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City of Amesbury
Office of the City Clerk
62 Friend St.
Amesbury, MA 01913

MEETING NOTICE

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A §§18-25
Version 7.1.10

City Council Meeting Agenda
Tuesday, September 24, 2024
City Hall Auditorium- 62 Friend St.
7:00 PM

The public can view this meeting:

- In person
- ACTV Channel 6
- the ACTV website: <https://www.amesburyctv.org/public-government-access-television>
- or the ACTV Facebook Page: www.facebook.com/AmesburyCommunityTelevision

1. Call to Order
2. Pledge of Allegiance – Councilor Corcoran
3. Roll Call
4. Act on Minutes- July 23, 2024 and September 10, 2024
5. Mayoral Appointments

2024-120 Appointment of Margaret Leahy to the position of member of the Amesbury Cultural Council for a term to expire February 28, 2027.

6. Monthly list of licenses

7. Correspondence

- President/Vice President Communications
- Communication from Elected Officials, Boards and Commissions
- Council Communications, Announcements and Committee Reports

8. Public Comment- Public comment can be done in person during the meeting, or by emailing your comments to clerk@amesburyma.gov by 12:00 p.m. the Friday before the Council meeting, per City Council Rule 5G. Subject line PUBLIC COMMENT. Your comments will be read aloud at the appropriate time in the agenda and entered into the public record.

9. Council Response to Public Comment

10. Second Readings

Public Hearings

2024-085 An Ordinance to amend the Amesbury Zoning Ordinance to modify the provisions of Section XI.D – Cluster Residential Special Permit and Section XIV – Water Resource Protection District (WRPD).- **Mayor Sponsor**

Summary: This zoning amendment addresses the need for very limited developments within Zone II of the Water Resource Protection District. Importantly, the development would be restricted by requiring 90% of the parcel to be permanently protected as conservation land.

2024-086 An Ordinance to amend the Amesbury Zoning Ordinance to modify the provisions of Section XI.J2, Historic Preservation - Special Permit. – **Mayor Gove and Councilor Hogg Sponsors**

Summary: This zoning amendment allows redevelopment of historic structures for residential and mixed uses in the Commercial, Office Park, and Central Industrial zoning districts. It also amends certain other provisions including dimensional and density requirements to encourage further re-use of such historic structures in a manner that is consistent with traditional architectural style, scale, and character of such buildings and structures.

2024-087 An Ordinance to amend the Amesbury Zoning Ordinance and Zoning Overlay Map to re-number the Adult Use Marijuana Establishments section and extend the Retail Marijuana Overlay District (RMOD) to include certain parcels and land area in the Central Business (CBD) and Central Industrial (IC) zoning districts within the City as shown on attached Exhibit -01.- **Mayor Gove, Councilors Stanganelli, Rinaldi and Hogg Sponsors**

Summary: This amendment to the Zoning Ordinance modifies the boundaries of the Retail Marijuana Overlay District and allows retail cannabis licensees to operate within the Central Business and Central Industrial zoning districts within the City.

2024-096 An Ordinance to amend the Amesbury Zoning Ordinance expanding the Renewable Energy Development Overlay District (REDD) – **Mayor Sponsor**

Summary: The development of large-scale solar energy projects has been recognized as being crucial to achieving the Commonwealth's goal of reaching net zero greenhouse gas emissions by 2050. Massachusetts law, including M.G.L. c. 40A, § 3, aims to promote the development of solar energy facilities. Amesbury has permitted large-scale solar energy projects in the city, that produce more than 10 MW of clean energy, but the areas zoned for solar energy projects have been confined primarily to the Industrial District.

2024-097 An Order to accept easement- drainage and utilities at 130 Market Street - **Mayor Sponsor**

Summary: The Site Plan and Special Permit Decision of the Amesbury Planning Board dated May 8, 2023, and recorded with the Essex South District Registry of Deeds at Book 41630, Page 376, required Wojcicki Holdings, LLC to grant to the City an easement for the drainage of surface water and to install, maintain, replace and remove water and sewer lines and related equipment under and across a strip of land running from South Hampton Road to Market Street in said Amesbury, Essex County, Massachusetts being shown on the Site Plan entitled "Planned Unit Development Plan, Assessor's Map 26, Lot 68, 130 Market Street, Amesbury, MA, Owner of record: Mark Wojcicki, Wojcicki Development, Engineer: GA Consultants, Inc, Date: 7.6.2022", with revisions through March 6, 2023 and recorded in the Essex South District Registry of Deeds in Book 41896, Page 178 and further shown as "Public Drainage and Utility Easement" on a plan prepared by GA Consultants, Inc entitled "Utility and Drainage Easement Plan, Assessor's Map 26, Lot 68, 130 Market Street, Amesbury, Massachusetts, Owner and Applicant: Wojcicki Holdings, LLC, 110 Main

Street, Amesbury, MA 01913, Date: 10-30-23, Scale: 1"=20'", to be recorded in said Registry and further described in the drainage/utility easement to be recorded in said Registry. The intent of this Order is to obtain the acceptance of the easement by the City Council and to authorize the Mayor to approve and execute the Acceptance of the easement.

2024-098 An Ordinance to amend the Amesbury Zoning Ordinance to create an overlay in compliance with MBTA Communities Act - **Mayor Gove and Councilor Gilday Sponsors**

Summary: Section 3A of MGL c. 40A requires an MBTA community to have a zoning ordinance that provides for at least one (1) district of reasonable size in which multi-family housing is permitted as of right; provided, however, that such multi-family housing is without age restrictions and is suitable for families with children. Such district must meet requirements set forth in this statute, including but not limited to the following: (i) have a minimum gross density of fifteen (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.

2024-099 An Ordinance to amend the Cannabis Retail License Limits – **Councilors Stanganelli and Rinaldi Sponsors**

Summary: An Ordinance that changes the zoning ordinance to implement the local option to provide a cap to limit the total number of retail cannabis licensees operating within the city.

2024-117 Pole Hearing - 58 Highland St. - National Grid

2024-118 Pole Hearing - 16 South Hunt Rd. - National Grid

Second Readings

2024-109 An Ordinance to amend the Amesbury Code of Ordinances Chapter 12, Boards, Commissions and Committees, Article III Community Preservation Committee § 12-7 Establishment. 1. to increase the Community Preservation Committee to nine (9) voting members by adding a member of the Amesbury Housing Trust and a member of the general public, not city employees or currently holding elected or appointed positions. - **Councilor Frederique Sponsor**

Summary: This ordinance shall amend the City code to amend the composition of the Community Preservation Committee established by 2024-083- An Ordinance to establish a Community Preservation Committee.

2024-110 An Order to authorize a transfer of \$4,863.00 from the FY25 Budget Reserve account to Mayor Salaries & Wages. - **Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$4,863.00 from the FY25 Budget Reserve account to Mayor Salaries & Wages to cover a salary increase for the position of Communications Director.

2024-111 An Order to authorize a transfer of \$19,500.00 from the FY25 Budget Reserve account to Mayor Other Expenses and Administration & Finance Other Expenses. - **Mayor Sponsor**

Summary: This order requests a budget transfer in the amount of \$19,500.00 from the FY25 Budget Reserve account to Mayor Other Expenses and Administration & Finance Other Expenses to reimburse these accounts for the cost of the compensation study and to cover the cost of hiring a recruiting firm to assist the city with the recruitment of a Chief Financial Officer.

2024-112 An Ordinance to change various Fire Safety Inspection and Permit Fees and to adopt a Schedule of Fees. - **Mayor Sponsor**

Summary: The Commonwealth of Massachusetts updated and adopted the MA Comprehensive Fire Code in December of 2022 (527 CMR 1.00). The Amesbury Fire Department reviewed the new code, updated laws, current local practices and the November 2021 Comprehensive Review of Municipal Fees by the Edward J. Collins, Jr. Center for Public Management. The recommended fees have been updated on attached Fire Safety Inspection / Permit Fees. The current fee schedule was last updated in 2022 per Council order 2022-041.

2024-114 An Ordinance to amend Amesbury City Code Chapter 204, "Animals" and recognize the Chief of Police, or the Chief's designee, as the hearing authority for nuisance and dangerous dog hearings in the City of Amesbury in accordance with G.L. c. 140 §§ 157 and 136A. – **Councilor Corcoran,**

Councilor Gilday, Councilor Hogg, and Councilor Redfern Sponsors

Summary: This ordinance shall update Chapter 204 of the Amesbury City Code to define the hearing authority for nuisance and dangerous dog hearings as the Chief of Police, or the Chief's designee. This ordinance shall also update Section 204 to remove inclusion of dog breed names and replace in all instances the phrase *Town of Amesbury* with the phrase *City of Amesbury*.

2024-115 An Order to vote to amend the Operating Budget for FY 2025.- **Mayor Sponsor**

Summary: The purpose of this order is to amend the Operating Budget for FY 2025 to increase the Sewer Enterprise budget from \$2,458,729 to \$2,808,729. This increase is being requested to account for the current collection of user fees and collection of a new \$25 quarterly stormwater user fee, beginning on October 1, 2024.

2024-116 An Order to approve payment from the FY25 general fund operating budget for the below listed prior year invoices. - **Mayor Sponsor**

Summary: The below listed invoices are for operating expenses related to supplies or services rendered in prior fiscal years but for which funds were not encumbered by the corresponding city department at fiscal year-end. This order requests payment be made to the listed vendors from the corresponding department's current year (FY25) operating budget in accordance with M.G.L. c. 44 s. 64. This vote requires a two thirds approval of the City Council.

11. First Readings

2024-119 Revised Amesbury Energy Committee By Laws – Councilors Rinaldi and Hogg Sponsors

Summary: The Amesbury Energy Committee (AEC) was created in 2014 as an outgrowth of the Energy task force tasked with gaining Green Community Status. The By-Laws were amended in 2016 (2016-043) to clearly define the membership and the member appointment processes including filling vacancies.

12. Adjourn