



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS

## BOARD OF APPEALS

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

**November 30, 2022**

### **Decision**

### **City of Salem Board of Appeals**

The petition of DAVID KAYTES at 21 FLINT STREET (Map 25, Lot 197) (R2 Zoning District), for a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to demolish a deck and construct a new 10' x 8' one story addition. The required setback is 10'. The proposed addition will be 7.6' feet in the setback.

A public hearing on the above petition was opened on November 16, 2022 and was closed on November 16, 2022.

On November 16, 2022, the following members of the Salem Board of Appeals were present: Rosa Ordaz, Peter Copelas (Acting Chair), Carly McClain, Nina Vyedin and Steven Smalley.

### **Statements of Fact:**

The petition is date stamped September 15, 2022. The petitioner seeks a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to demolish a deck and construct a new 10' x 8' one story addition.

1. 21 Flint Street is owned by David Kaytes and Janna Koretz.
2. The petitioner was David Kaytes.
3. 21 Flint Street is located in the R2 zoning district. (Map 25, Lot 197).
4. The requested relief, if granted, would allow the Petitioner to demolish a deck and construct a new 10' x 8' one-story addition.
5. On November 16, 2022, David Kaytes presented to the board. Mr. Kaytes explained to the board that he is proposing to demolish the existing deck and wanted to build a one-story 10' X 8' addition where the deck is currently. The addition would be used as a mud room.
6. Mr. Kaytes went through the plans and renderings of the proposed addition.

7. Mr. Copelas opened the meeting to questions from the board. There were none.
8. Mr. Copelas opened the meeting up to public comment.
9. Jeff and Laurie Bellan, 396 Essex Street, asked if the petition would be going in front of the Historical Commission. Mr. Kaytes explained that they had received approval from the Historical Commission approximately three months ago.
10. Acting Chair Copelas went over the criteria for a special permit.
11. Rosa Ordaz made a motion to approve the petition.
12. The November 16, 2022 meeting of the Board of Appeals was held remotely, via the online platform Zoom in accordance with Chapter 107 of the Acts of 2022.

On the basis of the above statements of fact and findings, the Salem Board of Appeals voted five (5) in favor (Steven Smalley, Peter Copelas (Acting Chair), Rosa Ordaz, Carly McClain and Nina Vyedin and none (0) opposed to grant DAVID KAYTES at 21 FLINT STREET (Map 25, Lot 197) (R2 Zoning District) a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to demolish a deck and construct a new 10' x 8' one story addition.

**Receiving five (5) in favor votes, the petition for a Special Permit is GRANTED.**

**Standard Conditions:**

1. Petitioner shall comply with all city and state statutes, ordinances, codes and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Inspection is to be obtained.
7. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
8. All construction shall be done per the plans and dimensions submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are

deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

9. Petitioner shall schedule Assessing Department inspections of the property, at least annually, prior to project completion and a final inspection upon project completion.

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Peter Copelas/ Acting Chair  
Board of Appeals

A COPY OF THIS DECISION HAS BEEN FILED WITH THE PLANNING BOARD AND THE CITY CLERK.

Appeal from this decision, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws Chapter 40A, and shall be filed within 20 days of filing of this decision in the office of the City Clerk. Pursuant to the Massachusetts General Laws Chapter 40A, Section 11, the Variance or Special Permit granted herein shall not take effect until a copy of the decision bearing the certificate of the City Clerk has been filed with the Essex South Registry of Deeds.