



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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REVISED NOTICE OF MEETING

*You are hereby notified that the Salem Zoning Board of Appeals will hold a meeting on
Wednesday, July 15, 2020 at 6:30 pm via remote participation.*

Mike Duffy, Chair

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/81517138611?pwd=eGh0dkVlSmhWTHhhd3ZMODVRRFVvdz09>
- Go to the website link <https://zoom.us/join> and enter meeting ID # 815-1713-8611 followed by meeting password 543062, if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID # 815-1713-8611 followed by meeting password 543062, 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.

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.

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 bcorrison@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.

REVISED MEETING AGENDA

Revisions: Request to continue for 78 Bay View Avenue; extension request for 38 Jefferson Avenue.

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: Note: The applicant has requested to continue to the regularly scheduled meeting on August 19, 2020. 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 a third-story rear dormer at 78 BAY VIEW AVENUE (Map 44, Lot 136) (RI Zoning District).
- 2. Location:** 53-59 Mason Street (Map 26, Lot 90) and 38 Commercial Street (Map 26, Lot 47) (NRCC Zoning District)
Applicant: The Long Game LLC
Description: A continuation of a public hearing for all persons interested in the petition of THE LONG GAME LLC for a variance per Section 4.1.1 *Table of Dimensional Requirements* from minimum lot area per dwelling unit and a variance per Section 8.4.13 *Transitional Overlay District* to allow minor construction within the no-construction buffer zone to construct 92 residential units above the existing commercial space at 53-59 MASON STREET (Map 26, Lot 90) and 38 COMMERCIAL STREET (Map 26, Lot 47) (NRCC Zoning District).
- 3. Location:** 39R Clark Street (Map 7, Lot 34) and 41 Clark Street (Map 7, Lot 36) (RI Zoning District)
Applicant: Diane T. Reddy
Description: A continuation of a public hearing for all persons interested in the petition of DIANE T. REDDY for variances per Section 4.1.1 *Table of Dimensional Requirements* of the Salem Zoning Ordinance from minimum lot frontage and minimum lot width to construct a two-story, single-family home at 39R CLARK STREET (Map 7, Lot 34) and 41 CLARK STREET (Map 7, Lot 36) (RI Zoning District).
- 4. Location:** 8 Irving Street (Map 16, Lot 284) (R2 Zoning District)
Applicant: Carlos Delgado
Description: A public hearing for all persons interested in the petition of CARLOS DELGADO 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) to expand the single-family home from 2.5 to 3 stories and from

lot area per dwelling unit to change the single-family home to a two-family home; and a special permit per Section 3.2.4 *Accessory Buildings and Structures* to allow a second accessory structure, a two-car garage at 8 IRVING STREET (Map 16, Lot 284) (R2 Zoning District).

5. **Location:** 24 Loring Avenue (Map 32, Lot 85) (R2 and ECOD Zoning Districts)
Applicant: Susanna Harutunian
Description: A public hearing for all persons interested in the petition of SUSANNA HARUTUNIAN for a special permit per Section 3.2.2 *Home Occupations* to allow a clothing alterations business in the existing freestanding garage or alternatively within the primary dwelling, the single-family home at 24 LORING AVENUE (Map 32, Lot 85) (R2 and ECOD Zoning Districts).
6. **Location:** 27 Boardman Street (Map 35, Lot 492) (R2 Zoning District)
Applicant: Greg & Kathryn Burns
Description: A public hearing for all persons interested in the petition of GREG & KATHRYN BURNS for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance from minimum width of side yard to expand a nonconforming single-family home by adding a 23' by 14' sunroom to the rear of the existing home at 27 BOARDMAN STREET (Map 35, Lot 492) (R2 Zoning District).

III. APPROVAL OF MINUTES

1. February 19, 2020
2. April 1, 2020
3. April 15, 2020
4. May 20, 2020
5. June 17, 2020

IV. OLD/NEW BUSINESS

I. NEW ITEM:

- Location:** 38 Jefferson Avenue (Map 25, Lot 388) (B4 & RI 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 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." Special Condition #3 was previously extended to August 1, 2019; February 1, 2020; and August 1, 2020 by the Board of Appeals.

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.