

City of Salem Zoning Board of Appeals
Meeting Minutes
August 17, 2022

A meeting of the Salem Zoning Board of Appeals (“Salem ZBA”) was held on Wednesday, August 17, 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 6:45 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, and Carly McClain. Also in attendance were Daniel Laroe – Staff Planner, Building Inspector Tom St. Pierre, and Jonathan Pinto – Recording Clerk. Those absent were: Rosa Ordaz, Paul Viccica, and Steven Smalley

Chair Duffy notes there is not a quorum present, and therefore all matters will need to be continued to the next regularly scheduled meeting of the Zoning Board of Appeals on September 21, 2022, as without a quorum the Board cannot act on any matters substantively.

Mr. St. Pierre suggests continuing some of the petitions to the date scheduled for a special meeting where Leefort Terrace is supposed to present. The date of the special meeting is September 14, 2022.

CONTINUANCES

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| 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, and notes it will be continued to a special meeting of the Zoning Board of Appeals to be held on September 14, 2022.

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 a special meeting of the Zoning Board of Appeals on September 14, 2022.

Ms. McClain seconds the motion. **The vote is three (3) in favor (Mike Duffy (Chair), Peter Copelas, 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 and notes it will be continued to the next regularly scheduled meeting.

Motion and Vote: Mr. Copelas 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 basemen, to the next regularly scheduled meeting of the Zoning Board of Appeals on September 21, 2022.:

Ms. McClain seconds the motion. **The vote is three (3) in favor (Mike Duffy (Chair), Peter Copelas, and Carly McClain) and none (0) opposed. The motion passes.**

REGULAR AGENDA

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 it will be continued to the special meeting on September 14, 2022.

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 special meeting scheduled for September 14, 2022.

Ms. McClain seconds the motion. **The vote is three (3) in favor (Mike Duffy (Chair), Peter Copelas, and Carly McClain) and none (0) opposed . The motion passes.**

Location: 25 Warren Street (Map 25, Lot 270) (R2 Zoning District)

Applicant: Megan Entwich

Project: A public hearing for all persons interested in the petition of MEGAN NENTWICH at 25 WARREN STREET (Map 25, Lot 270) (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 one-story porch and add a three (3) story addition to the rear of the property. The additions will be 8' x 13' feet and will be used as bathrooms. The rear yard setback will be reduced from two (2) feet to one (1) foot.

Documents and Exhibitions

- Application date-stamped June 29, 2022 and supporting documentation

Chair Duffy introduces the petition and notes it will be continued to September 21, 2022.

Motion and Vote: Mr. Copelas motions to continue the petition of MEGAN NENTWICH at 25 WARREN STREET (Map 25, Lot 270) (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 one-story porch and add a three (3) story addition to the rear of the property to the next regularly scheduled meeting of the Zoning Board of Appeals on September 21, 2022.

Ms. McClain seconds the motion. **The vote is three (3) in favor (Carly McClain, Mike Duffy (Chair), and Peter Copelas) and none (0) opposed. The motion passes.**

Location: **13 Willow Avenue (Map 33, Lot 628) (R1 Zoning District)**

Applicant: **Michael Reiter**

Project: A public hearing for all persons interested in the petition of MICHAEL REITER at 13 WILLOW AVENUE (Map 33, Lot 628) (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 rebuild and replace a two (2) family home. The proposed structure will have additional dormers that were not with the original structure.

Documents and Exhibitions

- Application date-stamped June 29, 2022 and supporting documentation

Chair Duffy introduces the petition and notes it will be continued to the next regular meeting on September 21, 2022.

Motion and Vote: Mr. Copelas motions to continue the petition of MICHAEL REITER at 13 WILLOW AVENUE (Map 33, Lot 628) (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 rebuild and replace a two (2) family home, where the proposed structure will have additional dormers that were not with the original structure to the next regularly scheduled meeting on September 21, 2022.

Ms. McClain seconds the motion. **The vote is three (3) in favor (Mike Duffy (Chair), Peter Copelas, and Carly McClain) and none (0) opposed. The motion passes.**

Location: **52 School Street (Map 27, Lot 4) (R2 Zoning District)**

Applicant: **John and Marcy Hauber**

Project: A public hearing for all persons interested in the petition of JOHN AND MARCY HAUBER at 52 SCHOOL STREET (Map 27, Lot 4) (R2 Zoning District), for a Special Permit per Section 3.3.5 Nonconforming Single- and Two-Family Residential Structures and The Dimensional Table of the Salem Zoning Ordinance to add a two-story unit and two (2) two-car garages to create a two-family building and four (4) garage parking spaces. The proposed lot area per dwelling is 6,378 where 7,500 is required. The existing and proposed side yard setback is 3.4' where 10' is required. The existing front yard setback is 6.3' where 15' is required.

Documents and Exhibitions

- Application date-stamped June 29, 2022 and supporting documentation

Chair Duffy introduces the petition and notes it will be continued to September 21, 2022.

Motion and Vote: Mr. Copelas motions to continue the petition of JOHN AND MARCY HAUBER at 52 SCHOOL STREET (Map 27, Lot 4) (R2 Zoning District), for a Special Permit per Section 3.3.5 Nonconforming Single- and Two-Family Residential Structures and The Dimensional Table of the Salem Zoning Ordinance to add a two-story unit and two (2) two-car garages to create a two-family building and four (4) garage parking spaces to the next regularly scheduled meeting of the Zoning Board of Appeals on September 21, 2022.

Ms. McClain seconds the motion. **The vote is three (3) in favor (Mike Duffy (Chair), Peter Copelas, and Carly McClain) and none (0) opposed . The motion passes.**

Location: **76 Lafayette Street (Map 34, Lot 417) (B5 Zoning District)**

Applicant: **Adam Shoemaker**

Project: A public hearing for all persons interested in the petition of ADAM SHOEMAKER at 76 LAFAYETTE STREET (Map 34, Lot 417) (B5 Zoning District), for a Special Permit per Section 3.1.2 Principal Uses of the Salem Zoning Ordinance to allow a three (3) barrel, which is ninety-three (93) gallons, microbrewery and taproom on the first (1st) floor of 76 LAFAYETTE STREET.

Documents and Exhibitions

- Application date-stamped July 7, 2022 and supporting documentation

Chair Duffy introduces the petition and indicates it will be continued to the next regular meeting on September 21, 2022.

Motion and Vote: Mr. Copelas motions to continue the petition of ADAM SHOEMAKER at 76 LAFAYETTE STREET (Map 34, Lot 417) (B5 Zoning District), for a Special Permit per Section 3.1.2 Principal Uses of the Salem Zoning Ordinance to allow a three (3) barrel, which is ninety-three (93) gallons, microbrewery and taproom on the first (1st) floor to the next regularly scheduled meeting of the Zoning Board of Appeals on September 21, 2022.

Ms. McClain seconds the motion. **The vote is three (3) in favor (Mike Duffy (Chair), Peter Copelas, and Carly McClain) and none (0) opposed . The motion passes.**

MEETING MINUTES

June 15, 2022

Chair Duffy notes the minutes will be tabled to the next meeting as there is a lack of quorum.

OLD/NEW BUSINESS

None.

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 6:57 PM on August 17, 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