



# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

98 WASHINGTON STREET SALEM, MASSACHUSETTS 01970  
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ROBERT K. MCCARTHY  
ACTING MAYOR

## **NOTICE OF MEETING**

Notice is hereby given that a meeting of the Salem Zoning Board of Appeals will be held on **April 12, 2023, at 6:30 p.m.**

**\*\*REVISED\*\***

**\*\*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/85452379972?pwd=UkNNL2NtYXkxVm4yZW5haGduYXYzUT09>, go to the website link <https://zoom.us/join> and enter meeting ID #**854 5237 9972** followed by meeting password **464686** if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID #**854 5237 9972** followed by meeting password **464686** 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.

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

## MEETING AGENDA

### I. ROLL CALL

### II. CONTINUANCES

#### 1. Location: 11 ½ Hardy Street (R2, B1 Zoning Districts)

Applicant: Lori A. Pattison

Description: The petition of LORI A. PATTISON at 11 ½ HARDY STREET (Map 41, Lot 30) (R2, B1 Zoning Districts) for a special permit per Section 3.3.3 *Nonconforming Structures* of the Salem Zoning Ordinance to alter and to enlarge the residential use of a nonconforming structure by restoring and using the third (3<sup>rd</sup>) floor unit. Petitioner is also seeking variances from section 4.1 *Dimensional Requirements* for lot area per dwelling unit where 1,423 sq. ft is proposed/3,500 sq. ft required. In addition, a variance per section 5.1.1 – 5.1.8 *Off-Street Parking*.

#### 2. Location: 31 Bertuccio Avenue (R1 Zoning District)

Applicant: Dean Boucher

Description: The petition of DEAN BOUCHER at 31 BERTUCCIO AVENUE (Map 24, Lot 104) (R1 Zoning District) for a variance per Section 4.1.1 *Dimensional Requirements* of the Salem Zoning Ordinance to build a sixteen by forty sq. foot (16"x40") two story single family residence .The relief will be from minimum lot area. Petitioner is seeking to construct on a lot size of two thousand nine hundred thirteen (2,913) sq. feet/Where fifteen thousand sq. feet (15,000) is required. In addition, relief requested is to build into the left side setback at four (4) feet and into the right-side setback at nine (9) feet/ Where ten (10) feet is required. The rear yard setback would be five (5) feet/ Where thirty (30) feet is required.

#### 3. Location: 31 Cedar Street (R2 Zoning District)

Applicant: 31 Cedar Street, LLC and Salem Residential Rental Properties, LLC.

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

**Description:** The petition of 31 CEDAR STREET, LLC and SALEM RESIDENTIAL RENTAL PROPERTIES LLC at 31 CEDAR STREET (Map 34, Lot 52) (R2 Zoning District) for a Variance per Section *4.1.1 Dimensional Requirements* of the Salem Zoning Ordinance to subdivide this 1/4 acre parcel into two lots which will be non-conforming as to lot area, frontage, and lot area per dwelling unit, where one lot will be occupied by the existing two-family dwelling and the other lot to be occupied a new two-family dwelling on the vacant portion the lot.

**4. Location:** 107 Leach Street (R2 Zoning District)

**Applicant:** North Shore Property Group, LLC

**Description:** The petition of NORTH SHORE PROPERTY GROUP LLC at 107 LEACH STREET (Map 33, Lot 542) (R2 Zoning District) for a Special Permit per Section *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to expand a nonconforming three-family home with the addition of a dormer (8' x 10' 3/4") to allow for a full story. This will bring the full height of the structure to three stories.

**III. REGULAR AGENDA**

**1. Location:** 296 Highland Avenue (R1,B2,ECOD Zoning Districts)

**Applicant:** Italo De Souza

**Description:** The petition of ITALO DE SOUZA at 296 HIGHLAND AVENUE (Map 8, Lot 29) (R1,B2,ECOD Zoning District) for a *Variance*, section *4-44* of the Salem Code of Ordinances. Specifically, Section *4-51 On-premises signs in nonresidential districts*. Petitioner wishes to have a permanent free standing internally illuminated sign. Internally illuminated signs are not allowed in the Entrance Corridor Overlay District.

**IV. APPROVAL OF MINUTES**

3.15.23 Meeting Minutes

3.22.23 Meeting Minutes

**V. OLD/NEW BUSINESS**

266, 282, 282R and 286 Canal Street Variance Extension Request

Discussion on Remote Meetings

61 Mason Street Variance Extension Request

\*\*16, 18 and 20R Variance and Special Permit Extension Request\*\*

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

## **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.

This agenda is subject to change.