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CITY OF SALEM, MASSACHUSETTS

BOARD OF APPEALS

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May 31, 2023

Decision

City of Salem Board of Appeals

The petition of BRANT ENGSTROM at 18 SCENIC AVENUE (Map 9, Lot 44) (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 second-story addition that will include one bathroom and one bedroom.

A public hearing on the above petition was opened on May 17th, 2023 and was closed on May 17, 2023.

On May 17, 2023, the following members of the Salem Board of Appeals were present: Rosa Ordaz, Peter A. Copelas (Chair), Paul Viccica, Hannah Osthoff and Nina Vyden.

Statements of Fact:

The petition is date stamped April 10, 2023. The petitioner requests to construct a second-story addition that will include one bathroom and one bedroom.

1. 18 Scenic Avenue is owned by Brant Engstrom.
2. The petitioner was Brant Engstrom.
3. 18 Scenic Avenue is located in the R1 zoning district. (Map 9, Lot 44).
4. On May 17th, 2023 Brant Engstrom presented the plans to the board.
5. The proposed addition to the home will have a bedroom, a bathroom and two walk-in closets. They plan to take the roof off and re-pitch the roof to a twelve and twelve (12/12) to accommodate their need for space at the location.
6. Mr. Engstrom stated that the plans were derived from looking around his neighborhood and seeing what the neighbors had done to their homes to increase their living space. Mr. Engstrom stated he wanted his design to conform to the homes in the neighborhood.
7. Mr. Engstrom showed several photos of homes in the neighborhood that had also added a dormer to increase living space.

8. Mr. Engstrom went through the plans for the proposed construction of the second floor. Upstairs will be the proposed master bedroom with a walk-in closet. In addition, there will be another closet and a master bathroom.
9. Mr. Engstrom also stated that the chimney will need to be extended through the new roof to accommodate the new roof height. This is because they are not able to vent the chimney internally or elsewhere.
10. Chair Copelas asked Mr. Engstrom to review his criteria for the requested Special Permit.
11. Chair Copelas opened the meeting to questions from the board. There were none.
12. Chair Copelas opened the meeting up to questions from the public. There were none.
13. Rosa Ordaz made a motion to approve the petition.

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), Rosa Ordaz, Nina Vyden, Hannah Osthoff and Paul Viccica and none (0) opposed to grant BRANT ENGSTROM 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 include one bathroom and one bedroom.

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 approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
9. 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.
10. 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.
11. 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.