



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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**November 4, 2022**

## **Decision**

### **City of Salem Board of Appeals**

The petition of FRANCISCO GOMEZ at 198 LORING AVENUE (Map 31, Lot 31) (R1 Zoning District), for a Special Permit per Section 3.3.2 *Nonconforming Uses* of the Salem Zoning Ordinance to construct and to open a barbershop at the location of 198 LORING AVENUE.

A public hearing on the above petition was opened on October 19, 2022 and was closed on October 19, 2022.

On October 19, 2022, the following members of the Salem Board of Appeals were present: Rosa Ordaz, Mike Duffy (Chair), Paul Viccica, Peter Copelas and Nina Vyedin

#### **Statements of Fact:**

The petition is date stamped September 1, 2022. The petitioner seeks a Special Permit per Section 3.3.2 *Nonconforming Uses* of the Salem Zoning Ordinance to construct and to open a barbershop at the location of 198 LORING AVENUE.

1. 198 Loring Avenue is owned by Carlos Patrone.
2. The petitioner was Francisco Gomez.
3. 198 Loring Avenue is located in the R1 zoning district. (Map 31, Lot 31).
4. The requested relief, if granted, would allow the Petitioner to construct and to open a barbershop at the location of 198 Loring Avenue.
5. On October 19, 2022, Francisco Gomez presented to the board.
6. Mr. Gomez stated that he entered into this rental agreement so that his son, a licensed barber, could start a barbershop of his own.
7. Chair Duffy asked the petitioner to describe the interior of the barbershop and how will they handle clients and customers coming to the barbershop.
8. Francisco Gomez Jr. explained to the board that on Loring Avenue there are several thirty-minute spaces available in front of the barbershop and

- down Loring Avenue there are several four-hour parking spaces available on the street. This is more than enough parking to provide to their customers. Mr. Gomez Jr. stated that he uses an app to book appointments. His appointments last usually about forty-five minutes.
9. Mr. Gomez Jr. shared the business hours he intends to be open for hair appointments. He also discussed the layout of his barbershop.
  10. There were no comments from the public.
  11. Chair Duffy discussed the criteria for a special permit.
  12. Peter Copelas made a motion to approve the petition.
  13. The October 19, 2022 meeting of the Board of Appeals was held remotely, via the online platform Zoom in accordance with Chapter 107 of the Acts of 2022.

On the basis of the above statements of fact and findings, the Salem Board of Appeals voted five (5) in favor (Nina Vyedin, Mike Duffy(Chair), Rosa Ordaz, Paul Viccica and Peter Copelas) and none (0) opposed to grant FRANCISCO GOMEZ a special permit per Section 3.3.2 *Nonconforming Uses* of the Salem Zoning Ordinance to construct and to open a barbershop at the location of 198 LORING AVENUE.

**Receiving five (5) in favor votes, the petition for a Special Permit is GRANTED.**

**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 dimensions submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are

deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.

10. Petitioner shall schedule Assessing Department inspections of the property, at least annually, prior to project completion and a final inspection upon project completion.

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Mike Duffy/Chair  
Board of Appeals

A COPY OF THIS DECISION HAS BEEN FILED WITH THE PLANNING BOARD AND THE CITY CLERK.

Appeal from this decision, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws Chapter 40A, and shall be filed within 20 days of filing of this decision in the office of the City Clerk. Pursuant to the Massachusetts General Laws Chapter 40A, Section 11, the Variance or Special Permit granted herein shall not take effect until a copy of the decision bearing the certificate of the City Clerk has been filed with the Essex South Registry of Deeds.

