



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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## NOTICE OF MEETING

*You are hereby notified that the Salem Zoning Board of Appeals will hold a meeting on  
**Wednesday, December 15, 2021, at 6:30 pm via remote participation**  
in accordance with Chapter 20 of the Acts of 2021.*

Mike Duffy, Chair

### **Important Announcement:**

Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so on matters not requiring a public hearing, we will post on the City of Salem's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Individuals may participate remotely in the meeting via a remote participation platform called Zoom. Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation meeting through any one of the following ways:

### **Attending the Virtual Public Meeting:**

- Go to the website link <https://uso2web.zoom.us/j/87389254628?pwd=MzhDMlRNbUNHMFkzWjJmbkV5boMyQT09>
- Or, go to the website link <https://zoom.us/join> and enter meeting ID # **873 8925 4628** followed by meeting password **776024**, if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID # **873 8925 4628** followed by meeting password **776024**, if directed. Those calling in will not have access to the direct video feed of the meeting, but can

- follow along with the project materials available for download at [Salem.com/ZBA](http://Salem.com/ZBA)
- Watch the meeting live on Salem Access Television Chanel 22.
- Project materials are available for download at this link (<https://tinyurl.com/SalemZBA>)

**Providing Public Comment During the Meeting:**

Members of the public attending this meeting virtually will be allowed to make comments during the portion of the hearing designated for each agenda item. Members of the public will be asked to use the virtual “Raise Hand” function in Zoom to indicate that they would like to provide comment.

- Dial \*9 on your phone’s dial pad to raise your hand if you are using the toll-free number.
- Click the “Raise Hand” button if you are using the Zoom application on your computer or phone.

For each agenda item, the moderator will identify attendees with raised hands by their screenname or the last 3 digits of their telephone number and will then unmute them. The moderator will then request that the attendee unmute their device to provide their full name, address, and comment for the record.

The moderator will go down the list of attendees in the order presented by the Zoom application. The attendee list is ordered so that phone numbers are first, followed by an alphabetical list of the screen names of attendees accessing Zoom through a computer, tablet, or smartphone. Anyone that speaks about an issue unrelated to the agenda items will be immediately muted.

**Providing Public Comment Before the Meeting:**

Members of the public can alternatively email their comment before the start of the meeting to [zoningboardcomments@salem.com](mailto:zoningboardcomments@salem.com).

**Familiarizing Yourself with Zoom:**

We encourage members of the public to install and familiarize themselves with Zoom in advance of the meeting.

If you plan on providing public comments and are logging into this meeting via the Zoom application, please test your speakers and microphone ahead of time. If we have trouble hearing you when you speak, we will move on to the next person and try to return to you later in the list. If this happens, we recommend that you call the toll-free number to access the meeting and provide your comment.

The Zoom meeting will open 15 minutes before the start of the meeting to allow participants to connect and practice with the audio and raise hand functions.

Thank you for your patience and understanding as we navigate these challenging circumstances.

**MEETING AGENDA**

**I. ROLL CALL**

- 2 Know Your Rights Under the Open Meeting Law, M.G.L. c. 30A Sections 18-25 and City Ordinance Sections 2-2028 through 2-2033.

## II. CONTINUANCES

### **Location:**

10 Lynn Street (Map 26, Lot 609) (R2 Zoning District)

### **Applicant:**

Timothy Doggett

### **Description:**

Will hold a continuation hearing for all persons interested in the petition of TIMOTHY DOGGETT to appeal a decision of the Building Inspector per M.G.L ch.40A sections 8 and 15. The petitioner is appealing the Building Inspector's decision to grant a Building Permit for a two-family residential dwelling at 10 LYNN STREET. (Map 26, Lot 609) (R2 Zoning District)

## III. Regular Agenda

### **1) Location:**

22 Orne Street (R2 Zoning District)

### **Applicant:**

Steven Feldmann

### **Description:**

Will hold a public hearing for all persons interested in the petition of STEVEN FELDMANN at 22 ORNE STREET (Map 27, Lot 351) (R2 Zoning District) for a special permit from provisions of Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to construct a 12' x 14' screened in porch that is not in compliance with the setbacks of 30' of the principal dwelling unit at 22 ORNE STREET (Map 27, Lot 351) (R2 Zoning District)

### **2) Location:**

373 Highland Avenue (B2 Zoning District)

### **Applicant:**

Berman Properties, LLC

### **Description:**

Will hold a public hearing for all persons interested in the petition of BERMAN PROPERTIES LLC at 373 HIGHLAND AVENUE (Map 7, Lot 58) for the following variances to allow construction of a new facility for Tropical Products, an existing Salem business, to relocate to support the company's growing needs: Variance from **Section 4.1.1 Dimensional requirements** of maximum lot coverage by all buildings in the B2 Zoning District (25% required/+, - 60% proposed); variance from **Section 8.3.9.1 Buffer Zone** in the BPD Zoning District 75 feet required, and 15 feet proposed; and variance from **Section 8.2.3.1 Curb Cuts** for two curb cuts greater than 24 feet for commercial uses. Two curb cuts are proposed-one for 42.5 feet and the second 58.4 feet. The site is comprised of the following parcels in the BPD Zoning District: 373 Highland Avenue (Map 7, Lot 58), 5 Cedar Road (Map 7, Lot 48), and 10 Cedar Road (Map 7, Lot 55); and the following parcels in the B2 Zoning District: 355 Highland Avenue (Map 7, Lot 46), 2 Cedar Road (Map 7, Lot 57), 3 Cedar Road (Map 7, Lot 47), and 6 Cedar Road (Map 7, Lot 56).

**3) Location:**

143 Derby Street (B1 Zoning District)

**Applicant:**

Lisa and John Bartlett

**Description:**

Will hold a public hearing for all persons interested in the petition of LISA AND JOHN BARTLETT at 143 DERBY STREET (Map 41, Lot 319) (B1 Zoning District), for a variance per Section 4.1 *Dimensional Requirements* of the Salem Zoning Ordinance for side yard setback, front yard setback, and minimum lot area per dwelling a 143-145 Derby Street to construct a new 90' x 42' +/- mixed-use building to include two commercial units and five residential units. The front and side yard setbacks would be reduced to 0 feet. The B1 requirements are 3,500 square feet per dwelling. The proposal is 1,600 square feet to allow for the five units. 143 DERBY STREET (Map 41, Lot 319) (B1 Zoning District).

**4) Location:**

20 Wisteria Street (R2 Zoning District)

**Applicant:**

Rafael Campusano

**Description:**

Will hold a public hearing for all persons interested in the petition of RAFAEL CAMPUSANO at 20 WISTERIA STREET (Map 32, Lot 196) (R2 Zoning District), for a variance per Section 4.1 of the Salem Zoning Ordinance *Dimensional Requirements* to add a dormer of +/- 37 feet by 12 feet on the rear & left side of the existing building. This dormer will increase the existing non-conformity of the building by encroaching onto the side and rear setbacks within the existing building footprint at 20 WISTERIA STREET (Map 32, Lot 196) (R2 Zoning District).

**5) Location:**

201 North Street (R2 Zoning District)

**Applicant:**

Jessica Kane

**Description:**

Will hold a public hearing for all persons interested in the petition of JESSICA KANE at 201 NORTH STREET (Map 17, Lot 288) (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 construct a one-story addition by encroaching into the 10' setback by about 1'. In addition, the proposal is to remove an entry porch and build a one-story heated entry. 201 NORTH STREET (Map 17, Lot 288) (R2 Zoning District).

**6) Location:**

57 Loring Avenue (R1 Zoning District)

**Applicant:**

Jaho Industries, LLC

**Description:**

Will hold a public hearing for all persons interested in the petition of JAHU INDUSTRIES, LLC at 57 LORING AVENUE. (Map 32, Lot 146) (R1 Zoning District) to amend an existing decision for an addition of a liquor license. 57 LORING AVENUE (Map 32, Lot 146)

**7) Location:**

10 Pleasant Street (R2 Zoning District)

**Applicant:**

Ryan McShera

**Description:**

Will hold a public hearing for all persons interested in the petition of RYAN M. McSHERA at 10 PLEASANT STREET. (Map 36, Lot 442) (R2 Zoning District) for a Special permit for Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* to demolish a non-conforming single-story structure and construct and nonconforming 2.5 story structure. 10 PLEASANT STREET. (Map 36, Lot 442) (R2 Zoning District).

**IV. APPROVAL OF MINUTES**

October 20, 2021 and November 17, 2021

**V. OLD/NEW BUSINESS**

16/18/20R Franklin St. variance extension  
ZBA meeting Schedule

**VI. ADJOURNMENT**

Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator as soon as possible and no less than 2 business days before the meeting, program, or event.

This agenda is subject to change.