



DOMINICK PANGALLO
MAYOR

CITY OF SALEM, MASSACHUSETTS

BOARD OF APPEALS

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July 12, 2023

Decision

City of Salem Board of Appeals

The petition of LEO KRAUNELIS at 30 BELLEAU ROAD (Map 32, Lot 310) (R1 Zoning District) for a Special Permit per Section *3.3.5 Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance. The petitioner proposes to construct a second story addition that will be 18' X 30' over the existing family room and breezeway. The petitioner's rear yard setback is 20 feet and 30 feet is required.

A public hearing on the above petition was opened on June 21, 2023 and was closed on June 21, 2023.

On June 21, 2023, the following members of the Salem Board of Appeals were present: Peter A. Copelas (Chair), Carly, McClain, Paul Viccica, Nina Vyedin and Hannah Osthoff.

Statements of Fact:

The petition is date stamped April 26, 2023. The petitioner requests to second story addition over the existing family room and breezeway.

1. 30 Belleau Road is owned by Leo Kraunelis.
2. The petitioner was Leo Kraunelis.
3. 30 Belleau Road is located in the R1 zoning district. (Map 32, Lot 310)
4. On June 21, 2023, Leo Kraunelis presented the plans to the board. Mr. Kraunelis presented the existing conditions of the property and compared them with the plans for the proposed construction.
5. Paul Viccica asked if the footprint of the building would be changing with the petition. The footprint of the structure will not be changed with the proposed construction.
6. Chair Copelas inquired if there were any questions from the board. There were none.

7. Chair Copelas inquired if there any comments from the public. There were none.
8. Paul Viccica made a motion to approve the petition.
9. The June 21, 2023 meeting of the Board of Appeals was held remotely, via the online platform Zoom in accordance with Chapter 2 of the Acts of 2023.

On the basis of the above statements of fact and findings, the Salem Board of Appeals voted five (5) in favor (Peter A. Copelas(Chair), Nina Vyden, Carly McClain, Paul Viccica, and Hanna Osthoff and none (0) opposed to grant LEO KRAUNELIS a special permit per Section *3.3.5 Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance to construct a second story addition that will be 18' X 30' over the existing family room and breezeway.

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. 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.
8. 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.

9. Petitioner shall schedule Assessing Department inspections of the property, at least annually, prior to project completion and a final inspection upon project completion.

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.