



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 16, 2020 at 6:30 pm via remote participation.

Mike Duffy, Chair

2020 DEC -9 AM 9:51
CITY CLERK
SALEM MASS

Important Announcement:

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor's March 15, 2020 Order imposing strict limitation on the number of people that may gather in one place, this meeting of the City of Salem Zoning Board of Appeals will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the city's website, at www.salem.com. No in-person attendance of members of the public will be permitted, but 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, despite best efforts, we will post on the city's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

For this meeting, members of the public who wish to watch, listen, or provide comment during the meeting may do so in the following manner:

Watching the Public Meeting:

- Go to the website link: <https://us02web.zoom.us/j/89352990404?pwd=b0lkSTlvUzNkMWljRjI0ekpNQ2lWQ09>
- Go to the website link <https://zoom.us/join> and enter **meeting ID # 893-5299-0404** followed by meeting **password 541235**, if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter **meeting ID # 893 5299 0404** followed by meeting **password 541235**, if directed. Those only dialing in only 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/zoning-board-appeals
- Watch the meeting live on Salem Access Television Chanel 22.
- Project materials are available for download at [this link \(https://tinyurl.com/SalemZBA\)](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 phone number.
- Click the "Raise Hand" button if you are using the Zoom application on your computer or phone.

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

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.

Members of the public can alternatively email their comment before the start of the meeting to levmccarthy@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 comment 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 this challenging situation for our community and the world.

MEETING AGENDA

I. ROLL CALL

II. REGULAR AGENDA

- 1. Location:** 78 Bay View Avenue (Map 44, Lot 136) (RI Zoning District)
Applicant: Stephan O’Sullivan and Patrick O’Sullivan (Property Owner: Philip Kelly)
Description: A continuation of a public hearing for all persons interested in the petition of STEPHAN O’SULLIVAN AND PATRICK O’SULLIVAN and property owner PHILIP KELLY for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance from maximum height of buildings (stories) and minimum width of side yard to alter and expand a nonconforming single-family home by extending the first floor and porch; renovating the rear facade and adding second and third story balconies; and adding third-story front and rear dormers at 78 BAY VIEW AVENUE (Map 44, Lot 136) (RI Zoning District).
- 2. Location:** 2 Dundee Street (Map 10, Lot 50) (RI Zoning District)
Applicant: Frank Lanzillo
Description: A continuation of a public hearing for all persons interested in the petition of FRANK LANZILLO for a variance per Section 4.1.1 *Table of Dimensional Requirements* of the Salem Zoning Ordinance from minimum lot area and minimum lot area per dwelling unit to construct a 2.5-story, single-family home on the vacant lot at 2 DUNDEE STREET (Map 10, Lot 50) (RI Zoning District).
- 3. Location:** 140 Highland Avenue (Map 14, Lot 264) (RI and ECOD Zoning Districts)
Applicant: Johnny Polanco
Description: A continuation of a public hearing for all persons interested in the petition of JOHNNY POLANCO for a special permit per Section 8.2.4 *Entrance Corridor Overlay District: Fences* to allow a six-foot tall decorative concrete wall at the single-family house at 140 HIGHLAND AVENUE (Map 14, Lot 264) (RI and ECOD Zoning Districts).
- 4. Location:** 9 Winter Island Road
Applicant: Joel and Cathy Votto
Description: A public hearing for all persons interested in the petition of JOEL AND CATHY VOTTO for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance from minimum depth of front yard to expand an existing single-family home by constructing an attached two-car garage within the front yard setback at 9 WINTER ISLAND ROAD (Map 44, Lot 20) (RI Zoning District).

5. Location: 34 St. Peter Street

Applicant: Agron Gjerasi

Description: A public hearing for all persons interested in the petition of AGRON GJERASI for a special permit per Section 3.1.2 *Special Permit: Zoning Board of Appeals* of the Salem Zoning Ordinance to construct an Adult Day Care center withing the first-floor space at 34 ST. PETER STREET (Map 35, Lot 180) (R3 Zoning District).

6. Location: 57 Loring Avenue

Applicant: Jaho Industries, LLC (Property Owner: Loring Avenue Realty Trust)

Description: A public hearing for all persons interested in the petition of JAHU INDUSTRIES, LLC for a special permit per Section 3.3.2 *Nonconforming Uses* of the Salem Zoning Ordinance to change from one non-conforming use (storefront) to another (coffee shop) at 57 LORING AVENUE (Map 32, Lot 146) (R1 Zoning District).

III. APPROVAL OF MINUTES

1. October 21, 2020
2. November 18, 2020

IV. OLD/NEW BUSINESS

1. Discussion of and vote on 2021 Meeting Schedule and Submittal Deadlines

V. 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.