



DOMINICK PANGALLO  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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## **NOTICE OF MEETING**

Notice is hereby given that a meeting of the Salem Zoning Board of Appeals will be held on **November 15, 2023, at 6:30 p.m.**

**\*\*Via remote participation\*\***

This is in accordance with Chapter 2 of the Acts of 2023

Peter A. Copelas, Chair

### **Important Announcement:**

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 on matters not requiring a public hearing, we will post on the City of Salem's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Individuals may participate remotely in the meeting via a remote participation platform called Zoom. Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation meeting through any one of the following ways:

### **Attending the Virtual Public Meeting:**

- Go to Website link:  
<https://us02web.zoom.us/j/83964128644?pwd=cTNITIFic2pKNWIOZnV3dW9yb1loUT09>, go to the website link <https://zoom.us/join> and enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed. Those calling in 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/ZBA](http://Salem.com/ZBA)
- Watch the meeting live on Salem Access Television Chanel 22.

- Project materials are available for download at (<https://tinyurl.com/SalemZBA>)

**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 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.

**Providing Public Comment Before the Meeting:**

Members of the public can alternatively email their comment before the start of the meeting to [zoningboardcomments@salem.com](mailto:zoningboardcomments@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 comments 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.

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

## MEETING AGENDA

### I. ROLL CALL

### II. CONTINUANCES

1. **Location:** 75 North Street (BPD, NRCC Zoning Districts)

**Applicant:** 75 North Street, LLC

**Description:** The petition of 75 NORTH STREET, LLC at 75 NORTH STREET (Map 26, Lot 58) (BPD, NRCC Zoning Districts), 3 SOUTH MASON STREET (Map 26, Lot 54) (NRCC Zoning District), 2 COMMERCIAL STREET (Map 26, Lot 57) (NRCC Zoning District) to re-develop a new four-story transit oriented mixed-use development that will consist of 60 units and a small commercial office space on North Street. The applicant is seeking variances per section 4.1.1 Dimensional Requirements from lot area per dwelling unit where 3,500 sq.ft is required and 742 sq.ft is proposed. A variance from Section 8.4.9 Parking Requirements where one space is proposed and 1.5 spaces are required. And a variance from Section 8.4.5(4.4c) Each unit has a separate exterior entrance if located within 100 feet of a residentially used parcel in an abutting zoning district. This parcel is within 100 feet of a residentially used parcel. Also, a variance from Section 8.4.13(4) to allow construction of a park area and parking spaces in the buffer area.

2. **Location:** 38 Willson Street (R1 Zoning District)

**Applicant:** Gaetano Fodera

**Description:** The petition of GAETANO FODERA at 38 WILLSON STREET (Map 24, Lot 39) (R1 Zoning District) for a Special Permit per Section 3.3.3 Nonconforming Structures of the Salem Zoning Ordinance to extend the existing second-floor mudroom approximately 10 feet outward to be flush with the existing deck. The existing deck would also be closed by the extension of the existing roof. Also, a Variance per section 4.1.1 Dimensional Requirements for insufficient lot area.

### III. REGULAR AGENDA

1. **Location:** 5 Fairfield Street (R2 Zoning District)

**Applicant:** Walter S. Palmer

**Description:** The petition of WALTER S. PALMER at 5 FAIRFIELD STREET (Map 34, Lot 32) (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 alter a non-confirming one-family structure to a non-confirming two-family structure by adding a basement dwelling unit. There will be no exterior work or expansion of the existing building's footprint for this petition. Also, the applicant is seeking a variance from *5.1.5 and 5.1.6 Off-Street Parking Design*, applicant's driveway is eleven feet wide where twelve feet is required. In addition, one parking space is eighteen feet long, nineteen feet is required.

2. **Location:** 45 Jefferson Avenue (I Zoning District)

**Applicant:** Boston Bud Runners LLC

**Description:** The petition of BOSTON BUD RUNNERS LLC at 45 JEFFERSON AVENUE (Map 25, Lot 653) (I Zoning District) for a Special Permit per Section *3.1.4 Table of Principal and Accessory Use Regulations, Section 9.4.2 Special Permit Criteria* to operate a marijuana delivery business. In addition, a Variance from *5.1.5 Off-street parking- Design* of the Salem Zoning Ordinance proposes aisle width of twenty (20) feet where twenty-four (24) feet is required.

### IV. APPROVAL OF MINUTES

Minutes from 10.18.23

### V. OLD/NEW BUSINESS

Extension Request for 50 Circle Hill Road  
Board of Appeals schedule for 2024

### VI. 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 two (2) business days before the meeting, program, or event.

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

This agenda is subject to change.