

City of Salem Zoning Board of Appeals
Meeting Minutes
September 14, 2022

A special meeting of the Salem Zoning Board of Appeals (“Salem ZBA”) was held on Wednesday, September 14, 2022 at 6:30 pm via remote participation in accordance with a Special Act extending remote participation meetings until March 31, 2023.

Chair Mike Duffy calls the meeting to order at 6:30 pm.

Chair Duffy explains how individuals can participate in the meeting remotely via Zoom, and that instructions to participate remotely can also be found on the Salem website. Mr. Duffy also explains the rules regarding public comment.

ROLL CALL

Those present were: Mike Duffy (Chair), Peter Copelas, Carly McClain, and Paul Viccica. Also in attendance were Daniel Laroe – Staff Planner, and Jonathan Pinto – Recording Clerk. Those absent were: Rosa Ordaz and Steven Smalley

CONTINUANCES

Location:	1 and 2 Leefort Terrace (Map 41, Lot 242) (R2 Zoning District)
Applicant:	BC Leefort Terrace Lane Communities, LLC
Project:	A continuance of a public hearing for all persons interested in the petition of BC LEEFORT TERRACE LANE COMMUNITIES, LLC at 1 LEEFORT TERRACE LANE(Map 41, Lot 249) and at 2 LEEFORT TERRACE LANE(Map 41, Lot 242) (R2 Zoning District), for a Comprehensive Permit pursuant to M.G.L. Chapter 40B, to construct one hundred twenty-four (124) new units, Fifty (50) of those units will be replacing the current units at Leefort Terrace.

Documents and Exhibitions

- Application date-stamped April 11, 2022 and supporting documentation

Chair Duffy introduces the petition.

Attorney Scott Grover introduces himself on behalf of the applicants, and notes the whole team of professionals are present to answer questions. Mr. Grover provides a brief recap of the project timeline and process over the last several months, noting the Section 40B application filed this year, the joint hearings by zoning and planning, and coming before the Board with plans and revisions. Mr. Grover notes there are further revisions, and that the team will provide responses to questions previously raised. Mr. Grover indicates the final engineering peer review was submitted to the engineering department and will be the basis for any future engineering requirements. He states that the plan changes from last meeting are minor.

Ms. Koslow of Beacon Communities explains that plan revisions were made based on elevation feedback from the Board, along with some other minor adjustments.

Ms. Apigian, project architect, presents design updates, noting that the elevational changes are not dramatic. The materiality and building form/scale are unchanged, but the facade facing Szetela Lane has been given more vertical modulation with changes in color. She also notes the strategic use of wood-look materials to emphasize the entrance and amenity program spaces. Ms. Apigian indicates that for the Fort Avenue facade, a portion of the first level has been bumped out to capture more space and frame the building a little differently. There is a canopy element along the facade, using the wood-look element to draw people in. She also notes minor landscaping changes. Ms. Apigian explains that the number of parking spaces is unchanged, but that three of the basement garage spaces were changed to nine foot spots rather than compact eight foot spaces. The basement will not have 83 spaces as opposed to 86, and the courtyard will have 17 parking spaces where there were previously 14. Ms. Apigian also notes the lobby level and ground floor footprint has been extended into the courtyard by four feet. Ms. Koslow adds that the additional 284 square feet provide access from the community room to the courtyard.

Anne Marton with LEC Environmental introduces herself and notes that a question was previously raised regarding the impact on timing if a portion of the building were placed within the tidelands area where there is currently publicly available open space. Ms. Marton explains that the plan regarding open space is not related to timing of construction or permitting, but rather the requirements of the tideland standards and how the land can be used. To build within the first 250 feet from the shoreline, the ground floor would be required to be a Facility of Public Accommodation (“FPA”), and could not be used for residential units or any private amenity space. Ms. Marton further explains that the proposal is not for a mixed use development, just for residential, and that this location is not appropriate for a successful FPA. Additionally, the impervious surface would need to be increased and the open space offered to the community would need to be scaled back.

Ms. Koslow states she has a video from a resident of LeeFort Terrace who is unable to attend. The video is paused due to audio difficulties.

Chair Duffy opens to the floor to the Board for questions and comments.

Mr. Viccica discusses the changes to the elevations, and notes that his prior comments related to him wanting to understanding that the moves were intentional and not simply a response from public criticism. He suggests it appears the use of materials is intentional, and thanks the team for the revisions and explanation.

Mr. Copelas states he is pleased that the compact parking spaces were expanded.

Cassie Moskos from the Department of Planning and Community Development introduces herself and notes that the engineering peer review has been going back and forth, and that while she anticipates it will get to the development team shortly, in the interim there is draft language for a decision for the Board to look at this evening. She notes there are provisions stating that anything coming out of the peer review will need to be addressed and that the applicants must work with the engineering department to resolve any issues. Ms. Moskos indicates that failure to do so will prevent the issuance of a building permit or certificate of occupancy.

Chair Duffy opens the floor for public comment.

Ellen Simpson of 1 Geneva Street introduces herself and states she is in support of the project. Ms. Simpson suggests we need more affordable housing and that she is looking forward to the development.

Lesley Niccolini of 13 Fort Avenue introduces herself and states she is strongly opposed to the development. Ms. Niccolini acknowledges that the residents of LeeFort Terrace need and deserve a new place, but states that solutions have not been addressed. Ms. Niccolini states that the proposal changes an area that does not need change, and suggests that too much money is going into affordable housing when it is needed for schools, addiction, and housing for everyone. Ms. Niccolini contends that she loves her neighbors and community, and worries that she will lose them with these changes. Ms. Niccolini also notes that design changes eliminate any cut-through, which currently is used for couples and children to walk and play. She also states that her children help LeeFort Terrace residents with their groceries. Additionally, Ms. Niccolini indicates she has researched Beacon Communities and that it is a private company that only cares about money, rather than the City of Salem. She states she found a letter to Beacon Communities from Harvard Legal Services indicating they were trying to evict low income people during the pandemic and had targeted black and brown households. Ms. Niccolini suggests the Board look into such allegations. She contends that the abutters concerns have not been addressed, particularly with respect to noise and other pollution. She also argues that no one cares about the Bentley School learning disruptions that will arise from construction. Ms. Niccolini contends the site location was not chosen to help residents, but rather so that Beacon Communities can charge more, displace current tenants, and bring in new ones. Ms. Niccolini states she hopes Salem residents unite and hold the SHA accountable.

Lori Stewart of 7 Barnes Road introduces herself and states she works in low income housing, and can confidently state that there is need here in Salem. Ms. Stewart indicates she is strongly in favor of the project, and that she is eager to hear the video of the LeeFort Terrace resident, Shannon Bailey, once the audio issues have been resolved.

Cindy Jerzylo of 17 Bay View Avenue introduces herself and states she is opposed to the project. Ms. Jerzylo argues the size is too large for the neighborhood and area. She indicates she moved to the neighborhood over 20 years ago because it was not overpopulated, but that now the City is becoming very overpopulated. Ms. Jerzylo contends the project will be a burden on City infrastructure as well as on residents. She states that there is no guarantee current LeeFort Terrace residents will be taken back, just that they will try to accommodate them. Ms. Jerzylo suggests this is part of the Mayor's agenda, and that no one is representing tax payers who do not wish to have an oversized development in their backyard. Ms. Jerzylo questions if any of the Board members have actually gone to the site and seen the neighborhood.

Jennifer Gaffney of 18.5 Webb Street introduces herself as a resident of the neighborhood for 25 years. Ms. Gaffney states that she loves LeeFort Terrace, but suggests that many of the current people who live there are not in favor of the project. Ms. Gaffney also states she looked up reviews of and from employees at Beacon Communities. She reads from a post with comments from a maintenance technician from Boston, MA, noting successive micromanagement, poor communication with supervisors, hostile work environment, cluttered work spaces, and an

expectation to “patch and tide” things rather than fix them. Ms. Gaffney indicates she finds this review very concerning, and states these are not the type of people she wants working so close to home. Ms. Gaffney acknowledges that concerns regarding LeeFort Terrace should be addressed as the residents deserve a wonderful place to live, and suggests that the current residences can be fixed up. She suggests that LeeFort Terrace can be fixed without involving a for-profit company. Ms. Gaffney maintains that she loves the property and the community the way they are, and suggests we can do better for the residents of LeeFort Terrace. Ms. Gaffney suggests as a community we can do better than capitalism.

Lauri Albury of 11 Beach Avenue introduces herself and states that based on the presentation she thought she was looking at a hospital, not a residential building.

Flora Tonthat of 30 Northey Street introduces herself as a Salem resident for 24 years, and states she would also like to see the video of Ms. Bailey, and that she appreciates her support for this project. Ms. Tonthat stresses that the project received input from LeeFort Terrace residents, and that the building will be 100 percent affordable with no units at market rate. She notes this is unheard of, as usually developments only meet the minimum requirements for affordable units. She adds that a very large number of people applied for the 10 percent of affordable units at the new Brix development. Ms. Tonthat argues that this project helps address the housing crisis but adding much needed affordable units.

Thomas Cote of 12.5 Rear Fort Avenue introduces himself and states he is not in favor of the project, arguing that it does not fit in the neighborhood. Mr. Cote contends that nothing of similar size or scale can be found nearby as far as housing is concerned. He also states that the 124 affordable units is subjective, and questions what “affordable” means. Mr. Cote suggests that with inflation the units will soon not be affordable. Mr. Cote contends the Board should do their job and prevent developers from taking over and taking advantage of land like this. Mr. Cote questions why the Salem Housing Authority cannot manage this without the help of a for profit company, and claims this is unfair to neighbors and tax payers.

Ellen Simpson introduces herself again, and states that she was lucky enough to have purchased her home 24 years ago when prices were much lower, which is the only reason she can afford to live here. She acknowledges that if she were a young person, she would need to look elsewhere because renting or buying in the area would be a stretch. Ms. Simpson states that most of the people commenting are lucky enough to live in Salem, and that common decency suggests we cannot just pull the ladder up behind us. She argues that we should give people the same chance we had to move into such a beautiful place, and that this project accomplishes that.

City Councilor Jeff Cohen of 12 Hancock Street introduces himself, and states that prior to being a councilor he spent several years as the vice chair of the Sustainability and Resilience Committee. He notes that the proposal is one of the most resilient he has seen. In response to comments suggesting the current situation just requires some maintenance, he contends the current conditions are not safe for residents and that they are not capable of simply being rehabilitated. He also notes that this is not the Salem Housing Authority’s fault, explaining that both federal and state money for public housing has not existed for some time. Councilor Cohen indicates he meets regularly with residents from Bertram and Pioneer Terrace, and that the most common issues are maintenance issues that the Salem Housing Authority does not have the means to address, which is why working

with Beacon Communities is important. Mr. Cohen suggests that everyone seems to be in favor of affordable housing until it is proposed or in close proximity.

Richard Stafford of 30 Boardman Street introduces himself and states he hopes the Board would not consider voting with the peer review being available to the Board and public, noting it could be considered an unauthorized delegation of the Board's authority. Mr. Stafford also notes nearby land being used as a construction dump site, indicating he thought it was initially included as part of the project but no longer is. With these additional parcels of land, Mr. Stafford suggests massing concerns could be addressed. He states included these parcels would benefit all, and questions whether they could be included via eminent domain. Regarding materials, Mr. Stafford asks why there is new reuse proposed, specifically suggesting incorporating some of the existing brick on the new site for historic continuity. Mr. Stafford also asks if the Board has scheduled a site visit to date, and if not when one might occur. Mr. Stafford contends the final building will be larger than the Halstead property, and suggests it is inappropriate for the neighborhood. With respect to the garage elevations, Mr. Stafford states that in 50 years, the garage will be under three feet of water during any 100-year storm events. He argues the project is ultimately a health and safety hazard.

Ms. Koslow presents the video with comments from Shannon Bailey, a current resident of LeeFort Terrace. In the video Ms. Bailey explains she is the president of the LeeFort Terrace Tenants Association ("LFTTA"), and that she is speaking both as the president and a resident of 21 years. Ms. Bailey states LFTTA has had constant contact with both the Salem Housing Authority and Beacon Communities, as well as other companies brought on for the project. Ms. Bailey maintains that they asked questions, challenged ideas, and ultimately fought for tenants rights. Ms. Bailey indicates the proposed project will bring in 74 extra units for people in desperate need, and that the project will have no market-rate housing. She describes the project as a means for the poor, elderly, and disabled to have a home. Ms. Bailey contends the proposal is what is best for her community and the future of LeeFort Terrace. Ms. Bailey asks if those opposed to the project would be ok with their elderly, sick, or disabled family members living in such unsafe environments. She asks that the community and Board truly take into consideration the positive impact this will have for so many people.

Ms. Moskos says she can present a draft decision for the Board if they would like to see it.

Mr. Copelas notes Mr. Stafford's comments regarding the peer review and whether or not the Board would be voting. Mr. Copelas asks if voting prior to a completed engineering peer review is standard for a 40B procedure. Ms. Moskos states it is not unheard of, and that sometimes peer reviews are not completed prior to decisions being made. She notes language has been included in the draft decision to cover this situation, stating that the petitioner must comply with all findings of the peer review letter and work with the engineering department to solve any issues to bring the site to compliance with all City rules and regulations.

Mr. Viccica states he prefers to receive information first, and that he will not vote tonight if there is no completed peer review on the civil engineering. Mr. Viccica contends the location and project is too critical to abdicate a hearing on the review.

Mr. Grover states there are conditions in the draft decision that would hold the petitioners to the standards of the engineering review, and maintains that the engineering has proposed conditions

they are comfortable with in the decision. He also notes that the peer review was elected to by conducted but is technically not a requirement under 40B.

Mr. Copelas asks how a presentation of the completed peer review to the Board would impact the timeline going forward. Mr. Grover states he is unsure, but that it would likely delay a vote until the October meeting. Mr. Copelas suggests that would not be unreasonable.

Mr. Viccica states he has additional questions about drainage and the garage, answers to which would come from a civil engineer or from the peer review. He states he would like to wrap up this petition, but suggests the peer review is critically important. Mr. Viccica again notes that he will not be voting tonight on the matter.

Ms. Koslow acknowledges the Board's concerns, and states that while they have civil engineers present tonight, they could wait for the peer review to be complete. Mr. Viccica says he will not vote on an incomplete presentation.

Chair Duffy agrees that he would like to see the peer review, and suggests it should be in the public eye as well. He asks for the draft language in case there are any further questions or discussions.

Ms. Moskos shares her screen to present the draft language, noting final details to be edited. She notes that when the Board is ready to vote, they can vote on ordinance pieces individually or as a whole. Ms. Moskos discusses comments from the Board of Health and Conservation Commission.

Mr. Viccica and Ms. Marton discuss the remaining work with the Conservation Commission, including the next public hearing scheduled for October 20th. Ms. Marton states that any additional conditions and comments will be incorporated.

Ms. Moskos discussing jurisdictional findings as rulings, as well as site specific conditions included in the draft language. She reviews requirements, such as meeting with City staff members prior to construction to ensure safety barriers and tree protections are in place, as well as traffic and circulation requirements from the Traffic and Parking Department. She reviews additional conditions related to the Board of Health and landscaping. Ms. Moskos notes comments from the engineering department, which were guided by previous 40B applications.

The Board discusses having all latest and up-to-date documents in one comprehensive place for review, and delaying a vote until a future meeting. Ms. Moskos and the Board discuss some of the boilerplate language in the draft as well.

Chair Duffy asks if prior to a permit being issued a construction management plan is needed. Ms. Moskos indicates she believes so, and that there will be a pre-construction meeting. Mr. Duffy asks about considerations for traffic during construction. Ms. Moskos indicates there are limits to the hours for construction in the City, and that there are not many options for traveling to the construction site.

Ms. Moskos and the Board discuss the shot clock date, and Ms. Moskos notes that a vote would need to occur at the October meeting, otherwise a special meeting would need to be called to stay in compliance from a state perspective. Mr. Copelas asks if the Board has the prerogative to grant an

extension, and Ms. Moskos confirms it does, if in agreement with the applicant. Board members state they would like to take adequate time to review and will determine if an extension is necessary.

Chair Duffy notes an earlier comment regarding a site visit, and asks the Board if they feel one needs to be scheduled. All Board members confirm they are familiar with the site and have been to it several times. They conclude that based on logistics and the Board's familiarity with the site, a formal scheduled site visit in the future is not needed. Ms. Moskos also notes that they would be limited in what they could discuss on such an organized visit, as there would be a quorum but no public.

Mr. Viccica next asks about services, deliveries, trash pickup, and the location of condensers. He also asks if someone can speak to any noise mitigation necessary. Ms. Koslow explains how trash will operate, describing the trash chute in the east wing, which brings trash to a secured closed room on the basement garage level. There is a mechanical mover, and the trash company will come and collect the trash at a small pull off area. She states that no trash will be visible, which will be an improvement from current conditions. She also discusses loading areas for drop off and pickup, and presents plans to point out each location. Ms. Koslow indicates condensers will not be on the ground level, as the building considers climate resiliency. Ms. Apigian confirms they will be on the roof, and that there will only be a handful. Ms. Apigian also notes there will be solar panels on the roof, as well as some energy recovery ventilators. The specific locations have not been determined, but Ms. Apigian suggests the noise impact will be minimal. Ms. Koslow describes the landscaping and on site maintenance, and notes the building will have its own snow removal equipment. Regarding lighting, Mr. Viccica asks if the light fixtures are dark sky compliant, and Ms. Moskos confirms they are.

Ms. Koslow asks to continue the petition to the next meeting of the Zoning Board of Appeals.

Motion and Vote: Mr. Copelas motions to continue the petition of BC LEEFORT TERRACE LANE COMMUNITIES, LLC at 1 LEEFORT TERRACE LANE(Map 41, Lot 249) and at 2 LEEFORT TERRACE LANE(Map 41, Lot 242) (R2 Zoning District), for a Comprehensive Permit pursuant to M.G.L. Chapter 40B, to construct one hundred twenty-four (124) new units, Fifty (50) of those units will be replacing the current units at Leefort Terrace to the October 19, 2022 meeting of the Zoning Board of Appeals.

Mr. Viccica seconds the motion. **The vote is four (4) in favor (Mike Duffy (Chair), Peter Copelas, Paul Viccica, and Carly McClain) and none (0) opposed . The motion passes.**

Location: **70 Proctor Street (Map 15, Lot 386) (R1 Zoning District)**

Applicant: **George Lambos**

Project: A continuance of a public hearing for all persons interested in the petition of GEORGE LAMBOS at 70 PROCTOR STREET(Map 15, Lot 386) (R1 Zoning District), for a Special Permit per Section 3.3.5 Non-conforming Single- and Two-Family Residential Structures of the Salem Zoning Ordinance to convert a two (2) family dwelling into a three (3) family dwelling by constructing the third (3rd) dwelling in the basement.

Documents and Exhibitions

- Application date-stamped April 27, 2022 and supporting documentation

Chair Duffy introduces the petition.

Darguin Fortuna introduces himself as the licensed architect working on the project, and notes he is continuing a discussion and presentation from the prior Board meeting. Mr. Fortuna states he will answer the Boards questions and begins a presentation on the proposal.

Mr. Copelas states he wishes Mr. St. Pierre were present, as he has questions about whether converting from a two-family to a three-family is allowed by special permit in an R1 district. Mr. Fortuna contends he met with Mr. St. Pierre, who represented that this scenario is precisely what a special permit is for. Mr. Copelas states he also has serious concerns about the parking.

Mr Fortuna continues his presentation, and suggests the proposal is not more substantially detrimental. He also states the applicant has a letter of support for the proposal.

Mr. Copelas states he does not believe the parking concerns have been adequately addressed, noting that parking regulations do not allow for tandem parking. Mr. Copelas also states there is inadequate detail regarding dimensions for the parking spaces. Mr. Copelas suggests that based on the proposal, there is inadequate parking and that concerns from the last meeting have not been fully addressed. Mr. Fortuna presents the old and new parking plan, and states that the existing parking is real and being used, despite tandem parking not being technically allowed. He also notes that there is public parking at a nearby park that could be helpful.

Mr. Lambos introduces himself, and adds that the lines on the street were recently redone and that a whole parking lane was added on Proctor, providing some parking relief.

Mr. Fortuna presents a photo of the additional parking lane and public parking. Mr. Fortuna maintains that the proposal seeks to extend a nonconformity, but that the neighborhood will not be affected in a material way. He also notes that a curb cut already exists on the left of the house, where the additional parking spot has been proposed. Mr. Fortuna next presents a letter of support from Councilor Dominguez.

Mr. Copelas states he has not been to the site since the street parking was added, but that he will accept this new information subject to check. Mr. Copelas also suggests the Board would need to see dimensions for the parking, which he states was not provided. Mr. Fortuna presents a diagram with parking dimensions, and Mr. Large confirms these were including in the files.

Mr. Viccica notes that while it is possible a car could fit in the proposed spot, it is very close to the property line. He also suggests there is still the issue of whether or not tandem parking could be considered in this instance, and that adding an additional unit me be exacerbating an issue of insufficient parking.

Mr. Fortuna maintains the area is walkable and approachable, in close proximity to the train station, and therefore it is possible to own fewer or no cars. He argues again that the proposal is not substantially detrimental to the neighborhood.

Mr. Viccica describes some of the issues with tandem parking, including needing to move two cars and cross a sidewalk multiple times. He notes that it is a safety concern, and agrees that the proposal exacerbates an existing problem with respect to lack of sufficient parking.

Mr. Fortuna suggests a contingency to provide parking within a certain distance, such as within 400 feet. Chair Duffy asks if he means to obtain an additional off-site parking space to increase the number available, and Mr. Fortuna confirms. Mr. Viccica states there must be a plan with such a proposal, and notes that any such condition will then become an enforcement issue.

Chair Duffy opens the floor to public comment but there is none.

Chair Duffy asks if the proposed condition solves concerns raised from Board members. Mr. Viccica defers to Mr. Copelas. Mr. Copelas contends it seems unusual for something so fundamental to a decision to be left open to enforcement after the fact. He apologizes for encouraging a continuance, but states that such a conditional approval may be unreasonable.

Ms. McClain states Mr. Copelas raises a good point, and that she would not be opposed to a continuance. Ms. McClain indicates she would appreciate clarification from Mr. St. Pierre on the issues raised as well.

Chair Duffy asks where such spaces would be located if there were to be such a condition. Mr. Lambos suggests extending the driveway length or extending to the right five feet. Chair Duffy confirms that would be onsite. Mr. Copelas and Mr. Viccica point out that based on the site plan the driveway could not be extended to the sides. Chair Duffy states he is confused about whether the solution is offsite parking or to create more onsite parking. Mr. Copelas also notes that the public park around the corner does not have spaces that can be rented privately, so that would not be an option. Chair Duffy asks if there would be any options within 400 feet to meet the proposed condition, and Mr. Fortuna acknowledges no such options exist. Chair Duffy suggests continuing because the remedies proposed appear to be aspirations rather than potential realities. Mr. Viccica notes that the Board needs to see a final plan and receive input from Mr. St. Pierre.

Mr. Fortuna argues the tandem spots will continue to be used whether an additional unit is added or not, and that the new space will be for the additional unit. Mr. Fortuna asks if the Board's decision will rest on Mr. St. Pierre's attendance. Mr. Viccica notes that without input from Mr. St. Pierre, the Board would defer to tandem parking not being allowed for the purposes of considering adequate parking. He adds that Mr. Fortuna has represented an opinion from Mr. St. Pierre, and that the Board would like some kind of confirmation.

Motion and Vote: Mr. Viccica motions to continue the petition of GEORGE LAMBOS at 70 PROCTOR STREET (Map 15, Lot 386) (R1 Zoning District), for a Special Permit per Section 3.3.5 Non-conforming Single- and Two-Family Residential Structures of the Salem Zoning Ordinance to convert a two (2) family dwelling into a three (3) family dwelling by constructing the third (3rd) dwelling in the basement to

the next regularly scheduled meeting of the Zoning Board of Appeals on October 19, 2022.

Mr. Copelas seconds the motion. **The vote is four (4) in favor (Mike Duffy (Chair), Peter Copelas, Paul Viccica, and Carly McClain) and none (0) opposed. The motion passes.**

Location: **9 Cambridge Street (Map 25, Lot 564) (R2 Zoning District)**

Applicant: **Elisa Hofmeester**

Project: A public hearing for all persons interested in the petition of ELISA HOFMEESTER at 9 CAMBRIDGE STREET(Map 25, Lot 564) (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 two-story (2) addition and construct a new fifteen (15) ft by twenty (20) ft two-story (2) addition at the rear of the dwelling. The proposed side yard set back will be 2.3 feet.

Documents and Exhibitions

- Application date-stamped May 16, 2022 and supporting documentation

Chair Duffy introduces the petition, and notes the petitioner has requested to continue to the following month. He explains that Mr. Viccica would need to recuse himself from this petition, and as there is only a four member Board this evening, there would not be a quorum for this petition.

Motion and Vote: Mr. Copelas motions to continue the petition of ELISA HOFMEESTER at 9 CAMBRIDGE STREET(Map 25, Lot 564) (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 two-story (2) addition and construct a new fifteen (15) ft by twenty (20) ft two-story (2) addition at the rear of the dwelling to the next regularly scheduled meeting on October 19, 2022.

Ms. McClain seconds the motion. **The vote is four (4) in favor (Mike Duffy (Chair), Peter Copelas, Paul Viccica, and Carly McClain) and none (0) opposed . The motion passes.**

MEETING MINUTES

June 15, 2022

Mr. Copelas states he has no corrections to the June minutes. Chair Duffy indicates he made minor edits, mostly typos.

Motion and Vote: Mr. Copelas motions to approve June 15, 2022 as amended. Ms. McClain seconds the motion. **The vote is four (4) in favor. The motion passes.**

July 27, 2022

Chair Duffy states he had minimal edits to the July minutes as well, primarily typos.

Motion and Vote: Mr. Copelas motions to approve the July 27, 2022 as amended. Mr. Viccica seconds the motion. **The vote is four (4) in favor. The motion passes.**

OLD/NEW BUSINESS

Mr. Laroe indicates that a new Board member is to be confirmed at the next City Council meeting, and will hopefully be sitting in for the October meeting.

Ms. McClain explains that due to a family issue, she may not be available for the next two meetings.

ADJOURNMENT

Motion and Vote: Mr. Copelas motions to adjourn the meeting. Ms. McClain seconds the motion. **The vote is all in favor. The motion passes.**

The meeting ends at 9:13 PM on September 14, 2022.

For actions where the decisions have not been fully written into these minutes, copies of the Decisions have been posted separately by address or project at:

<https://www.salem.com/zoning-board-appeals/pages/zoning-board-appeals-decisions-2022>

Respectfully submitted,
Daniel Laroe, Staff Planner