



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS

BOARD OF APPEALS

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

March 3, 2023

Decision

City of Salem Board of Appeals

The petition of MICHAEL MCKINNON at 6 RIVERBANK ROAD (Map 31, Lot 279) (R1 Zoning District), for a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to expand a non-conforming structure by constructing a two (2) story addition (12' 7" x 10' 7"). Renovations to the first and second floor, within the current footprint will also be done.

A public hearing on the above petition was opened on February 15, 2023 and was closed on February 15, 2023.

On February 15, 2023, the following members of the Salem Board of Appeals were present: Rosa Ordaz, Peter Copelas (Chair), Carly McClain, Paul Viccica, Nina Vyedin and Steven Smalley.

Statements of Fact:

The petition is date stamped January 11, 2023. The petitioner requests to expand their single-family residence by adding a two-story addition.

1. 6 Riverbank Road is owned by Michael McKinnon
2. The petitioner was Michael McKinnon.
3. The petitioner was represented by Architect, Steven Livermore.
4. 6 Riverbank Road is located in the R1 zoning district. (Map 31, Lot 279).
5. On February 15, architect, Steven Livermore, discussed the plans for the petition. At 6 Riverbank Road they are planning on expanding the second floor to put all of the bedrooms for the existing house on the second floor. On the existing first floor, they are going to expand the living space for the Petitioner's growing family. The Petitioner would like to raise the roof. The Petitioner's plan is to construct a gable roof on the on the addition and to add three "A" shaped dormers on the front of the home.

6. The Petitioners plan to open up the living area and modify the two rooms that were bedrooms into a television room or an office.
7. In the upstairs addition, the Petitioner's plan to construct three bedrooms and a main bedroom upstairs.
8. Chair Copelas stated that he was confused by the plans and was appreciative of Mr. Livermore clarifying and walking the board through the plans.
9. Mr. Livermore stated that the addition is largely replacing what is now a patio. The Petitioner also plans on raising the gable roof up six feet (6 ft) and then adding "A" dormers on the Riverbank Road side and placing shed dormers on the rear elevation of the structure.
10. Peter Copelas asked Building Commissioner, Tom St. Pierre, with all the relief requested at 6 Riverbank Road, was the special permit all that was needed for this petition.
11. Tom St. Pierre, Building Commissioner, stated that the special permit was the right requested relief and that the petition was not exceeding any of Salem's zoning regulations.
12. Chair Copelas opened the meeting up to comments from the board. There were none.
13. Chair Copelas opened the meeting up to comments from the public. There were none.
14. Carly McClain made a motion to approve the petition.
15. The February 15, 2023 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(Chair), Rosa Ordaz, Carly McClain and Paul Viccica and none (0) opposed to grant MICHAEL MCKINNON a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to expand a non-conforming structure by constructing a two (2) story addition (12' 7" x 10' 7").

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 Occupancy is to be obtained.
7. A Certificate of Inspection is to be obtained.
8. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
9. 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.
10. Petitioner shall schedule Assessing Department inspections of the property, at least annually, prior to project completion and a final inspection upon project completion.

Peter Copelas/ 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.

