



ACTING MAYOR  
ROBERT K. MCCARTHY

# CITY OF SALEM, MASSACHUSETTS

## BOARD OF APPEALS

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

**April 10, 2023**

### **Decision**

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

The petition of NORTH SHORE PROPERTY GROUP LLC at 111 LEACH STREET (Map 33, Lot 543) (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 by the addition of a dormer horizontally on both sides of the structure. The proposal would be to extend the existing dormers on the right and left sides of the structure horizontally towards the rear, to reach the end of the structure.

A public hearing on the above petition was opened on March 22, 2023 and was closed on March 22, 2023.

On March 22, 2023, the following members of the Salem Board of Appeals were present: Peter A. Copelas (Chair), Carly McClain(Vice-Chair), Paul Viccica, Nina Vyedin and Steven Smalley.

### **Statements of Fact:**

The petition is date stamped February 22, 2023. The petitioner requests to expand a nonconforming three-family home with the addition of a dormer.

1. 111 Leach Street is owned by Mary Anne Medros.
2. The petitioner was North Shore Property Group LLC.
3. North Shore Property Group LLC was represented by Jenna Buonfiglio.
4. 111 Leach Street is located in the R2 zoning district. (Map 33, Lot 543).
5. On March 22, 2023 Jenna Buonfiglio presented the plans to the board.
6. The petitioner at 111 Leach Street would like to increase length of each dormer on the east and west sides of the home.
7. 111 Leach Street is a non-conforming three family home in the R2 Zoning District.

8. The proposed dormers would extend to the end of the roof line. They would not overhang the roof. No new dimensional nonconformities would be created from this petition.
9. The third floor of the unit is currently used as a rental unit. However, it lacks sufficient headroom for the dwelling.
10. Ms. Buonfiglio brought attention to the support letter signed by the abutters and neighbors of the property.
11. Chair Copelas asked if there were plans to work on the seawall at the rear of the property. He also inquired if the petitioners were also needing to go in front of the Conservation Commission. Mrs. Buonfiglio stated that the seawall will not need to be repaired.
12. Chair Copelas inquired if they will need to seek a Chapter 91 license from the state. Mr. Buonfiglio stated that they will not need Chapter 91 for 111 Leach Street.
13. Chair Copelas opened the meeting up to questions from the board.
14. There were no questions from the board.
15. Mr. Copelas opened the meeting up to the public.
16. There were no comments from the public.
17. Chair Copelas read the support letter from the public for the record.
18. Carly McClain made a motion to approve the petition.
19. The March 22, 2023 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 (Steven Smalley, Peter Copelas(Chair), Nina Vyedin, Carly McClain and Paul Viccica and none (0) opposed to grant NORTH SHORE PROPERTY GROUP LLC at 111 LEACH STREET a Special Permit per Section *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to expand a nonconforming three-family home by the addition of a dormer horizontally on both sides of the structure.

**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 street numbering from the City of Salem Assessor's Office and shall display said number so as to be visible from the street.
9. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
10. Unless this Decision expressly provides otherwise, any zoning relief granted does not empower or authorize the Petitioner to demolish or reconstruct the structure(s) located on the subject property to an extent of more than fifty percent (50%) of its floor area or more than fifty percent (50%) of its replacement cost at the time of destruction. If the structure is demolished by any means to an extent of more than fifty percent (50%) of its replacement cost or more than fifty percent (50%) of its floor area at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Ordinance.
11. 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.
12. 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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Peter A. Copelas/ 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.