



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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

NOTICE OF MEETING FOR THE SOLE PURPOSE OF CONTINUING THE FOLLOWING MATTERS

*You are hereby notified that the Salem Zoning Board of Appeals will hold a meeting on
**Wednesday, March 18, 2020 at 6:30 pm at City Hall Annex,
First Floor Conference Room, 98 Washington Street, Salem, MA.***

Mike Duffy, Chair

SECOND REVISED MEETING AGENDA

Important Announcement

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, the Zoning Board of Appeals meeting scheduled for Wednesday, March 18th at 6:30 pm will be opened via a public conference call beginning at 6:30 pm for the **sole purpose** of continuing the matters set forth below.

Public Dial In Instructions:

- Step 1: Dial into the conferencing service by calling 605-313-4185
- Step 2: Enter your Access Code: 685217#.
- Step 3: Mute your phone and listen in.

Thank you for your patience and understanding as we navigate this challenging situation for our community and the world.

I. ROLL CALL

II. REGULAR AGENDA

1. Location: 6 White Street (Map 41, Lot 285) (BI Zoning District)

Applicant: Sandy J. Martin

Description: A continuation of a public hearing for all persons interested in the petition of SANDY J. MARTIN for a variance per Section 3.2.4 *Accessory Buildings and Structures* to allow an accessory structure (an enclosure for trash and recycling bins) within the required front yard setback at 6 WHITE STREET (Map 41, Lot 285) (BI Zoning District).

2. Location: 9 Boston Street (Map 25, Lot 39) (BI and ECOD Zoning Districts)

Applicant: Kevin McCafferty

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.

Description: A continuation of a public hearing for all persons interested in the petition of KEVIN MCCAFFERTY for variances per Section 4.1.1 *Table of Dimensional Requirements* of the Salem Zoning Ordinance from maximum height of buildings (stories), minimum lot area, minimum lot area per dwelling unit, minimum depth of front yard, and minimum width of side yard and a variance from Section 5.1 *Off-Street Parking* to provide less than the required amount of parking to construct a three-story, three-family dwelling with four parking spots on the vacant lot at 9 BOSTON STREET (Map 25, Lot 39) (B1 and ECOD Zoning Districts).

3. Location: 7 Curtis Street (Map 35, Lot 339) (R2 Zoning District)

Applicant: LH Capital Development, LLC

Description: A continuation of a public hearing for all persons interested in the petition of LH CAPITAL DEVELOPMENT, LLC for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance for maximum height of buildings (stories) and minimum front and side yard setbacks to expand an existing nonconforming two-family home by raising the existing attic, changing the roof from gambrel to gable, and adding two dormers; by adding a story above the existing two-story rear addition; and by adding egress steps and landings within required front and rear yard setbacks at 7 CURTIS STREET (Map 35, Lot 339) (R2 Zoning District).

4. Location: 13 Cambridge Street (Map 25, Lot 566) (R2 Zoning District)

Applicant: Michael Sheriff

Description: A public hearing for all persons interested in the petition of MICHAEL SHERIFF for a special permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* to expand a nonconforming single-family home by demolishing and replacing an existing rear addition within required side and rear yard setbacks at 13 CAMBRIDGE STREET (Map 25, Lot 566) (R2 Zoning District).

**5. Location: 230 Highland Avenue (Map 8, Lot 123)
(B2, R1, and ECOD Zoning Districts)**

Applicant: Brianna Sweet (Property Owner: Pep Boys - Manny Moe & Jack)

Description: A public hearing for all persons interested in the petition of BRIANNA SWEET and property owner PEP BOYS - MANNY MOE & JACK for a special permit per Section 3.3.2 *Nonconforming Uses* of the Salem Zoning Ordinance to change or extend the use at 230 HIGHLAND AVENUE (Map 8, Lot 123) (B2, R1, and ECOD Zoning Districts) by adding another use (motor vehicle rental) to an existing nonconforming use (motor vehicle general and body repair).

6. Location: 61 Bridge Street (Map 36, Lot 300) (B4 and ECOD Zoning Districts)

Applicant: 61 Bridge Street LLC

Description: A public hearing for all persons interested in the petition of 61 BRIDGE STREET LLC for a special permit per Section 3.3.2 *Nonconforming Uses* and a special permit per Section 3.3.3 *Nonconforming Structures* of the Salem Zoning Ordinance to convert one existing commercial unit in a mixed-use building into two residential units at 61 BRIDGE STREET (Map 36, Lot 300) (B4 and ECOD Zoning Districts).

- 7. Location:** 46 Washington Square South (Map 35, Lot 424) (R2 Zoning District)
Applicant: Three Corners Realty LLC (Property Owner: Castine Realty Trust)
Description: A public hearing for all persons interested in the petition of THREE CORNERS REALTY LLC and property owner CASTINE REALTY TRUST for a variance per Section 4.1.1 *Table of Dimensional Requirements* from minimum lot area per dwelling unit and a special permit per Section 3.3.2 *Nonconforming Uses* to change from one nonconforming use (funeral home) to another nonconforming use (three-family home) at 46 WASHINGTON SQUARE SOUTH (Map 35, Lot 424) (R2 Zoning District).
- 8. Location:** 74 Tremont Street (Map 17, Lot 22) (B1 Zoning District)
Applicant: Bay Flow LLC (Property Owner: Robert D. Goodwin)
Description: A public hearing for all persons interested in the petition of BAY FLOW LLC and property owner ROBERT D. GOODWIN for a variance per Section 4.1.1 *Table of Dimensional Requirements* from minimum lot area per dwelling unit to convert a two-family home to a three-family home with interior renovations only at 74 TREMONT STREET (Map 17, Lot 22) (B1 Zoning District).
- 9. 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 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).

III. APPROVAL OF MINUTES

1. September 18, 2019
2. October 16, 2019
3. December 18, 2019
4. January 15, 2020

IV. OLD/NEW BUSINESS

- 1. 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.” Special Condition #3 was previously extended to August 29, 2019 and then to February 28, 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.