desc: Sale of Vaults

Budget Amt: 0

Balance: 39,876.39

(*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

To: _____

Desc: _____

Budget Amt: _____

Balance: _____

Retained Earnings (W/S) (Org/Object)

Please circle one

Amount Requested:

\$ 4,000.00

Reason (Be Specific)

funds needed for burial services for cemetery.

For Finance Department and Mayor's Use Only:

_____ Budget Transfer

✓ Mayor Approval

✓ City Council Approval

_____ Free Cash Appropriation – City Council Approval – Gen Fund \$ _____

Free Cash Balance

_____ R/E Appropriation – Water \$ _____

R/E Balance

_____ R/E Appropriation Sewer \$ _____

R/E Balance

✓ Receipts Reserve – City Council Approval

\$ 31,076.39 MS 10/2/18

R/Res Fund Balance

_____ Raise & Appropriate

_____ Other _____

Recommendation: _____ Approved _____ Denied

Finance Director

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



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

October 11, 2018

To the City Council
City Hall
Salem, Massachusetts

Ladies and Gentlemen of the Council:

Enclosed herewith is a request for an appropriation of Seventy-One Thousand, One Hundred and Seventy-Three Dollars and Fifty-Four Cents (\$71,173.54) appropriated in the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback listed below.

NAME	DEPARTMENT	AMOUNT
Paul L'Heureux	School	\$71,173.54

Very truly yours,

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

Kimberley Driscoll
Mayor



CITY OF SALEM

In City Council,

Ordered:

October 11, 2018

That the sum of Seventy-One Thousand, One Hundred and Seventy-Three Dollars and Fifty-Four Cents (\$71,173.54) be approved within the "Retirement Stabilization Fund-Vacation/Sick Leave Buyback" account (83113-5146) to be expended for the FY 2019 contractual buyback(s) listed below in accordance with the recommendation of Her Honor the Mayor.

Name	Department	Amount
Paul L'Heureux	School	71,173.54
		71,173.54



KIMBERLEY DRISCOLL
MAYOR

LISA B. CAMMARATA
DIRECTOR OF HUMAN RESOURCES

CITY OF SALEM, MASSACHUSETTS

HUMAN RESOURCES
120 WASHINGTON STREET
TEL. (978) 745-9595 EXT. 5630
FAX (978) 745-7298

MEMORANDUM

TO: Laurie Giardella, Finance Director
DATE: September 26, 2018
RE: Retirement Stabilization Fund

Attached is a PAF for a former employee of the Salem Public Schools.

This former employee is contractually entitled to the following amount of sick leave and vacation buy back.

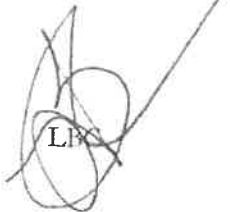
Paul L'Heureux

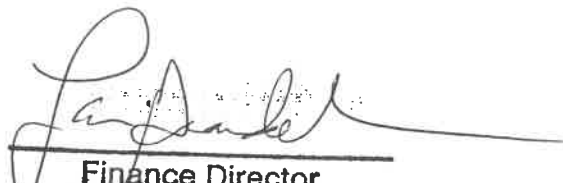
90 sick days @ \$487.49 per day	\$43,874.10
56 vacation days @ \$487.49	\$27,299.44

Total: \$71,173.54

In accordance with the July 2008 Policy, I am requesting you verify the availability of the funds from the Retirement Stabilization Fund, prepare the Council Order, and continue the process in order that my staff can input the information in MUNIS and issue payments to this former employee upon Council approval.

Thank you for your cooperation, and if you should have any questions, please do not hesitate to contact me.


LBC


Finance Director
Refer to School
Committee Vote

Margarita Ruiz
Superintendent



City of Salem
Salem Public Schools

August 16, 2018

At a meeting of the Personnel Subcommittee Meeting on August 15, 2018, it was agreed that Paul L'Heureux's vacation leave payout upon his retirement would include the 23 days he was awarded and did not use during the 2017-18 school year. This is in addition to the 33 days awarded and carried over on July 1, 2018, minus the two days used on August 23rd and 24th, 2018. This brings the total number of days for which he should be paid to 56.

A handwritten signature in dark ink, appearing to read "Margarita Ruiz", is written over a horizontal line.

Margarita Ruiz, Superintendent of Schools

A handwritten signature in dark ink, appearing to read "Kristin Shaver", is written over a horizontal line.

Kristin Shaver, School Business Administrator

will open to KS 9/24/18 verified
@



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

October 11, 2018

Honorable Salem City Council
Salem City Hall
Salem, Massachusetts 01970

Ladies and Gentlemen of the City Council:

Based on a review of parking this weekend, we are interested in implementing some trial parking changes on Halloween day and busy October weekends for the remainder of this month. The enclosed Order establishes an October weekend and Halloween parking rate of \$20 per day in the Riley Plaza meter spaces for the rest of this month. This rate is competitive with other surface lot parking, both City-owned and privately-owned, in the month and reflects an effort to more appropriately price our parking assets to reflect their value. This rate does not apply to the monthly passholder spaces and does not reduce the number of those spaces. It only applies to the metered spaces in Riley Plaza.

In addition, the Order applies a \$10 per day on-street parking rate for October weekends and Halloween on Fort Avenue, Jefferson Avenue from Margin Street to Dove Avenue, Canal Street from Mill Street to Roslyn Street, and Margin Street. Currently, these locations offer free on-street parking. On these streets, Salem residents and neighbors would continue to be able to park for free. The new rate would only apply to visitor parking and would be paid via the Passport parking app or website. We would need to install temporary signage to alert motorists of the weekend charge (again this rate would not apply to Salem residents).

Both of these temporary changes are intended to help discourage vehicle travel into Salem by visitors for the rest of this month, preserve parking options for Salem residents, and more fairly value parking and the associated impacts of the traffic it brings. I recommend passage of the enclosed Order so our DPW can begin signing these locations in advance of this coming weekend.

Sincerely,

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

Kimberley Driscoll
Mayor

CITY OF SALEM



In City Council, October 11, 2018

Ordered:

The City of Salem metered parking spaces at Riley Plaza, east and west, shall be increased to a flat rate of \$20.00 for 12 hours on the remaining Saturdays and Sundays during the month of October 2018 and for October 31, 2018. Parking spaces on Fort Avenue; Jefferson Avenue from Margin Street to Dove Avenue; Canal Street from Mill Street to Roslyn Street; and Margin Street shall be increased to a flat rate of \$10.00 for 12 hours for the remaining Saturdays and Sundays during the month of October 2018 and for October 31, 2018, with the spaces on these streets (exclusive of Riley Plaza) remaining free to Salem residents using a vehicle registered in Salem provided there are no other existing restrictions, including any resident parking restrictions, that would otherwise prohibit parking. Users of these parking spaces on these days must remit payment via the Passport Parking App.



CITY OF SALEM, MASSACHUSETTS

Kimberley Driscoll
Mayor

October 11, 2018

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

Ladies and Gentlemen of the City Council:

Enclosed please find an Ordinance establishing a zoning overlay district that would allow for the adaptive reuse of the Archdiocese's schools and other properties through a special permit from the Planning Board.

The approach to the Ordinance is consistent with the June 14, 2018 Council Order, the 2015 *Historic Preservation Plan Update*, values expressed through *Imagine Salem*, and other related plans and studies.

A key highlight of the proposed overlay district is that it will facilitate historic preservation and help us meet our community's growing need for housing. It should be noted that the overlay district will require a special permit from the Planning Board and there will be objective criteria that must be met prior to approval of such a special permit. In addition, it requires that a minimum of ten percent of the housing must be affordable. The overlay district also engages the expertise of our Historical Commission and our Design Review Board, by requiring written comment from the Historical Commission for properties outside of local historic districts and for new detached construction to have written comment from the Design Review Board.

The next step is to refer this proposed Ordinance to the Planning Board to schedule a joint public hearing. If you have any questions, please contact Tom Daniel, City Planner, at 978-619-5685. Thank you for your attention to this matter and I look forward to working with you to implement this new overlay district in a thoughtful and constructive manner.

Sincerely,

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

Kimberley Driscoll
Mayor
City of Salem



KIMBERLEY DRISCOLL
MAYOR

TOM DANIEL, AICP
DIRECTOR

CITY OF SALEM, MASSACHUSETTS

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

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

October 9, 2018

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

Re: Municipal and Religious Adaptive Reuse Overlay District

Dear Mayor Driscoll:

On June 14, 2018, the City Council passed an order that the Planning and Community Development Department develop a zoning overlay district to facilitate the reuse of the Archdiocese's schools and other properties.

The goal of the ordinance is to allow for reuse of eligible buildings while facilitating historic preservation, economic development, housing production, and environmental sustainability and resilience. The approach to the ordinance is consistent with the Council order, the 2015 *Historic Preservation Plan Update*, values expressed through *Imagine Salem*, and other plans and studies.

The proposed overlay applies to lots and buildings that have been in a municipal or religious use at some point within the past 20 years and that have been in such uses for at least 20 continuous years. An eligible lot must contain a building that is at least 3,000 square feet and must be at least 50 years old. Lastly, there must be a change in use to one or more of the uses identified in the overlay. Because it is an overlay, an applicant may elect to either develop a project in accordance with the requirements of the underlying zoning district or in accordance with the requirements of the overlay.

The overlay requires a special permit from the Planning Board and site plan review. The overlay expands the role of the Historical Commission by requiring written comment for properties outside of local historic districts. The overlay also requires new detached construction to have written comment from the Design Review Board. Ten percent of the housing must be affordable.

Since the June Council order, staff in the Department have been working to develop the ordinance. We held a public meeting on July 9, 2018 to review an initial draft. We revised the draft considerably and limited the scope to only municipal and religious uses. We reviewed the revised proposal at a second public meeting on October 3, 2018.

In response to comments received at the October 3, 20018 meeting, we have made further revisions to the ordinance as follows:

- Four parks met the eligibility requirements because of the buildings on them. The City has no plans to develop them, and so the overlay now explicitly excludes parks.
- Community members expressed concern about the height of steeples being referenced as the maximum building height allowed. The overlay now includes language that clarifies that the height does not include steeples.
- A suggestion was made to include a minimum distance from existing commercial uses to the special permit commercial uses. While we feel the appropriateness of commercial uses is already included in the Planning Board's required findings, the overlay now includes a specific finding that the public good will be served and the commercial use would not adversely affect the underlying residential district.

In reviewing the eligibility criteria, we have found that twenty-seven (27) properties would be included in the overlay as of this date. The properties are:

Location	Name
53-55 Liberty Hill Ave	Bates School
21 Memorial Drive	Bentley School
8 North Street	Wesley United Methodist Church
12-20 Skerry Street	Carlton School
122 Bridge St	St Johns Ukrainian Church
93 Washington Street	City Hall
5 Broad Street	Former Council on Aging
26 30 St Peter	St. John the Baptist Church
48 Lafayette Street	Fire Headquarters
292-296 Lafayette Street	First Baptist Church of Salem
316 Essex Street	First Church in Salem
381-385 Essex Street	Grace Church
64 66 Forrester Street	St. Nicholas Russian Orthodox
13-17 Hawthorne Blvd.	Immaculate Conception Church & School
372 Essex Street	Library
211 Lafayette Street	Saltonstall School
Derby Square	Old Town Hall
9 Cleveland Street	St Anne's School and Convent
22 24 St Peter Street	St Peters Church
288 290 Jefferson Avenue	St. Anne's Parish
150 Federal Street	St. James Church and School
224 228 North Street	St. Thomas Church
50 Washington Street	Tabernacle Church
1 Frederick Street	Witchcraft Height School
127 North Street	Kingdom Life Ministries
211 Bridge Street	The Bridge at 211
65 Canal Street	Seventh Day Adventist Church

We look forward to reviewing this matter with the City Council and the Planning Board.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Daniel" followed by a stylized mark that looks like a slanted line with a small "x" or "c" at the end.

Tom Daniel
Director

City of Salem

In the year two thousand eighteen

An Ordinance to amend the zoning ordinance by adding an Municipal and Religious Adaptive Reuse Overlay District to facilitate the appropriate reuse of eligible buildings and thereby protect and advance the general public welfare.

Section 1. Section 8 - Special District Regulations of the City of Salem Zoning Ordinance ("Ordinance") is hereby amended by adding the following new section:

8.7 Municipal and Religious Reuse Overlay District

8.7.1 Purpose.

In addition to that set out in Section 1.1 of the Ordinance, it is the intent of this Section 8.7 to allow for reuse of municipal properties ("Municipal") and properties used for religious purposes and protected by G.L. c. 40A §3 ("Religious"). This overlay district provides zoning flexibility to allow for such redevelopment, while also facilitating historic preservation, economic development, housing production and environmental sustainability and resilience. When Buildings and Lots in Municipal or Religious use no longer serve such purposes, this Section envisions a process and zoning to allow for reuse, either by a public or private entity, which will best serve the community but will minimize impacts to surrounding neighborhoods.

8.7.2 Location

The Municipal and Religious Reuse Overlay District shall apply in all zoning districts to eligible Lots as defined in Section 8.7.3 herein.

8.7.3 Eligibility

The Municipal and Religious Reuse Overlay District shall apply to:

1. Any Lot improved with one or more Buildings currently in Municipal or Religious use;
2. Where the Building(s) in Municipal or Religious use and for which a change of use is proposed and the Building(s) is at least 3,000 square feet;
3. Where one or more of the Building(s) in Municipal or Religious use and for which a change of use is proposed is at least fifty (50) years old at the time of application under this Section and
4. Where the applicant seeks to change the use of the Lot and/or Building from Municipal or Religious use to one or more of the uses identified in Section 8.7.5.

5. Public parks shall not be considered in Municipal use for the purpose of this ordinance.

A Building shall be considered currently in Municipal or Religious use if the Building was actively used for at least 20 continuous years, including some point in the last 20 years, for Municipal or Religious purposes immediately preceding an Application under this section.

8.7.4 Dimensional Requirements

Table of Dimensional Requirements

	<i>Residential Uses or Mixed Use— Existing Buildings</i>	<i>Residential Uses or Mixed Use— New Construction</i>
Minimum lot area (square feet)	2,000	2,000
Minimum lot area per dwelling unit (square feet)	—	500
Minimum lot width (feet)	30	30
Maximum lot coverage by all buildings (percent)	100	50
Minimum width of side yard (feet)	—	standard of the underlying zone
Maximum height of buildings (feet)	—	50
Maximum height of buildings (stories)	—	4*
Maximum height of fences and bordering walls	6	6
Minimum distance between buildings if more than 1 on a lot	Distance shall be equal to the height of the taller building. This distance may be reduced to a distance which is sufficient to provide adequate light, air and access, subject to the approval of the Planning Board. There shall be no requirement for individual row houses sharing a party wall or for existing buildings	

* For new construction in a flood zone, a ground floor story of parking shall be allowed in addition to the 4 stories.

Any rooftop construction needed for building circulation, drainage, ventilation, utilities, accessibility features or passive recreation shall be excluded from the calculation of building height. New construction that is an addition or alteration to an existing building shall not exceed the height of the existing building or the applicable underlying zoning, whichever is greater. For the purpose of this ordinance, the height shall not include steeples or other ornamental features that are in no way used for living purposes.

To the extent that any eligible Lot and/or existing Building thereon does not conform to the applicable dimensional requirements, the non-conforming Lot and/or existing Building shall be

considered legally existing nonconforming for purposes of an application under this Section 8.7. The Planning Board may grant a special permit pursuant to Section 9.4.1 in conjunction with an application made pursuant to this Section 8.7 to partially reconstruct, extend, alter or change a nonconforming Building if it determines that such reconstruction, extension, alteration, or change shall not be substantially more detrimental than the existing nonconforming structure to the neighborhood.

8.7.5 Uses Allowed by Special Permit

The Planning Board, upon a finding that a proposed use is in harmony with the purpose and intent of this Ordinance and Section 8.7, may grant a special permit pursuant to this Section 8.7 and Section 9.4 for one or more of the following uses on a Lot that meets the eligibility requirements of Section 8.7.3; provided, however that Commercial uses may only be located within a multifamily dwelling and may not exceed 30 percent of the gross floor area of said multifamily dwelling. In addition, for any Lot in the B2, B4, I and BPD Districts the Planning Board may grant such special permit only upon finding that the public good will be served and that (1) the residential use would not adversely affect the underlying nonresidential district and (2) the nonresidential uses permitted in the underlying nonresidential district are not noxious to the multi-family use. For any Lot in the R1, R2, R3, and RC Districts the Planning Board may grant such special permit that includes a Commercial use only upon finding that the public good will be served and that the Commercial use would not adversely affect the underlying residential district.

A project proposed under this Section 8.7 may, in addition to a change in use of a Building currently in Municipal or Religious use, authorize the construction of new and expanded Buildings.

Special Permit Uses:

1. Dwelling, Multi-family.
2. Meeting and gathering space accessory to a principal use or for use by residents or tenants of a Lot.
3. Artist lofts and living space, studios, workrooms and shops of artists, artisans and craftsmen, where products of the artistic endeavor or craft activity can be for sale on the premises or by specific off-premises commission from a sponsor or client.
4. Banks and savings and loan institutions.
5. Barber shops and beauty parlors.
6. Books, stationery and gift stores.
7. Business and professional offices.
8. Crafts, related stores selling jewelry, crafts, etc. where production occurs on the premises.
9. Dwelling units above first floor retail, personal service, or office use.
10. Florist shops, but excluding greenhouses.
11. Galleries.

12. Laundromats/dry cleaning establishments.
13. Medical and dental offices.
14. Specialty food stores, including candy store, meat market, delicatessen, or bakery, but not those where food is served for consumption on the premises.
15. Tailor and custom dressmaking shops.
16. All uses permitted as of right or by special permit in the underlying zone or R2 zone.

8.7.6 Site Plan Review

Each project submitted hereunder shall require site plan approval under Section 9.5. Absent special circumstances, applications under Section 8.7.5 for a special permit and under 8.7.6 for site plan approval should be filed together for contemporaneous consideration by the Planning Board.

8.7.7 Historical Commission and Design Review Board Review

At the time of, or before filing, an application under this Section 8.7, the applicant shall provide a copy of this application to the City of Salem Historical Commission. The Historical Commission shall review the application at a public meeting and shall provide advisory comments to the Planning Board. The Planning Board shall not take final action on an application under this Section 8.7 until it receives written comment on the application from the Historical Commission, or at least forty-five (45) days have passed since delivery by the application of the application to the Historical Commission. Said forty-five (45) day period may be extended by written agreement between the Applicant and Planning Board. For any project in which a new detached building is proposed to be constructed this paragraph shall apply to both the Historical Commission and City of Salem Design Review Board.

Nothing set forth in this Section 8.7.7 is intended to alter or amend the rights and obligations of the Historical Commission pursuant to the G.L. c. 40C.

Failure of an applicant hereunder to timely deliver a copy of the application to the Historical Commission or Design Review Board may be grounds for denial of the application.

8.7.8 Affordability

Ten (10%) percent of the total units in any project proposed under this Section 8.7 shall be SHI Eligible Housing as defined by the Massachusetts Department of Housing and Community Development being affordable to a household of one or more persons whose maximum income does not exceed 80% of the area median income, adjusted for household size, or as otherwise established by DHCD guidelines for a period of 99 years as secured by a duly recorded deed restriction. When calculation of the ten (10%) percent of the total units results in a partial unit, the number of required affordable units shall be rounded up to the next whole number.

8.7.9 Parking and Loading

For new residential dwelling uses provisions shall be made for not less than one (1) parking space per dwelling unit for existing buildings and one and one-half (1.5) parking spaces per dwelling unit for new construction.

Nonresidential uses shall provide parking in accordance with Section 5.1.8 Table of Required Parking Spaces.

In mixed-use developments, applicants may propose a reduction in total parking requirements based on an analysis of peak demand for non-competing uses. In such cases the parking requirement for the largest of the uses (in terms of parking spaces required) shall be sufficient. An applicant may use the latest peak demand analyses published by the Institute of Traffic Engineers (ITE) or other source acceptable to the Planning Board.

The parking requirements may be accommodated by either one or a combination of on-site parking and/or parking at municipal or other parking facilities in the vicinity of the Lot. All municipal or other parking facilities which are used to satisfy the parking requirement must meet the following criterion: The parking facility must be less than one thousand (1,000) feet from the Lot as measured in a straight line from the two (2) closest points between the Lot and the parking facility. If using a municipal facility, the owner must purchase an annual parking pass to satisfy the parking requirement.

A new loading zone shall not be required if the existing Building does not have an existing loading zone.

8.7.10 Conflict

The provisions of this zoning overlay district are intended to modify the standards otherwise applied to the Lot and Buildings thereon by the underlying district. Unless specifically modified by this Section 8.7, all other existing standards shall apply to the Lot and Buildings.

8.7.11 Severability

The provisions of this Section 8.7 are severable. The invalidity of any paragraph, subsection or provision of this Section 8.7 shall not invalidate any other paragraph, subsection or provision hereof.