



CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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KIMBERLEY DRISCOLL
MAYOR

NOTICE OF MEETING

*****Revised for board discussion of officers and addition of variance extension*****

Notice is hereby given that a meeting of the Salem Zoning Board of Appeals' will be held on **November 16, 2022, at 6:30 p.m.**

****Via remote participation****

This is in accordance with Chapter 107 of the Act of 2022.

Peter Copelas, Vice 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 the website link
- <https://us02web.zoom.us/j/83964128644?pwd=cTNITiFic2pKNWlOZnV3dW9yb1loUT09>
- Or, 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](https://tinyurl.com/SalemZBA)

- Watch the meeting live on Salem Access Television Chanel 22.
- Project materials are available for download at this link (<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.

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

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

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.

Thank you for your patience and understanding as we navigate these challenging circumstances.

MEETING AGENDA

I. ROLL CALL

II. REGULAR AGENDA

1) Location: 13 Mall Street (R2 Zoning District)

Applicant: Matthew Formica

Description: The petition of MATTHEW FORMICA at 13 MALL STREET (Map 35, Lot 133) (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 construct a dormer addition that will bring the total amount of stories to three (3). In the R2 district, the maximum height is two and a half (2.5) stories.

2) Location: 21 Flint Street (R2 Zoning District)

Applicant: David Kaytes

Description: The petition of DAVID KAYTES at 21 FLINT STREET (Map 25, Lot 197) (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 deck and construct a new 10' x 8' one story addition. The required setback is 10'. The proposed addition will be 7.6' feet in the setback.

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3) Location: 44 Hanson Street (R1 Zoning District)

Applicant: Steven Mahar

Description: The petition of STEVEN MAHAR at 44 HANSON STREET (Map 15, Lot 256) (R1 Zoning District) for a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to construct a kitchen addition that will be 4' X 11'. The house already is nonconforming with a front yard setback of eight (8) feet. The addition will be within that eight (8) foot setback.

4) Location: 1-3 East Collins Street (R1 Zoning District)

Applicant: Scott Truhart

Description: The petition of SCOTT TRUHART at 4 EAST COLLINS STREET (Map 36, Lot 277) (R1 Zoning District) to appeal the issuance of a building permit at 1-3 EAST COLLINS STREET (Map 36, Lot 425)

5) Location: 15 Fairfield Street (R2 Zoning District)

Applicant: Sheila Connelly and Ping Yip

Description: The petition of SHEILA CONNELLY and PING YIP at 15 FAIRFIELD STREET (Map 34, Lot 35) (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 an existing unheated porch and to construct a fourteen foot by eleven foot (14 X 11) heated porch. Petitioner also wishes to construct a second-floor addition above the proposed new porch.

6) Location: 99 Broadway (R2 Zoning District)

Applicant: 99 Broadway LLC

Description: The petition of 99 BROADWAY LLC at 99 BROADWAY (Map 32, Lot 125) (R2 Zoning District) for a Special Permit per Section 3.3.3 *Nonconforming Structures* and 3.3.7 *Reconstruction After Catastrophe* of the Salem Zoning Ordinance to reconstruct, alter and enlarge the previous structure by adding two (2) third floor dormers and rear porches to each floor. By adding the dormers, the building will be three (3) stories, where two and a half (2 ½) are allowed.

7) Location: 47 Leavitt Street (R3 Zoning District)

Applicant: Jessica D. Martinez, North Shore Community Development Coalition

Description: The petition of JESSICA MARTINEZ at 47 LEAVITT STREET (Map 34, Lot 163) (R3 Zoning District) to amend the decision of a comprehensive permit. The amendment is to remove the automated parking arm at the garage entrance on Naumkeag Street as required by condition 4c in the comprehensive permit. The audio-visual alarm system would remain.

8) Location: 57 Memorial Drive (R1 Zoning District)

Applicant: Justin Mattera

Description: The petition of JUSTIN MATTERA at 57 MEMORIAL DRIVE (Map 42, Lot 12) (R1 Zoning District) for a Special Permit per Section 3.3.5 *Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to expand the existing second floor and to construct an addition to one side. In addition, the front porch will be enclosed. A new porch, deck and pool will be constructed. The building does not conform to the thirty (30) foot rear setback.

III. APPROVAL OF MINUTES

- 1) August 17, 2022
- 2) September 14, 2022
- 3) September 21, 2022
- 4) October 19, 2022
- 5) October 24, 2022

IV. OLD/NEW BUSINESS

- 1) 9 Franklin Street Extension Request
- 2) 16, 18, 20R Franklin Street Extension Request
- 3) Board Discussion of Election and Function of Officers

V. ADJOURNMENT

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

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.

This agenda is subject to change.