



CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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

ROBERT K. MCCARTHY
ACTING MAYOR

NOTICE OF MEETING

Notice is hereby given that a meeting of the Salem Zoning Board of Appeals' will be held on **FEBRUARY 15, 2023, at 6:30 p.m.**

****Via remote participation****

This is in accordance with Chapter 107 of the Act of 2022.

Peter Copelas, Acting 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 Website link:
<https://us02web.zoom.us/j/83964128644?pwd=cTNITiFic2pKNWlOZnV3dW9yb1loUT09> Or, go to the website link <https://zoom.us/join> and enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID #**839 6412 8644** followed by meeting password **011324** 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
- Watch the meeting live on Salem Access Television Chanel 22.
- Project materials are available for download at (<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.

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.

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

MEETING AGENDA

I. ROLL CALL

II. CONTINUANCES

1) **Location:** 1 Purchase Street (R1 Zoning District)

Applicant: Ezekiel Holt

Description: The petition of EZEKIEL HOLT at 1 PURCHASE STREET (Map 15, Lot 139) (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 build a new, second egress with a porch for the first-floor unit. The proposed change will permit petitioner to restrict access to the basement from the first-floor unit and to specifically make it a part of the second unit.

2) **Location:** 275 Lafayette Street (R1,R3 Zoning Districts)

Applicant: MD Property Development

Description: The petition of MD PROPERTY DEVELOPMENT at 275 LAFAYETTE STREET (Map 33, Lot 438) (R1,R3 Zoning Districts) for Special Permits per Section 3.3.2 *Nonconforming Uses* to change from one nonconforming use-educational use to a multi-family residential use. A Special Permit per Section 3.3.3 *Nonconforming Structures* of the Salem Zoning Ordinance to allow for alteration of the existing nonconforming structure. In addition, petitioner seeks Variances from Section 4.1 *Dimensional Requirements* for lot coverage where 30% is permitted and 32.5% is being sought/ lot area per dwelling unit where 3,500 SF is required in the R3 Zoning District and 15,000 SF in the R1 where 1,500 SF is proposed/ Side setback where 20 feet is required and 10 feet is sought. And per Section 5.1.5 *Curb Cuts* for 30 feet of curb cut where 20 feet is allowed. A total of 15 residential units in the existing building and a new building to be constructed at 275 LAFAYETTE STREET.

III. REGULAR AGENDA

1) Location: 6 Riverbank Road (R1 Zoning District)

Applicant: Michael McKinnon

Description: 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.

2) Location: 8 Mead Court (R2 Zoning District)

Applicant: Nick Nikolopoulos

Description: The petition of NICK NIKOLOPOULOS at 8 MEAD COURT (Map 27, Lot 69) (R2 Zoning District) for a special permit per Section *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to add a shed dormer that will span thirty-two (32) feet from end to end. The dormer will be five (5) feet high. Four (4) windows will be added with the addition of the dormer. The dimensions will not raise the roof line of the house and will not change the footprint of any rooms.

3) Location: 11 ½ Hardy Street (R2, B1 Zoning Districts)

Applicant: Lori A. Pattison

Description: The petition of LORI A. PATTISON at 11 ½ HARDY STREET (Map 41, Lot 30) (R2, B1 Zoning Districts) for a special permit per Section *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to alter and to enlarge the residential use of a nonconforming structure by restoring and using the third (3rd) floor unit. Petitioner is also seeking variances from section 4.1 *Dimensional Requirements* for lot area per dwelling unit where 1,423 sq. ft is proposed/3,500 sq. ft required. In addition, a variance per section 5.1.1 – 5.1.8 *Off-Street Parking*.

4) Location: 31 Bertuccio Avenue (R1 Zoning District)

Applicant: Dean Boucher

Description: The petition of DEAN BOUCHER at 31 BERTUCCIO AVENUE (Map 24, Lot 104) (R1 Zoning District) for a variance per Section *4.1.1 Dimensional Requirements* of the Salem Zoning Ordinance to build a sixteen by forty sq. foot (16"x40") two story single family residence .The relief will be from minimum lot area. Petitioner is seeking to construct on a lot size of two thousand nine hundred thirteen (2,913) sq. feet/Where fifteen thousand sq. feet (15,000) is required. In addition, relief requested is to build into the left side setback at four (4) feet and into the right-side setback at nine (9) feet/ Where ten (10) feet is required. The rear yard setback would be five (5) feet/ Where thirty (30) feet is required.

IV. APPROVAL OF MINUTES

12.14.22

1.18.23

V. OLD/NEW BUSINESS

Vice-Chair discussion

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 two (2) business days before the meeting, program, or event.

This agenda is subject to change.