



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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

**November 4, 2022**

## **Decision**

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

The petition of ELISA HOFMEESTER at 9 CAMBRIDGE STREET (Map 25, Lot 564) (R2 Zoning District), for a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to demolish a two (2) story addition and construct a new fifteen (15) ft by twenty (20) ft two-story (2) addition at the rear of the dwelling. The proposed side yard setback will be 2.3 feet.

A public hearing on the above petition was opened on August 17, 2022 and continued to September 14, 2022 and again was continued to October 19, 2022 and was closed on October 19, 2022.

On July 27, 2022, the following members of the Salem Board of Appeals were present: Mike Duffy (Chair), Nina Vyedin, Peter Copelas and Steven Smalley.

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

The petition is date stamped May 16, 2022. The petitioner seeks a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to demolish a two (2) story addition and construct a new fifteen (15) ft by twenty (20) ft two-story (2) addition at the rear of the dwelling. The proposed side yard setback will be 2.3 feet.

1. 9 Cambridge Street is owned by Elisa Hofmeester
2. The petitioner was Elisa Hofmeester.
3. The petitioner was represented by Helen Sides.
4. 9 Cambridge Street is located in the R2 zoning district. (Map 25, Lot 564).
5. The requested relief, if granted, would allow the Petitioner to construct a new fifteen (15) ft by twenty (20) ft two-story (2) addition at the rear of the dwelling.

6. On August 17, 2022, due to lack of a quorum, the petition was continued to September 14, 2022 and again until October 19, 2022.
7. On October 19, 2022, Helen Sides, architect, presented to the board.
8. This property is located next to Hamilton Hall and was given The Salem Historical Commission's approval for their requested relief.
9. The applicant is expecting to demolish the existing two (2) story addition to construct a new two (2) story addition where the current two (2) story addition is. The current addition was not part of the original structure. The addition was constructed poorly with no foundation or insulation. The owners would like to redo the structure with a more functional kitchen and a mudroom. There will also be a half bathroom on the first floor in the addition and a full bathroom on the second floor of the addition.
10. Ms. Sides went over the plans of the additions.
11. Chair Duffy opened the meeting up to comments from the board. There were none.
12. Chair Duffy opened the meeting up to public comments.
13. Two (2) letters of support were read into the record. J. Kiefer, 13 Chestnut Street and M. Selbst, Hamilton Hall, 9 Chestnut Street.
14. Peter Copelas made a motion to approve the petition.
15. 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 four (4) in favor (Steven Smalley, Mike Duffy(Chair), Peter Copelas and Nina Vyedin. There were none (0) opposed to grant ELISA HOFMEESTER a Special Permit to demolish a two (2) story addition and construct a new fifteen (15) ft by twenty (20) ft two-story (2) addition at the rear of the dwelling.

**Receiving four (4) 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.

