

**City of Salem Zoning Board of Appeals**  
**Meeting Minutes**  
April 15, 2020

A meeting of the Salem Zoning Board of Appeals (“Salem ZBA”) was held on Wednesday, April 15, 2020 at 6:30 pm via remote participation.

**Chair Mike Duffy calls the meeting to order at 6:30 pm.**

Chair Duffy explains that 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, April 15th at 6:30 pm is being held remotely via Zoom. Chair Duffy explains that instructions to participate remotely can be found on the Salem website.

**ROLL CALL**

Those present were: Mike Duffy (Chair), Peter Copelas, Rosa Ordaz, Steven Smalley, and Paul Viccica. Also in attendance were Brennan Corrison – Building Commissioner, and Jonathan Pinto – Recording Clerk. Those absent were: Carly McClain and Jimmy Tsitsinos.

**REGULAR AGENDA**

- Location:       **6 White Street (Map 41, Lot 285) (B1 Zoning District)**
- Applicant:       **Sandy J. Martin**
- Project:           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) (B1 Zoning District).

Documents and Exhibitions

- Application date-stamped October 16, 2019 and supporting documentation

Chair Duffy introduces the petition.

Ms. Martin introduces herself and presents a list of signatures from neighbors indicating they have no issue with the accessory structure. Ms. Martin acknowledges some of the accessory structure currently goes extends onto public property, and maintains she is seeking a variance in order to remedy the situation and move the structure back.

Chair Duffy notes that Ms. Martin has come before the Board multiple times and that the Board is familiar with the issue regarding the overhang of the fence enclosure.

Mr. Copelas asks Mr. St. Pierre how this impacts the city ordinance regarding trash barrels on the street. Mr. Copelas notes the variance has nothing to do with the city ordinance that says barrels cannot be left out on the street. He contends that even if the variance is granted for this accessory structure, it is beyond the purview of the ZBA to allow the petitioner to keep barrels on the street.

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Mr. St. Pierre indicates that will not be an issue as the petitioner is requesting to move the structure back onto the property.

Chair Duffy asks if the fence will be located entirely on the property with the barrels behind the fence. Mr. St. Pierre and Ms. Martin confirm that is the case.

Mr. Copelas asks for further clarification regarding whether the barrels will be on city property, and Mr. St. Pierre again confirms they will not be. Mr. Copelas next asks if having the barrels sitting facing the street 24/7 would violate city ordinance. Mr. St. Pierre states the barrels will be visible, but that he would have to look into the ordinance as it is not one he enforces.

Mr. Viccica references the site plan and asks for clarification regarding the structure location. He also asks why a proper proposed survey site plan was not provided. Mr. St. Pierre clarifies that the petitioner provided photographs as well as a plot plan by a registered land surveyor. There is additional discussion regarding the location of the structure and the trash barrels. Ms. Martin references the photographs and clarifies that the barrels are not currently in the street.

Mr. Viccica asks if the barrels will be stored elsewhere and brought out on trash day or if the barrels will stay there permanently. Ms. Martin clarifies that the lot size is unusual and narrow with no other place to store the barrels. She notes that this only became an issue when the city of Salem mandated the use of larger trash and recycling barrels, and they no longer fit on the porch areas of building residents. Ms. Martin states they had placed the barrels in the parking lot, but had issues with strangers using them assuming they were public trash receptacles. She adds that the structure was built to provide the appearance of ownership, and that unbeknownst to her at the time the front edge went onto city property. Ms. Martin maintains she is now planning to move the structure back and is looking for a variance for the structure to be on the property.

Mr. Viccica refers back to the issue identified by Mr. Copelas that having garbage and recycling bins permanently located on the street may not be in compliance with city ordinance. Mr. Viccica asks about reversing the design so that the barrels would be blocked by the fence from the street, and why they were put in public view. Ms. Martin indicates the large size of the barrels would make it difficult to access on the other side as there would not be ample space.

Mr. Viccica asks Ms. Martin if she is aware that almost all people in Salem drag their trash barrels out to the street from elsewhere that is not in the public way. Ms. Martin contends that if there were an appropriate space to store the barrels the residents would not mind bringing them out and storing them elsewhere. She maintains the issue is about space rather than effort, and that neighbors have not objected.

Mr. Viccica explains that it is not just about the neighbors, but also the issue of creating a situation where the ZBA would be allowing the petitioner to not comply with the city ordinance regarding trash barrels on the street. Mr. Copelas asks how the math changes when the fence is on one side versus the other if there is enough room to put both the structure and the barrels on the property. Mr. Copelas opines that this would be a reasonable alternative to requesting a variance.

Ms. Martin clarifies that cars park right next to the fence, so to be able to access the barrels cars would need to move. There is further discussion between Ms. Martin and Mr. Viccica regarding

whether the porches are large enough to accommodate the barrels and whether potential alternatives exist.

Chair Duffy opens the floor to public comment.

Roberta Crosbie, a resident of Nathaniel's Landing, introduces herself. Ms. Crosbie says she has respect for officials in communities, and has served as a town manager and is familiar with zoning issues. Ms. Crosbie states that the structure is a fence, not an enclosure or accessory structure, and that it is contiguous with the fence at the nearby boatyard. She asks that the Board find that it is not an accessory structure, and adds that after the fence is moved back everything will be on the property.

Mr. Copelas asks if that would constitute an appeal rather than a variance, and Chair Duffy confirms. Mr. Duffy clarifies that this is a request for a variance with respect to setback, and that an appeal would be needed to dispute a decision by the building inspector.

Mr. Viccica asks about a particular location to potentially store the barrels based on what he can see on Google Maps. Ms. Martin explains there is a flower box in that area and the space is used for cars to pull out. Mr. Viccica notes he is not currently in favor of granting a variance as he has not seen any information that helps, including any plans that demonstrate where cars are to see if viable alternatives exist or not.

Ms. Ordaz asks Ms. Martin a clarifying question regarding the location of the parking in relation to the fence. Ms. Martin outlines the options available currently, including the option of removing the fence entirely and leaving the barrels out on the property line. Ms. Martin adds that they were out since 2012 with no issue, and that it was only after the structure was built that an issue arose. Mr. Viccica states that if the bins are out all the time it would violate another city ordinance.

Ms. Martin reiterates that the lot is not large enough to allow each condo to keep their respective bins on their property and keep the parking spaces for all five cars. Mr. Viccica says there are many instances and places in Salem where it is a burden to comply with what we are supposed to do. Mr. Viccica suggests moving one of the cars once a week for trash removal would not be a large burden. He acknowledges it would be an inconvenience, but says it would not be insurmountable. He also suggests locating the barrels where they are not facing a public way.

Chair Duffy explains the options due to time limitations are to vote, continue the petition, or to discuss the matter further. Mr. Copelas contends the petitioner had opportunities to fine tune their petition, and that he is comfortable making a motion and voting.

There is a brief discussion between Ms. Crosbie, Chair Duffy, and Mr. St. Pierre regarding the variance request and what constitutes a "structure", as well as the issue of whether a fence is a structure. Mr. St. Pierre provides the definition of a structure in the Salem Zoning Ordinance as anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground.

**Motion and Vote:** Mr. Copelas motions to approve 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 subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
7. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Ms. Ordaz seconds the motion. **The vote is zero (0) in and five (5) opposed (Mike Duffy (Chair), Peter Copelas, Rosa Ordaz, Steven Smalley, and Paul Viccica). The motion fails.**

Location:	<b>9 Boston Street (Map 25, Lot 39) (B1 and ECOD Zoning Districts)</b>
Applicant:	<b>Kevin McCafferty</b>
Project:	A continuation of a public hearing for all persons interested in the petition of KEVIN MCCAFFERTY for variances per Section 4.1.1 <i>Table of Dimensional Requirements</i> 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 <i>Off-Street Parking</i> 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).

#### Documents and Exhibitions

- Application date-stamped September 25, 2019 and supporting documentation

Chair Duffy introduces the petition.

Bill Quinn of Tinti Quinn introduces himself as representing Mr. McCafferty. Attorney Quinn explains that he came onto the project midway through, and that Mr. McCafferty has been before the Board previously where substantive issues were discussed and a different set of plans were reviewed. Attorney Quinn states he met with the project architect, Bill Peterson of Derby Square Architects, to look for resolutions and discuss the appropriateness of the building design in light of the prior concerns raised, such as having inadequate legal parking and lacking a demonstration of financial hardship.

Attorney Quinn explains the changes to the petitioner's proposal that address the previously identified issues, which includes returning to a flat roof building design that will be under thirty five

(35) feet. Attorney Quinn describes the neighboring buildings and the neighborhood generally. Attorney Quinn maintains the building will be an improvement over the existing dirt parking lot on the site.

Attorney Quinn explains the updated plan for five (5) conforming parking spaces on the site and demonstrates the site plan, noting how traffic and parking will work.

Attorney Quinn next discusses the financial feasibility of the project, noting that a single family would not work in the area. Given land and construction costs, he explains that a two-family home would not likely result in a financial loss or minimal profit, which would affect financing and the owner's incentive to move forward. Attorney Quinn opines that a hardship with respect to financials has been documented, and that there is no feasible economic use of this under 5,000 square foot lot as a residence without it being a multifamily unit.

Chair Duffy opens the floor to comments from the Board.

Mr. Copelas observes that some of the initial concerns have been addressed, namely that the parking variance is no longer required. With respect to variances required for setbacks, Mr. Copelas notes that locating the building in the center of the lot would not be sensible and that the proposed location on the street is appropriate for the neighborhood. Mr. Copelas also indicates he is persuaded that the project makes sense as a three unit for financial purposes. Ms. Ordaz agrees with Mr. Copelas.

Chair Duffy opens the floor to public comment.

Sean Goudreau introduces himself as an owner of multiple properties on May Street. Mr. Goudreau states this property has been an issue for a while and provides examples of his own negative experiences with it as an empty lot. Mr. Goudreau contends it is not only an eyesore, but a safety issue, and that he is in support of putting in a residential building to help improve the area.

Mr. Copelas asks Attorney Quinn to discuss the conditions required for the special permit and variance, and Chair Duffy goes discusses how the criteria have been met.

Mr. Corrison clarifies that the previously requested variances from maximum height of buildings in stories, and from off-street parking are no longer required under the current plan.

**Motion and Vote:** Mr. Viccica motions to approve the petition of KEVIN MCCAFFERTY for variances per Section 4.1.1 *Table of Dimensional Requirements* of the Salem Zoning Ordinance from minimum lot area, minimum lot area per dwelling unit, minimum depth of front yard, and minimum width of side yard to construct a three-story, three-family dwelling with five parking spots on the vacant lot at 9 BOSTON STREET subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. A Certificate of Occupancy is to be obtained

6. Petitioner shall street numbering from the city of Salem Assessor's office and shall display said number so as to be visible from the street
7. Exterior finishes of the new construction shall be in harmony with the existing structure.
8. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
9. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Mr. Copelas seconds the motion. **The vote is five (5) in favor (Paul Viccica, Steven Smalley, Rosa Ordaz, Mike Duffy (Chair), and Peter Copelas) and none (0) opposed. The motion passes.**

Location: **7 Curtis Street (Map 35, Lot 339) (R2 Zoning District)**  
Applicant: **LH Capital Development, LLC**  
Project: 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 adding egress steps and landings within required front and rear yard setbacks at 7 CURTIS STREET (Map 35, Lot 339) (R2 Zoning District).

#### Documents and Exhibitions

- Application date-stamped November 22, 2019 and supporting documentation

Chair Duffy introduces the petition.

Len Karan, owner and developer of 7 Curtis Street, introduces himself. Mr. Karan explains the plans from his January 15<sup>th</sup> application have been revised/modified pursuant to opposition from the Historic Committee and Historic Salem Inc.. A continuance was requested so he could be with the parties expressing concerns and come up with plans that would preserve the building while still allowing the new condos to be built to a modern standard. Mr. Karan demonstrates renderings of the new proposal, noting that there are few changes proposed to the exterior of the building.

Mr. Karan next describes the proposed roof deck and dormers. Mr. Corriston clarifies that relief is required for the dormers because it is an expansion of a nonconforming structure. Chair Duffy asks if the dormers make a true third story as opposed to a two and a half story, and both Mr. Corriston and Mr. St. Pierre confirm it does. Mr. St. Pierre adds that the that roof deck also constitutes a third story.

Chair Duffy explains there is correspondence from Historic Salem Inc. that recounts the process of working together to preserve the historic features of the building. Chair Duffy also notes there is a

memo from Patti Kelleher, Conservation Planner, also noting the process. Mr. Corrison states there are letters from the Historical Commission and several neighbors as well.

Mr. Viccica asks if the property is remaining a two-family home, and Mr. Karan says it is. Mr. Viccica asks for clarification on parking and Mr. Karan explains the existing parking space and the proposed curb cut on Curtis Street.

Chair Duffy reads the letter from Salem Historic Commission. It addresses the previous plans and the recently revised drawings, stating they are pleased that the exterior and interior features of the historic building will be retained, including the gambrel roof, interior staircases, etc. The letter indicates they are in favor of the reduced parking and proposed patio on Orange Street, along with other features. The letter encourages the use of windows with exterior applied muttons to further reserve the historic character of the house. The letter requests that the Board require the petitioner to work with Planning Department staff to finalize the details of the proposal.

Chair Duffy reads the March 18<sup>th</sup> letter from Historic Salem Inc., which discusses the various plan changes and identifies exterior and interior improvements. The letter also discusses parking concerns on Curtis Street.

Chair Duffy also reads the April 10<sup>th</sup> memo from Preservation Planner Patti Kelleher, which acknowledges the initial concerns, and notes the property owner and architect met with commissions and HSI to update plans. The letter states the current proposal is an excellent example of how to renovate and preserve historic buildings while making them modern living units. The letter also discusses new exterior additions and notes a preference for windows with exterior muttons.

Chair Duffy reads the letter from neighbors on Curtis Street Maureen Buck and Edward Bullock, 11 Curtis Street; Mira Riggin, 2 Curtis Street; Jack Kabral, 8 ½ Curtis Street; and Kathy Streacker, 8 Curtis Street. The identified neighbors are in support of the developer's most recent plans. The letter describes exterior and interior changes and shows general support while also suggesting the use of windows with exterior muttons. The letter notes that the plans for parking require clarification and expresses concerns regarding traffic flow and safety. The neighbors request that the Curtis Street curb cut not go forward.

Chair Duffy opens the floor to public comment.

Mira Riggin introduces herself as a neighbor from letter. Ms. Riggin acknowledges that the plans are much improved and states she is in support of everything except the proposed access to parking on Curtis Street because it is a small street with more traffic than the street can bear due to the Brookhouse Home for Women. Due to disrepair of sidewalks, she adds that many people walk in the street and more cars would jeopardize their safety, as well as that of the nine dogs that live on the street.

Jack Kabral introduces himself as a neighbor from the letter. Mr. Kabral agrees with Ms. Riggin and supports the changes that have been made. He looks forward to seeing how the project works out, but he echoes Ms. Riggin's concerns about the Curtis Street curb cut and parking. Mr. Kabral states that he would rather have the petitioner negotiate moving a utility pole on Orange Street, as elderly pedestrians are always walking on Curtis Street but not on Orange Street.

Mr. Corrison and Mr. St. Pierre clarify that the petitioner is no before the board for relief with respect to a curb cut. Mr. St. Pierre also notes that you are entitled to twenty (20) feet of curb cut on a residential property, which could be one large curb cut or two ten-foot curb cuts. He adds it is not within the Board's jurisdiction to approve or disapprove a driveway as long as the five-foot property line setback is adhered to.

Tim Jenkins introduces himself as a resident of 18 Broad Street. Mr. Jenkins thanks Mr. Karan for taking steps to work with neighbors, HSI and the Historic Commission to preserve the historic character of the building exterior and interior. Mr. Jenkins discusses some of the changes and echoes the concerns regarding parking on Curtis Street. He notes it is a small street with no parking and expresses concerns regarding pedestrian safety. Mr. Jenkins says he is sympathetic to wanting parking, but that maintaining the landscape will help retain the quality of the neighborhood. He also questions whether parking tandem is legal in Salem, or whether driveways that require backing out on a street is prohibited.

Chair Duffy asks if applicant has any responses to the comments, but he does not.

Chair Duffy notes that relief with respect to parking is not being sought, so the Board has nothing to do with respect to parking. Mr. Karan confirms that there is no parking relief sought. Mr. Corrison states that if the petitioner were required to be adding parking then the configuration could become a question before the Board, but as it is not required the parking configuration is not material at this time. Mr. St. Pierre confirms and provides clarification regarding parking, noting that tandem parking is not prohibited, but it cannot be counted as an official space to meet city parking requirements.

Chair Duffy states that the relief sought has been reduced from the original request. There is still the addition of dormers and relief with respect to number of stories, as well as egress steps/landings. Mr. Karan clarifies that there will be no change to the egresses. The only change is the roof deck and proposed dormers.

Chair Duffy discusses the special permit criteria and explains how it is met by the proposal.

**Motion and Vote:** Mr. Vicca motions to approve 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 three dormers; by adding a roof deck above the existing two-story rear addition at 7 CURTIS STREET subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.



7. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
8. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Ms. Ordaz seconds the motion. **The vote is five (5) in favor (Peter Copelas, Steven Smalley, Mike Duffy (Chair), Paul Viccica, and Rosa Ordaz) and none (0) opposed. The motion passes.**

**Location: 13 Cambridge Street (Map 25, Lot 566) (R2 Zoning District)**  
**Applicant: Michael Sheriff**  
**Project:** A continuation of 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).

Documents and Exhibitions

- Application date-stamped January 14, 2020 supporting documentation

Chair Duffy introduces the petition.

Mr. Viccica announces he is recusing himself from this application.

Helen Sides introduces herself as the architect working on behalf of Mr. Sheriff. Ms. Sides describes the property and proposed rear addition, which will not be visible from a public way. She indicates the proposal enlarges the footprint slightly. Ms. Sides presents photos of existing conditions and site plans.

Mr. St. Pierre reminds Ms. Sides of the implications of going forward with only four Board members as Mr. Viccica recused himself, and notes she has the option of continuing. Ms. Sides says she is aware that she will need all four Board members to vote in favor, but that the changes are minimal so she would like to proceed.

Ms. Sides continues discussing the site plans and proximity to abutting properties. She describes the proposed expansion and proposed new deck as well. Ms. Sides contends the only increase in nonconformity would be that the property is to be four (4) to six (6) inches closer to the Northern property line.

Ms. Ordaz asks if the wooden deck will be expanded or remain the same size, and Ms. Sides explains it will be a different shape but fall within the same existing perimeter.

Chari Duffy opens the floor to public comment, but there is none.

Chair Duffy indicates there is minimal dimensional relief sought, and he explains how the proposal meets the special permit criteria and requirements.

Mr. Copelas asks about the height and pitch of the roof and Ms. Sides says it will be consistent with existing conditions and that no change is proposed.

**Motion and Vote:** Mr. Copelas motions to approve 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 subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.
7. A Certificate of Inspection is to be obtained.
8. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
9. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Ms. Ordaz seconds the motion. **The vote is four (4) in favor (Rosa Ordaz, Peter Copelas, Mike Duffy, and Steven Smalley) and none (0) opposed. The motion passes.**



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

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

Project: A continuation of 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).

Documents and Exhibitions

- Application date-stamped January 21, 2020 and supporting documentation

Chair Duffy introduces the petition, and notes the applicant has requested to withdraw the application without prejudice. Mr. Corriston confirms an email was received today to withdraw.

**Motion and Vote:** Mr. Viccica motions to withdraw without prejudice the petition of Brianna Sweet and property owner Pep Boys for a special permit per Section 3.3.2. Mr. Copelas seconds the motion. **The vote is five (5) in favor (Steven Smalley, Paul Viccica, Rosa Ordaz, , Mike Duffy (Chair), and Peter Copelas) and none (0) opposed. The motion passes.**

Location:	<b>61 Bridge Street (Map 36, Lot 300) (B4 and ECOD Zoning Districts)</b>
Applicant:	<b>61 Bridge Street LLC</b>
Project:	A continuation of a public hearing for all persons interested in the petition of 61 BRIDGE STREET LLC for a special permit per Section 3.3.2 <i>Nonconforming Uses</i> and a special permit per Section 3.3.3 <i>Nonconforming Structures</i> 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).

Documents and Exhibitions

- Application date-stamped January 23, 2020 and supporting documentation

Chair Duffy introduces the petition.

Robert Polansky introduces himself and explains that he and his son John are the contractors hired by the owners of 61 Bridge Street to renovate the property pursuant to fire damage which occurred in 2019. Mr. Polansky explains that during the restoration work the owner expressed concerns with his inability to least the first floor due to its current commercial requirement. The owner has a long history of vacancies, high tenant turnover, and various other issues related to the unit’s commercial use. The petitioner is seeking a special permit to convert the first floor to a residential unit. Mr. Polansky indicates Richard Griffin is the architect responsible for renovating the second floor, and that he developed the plans currently before the Board.

Mr. Polansky asks Mr. Griffin to describe the plan in more detail. Mr. Griffin discusses the plot plan, lot size, and notes that can accommodate six (6) parking spaces, which would satisfy the requirement of 1.5 spaces per unit for the proposed four (4) unit residence. Mr. Griffin also notes that while the lot is small, it is possible to exit onto Cromwell Street (a dead end street with minimal traffic) using a three point turn.

Chair Duffy asks for clarification on how cars will maneuver for parking, and Mr. Griffin explains how it will work.

Mr. Griffin next explains there will be two trash barrels per unit that will fit under the staircase.

Mr. Copelas says his recollection is that the main concern the Board had previously the was parking configuration, which seems to have been adequately addressed.

Ms. Ordaz asks if the parking spots are two (2) feet from the property line, and Mr. Polansky indicates they are closer to one (1) foot away from the property line. There is a brief discussion regarding the lot dimensions and parking spots.

Chair Duffy opens the floor to public comment. There is none.

Chair Duffy discusses the special permit criteria and how the applicant's proposal adequately meets them.

**Motion and Vote:** Mr. Copelas motions to approve the petition for 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 subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.
7. A Certificate of Inspection is to be obtained.
8. Petitioner shall obtain street numbering from the City of Salem Assessor's Office and shall display said number so as to be visible from the street.
9. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
10. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Mr. Smalley seconds the motion. **The vote is five (5) in favor (Steven Smalley, Rosa Ordaz, Peter Copelas, Paul Viccica, and Mike Duffy (Chair)) and none (0) opposed. The motion passes.**

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Location:	<b>46 Washington Square South (Map 35, Lot 424) (R2 Zoning District)</b>
Applicant:	<b>Three Corners Realty LLC (Property Owner: Castine Realty Trust)</b>
Project:	A continuation of 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 <i>Table of Dimensional Requirements</i> from minimum lot area per dwelling unit and a special permit per Section 3.3.2 <i>Nonconforming Uses</i> to change from one nonconforming use (funeral home) to another nonconforming use (three-family home) at 46 WASHINGTON STREET (Map 35, Lot 424) (R2 Zoning District).

#### Documents and Exhibitions

- Application date-stamped January 28, 2020 and supporting documentation

Chair Duffy introduces the petition.

Attorney William Quinn introduces himself on behalf of property owner. Attorney Quinn explains that the property is the former O'Donnell funeral home on Washington Square. While the property has provided public service to the community, aspects of traffic congestions over the years and overcrowding in the neighborhood have resulted in the owner seeking to convert the noncomplying mixed-use building to a three-family residence. Attorney Quinn notes that Peter Pitman is the project architect.

Attorney Quinn explains that a special permit is required because the property is in an R2 Zoning District but notes that a three-family home is not out of character for the area. He describes the neighborhood and adds that the property can accommodate five (5) parking spaces. Attorney Quinn presents the survey and plot plan, noting that the variance request is needed as the proposal is 900 square feet short of the lot area per unit requirement. Attorney Quinn indicates the footprint is not changing in any material way, perhaps just a little reconfiguring of an outside stairway.

Chair Duffy opens to floor to members of the Board for questions and comment.

Mr. Viccica asks if brick piers will remain or not. Mr. Pitman indicates the fence will be intact. Mr. Viccica asks if the planter and flag pole will be removed near ones of the parking spots, and Mr. Pitman states they will.

Mr. Pitman also says the exterior will be restored and windows will be historically appropriate and consistent with historic guidelines.

Mr. Copelas states it is an attractive building and agrees with Attorney Quinn that the request for variance is very minimal. Mr. Copelas expresses general support for the plan.

Chair Duffy opens the floor to public comment, but here is none.

Chair Duffy goes through the special permit criteria and variance requirements and the proposal addresses them.

**Motion and Vote:** Mr. Viccica motions to approve 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 STREET subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.
7. Petitioner shall obtain street numbering from the City of Salem Assessor's Office and shall display said number so as to be visible from the street.

8. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
9. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Mr. Copelas seconds the motion. **The vote is five (5) in favor (Rosa Ordaz, Paul Viccica, Steven Smalley, Peter Copelas, and Mike Duffy (Chair)) and none (0) opposed. The motion passes.**

**Location: 74 Tremont Street (Map 17, Lot 22) (B1 District)**  
**Applicant: Bay Flow LLC (Property Owner: Robert D. Goodwin)**  
**Project:** A continuation of 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).

Documents and Exhibitions

- Application date-stamped January 28, 2020 and supporting documentation

Chair Duffy introduces the petition.

Attorney Quinn introduces himself on behalf of the petitioner. Attorney Quinn describes the property as a large existing two-family home on Tremont Street amongst several other large two and three-family homes. Attorney Quinn explains that the proposed work is interior only and that there will be no change to the footprint or building height. The proposal is merely a reconfiguration within the large space to accommodate three units rather than two oversized units.

Attorney Quinn references the parking plan, indicating the lot can accommodate the five (5) legally required parking spaces with plenty of space to turn around. Attorney Quinn shows floor plans of the two existing units, noting the second and third floor will be reconfigured while the first floor will remain the same.

Attorney Quinn explains the variance request with respect to lot area per dwelling, as the proposal is several hundred feet under the requirement. The building is grandfathered and no relief for parking is needed. Attorney Quinn contends the proposal will allow for a more economically feasible use of the building.

Chair Duffy opens the floor to public comment. There is none.

Chair Duffy asks how large the units will be. Attorney Quinn indicates the unit sizes of the first, second, and third floor units will be 1,493 square feet, 1,468 square feet, and 997 square feet, respectively.

Mr. Viccica asks for a summary of the proposed exterior work and if any items are salvageable. The clapboard, materials, roof materials, and architect’s recommendations are briefly discussed.

Chair Duffy explains how the proposal meets the criteria for a variance.

**Motion and Vote:** Mr. Copelas motions to approve the petition of JUNIPER POINT INVESTMENT CO LLC for a special permit per Section 3.3.2 *Nonconforming Uses* of the Salem Zoning Ordinance to change from one nonconforming use (music school) to another nonconforming use (business or professional offices) at 3-5 PLEASANT STREET subject to the following standard conditions:

1. Petitioner shall comply with all city and state statutes, ordinances, codes, and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.
7. A Certificate of Inspection is to be obtained.
8. Petitioner shall obtain street numbering from the City of Salem Assessor’s Office and shall display said number so as to be visible from the street.
9. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
10. All construction shall be done per the plans and dimension submitted to and approved by this Board. No change, extension, material corrections, additions, substitutions, alterations, and/or modifications to an approval by this Board shall be permitted without the approval of this Board, unless such change has been deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

Ms. Ordaz seconds the motion. **The vote is five (5) in favor (Steven Smalley, Paul Viccica, Rosa Ordaz, Mike Duffy (Chair), and Peter Copelas) and none (0) opposed. The motion passes.**



Location:	<b>53-59 Mason Street (Map 26, Lot 90) and 38 Commercial Street (Map26, Lot 47) (NRCC Zoning Districts)</b>
Applicant:	<b>The Long Game LLC</b>
Project:	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 <i>Table of Dimensional Requirements</i> from minimum lot area per dwelling unit and a variance per Section 8.4.13 <i>Transitional Overlay District</i> 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).

Documents and Exhibitions

- Application date-stamped January 29, 2020 and supporting documentation

Chair Duffy introduces the petition.

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Scott Cameron introduces himself as the civil engineer for the project on behalf of The Long Game LLC. Mr. Cameron introduces Peter Lutts and Pavel Espinal as well from The Long Game LLC.

Mr. Cameron explains this is a big project, and that he expects to request a continuance. Mr. Cameron describes the property and shows a map of the neighborhood. The property is near Mack Park and the North River Canal. Mr. Cameron presents the existing property conditions, noting it is an underutilized industrial building. The property was used for light industry over the years, and recently housed a baseball clinic in addition to office space and miscellaneous renters. The petitioner is proposing to create a substantial redevelopment to preserve the building. Mr. Cameron explains the proposed design.

Mr. Cameron indicates the proposal maintains ground level commercial use (office space and an existing tenant with a batting/baseball clinic) and some interior garage space. He adds that 92 units of residential housing are proposed for above the ground level.

Mr. Cameron next describes how the proposal would expand pedestrian connections in area, including a new walkway connection directly to Mason Street. Mr. Cameron presents photos of nearby intersections and outlines improvements to area from the proposal.

Mr. Cameron explains that the project falls within Chapter 91 jurisdiction and discusses proposed landscaping as well as the conversion of a large portion of asphalt to outdoor space. Mr. Cameron adds that there will be 1.5 parking spaces per unit.

Mr. Cameron discusses the zoning relief being sought. He also describes how the number of units was determined, and adds that the proposal complies with eight, floor area ratio other requirement.

Mr. Cameron introduces architect Thad Siemasko, who presents and discusses floor plans for various levels of the proposal. Mr. Siemasko presents information on the parking garage, access points, elevator, commercial spaces (including the existing batting facility), and rentable office spaces. An existing loading dock will be removed and replaced with a glass major entrance point. The property details and floor plans are discussed further.

Mr. Siemasko goes on to show the existing Mason Street perspective and explains the history of the area. He compares these with the proposed Mason Street perspective and proposed conditions.

Mr. Siemasko discusses maintaining the character of the residential area and shows an aerial view rendering of the proposed final project.

Mr. Cameron notes they will be going before the Planning Board for site plan review, and Mr. Siemasko indicates they will also be working with the Historic Commission.

Chair Duffy opens the floor to the Board for comment.

Mr. Viccica asks if the petitioner will request a continuance and detail other aspects regarding site planning, parking, landscaping, traffic, in future discussions. Mr. Cameron confirms.

Mr. Copelas asks about the current square footage used for commercial purposes, and how much will be retained, which appears to be about 75 percent. Mr. Cameron contends there is demand for



residential space, and that the existing space is currently underutilized. He maintains the proposed layout was what was determined to be most marketable and sustainable.

Mr. Viccica says the Board will require more information regarding how the number of units was determined, as well as information regarding potential environmental impacts and the amount of impervious area proposed on the site. Mr. Cameron discusses the drainage conditions of the existing property, noting there are no stormwater controls.

Mr. Copelas asks clarifying questions regarding the parking section and amount of impervious area.

Mr. Viccica indicates the linkage between the proposed number of parking spaces and units seems ambiguous, but that it must be explored at a future meeting. There are various concerns among Board members about the large number of units.

Chair Duffy notes that since the proposal deals with a variance, the Board will need to appreciate how Chapter 91 aspects of the site and rehabilitation of the building is driving the need for the variance.

Chair Duffy introduces two letters from the public. One is from DSF Salem Flint LLC, which is a letter expressing opposition and concerns about the ability to meet a showing of hardship required for a variance. The second letter is from Atomic Coffee Roasters and Essex County Collision, noting concerns regarding the change from commercial to residential use, and whether that would result in a larger cost burden for them to address potential exhaust and noise issues related to their roasting equipment (Atomic Coffee) and spray booth (Essex County Collision). Both letters will be on the Board's website.

Chair Duffy opens floor to public comment.

Emily Udy of 8 Buffum Street introduces herself as a consultant for Historic Salem Inc. Ms. Ute says she will be submitting more formal comments soon. Ms. Udy states she appreciates many aspects of the proposal, but has concerns about the number of units and whether a sufficient demonstration of hardship exists.

David Zion introduces himself as the owner/developer of the project next door to the petitioner [from DSF Salem Flint LLC]. Mr. Zion comments on the letter from DSF and discusses his objections to the proposal. He indicates his project is similar and took many years. He states there will likely be many iterations before the Board is satisfied, and that ultimately the neighborhood and city will be satisfied once all potential issues are discussed and addressed.

Josh Solomon introduces himself as the other owner/developer of the project next door. Mr. Solomon thanks the applicant for putting forth their proposal, but states the proposal feels like a sea of parking and an attempt to shoehorn as much into the existing building as possible. Mr. Solomon states this is an opportunity to highlight the canal and acknowledges that while this is the first step in a long iterative process, there is much work to be done.

Councillor Megan Riccardi introduces herself. Councillor Riccardi states the number of units and loss of commercial space seem high. Ms. Riccardi says she appreciates the considerations to

pedestrians and public access to the canal in the proposal but asks for further clarification regarding the design of the walking path.

Chair Duffy asks what the Board can expect to see from the applicant in the next meeting. Mr. Cameron says he will be returning with Mike D'Angelo, project landscape architect, as well as Bob Michaud of MDM Consulting. Mr. Cameron indicates they will have more information with respect to how the density was determined, justification for the variance request, and more information regarding the waterways and Chapter 91 issues raised in comments.

Mr. Viccica suggests providing information regarding the adjacent property to the west currently under construction. He would like to understand the linkages parallel to the canal better.

**Motion and Vote:** Mr. Viccica motions to continue 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 to the next regularly scheduled meeting to be held on May 20, 2020.

Ms. Ordaz seconds the motion. **The vote is five (5) in favor (Peter Copelas, Mike Duffy, Rosa Ordaz, Paul Viccica, and Steven Smalley) and none (0) opposed. The motion passes.**

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## MEETING MINUTES

September 18, 2019

October 16, 2019

December 18, 2019

January 15, 2020

February 19, 2020

March 18, 2020

Chair Duffy notes he reviewed the September and October minutes and provided minimal spelling corrections and name corrections.

Mr. Copelas found changes in the December 18, 2019 minutes.

Mr. Viccica also notes required edits.

**Motion and Vote:** Mr. Copelas moves to approve the September 18, 2019 minutes as amended. Mr. Paul Viccica seconds the motion. **The vote is five (5) in favor (Mike Duffy (Chair), Peter Copelas, Rosa Ordaz, Paul Viccica, and Steven Smalley) and none (0) opposed. The Motion passes.**

**Motion and Vote:** Mr. Copelas moves to approve the October 16<sup>th</sup> 2019 minutes as amended. Mr. Paul Viccica seconds the motion. **The vote is five (5) in favor (Mike Duffy (Chair), Peter Copelas, Rosa Ordaz, Paul Viccica, and Steven Smalley) and none (0) opposed. The Motion passes.**

**OLD/NEW BUSINESS**

Location: **3 Dodge Street (Map 34, Lot 401) (B5 Zoning District)**  
Applicant: **CTDW LLC**  
Description: A 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 19, 2019 and then to February 28, 2020 by the Board of Appeals.

Chair Duffy introduces the extension request.

Attorney Thomas Alexander introduces himself and explains that a special permit was granted in August of 2018; the applicant received two six-month extensions and is now seeking a third. He states the fee has been paid, application and architectural plans have been approved, and construction has construction begun, but the project was put on hold on March 16, 2020 because marijuana related construction was deemed not essential during the pandemic. Attorney Alexander estimates that six to eight weeks of construction remain, at which point a final inspection by CCC will be requested. The hope is to obtain a final license in August. A six-month extension would take the applicant to August 28, 2020.

Chair Duffy opens the floor to the Board for comments or questions but there are none.

**Motion and Vote:** Mr. Viccica moves to approve the request for a six-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. Ms. Ordaz seconds the motion. **The vote is four (5) in favor (Peter Copelas, Mike Duffy (Chair), Rosa Ordaz, Paul Viccica, and Steven Smalley) and none (0) opposed. The Motion passes.**

Location: **16, 18, and 20R Franklin Street (Map 26, Lots 402, 401, and 400) (NRCC and RC Zoning Districts)**  
Applicant: **Juniper Point Investment LLC**  
Description: A request for a six (6) month extension to exercise rights granted by the December 3, 2018 Board Decision that approved variances from minimum required lot area per dwelling unit and maximum number of stories to construct 42 residential units within five buildings at 16, 18, & 20R Franklin Street (Map 26, Lots 402, 401, & 400) (NRCC and RC Zoning Districts). The timeline to exercise rights granted by the Decision was previously extended to June 3, 2020 by the Board of Appeals.

Chair Duffy introduces the petition.

Joseph Correnti introduces himself and states he is before the planning board with an amended plan. The variance and special permit received back in 2018 has been extended once, which takes the petitioner through June 3<sup>rd</sup> of this year. Mr. Correnti explains the petitioner is requesting an additional six (6) month extension to make the variances conterminous with the special permit, on December 3, 2020.

Attorney Correnti says they are happy to be moving forward with slight amendments and will go back before the Planning Board tomorrow. If any changes result that need Zoning Board approval, the petitioner will return.

Chair Duffy asks for comment or questions.

Mr. Viccica asks what would happen if the Planning Board changes what the ZBA approves, such as the number of units, and if the applicant will come back to the ZBA to further amend the special permit.

Chair Duffy says if there are substantial changes, especially any that affect the zoning relief granted, it would trigger a need to come back with an amended plan before the ZBA. Mr. Correnti confirms.

**Motion and Vote:** Mr. Viccica moves to approve the request for a six (6) month extension to exercise rights granted by the December 3, 2018 Board Decision that approved variances from minimum required lot area per dwelling unit and maximum number of stories to construct 42 residential units within five buildings at 16, 18, & 20R Franklin Street. Mr. Copelas seconds the motion. **The vote is five (5) in favor (Rosa Ordaz, Mike Duffy (Chair), Paul Viccica, Seven Smalley, and Peter Copelas) and none (0) opposed. The Motion passes.**

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## ADJOURNMENT

**Motion and Vote:** Mr. Copelas moves to adjourn the meeting Mr. Viccica seconds the motion. **The vote is five (5) in favor (Mike Duffy (Chair), Peter Copelas, Rosa Ordaz, Paul Viccica, and Steven Smalley) and none (0) opposed. The Motion passes.**

**The meeting ends at 10:09 PM.**

*For actions where the decisions have not been fully written into these minutes, copies of the Decisions have been posted separately by address or project at:*

<https://www.salem.com/zoning-board-appeals/pages/zoning-board-appeals-decisions-2020>

Respectfully submitted,  
Brennan Corrison, Staff Planner