

ACCEPTED AND FILED

C/B

SUSPENSION

Chelsea, Massachusetts February 27, 2023

A Regular meeting of the Chelsea City Council was held at the Chelsea City Hall located at 500 Broadway Chelsea, Massachusetts 02150 City Council Chambers. The following Councilors were present: Councilor Brown, J. Garcia, T Garcia, Robinson, Recupero, DeJesus, Hatleberg, M Vega, and Taylor. Absent were Councilors Lopez, and Vidot.

Memoriums and Celebratory Resolutions:

The following Resolution was introduced by Councilor Robinson and all members of the City Council. A motion from Councilor Brown to adopt was approved under suspension.

RESOLUTION

WHEREAS, The month of February is recognized as Black History Month, and

WHEREAS, It is through learning that we become enlightened and come to understand each other more clearly; and

WHEREAS, We would like to go forward and recognize, Chelsea's Trailblazers: Ms. Grace McKinnon, Ms. Roseann Bongiovanni, Ms. Deborah Washington, Ms. Stacey Smith, Mr. Ned Keefe, MR. Cesar Castro and Mr. Yahiya Noor, Therefore

BE IT RESOLVED, That for your exceptional service and commitment to the betterment of the Chelsea Community, you embody a courageous spirit in promoting social, educational, environmental, physical, and cultural community wellness. Your resilience and perseverance has opened paths for others here and far beyond the local frontier. You are a beacon of light as Black History Month 2023 Chelsea Trailblazer.

BE IT FURTHER RESAOLVED, That we the members of the Chelsea City Council on behalf of the Chelsea Community wish to honor you as Black History, month 2023 Chelsea Trailblazers.

Public Speaking:

The public speaking portion opened at 7:10 p.m. The following came forward to speak:

Lisa Farington 441 Washington Ave. spoke about the proposed Construction at the N.E. Regional Vocational School and the possible complications.

The public speaking portion closed at 7:14 p.m.

RECEIVED
CITY CLERK'S OFFICE
CHELSEA, MA
2023 MAR 22 A 11:25

Approval of minutes:

The minutes of the City Council meeting dated February 6, 2023 and the Special Meeting dated February 13, 2023 were approved at the request of Councilor DeJesus under suspension.

Communications from the City Manager:

The following communication was read from Acting City Manager Ned Keefe. A motion from Councilor Brown to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City hall
500 Broadway
Chelsea, Massachusetts 02150

Re: Notice of Waiver Intent

Dear Councilors:

Pursuant to Administrative Code Section 1.12.02, I am writing to notify you that it is my intention to appoint Mr. Nicholas Verrocchi, 906 Saratoga Street, Boston Ma, to the part-time Probationary E-911 Telecommunications Dispatcher position for the City of Chelsea and to grant him a waiver from the residency requirement set forth in the Administrative Code, Part IV, Section 1.12.01. Mr. Verrocchi is tri-lingual including Spanish and was the most qualified candidate. A copy of his resume is attached. There were no Chelsea applicants for this solicitation round.

In accordance with Section 1.12.02, I request that you provide me with any comments on the proposed waiver within seven days.

Sincerely,
Ned Keefe
Acting City Manager

The following communication was read from Acting City Manager Ned Keefe. A motion from Councilor Brown to accept and file was adopted under suspension.

The Honorable Chelsea City Council
Chelsea City hall
500 Broadway
Chelsea, Massachusetts 02150

Re: Notice of Waiver Intent

Dear Councilors:

Pursuant to Administrative Code Section 1.12.02, I am writing to notify you that it is my intention to appoint Ms. Melissa Puleio, 3 Jefferson Drive, #1, Revere MA, to the Law Department Clerk position for the City of Chelsea and to grant her a waiver from the residency requirement set forth in the Administrative Code, Part IV, Section 1.12.01. Ms. Puleio has strong work experience that aligned with the range of office duties, and was the most qualified candidate. A copy of her resume is attached. There was a recent Chelsea resident applicant who was found to have less office management experience.

In accordance with Section 1.12.02, I request that you provide me with any comments on the proposed waiver within seven days.

Sincerely,
Ned Keefe
Acting City manager

The following communication was read from Acting City Manager Ned Keefe. A motion from Councilor Recupero to accept and file was adopted under suspension

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: Chelsea Youth Sports Fund

Dear Councilors:

I am writing in response to the Council Order requesting an update on the recent grants provided under the Chelsea Youth Sports Fund program.

The Chelsea Youth Sports Fund was established in later part of CY2022 funded by \$50,000 from the City sports activities, and provides funding to sports organizations to defray the cost of athletic expenses (transportation, uniforms, equipment, facility fees etc.). Based upon the level of participation in the league.

The Recreation and Cultural Affairs division has been actively promoting this fund to support the expansion of existing sports leagues and encourage the formation of new sports leagues. Due to newness of the fund, most leagues are still in the process of building the league roster participation to establish the funding level.

In process:

Matias Soccer School-Requested Amount \$6,000
Chelsea Bears Football League-Requested Amount \$6,000
Chelsea Youth Basketball-Requested Amount \$4,000

The Fund is moving forward to award funds to those completed applications, and is engaged with four additional league operators to establish their interest and eligibility.

For your information, I have attached the Chelsea Youth Sports Fund Program guide-and invite you to encourage any new league applicants to call the Recreation and Cultural Affairs Division at 617-466-4070.

Sincerely,
Ned Keefe
Acting City Manager

The following communication was read from Acting City Manager Ned Keefe. A motion from Councilor Recupero moved the communication to the sub-committee on Conference under suspension.

The Honorable Chelsea City Council
Chelsea City Hall
500 Broadway
Chelsea, Massachusetts 02150

Re: Chelsea Summer Youth (Camp) Program

Dear Councilors:

I am writing in response to the Council Order an update on the Summer Youth (Camp) Program.

The Chelsea Summer Youth Program provides scholarships to Chelsea youth and families to cover 90% of the cost of enrollment in a summer program, funds with \$10,000 from the City Council.

The goal of the scholarship program is to promote the participation of Chelsea youth in local and regional summer program offerings.

In 2022, the Program was utilized at a lower level for a variety of reasons-including that some programs waived fees and/or restricted the number of enrollees. Scholarships were awarded to eight applicants who attended the CAPIC Summer Camp (1), and Jordan Boys and Girls Club Summer Camp (7), for a total of \$3,782.65.

Expanding the opportunity for Chelsea Youth to engage in an enriching summer experience is the goal of this program. The Cultural and Recreation Division works directly with families and with summer camp operators to bring opportunities to youth.

For your information, I have attached the Youth and Families Scholarship Program guide-and invite you to encourage applicants to call the Recreation and Cultural Affairs Division at 617-466-4070.

Sincerely,
Ned Keefe
Acting City Manager

Communications and Petitions to the Council:

A copy of a communication was received from Temple Emmanuel of Chelsea thanking the City Council for approving the money breakdown from the CPA to the Temple. A motion from Councilor Brown to accept and file was adopted under suspension.

A copy of a communication was received from Roseann Bongiovanni of Green Roots with concerns regarding the order on electric vehicle repairs and sales. A motion from Councilor DeJesus to accept and file was adopted under suspension.

Unfinished Business:

The following Ordinance was introduced by Councilor Robinson. A motion from Councilor Hatleberg to adopt by roll call passed 8-0-3-0. Voting yes were Councilors Brown, J. Garcia, T Garcia, Robinson, Recupero, DeJesus, Hatleberg, and Taylor. Absent were Councilors Lopez, Vidot, and Vega.

WHEREAS, the Chelsea City Council has authority to adopt ordinances to protect the health, safety and welfare of all residents of the City of Chelsea;

WHEREAS, the City desires to create a more efficient means for permitting special events in the City that is convenient for applicants

NOW THEREFORE BE IT ORDAINED, THAT THE Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adopted as follows:

Amendment 1

That Chapter 1, Section 1-8 be amended by replacing the existing entry for Licensing: Chapter 14” with the following”

Licensing chapter 14	Limited Special Event (Section	Licensing Administrator
Penalties may be imposed	14-461)	Police officers
For failure to obtain or	\$25.00 first offense	Building inspectors, code
Maintain a license or for	\$50.00 second offense	enforcement inspectors
Violation of the terms of		
The license.		

Hawkers and Peddlers (Section 14-82)

Warning first offense

\$100 second offense

\$200.00 third offense

**Hawkers and Peddlers (Section
14-83**

Warning first offense

\$20.00 Second offense

Transient Vendors and Businesses

\$50.00 first offense

\$150.00 second offense

\$300.00 third offense

Amendment 2

That Chapter 14, Article III, Section 14-55 be amended by striking the existing language in its entirety and replacing with the following:

Hawker or peddler means and includes any person who goes from place to place either on foot or on or from any animal or any vehicle carrying exhibiting, bartering, or selling any goods, wares or merchandise.

Amendment 3

That Chapter 14, Article III, Section 14-57 be amended by striking the existing language in its entirety and replacing with the following:

Sec. 14-57 Exemption and Interpretation of article

- (a) This article shall not apply to temporary or transient businesses or transient vendors permitted under another section of the Ordinances of the City of Chelsea or permitted under a special event or limited event permit or exempt from permitting under Article XII.
- (b) In the event of a conflict between this article and any license duly issued under state law, the requirements of state law shall apply.

Amendment 4

That Chapter 14, Article III, Section 14-59 be amended by amending the existing language as follows;

Sec. 14-59-Times restricted for street sales.

A Any person who cries such persons wares or makes any loud or disturbing noise selling or buying goods in any street or public place between the hours of 7:00 p.m. and 8:00 am shall be subject to a criminal fine of not more than \$300.00, and shall in all other respects be subject to the provisions of section 1-8.

B. Any person holding the license to do so who allows more than one person at a time to cry such person's wares shall be subject to a criminal fine of not more than \$300.00, and shall in all other respects be subject to the provisions of section 1-8.

C. No hawker or peddler shall remain more than 20 minutes in one location, unless allowed by the license granted in accordance with this article. All hawkers and peddlers shall move at least 100 feet from the last location of sale. No hawker or peddler shall have exclusive right to any location on the public streets, or streets open to the public, nor shall any be permitted a stationary location, including private property, nor shall any be permitted to operate in a congested area where the operations might impede or inconvenience the public unless allowed by the license granted in accordance with this article. For the purpose of this section, the judgement of all enforcing agents exercised in good faith shall be deemed conclusive as to whether the area is congested or whether the public is impeded or inconvenienced.

Amendment 5

The Chapter 14, Article III, Section 14-60 be amended by striking the existing language in its entirety and replacing with the following:

Sec. 14-60 Sale of merchandise from vehicles standing in streets prohibited.

Any person who stands, parks or places any wagons, cart or other vehicle of whatever description for the purpose of selling goods, wares, or merchandise upon any street or public place without a license issued under this article or under Article VII, Article IX, Article X, or Article XII shall be subject to a criminal fine of not more than \$200.00, and shall in other respects be treated in accordance with the provisions of section 1-8.

Amendment 6

That Chapter 14, Article III, Section 14-87 be amended by striking the existing language in its entirety.

Amendment 7

That Chapter 14, Article III, Section 14-90(a) be amended by adding the following two definitions:

Public Market, or Farmers Market in fixed locations or mobile shall mean means a market place located in the city with a valid license that operates or occurs more than once per year for the primary purpose for farmers, from more than one farm, to vend food, crops and other farm related items that they have produced directly to the public or a public market or public market place used by farmers that is established by a municipality under M.G.L. c. 40, & 10, or operates on Department of Conservation and Recreation land by special permit under M.G.L. c. 132A, & 2F, Farmers Market shall include community supported agriculture shares distributed in a manner consistent with the activities permitted hereunder

Pop Up Food Pantry shall mean a temporary location for the distribution of free whole fruits or vegetables, and pre-packaged sauces or other canned food items, or bread products prepared and packaged by a duly licensed food production entity.

Amendment 8

That Chapter 14, Article III, Section 14-90A) be amended by striking the current definition for Mobile food operations and replacing with the following:

Mobile food operations shall mean any food established as defined in 105 CMR 590.010(B) that is conducted in a mobile or temporary location licensed by the Licensing Commission.

Amendment 9

That Chapter 14, Article III, Section 14-90(a) be amended by adding at the end of the current definition for "Temporary food operation" the following clause:

"but shall not include food prepared for a special event authorized under Article XII of Section 14".

Amendment 10

The Chapter 14, Article III, Section 14-90(b) be amended by striking Subsection 14-90(b)(2) in its entirety and replacing with the following two subsections:

(2) The provisions of this section shall not apply to mobile food operations that receive a temporary permit from the licensing administrator for an event permitted under article 12 of this section 14 or an event sponsored by the City of Chelsea.

(3) The provisions of this section shall not apply to public markets or farmers markets selling (a) whole, uncut fresh fruits and vegetables; (b) unprocessed honey; (c) pure maple products; or (d) farm fresh eggs which are stored and maintained at 45F(7.2C) or less, or to pop up food pantries providing free fruits or vegetables, and pre-packaged sauces or bread products prepared and packaged by a duly licensed food production entity, provided that a food assistance pantry or a vendor at a public market or farmers market shall not sell or serve prepared food unless it has been approved to do so and has obtained a valid permit from the board of health.

Amendment 11

That Chapter 14, Article VIII Section 14-266 be amended by striking the existing language in its entirety

Amendment 12

That Chapter 14, Article IX, Section 14-354 be amended by striking the current section in its entirety and replacing with the following:

As used in this article the following words and phrases have the meaning ascribed to them in this section:

Temporary or transient business means any exhibition and sale of goods, wares or merchandise which is carried on in any tent, booth, building or other structure, unless such place is open for business during usual business hours for a period of at least 12 consecutive months, provided however, that the term "temporary or transient business" does not apply to a business operating under a written agreement

with a licensed promoter or a business temporarily operating at a special event licensed under Article XII of this Chapter 14.

Transient vendor means any person who engages in a temporary or transient business selling goods, wares or merchandise, either in one locality or in traveling from place to place; provided, however, a transient vendor shall not include a person operating under a written agreement with a licensed promoter or to hawkers or peddlers as defined in Article III of Chapter 14 or to a person operating at a special event licensed under Article XII of this Chapter 14.

Amendment 13

That Chapter 14, Article X, Section 14-422 be amended by striking the current Subsection (b) and adding the following two new Subsections.

Amendment 14

That Chapter 14, Article X Section 14-422 be amended by striking the current Subsection (b) and adding the following two new Subsections.

The provisions of this article shall not apply to open air vendors operating pursuant to any special event licensed under Article XII of this Chapter.

Persons found to be in violation of this section shall, in addition to any fines levied, be reported to the licensing commission.

Amendment 15

That Chapter 1, Article X, Section 14-423 be amended by striking the existing language in its entirety.

Amendment 16

That Chapter 14 be amended by adding a new Article Xii which reads as follows:

Article XII-Special Events

Division 1. Generally

Purpose: The provisions of this article are intended to clarify and expedite special event permitting procedures in the CITY OF Chelsea, while providing for adequate safety, public health and welfare of the community.

Sec. 14-461-Definitions

As used in this article the following words and phrases have the meanings ascribed to them in this section.

Commissions, shall mean this licensing commission established at section 6-2 of the Charter of the City of Chelsea.

Permitted Special Event shall mean a special event that is not in the ordinary course of a licensed business and takes place on public property or is open to the public on private property (i) which requires one or more permits or licenses from the City of Chelsea including a permit for street or sidewalk closure, temporary special event food operations, sale or distribution of alcoholic beverages, sound amplification, use of generators or other fuel or energy sources, open air vendors, hawkers and peddlers, temporary or transient business, or any other license or permit required under these Ordinances.

Limited Special Event, shall mean a special event that is not in the ordinary course of a licensed business and is on public property or open to the public on private property (i) which does not require a permit or license from the City of Chelsea other than any permit required pursuant to section 16-99 for non-electrical sound amplification, and (ii) has a duration of less than five (5) hours.

Limited Street Performance shall mean a street performance involving five or fewer performers on public property or open to the public on private property (i) which does not require a permit or license from the City of Chelsea other than any permit required pursuant to section 16-99 for non-electrical sound amplification, and (ii) is of a duration less than three hours.

Special Event shall mean a festival, parade, procession, street race, charity walk, religious event, block party, street market, sidewalk sale, concert, rally, demonstration, large party or celebration or other organized community gathering on public property or public event on private property

Street Performance shall mean one or more person performing music, dance, theater, or visual arts on public property,

Temporary special event food operation shall include any temporary food operation, canteen food car or mobile food operations serving or selling food to the public, as further defined in section 14-90 of the Ordinances of the City of Chelsea or other food service that is conducted solely for a special event licensed under this section.

Section 14-463 Special Event Permit Exceptions. No permit, bond or insurance shall be required for a Limited Special Event or Limited Street Performance meets the conditions of section 14-464.

Section 14-464 Limited Special Event and Limited Street Performance Conditions:

- (a) The person organizing or otherwise responsible for the Limited Special Event or Limited Street Performance shall apply for permission for the event on an application form provided by the Commission and shall include the proposed date, time, location, contact information and a description of the proposed activity in accordance with the requirements of the City's regulations. The Licensing Administrator for the Commission shall have authority to approve such applications.
- (b) A Limited Special Event or Limited Street Performance may be located on a portion of a sidewalk provided that adequate and safe passage is maintained at all times.
- (c) No Limited Special Event or Limited Street Performance shall close or obstruct a street or close or obstruct safe passage along a sidewalk.

- (d) No Limited Special Event or Limited Street Performance shall allow the sale or distribution of alcoholic beverages, marijuana, or allow temporary special event food operations.
- (e) Any non-electrical music or sound amplification shall comply with the requirements of section 16-99.

Section 14-465 Temporary License for Alcoholic Beverages. Notwithstanding any provision of Article III of the regulations, the Commission shall be authorized to issue temporary licenses to serve or sell alcoholic beverages during the hours of a Permitted Special Event.

Amendment 17

Except that a permit for a Special Event authorized under Article XII of Section 14 may include noise limits for the event.

Amendment 18

That Chapter 16, Section 16-99 be amended by adding to Subsection (n) after the word "bands" the term "Special Events".

Second Readings:

The following order was introduced by Councilor Robinson and read for the second time. A motion from Councilor Hatleberg to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Brown, J. Garcia, T. Garcia, Robinson, Recupero, DeJesus, Hatleberg, Melinda Vega, and Taylor. Absent were Councilors Lopez and Vidot.

ORDERED, That the Chelsea City Council authorize the appropriation of \$539,200 from the General Stabilization Account, Fund #7020 to a new FY23 CIP Project Account (Fund 5540 series) for Illicit Discharge Detection and Elimination ("IDDE") work in Mill Creek.

The following order was introduced by Councilor Robinson and read for the second time. A motion from Councilor Hatleberg to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Brown, J. Garcia, T. Garcia, Robinson, Recupero, DeJesus, Hatleberg, Vega, and Taylor. Absent were Councilors Lopez and Vidot.

ORDERED, that the Chelsea City Council hereby authorizes the City Manager to accept the \$50,000 grant from the Barr Foundation and Institute for Transportation & Development Policy.

New Business:

The following order was introduced by Councilor Recupero. Councilor Recupero withdrew the order. Order, that the City Manager secure funds for the City Council. It seems that the City Council appropriates funds for other departments, except for our own department. How much money does the City Council have for council sponsored events in the community or city hall conferences, and for office supplies?

The following order was introduced by Councilor Robinson. Councilor Hatleberg moved to adopt by roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Brown, J. Garcia, T. Garcia, Robinson, Recupero, DeJesus, Hatleberg, Vega, and Taylor. Absent were Councilors Lopez and Vidot.

Be it Hereby Ordered, that the City Council President Leo Robinson has established a Selection Committee of Councilors to appoint Chelsea Residents to the City Manager Hiring Screening Committee. The Selection Committee Selection Committee shall be comprised of Councilor Brown, Councilor Damali Vidot, Councilor Todd Taylor, Councilor Tanairi Garcia and Chaired by Brian Hatleberg.

The following Order was introduced by Councilor Robinson. A motion from Councilor Hatleberg to adopt by roll call passed 9-0-2-0. Voting yes were Councilors Brown, J. Garcia, T. Garcia, Robinson, Recupero, DeJesus, Hatleberg, Vega, and Taylor. Absent were Councilors Lopez and Vidot.

Order, that there will be a Screening Committee made up of 5 residents. The Selection Committee is charged with naming 4 residents who will be on the Screening Committee working with the Collins Center, screening applicants for the City Manager position. The fifth resident, will be Chair of the Screening Committee and appointed by President Leo Robinson, that person will be Eugene O'Flaherty.

The following Order was introduced by Councilor Robinson. The was the second reading of the proposed ordinance and brought forward as amended. Councilor Brown moved to adopt by roll call. The roll call passed 9-0-2-0. Voting yes were Councilors Brown, J. Garcia, T. Garcia, Robinson, Recupero, DeJesus, Hatleberg, Vega, and Taylor. Absent were Councilors Lopez, and Vidot.

WHEREAS, The City Council recognizes that large planned or Special Permit development projects can have both positive and negative impacts in the community; and

WHEREAS, An established body of law supports a municipality's right to require monetary contributions in connection with commercial and/or residential development, including conditioning a development permit upon the payment of such contributions when a "reasonable relationship" can be demonstrated between the required fee and the government's legitimate purpose; and

WHEREAS, In order to balance out these impacts, the City Council works with developers to address the social impacts through advocating for the provision of community and public benefits; and

WHEREAS, The City Council also works with developers to address environmental impacts by providing physical enhancements mitigation; and

WHEREAS, The City Council considers both the impacts and needs of the immediate area as well as throughout Chelsea; and

WHEREAS, The City Council as Chelsea's Duly Elected Legislative body is responsible in both identifying the impacts and determining the appropriate mitigation; and

WHEREAS, The City Council orders that the determination efforts be fair and reasonable, that mitigation for environmental impacts of a proposed projects be comprehensive, and that mitigation for

social impacts of a proposed project be comprehensive, and that mitigation for social impacts be appropriate and not excessive; and

WHEREAS, The regional real estate market has proposed an inadequate supply of affordable, accessible housing, leading to rising housing costs and economic insecurity, compelling the City to increase its investment in decent, safe, and accessible affordable housing; and

WHEREAS, Developing and preserving affordable housing for low-and moderate income households constitutes a legitimate government purpose, as indicated by authorizing state legislation; and

WHEREAS, Other communities in the Commonwealth have determined, and the State Legislature has agreed, that there is a nexus between new development and the need for jobs, job training and workforce development, and that linkage fees can help address employment barriers and gaps in occupational skills in the labor force in order to ensure that low and moderate income residents can fully benefit from the job opportunities created by development projects:

WHEREAS, At the discretion of the City Council the developer may offer a financial contribution to be held in escrow by the city, to support Chelsea social programs and community initiatives which would then require city council approval for disbursement; and

NOW, THEREFORE, BE IT ORDAINED, THAT THE Revised Code of Ordinances of the City of Chelsea as amended, be further amended by adopting a new Article XII in Chapter 14 entitled "Linkage Fees for Development"

ARTICLE xii. Linkage fees for development

Section 14-460 Applicability

- (a) The linkage fees set forth in this Section shall apply to:
 - (1) Any new or additional commercial or industrial development or use, or any "substantial renovations" of a commercial or industrial development or use, that exceeds 25,000 gross square feet;
 - (2) To any new or additional residential development, or any "substantial renovation" of a residential development, that exceeds 25,000 gross square feet and has 24 or more new residential units within the development; and
 - (3) Any new or additional mixed-use development that includes both residential and commercial or industrial uses, or any "substantial renovation" of such mixed-use property, that exceeds 25,000 gross square feet and has 24 or more residential units, or includes a new or renovated use that independently qualifies under subsection (1) above.
- (b) Substantial renovation as used in subsection (a) above shall be defined in accordance with the definition of that term in the State Building Code.
- (c) This section shall not apply to any project where at least 25% of all dwelling units shall be deed restricted affordable housing units that are affordable for households with annual incomes up to 80% of the Area Median Income or lower as set forth by the U.S. Department of Housing and Urban Development for the Boston-Cambridge-Quincy FMR Metro Area. In order to qualify for this exemption, the owner or owners representative of such affordable housing project shall

obtain a Certificate of Exemption from the Department of Housing and Community Development prior to the issuance of the building permit.

Section 14-461 Fees for Commercial and Industrial Developments

Commercial and industrial developments subject to this section shall pay the Community Impact linkage fees.

The fee shall be to the Community Impact Linkage Fee Revolving Fund for the creation or maintenance of affordable housing, public space enhancement, traffic and transportation improvements, social services, workforce development and education and youth recreation support. This fee shall be determined by multiplying the rate of \$12.50 per sq. ft. times the total number of square feet in the project over and above twenty-five thousand (25,000) gross square feet that are covered by the new Certificate of Occupancy.

Section 14-462 Fees for Residential or Mixed-Use Development

A residential development or mixed-use development subject to this section shall pay the Community Impact linkage fees. That fee shall be determined by multiplying the rate of \$10.00 per sq. ft. times the total number of square feet in the project over and above twenty-five (25,000) gross square feet that are covered by the new Certificate of Occupancy.

Section 14-463 Timing of Payments

All linkage fee payments set forth in this ordinance shall be due and payable in two equal installments, the first of which shall be due upon issuance of the initial building permit and the second of which shall be payable upon the issuance of a Certificate of Occupancy, whether temporary or permanent.

Section 14-464 Use of Linkage Fees

The linkage fees paid to the Linkage Fee Revolving Fund shall be utilized in accordance with terms of the Home Rule Petition for the creation or maintenance of affordable housing, traffic and transportation improvements, social services, workforce development and education, youth recreation support, job training, job creation, or for capital construction projects of the City provided such project appear in the City's annual Five Year Capital Improvement Plan as approved by the City Council.

Section 14-465 Increase in the Formula Calculation

The rates per sq. ft. set forth in Section 14-461 and 14-462 above shall be increased each January 1st of the calendar year by the rate of inflation as measured by the increase for all items for the period of the preceding November over the level as November of the previous year in the "Consumer Price Index-All Urban Consumers" or its successor index as published by the U.S. Department of Labor Bureau of Statistics or its successor agency.

Section 14-466 Prohibition on Issuance of Permits Until Payment of Linkage Fee

For developments subject to this Ordinance, no building permit or Certificate of Occupancy shall be issued until such time that the required linkage payment is made in full.

The following order was introduced by Councilor Robinson

Request, for a conference with Community Development for an update on ARPA funding and future spending request.

The following order was introduced by Councilor Robinson.
An Ordinance Promoting Economic Development and the Marijuana Industry in the City of Chelsea

WHEREAS, A majority of Chelsea voters approved the 2016 ballot question entitled "The Regulation and Taxation of Marijuana Act"; and

WHEREAS, The Massachusetts Legislature enacted "An Act to Ensure Safe Access to Marijuana" on July 28, 2017; and

WHEREAS, This statute provides opportunities for municipalities to gain the benefits of safe marijuana commerce while addressing potential hazards; and

WHEREAS, Well-regulate marijuana businesses offer the residents of Chelsea economic development opportunities; NOW

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHELSEA, as follows, Section 14-459 of the City of Chelsea Code of Ordinances is repealed.

This ordinance shall be effective two weeks after adoption.

The following order was introduced by Councilor Recupero.
Order, that the interim City Manager supply a study of air quality around Highland Park and surrounded areas. Mass Port had install an air quality machine; we would like to know the outcome of the air quality in the area.

The following order was introduced by Councilor Robinson.
WHEREAS, It is the express purpose of municipal zoning to promote the health safety and general welfare of the inhabitants of the City of Chelsea; and

WHEREAS, A specific objective of the City of Chelsea's Zoning Ordinance states the need to encourage the most appropriate use of land throughout the City of Chelsea; and

WHEREAS, The City of Chelsea wishes to modify its zoning rules to properly regulate the recreational marijuana industry in order to ensure that this industry works to the benefit of the City's residents without adverse impacts, and,

WHEREAS, the Section 34-158-Permitting regulate the operations of marijuana retailers outside the scope of zoning;

NOW THEREFORE BE IT ORDAINED, that the Revised Code of Ordinances of the City of Chelsea as amended, be further amended and adoption as follow:

AN ODINANCE REVISING PART II CHAPTER 34, ARTICLE VII OF THE CHELSEA CODE OF ORDINANCES TO ZONING PROVISIONS ON MARIJUANA ESTABLISHMENTS

Section 34-158©-Permitting of the City of Chelsea Code of Ordinances is repealed.

BE IT FURTHER ORDERED,

That the petition be forwarded to the Chelsea Planning Board for a recommendation of the Zoning Amendment pursuant to Mass. Gen. Laws c. 40A and that a public hearing be scheduled to discuss the proposed zoning amendments pursuant to Mass. Laws c. 40A.

The following order was introduced by Councilor Robinson. A motion from Councilor Taylor moved the order to the sub-committee on conference under suspension.

Request, for a conference with Community Development for an update on ARPA funding, and future spending request.

The following order was introduced by Councilor Robinson. A motion from Councilor Hatleberg moved the order to the sub-committee on conference under suspension.

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WHEREAS, This statute provides opportunities for municipalities to gain the benefits of safe marijuana commerce while addressing potential hazards; and

WHEREAS, Well-regulated marijuana businesses offer the residents of Chelsea economic development opportunities; NOW

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHELSEA, as follows, Section 14-459 of the City of Chelsea Code of Ordinances is repealed.

This ordinance shall be effective two weeks after adoption.

The following order was introduced by Councilor Recuperero. A motion from Councilor Recuperero to adopt under suspension was adopted.

Order, that the interim City Manager supply a study of air quality around Highland Park and surrounded areas. Mass Port had installed an air quality machine; we would like to know the outcome of the air quality in the area.

The following order was introduced by Councilor Robinson. Councilor Recuperero Tabled the Order.

WHEREAS, It is the express purpose of municipal zoning to promote the health, safety, and general welfare of the inhabitants of the City of Chelsea; and

WHEREAS, A specific objective of the City of Chelsea's Zoning Ordinance states the need to encourage the most appropriate use of land throughout the City of Chelsea; and

WHEREAS, The City of Chelsea wishes to modify its zoning rules to properly regulate the recreational marijuana industry in order to ensure that this industry works to the benefit of the City's residents without adverse impacts, and

WHEREAS, the Section 34-158-Permitting regulates the operations of marijuana retailers outside the scope of zoning;

NOW THEREFORE BE IT ORDAINED, that the Revised Code of Ordinances of the City of Chelsea as amended be further amended and adopted as follows:

AN ORDINANCE REVISING PART II CHAPTER 34, ARTICLE VII OF THE CHELSEA CODE OF ORDINANCES TO ZONING PROVISIONS ON MARIJUANA ESTABLISHMENTS

Section 34-158©-Permitting of the City of Chelsea Code of Ordinances is repealed.

BE IT FURTHER ORDERED,

That the petition be forwarded to the Chelsea Planning Board for a recommendation of the Zoning Amendment pursuant to Mass. Gen. Laws c. 40A and that a public hearing be scheduled to discuss the proposed zoning amendments pursuant to Mass. Gen. Laws c. 40A.

The following order was introduced by Councilors DeJesus and Robinson. A motion from Councilor DeJesus to adopt under suspension was adopted.

Request, for a conference to meet with the Traffic and Parking Commission to discuss traffic concerns.

The meeting adjourned at 7:55 p.m.

Respectfully submitted,



Paul G. Casino
Clerk of the Chelsea City Council

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