



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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CITY CLERK  
SALEM, MASS.

2019 MAR 19 AM 9:02

## NOTICE OF MEETING

You are hereby notified that the Salem Zoning Board of Appeals will hold a meeting on  
**Wednesday, March 20, 2019 at 6:30 p.m. at City Hall Annex,  
First Floor Conference Room, 98 Washington Street, Salem, MA.**

Mike Duffy, Chair

## REVISED\* MEETING AGENDA

### I. ROLL CALL

### II. REGULAR AGENDA

**A. Location: 80 Margin Street (Map 25, Lot 632) (R2 Zoning District)**

**Applicant: John Femino**

**Description:** A continuation of a public hearing for all persons interested in the petition of JOHN FEMINO to appeal two decisions of the Building Commissioner regarding 80 MARGIN STREET, NAPA (Map 25, Lot 632) (R2 Zoning District). Appeal #1: regarding the alleged violations of sign ordinances. Appeal #2: regarding the presence of the direct vent exhaust pipe (commercial high capacity heating exhaust) on the expansion wall allegedly violating the 1997 ZBA decision conditions.

**B. Location: 15 Salem Street (Map 34, Lot 321) (R3 Zoning District)**

**Applicant: Juan Figueroa**

**Description:** A continuation of a public hearing for all persons interested in the petition of JUAN FIGUEROA for a special permit per Section 3.3.3 *Nonconforming Structures* and variances per Section 4.1.1 *Table of Dimensional Requirements* of the Salem Zoning Ordinance for minimum lot area and minimum lot area per dwelling unit to allow the use of the existing third story as a third unit in the two-family home at 15 SALEM STREET (Map 34, Lot 321) (R3 Zoning District).

**C. Location: 26 Cross Street (Map 36, Lot 57) (R2 Zoning District)**

**Applicant: Liann DiMare**

**Description: \*Revision: The applicant has requested a continuation to the regularly scheduled meeting on April 17, 2019** of a continuation of a public hearing for all persons interested in the petition of LIANN DIMARE for a special permit per Section 15-6 (d) of the Salem Code of Ordinances to allow the continued operation of one non-owner occupied short-term rental unit in the two-family house at 26 CROSS STREET (Map 36, Lot 57) (R2 Zoning District).

- D. Location:** 82 Federal Street (Map 26, Lot 631) (R2 Zoning District)  
**Applicant:** Liann DiMare  
**Description:** \*Revision: The applicant has requested a continuation to the regularly scheduled meeting on April 17, 2019 of a continuation of a public hearing for all persons interested in the petition LIANN DIMARE for a special permit per Section 15-6 (d) of the Salem Code of Ordinances to allow the continued operation of one non-owner occupied short-term rental unit in the two-family house at 82 FEDERAL STREET (Map 26, Lot 631) (R2 Zoning District).
- E. Location:** 42 March Street (Map 36, Lot 218) (R2 Zoning District)  
**Applicant:** Susan Trocki Hallam  
**Description:** A public hearing for all persons interested in the petition of SUSAN TROCKI HALLAM for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to alter an existing nonconforming structure by adding a 9' by 12' deck, requiring relief from maximum lot coverage, to the existing two-family home at 42 MARCH STREET (Map 36, Lot 218) (R2 Zoning District).
- F. Location:** 24 Hawthorne Boulevard (Map 35, Lot 270) (B5 Zoning District)  
**Applicant:** Brian Burns  
**Description:** A public hearing for all persons interested in the petition of BRIAN BURNS for a special permit per Section 15-6 (d) of the Salem Code of Ordinances to allow the continued operation of five non-owner occupied short-term rental units in the ten-unit apartment building at 24 HAWTHORNE BOULEVARD (Map 35, Lot 270) (B5 Zoning District).
- G. Location:** 25 Calabrese Street (Map 25, Lot 400) (R1 Zoning District)  
**Applicant:** Doug Little  
**Description:** A public hearing for all persons interested in the petition of DOUG LITTLE for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to extend an existing nonconforming structure by adding a second story to the existing single-family home at 25 CALABRESE STREET (Map 25, Lot 400) (R1 Zoning District).
- H. Location:** 414 Lafayette Street (Map 32, Lot 169) (R1 Zoning District)  
**Applicant:** Matthew Keane  
**Description:** A public hearing for all persons interested in the petition of MATTHEW KEANE to amend the special permit granted by the Zoning Board on January 3, 2018, in order to allow enclosure of rear egress; to allow a full, unfinished basement instead of a 4 foot crawl space; and to remove the special requirement of a 6 foot wooden fence from the special permit, for the two-family home at 414 LAFAYETTE STREET (Map 32, Lot 169) (R1 Zoning District).
- I. Location:** 181 Marlborough Road (Map 10, Lot 16) (R1 Zoning District)  
**Applicant:** William Craig  
**Description:** A public hearing for all persons interested in the petition of WILLIAM CRAIG for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to extend the existing nonconforming two-family

home and exceed maximum height of buildings (stories) by demolishing the existing second story, replacing the second story, and adding a third story at 181 MARLBOROUGH ROAD (Map 10, Lot 16) (R1 Zoning District).

- J. Location:** 9 Parallel Street (Map 23, Lot 141) (R2 Zoning District)  
**Applicant:** Christopher Kinnon  
**Description:** A public hearing for all persons interested in the petition of CHRISTOPHER KINNON for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to extend the existing nonconforming structure by adding an attached 18' by 18' garage (with a room over it) along the existing nonconforming front yard setback which would create a new nonconformity in side yard setback at the single-family home at 9 PARALLEL STREET (Map 23, Lot 141) (R2 Zoning District).
- K. Location:** 38 Jefferson Avenue (Map 25, Lot 388) (B4 and R1 Zoning Districts)  
**Applicant:** Witch City Gardens  
**Description:** Request for a six (6) month extension of special condition #3 in the August 1, 2018 Board Decision granting a special permit per Sections 6.10.4 and 6.10.9 to operate a licensed retail marijuana establishment and marijuana cultivation facility at 38 Jefferson Avenue. Special Condition #3 (separately for both the retail marijuana facility and the marijuana cultivation facility) required that the applicant be issued a state license within six (6) months of the issuance of this special permit. This special condition stated that "A six (6) month extension can be granted by the Board of Appeals if good cause is shown."
- L. Location:** 297 Highland Avenue (Map 8, Lot 130) (B2 and ECOD Zoning Districts)  
**Applicant:** Atlantic Medicinal Partners, Inc.  
**Description:** Request for a six (6) month extension of special conditions #2 and #3 in the June 20, 2018 Board Decision granting a special permit per Section 6.10.4 to operate a licensed retail marijuana establishment at 297 Highland Avenue. Special Condition #2 required that a community host agreement be executed with the City within six (6) months of issuance of the special permit. Special Condition #3 required that the applicant be issued a state license within six (6) months of the issuance of this special permit. Both special conditions stated that "A six (6) month extension can be granted by the Board of Appeals if good cause is shown."
- M. Location:** 37 Roslyn Street (Map 33, Lot 139) (B4 Zoning District)  
**Applicant:** Chris Hinchey  
**Description:** A public hearing for all persons interested in the petition of CHRIS HINCHEY for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to construct third story dormers at the existing two-story nonconforming two-family home at 37 ROSLYN STREET (Map 33, Lot 139) (B4 Zoning District).
- N. Location:** 3 Dodge Street (Map 34, Lot 401) (B5 Zoning District)  
**Applicant:** CTDW LLC  
**Description:** Request for a six (6) month extension of special condition #3 in the August 29, 2018 Board Decision granting a special permit per Sections 6.10.4 and 9.4 to operate a

licensed retail marijuana establishment at 3 Dodge Street. Special Condition #3 required that the applicant be issued a state license within six (6) months of the issuance of this special permit. This special condition stated that "A six (6) month extension can be granted by the Board of Appeals if good cause is shown."

### III. APPROVAL OF MINUTES

A. January 16, 2019

### IV. OLD/NEW BUSINESS

A. 2019 ZBA Application Package

B. Fee Discussion

### V. ADJOURNMENT

This notice posted on "Official Bulletin Board"  
City Hall, Salem, Mass. on **MAR 19 2019**  
at **9:02 AM** in accordance with MGL Chap. 30A,  
Sections 18-25.