

City of Salem Zoning Board of Appeals
Meeting Minutes
October 24, 2022

A special meeting of the Salem Zoning Board of Appeals (“Salem ZBA”) was held on Monday, October 24, 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), Carly McClain, Peter Copelas, and Paul Viccica. Also in attendance were Daniel Laroe – Staff Planner, and Jonathan Pinto – Recording Clerk. Those absent were: Rosa Ordaz, Nina Vyedana, 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 petitioner, and notes he is accompanied by Courtney Koslow as well as a full team of engineers, consultants, and other professionals involved in the project. Mr. Grover explains that as part of the engineering review, certain conditions were proposed and the peer review process continues tonight with input from the Board and public. The all inclusive, site specific engineering conditions are now part of the decision that is before the Board. Mr. Grover contends that all parties involved worked hard to develop comprehensive engineering requirements. Representatives from the City engineering department and the engineering consultants are present to discuss and answer questions regarding the engineering peer review.

Deborah Duhamel, Assistant City Engineer, introduces herself and explains she has been involved in the peer review process and participated in drafting the engineering conditions. Ms. Duhamel states many of them are standard conditions. She discusses examples of conditions, such as requiring camera inspection of sewage lines to ensure that flows can be accommodated. Such items are usually conditions as they do not happen at this stage of planning but are required later. Ms. Duhamel invites the Board to ask any questions regarding the conditions relative to engineering.

Steve Martorano of Bohler Engineering introduces himself as the project civil engineer. Mr. Martorano speaks to the collaborative process and attempts to make the project as good as possible. He discusses stormwater treatment and resiliency measures dovetailing to ensure longevity and safety. Mr. Martorano briefly discusses changes to the plans, such as making sure all runoff is captured and treated to the fullest extent possible. Most of the changes are underground and relate to piping, and Mr. Martorano states the quality and quantity of capture on the site will be improved. He notes other changes such as elevating the building six more inches based on DCR recommendations to increase resiliency.

Alex Cedrone of Bobrek Engineering introduces himself and notes they were the peer reviewers of this project. Mr. Cedrone discusses the peer review process and presents his letter response with project summary and proposed conditions. The engineering review included the various iterations and revisions to the project plans, civil drawings, drainage reports, permit applications, and other documents. Mr. Cedrone describes the site and existing conditions, noting it is approximately 3.4 acres of land located along the southern side of Szetela Lane. There are eight existing residential buildings with a paved private road, pedestrian walkways, landscaped areas, and off-street parking. Leefort Terrace runs through the middle of the site, from Fort Avenue to the south and Szetela Lane to the north. The site's drainage connects to a manhole located on Szetela Lane, and water, gas, and sewer connect to mains located along Fort Avenue. Mr. Cedrone explains that McPhail Associates, LLC performed soil borings in October 2020, and groundwater was observed at depths ranging from five to nine feet below the existing ground surface. Runoff from the east and west sections of the site as well as runoff from Leefort Terrace is captured by two catch basins in Leefort Terrace according to Mr. Cedrone. He discusses further drainage details, and notes the on-site elevations range from seven feet at the northern section to ten feet at the southerly access point. Mr. Cedrone explains that the proposed project includes the demolition of all existing improvements on site, the construction of a new 33,320 square foot residential multi-family building with new paved parking areas, landscaping, drainage conveying to the municipal drainage system, sewer connecting to the municipal sewer system, potable water service and fire water service, as well as electric service. Mr. Cedrone states the proposed design includes a six percent reduction in impervious cover and a reduction of stormwater runoff. Previous portions of the site include a vegetated park, while impervious portions include a bioswale/bioretention area for a 15-parking space portion of the paved area. Roof runoff will be conveyed directly to the bio-retention areas, and pavement runoff is proposed to be conveyed to catch basins and a bio-retention garden with an under-drain. Mr. Cedrone next presents initial comments from the review, the applicant responses, and final engineering comments, noting updates and revisions from original plans to those currently proposed. He notes that most questions and comments have been addressed.

Mr. Viccica asks about the roof drainage systems and if they lead to a bio-retention area or straight to the sewer system. He also asks if there are drainage structures in the underground parking lot. Mr. Martorano presents a site plan and explains that the drainage from the roof will be piped to the left side of the bio-retention rain garden area, and the parking lot will pipe into the other rain garden.

For large events, overflows would go into the existing pipe that leans into Collins Cove. Regarding garage drainage, Mr. Martorano indicates anything in the garage needs to pipe to the sanitary sewer system per code. Those do not connect to site drainage or Collins Cove, but will go to the treatment plant. Mr. Viccica states his understanding is the floor slab of the garage is about one foot higher than the 100-year flood plain, and asks where the test pits have shown ground water levels are currently. Mr. Viccica asks if the water table should rise or a flood event occurs that would inundate the garage in some way, if there is a way to mitigate it to not tax the sanitary system with flood water from the garage which would presumably collect oil, sand, dirt, and other debris over time. Mr. Martorano notes the soil testing was completed and submitted to DPW and the Conservation Commission, confirming that drainage systems will work as designed. Mr. Martorano states the ground water is around elevation three and the garage is at elevation 11, and that the garage slab was originally six inches above the hundred year flood plain, but is now a full foot above the flood plain, which meets the full requirement of what a basement must be. The current method of protecting the floor drains from flood waters is deployable flood barriers when a large event is known to be approaching, according to Mr. Martorano. He suggests the lobbies are at 14.5 and the residences are at elevation 21, as the focus is keeping the residents safe.

Mr. Viccica asks if the six inch increase raises the entire building by six inches, and Michele Apigian, architect with Icon confirms that is the case.

Mr. Cedrone next goes through smaller comments regarding communications with tree wardens, additional drainage, new sidewalk, accessible curb ramps to curb cuts on Fort Avenue, and others. Ms. Koslow states the latest plans have all the concessions incorporated. Mr. Cedrone indicates there are a summary of conditions as well, which he goes through. The conditions require the applicant to (1) provide the required letter from a licensed plumber confirming adequate water flow, water pressure, water main capacity, and proposed demand; (2) coordinate with Salem Fire Department for site hydrant requirements; (3) provide the plumbing and engineering plan including information of the water meter; (4) provide information regarding fire sprinkler engineering design and back blow preventer information; (5) provide the irrigation system design; (6) provide a plan for the long-term source of on-site water; (7) have a licensed plumber evaluate the proposed potable water demand to recommend appropriate sizes for meters prior to engineering department sign-off; (8) provide the required CCTV and letter confirming adequate condition and capacity of the sewer; (9) provide a utility conflict table or profiles demonstrating no conflicts between utilities as well as confirmation that civil design standards and practices have been met; (10) coordinate with the Salem Tree Warden and provide positive drainage toward existing catch basins in Szetela Lane where existing curb cuts are closed to mitigate ponding; (11) provide the conduit and handhole locations electric plan; (12) provide the information on how dewatering of utility trenches will be handled during construction, including treatment and location of potential discharge; (13) submit as-built drawings including all utilities and infrastructure prior to engineering sign-off on a final certificate of occupancy; and (14) submit their engineer's recommended repairs/replacements to the Engineering Department for review and acceptance if any of the above inspections or reporting find inadequacies in the existing property or supporting City infrastructure; (15) provide buoyancy calculations for drainage and ensure all structures within City rights-of-way include extended bases; (16) provide the required groundwater recharge letter; (17) provide the required Drainage Alteration permit and documentation as required by City Ordinance Chapter 38, Article VI; (18) provide information to connect to the City drainage system in luring but not limited to CCTV and cleaning of the existing drainage system to verify adequate capacity and condition; (19) provide test pit information; (20) provide a detail for the 24 inch perforated HDPE drainage pipe trench; (21)

provide the O&M log storage requirements in the O&M plan; (22) provide a Long-Term Pollution Prevention Plan to be reviewed by the Board of Health; (23) provide a signed Illicit Discharge Compliance Statement; (24) have its Spill Prevention and Response Procedure reviewed by the Board of Health; (25) provide a demolition plan prior to street opening permit; (26) provide the cutting and capping information for all existing utilities on the demolition plan; (27) cut and cap all necessary existing utilities; (28) provide the asphalt impacts and proposed restoration; (29) provide existing curb cut measurements on the existing conditions plan; (30) submit construction plans and associated technical letters to the Department of Planning Community Development; (30) all work shall comply with the standard requirements of the City Engineering including any findings from peer reviews; and (32) all drawings, specifications, calculations, checklists etc. must be stamped, signed, and dated by a professional engineer. Sign offs from Salem Engineering Department will be required for all conditions. Mr. Cedrone next presents an overhead map of the Fort Avenue and Leefort Terrace area cleaning and CCTV requirements for sewer, pointing out where municipal sewer access is located. He also shows drainage on Szetela Lane and CCTV requirements.

Mr. Copelas compares the Bobrek letter with the draft conditions and asks Ms. Duhamel to confirm that everything is encompassed in the draft conditions. Ms. Duhamel confirms, and explains why some of the language does not match exactly. Mr. Copelas notes the draft has some conditions that do not appear in the letter, and he asks if they are standard conditions of the building department. She confirms and Mr. Laroe also provides input explaining that the numbering between the two may not match exactly. The Board discusses and confirms their understanding of the conditions, noting some are standard 40B requirements.

Chair Duffy asks about two of the drainage conditions seeking Board of Health acceptance, and asks how the process would work in terms of Engineering Department approval. Ms. Duhamel explains the contractor for the applicant will go to the Building Department and would submit a building permit application. Once the application has been reviewed to make sure that it is complete, they allow the other departments to conduct their sign-offs. In this case, Ms. Duhamel notes because there are statements in the long term plans and procedures that are under Board of Health jurisdiction. She explains the process details a bit more.

Chair Duffy notes the applicant is seeking a waiver of Board of Health review, and asks if the Board of Health regulations and requirements are limited to those outlined in the draft letter. Mr. Martorano provides some clarification, noting the long term pollution prevention plan is consistent with the state stormwater handbook and state guidance on what should be included and has been submitted. He explains that all requirements will be adhered to. Chair Duffy asks Mr. Laroe about the section where the Board would grant the waivers and exemptions, and suggests the language may want to reflect that the waivers are granted except where otherwise stated with respect to condition requirements. Mr. Laroe states he can add that language. Mr. Grover points out existing language that references the conditions, but says they are certainly willing to tighten up the language. Mr. Viccica asks if this would also apply to the waiver concerning stormwater management, and Mr. Grover indicates it would. The Board discusses further refinement of the conditions and language.

Chair Duffy indicates in the findings section of the comprehensive permit, he did not see anything spelled out regarding the affordability restrictions. Ms. Koslow suggests she can add language to ensure it makes its way into the decision, and she and Mr. Grover determine they can add language from the initial application that covers affordability.

Mr. Viccica asks if the drawings are the ones that will be issued to the Building Department for a permit to build, and Ms. Koslow explains they will be modified for the building permit to reflect further construction details. Mr. Viccica asks about value engineering and if there is something in the comprehensive permit document that protects the City from an extensive value management component. He notes Board approval would include scope of landscape, architecture, etc., and if there should be some change in pricing, he would like to know what processes exist to address such changes. Mr. Grover explains that the plans would be approved as submitted, so any material change to the plans would require an amendment to the decision. Mr. St. Pierre confirms that one of the standard conditions includes an adherence to submitted plans, and that any change must require consultation with the Board. The Board discusses the standard conditions and requirements regarding petition changes that are substantive. Monique Hall of BSC group provides further clarification with respect to landscaping plans and notes those could not change without Board approval. Mr. Viccica and Mr. Copelas suggest the standard conditions appear more comprehensive with respect to review resulting from substantive changes, and request it specify consultation with the building inspector or some other entity to ensure any modifications would come back for review in addition to the city planner. Chair Duffy proposes revisions to address the concerns raised. The Board also discusses the role of the clerk of the works and specifics of 40B petitions. Mr. Viccica raises concerns about the role being filled by a yet to be known person, and that person having primary review and approval for changes to Board decisions, and states that the language surrounding the role seems too broad. Ms. Koslow indicates the clerk of the works role was intended for the public right of way, and not for the overall project, and Mr. Martorano confirms. Mr. Viccica asks if there would be anyone from the City during construction to make sure things are not being decided on site that have not been approved. Ms. Koslow states a Certificate of Occupancy is required to be obtained at the end, and Mr. Viccica notes that at the end there may be pressures to approve a certificate if all the work is done. Ben Phillips of Beacon Communities states that typically the conditions of approval are all met through the permitted drawings and any changes that need to be made to them must be reviewed and approval. He contends there are several points at which review and approval are needed before proceeding to ensure compliance with final drawings. Mr. Phillips acknowledges changes can happen along the way, but that they would require Board approval. Mr. Viccica asks if there will be a representative from Icon at construction meetings, and Ms. Apigian states there will be. Mr. St. Pierre provides assurance that he will also be part of the checks and balances as construction progresses.

Ms. Koslow presents the language she added from the permit application regarding affordability, noting 100 percent of the 124 units replacing the existing 50 will be subsidized deed restricted affordable housing for 99 years. All units will be affordable for households at 60 percent AMI or less, with 13 percent for households under 30 percent AMI. Ms. Koslow thanks the Board for their work and review of the application, as does Cathy Hoog of the Salem Housing Authority. They both provide concluding remarks, including the need for redevelopment as opposed to simply renovating.

Chair Duffy opens the floor to public comment.

Leslie Niccolini of 13 Fort Avenue introduces herself and states she has been speaking with her own lawyer regarding this application and they are looking at the hydrology with their own researchers and scientists. Ms. Niccolini indicates they will also examine the issue of Leefort Terrace being a private drive where her driveway resides. She insists none of her concerns have been addressed and that she is forced to go through this process.

Ward 1 City Councilor Bob McCarthy introduces himself and thanks the Board for their diligence and work. Mr. McCarthy states he wishes the building was not as high as it is, and asks if they have looked into waterproof manholes. Mr. McCarthy opines that the City will likely need to take a good look at issues regarding inundation and flooding and overburdening SESD. He suggests looking into gate valves for the drain lines specific to the parking garage that ties into the system. Regarding the perforated piping discussed tonight, Councilor McCarthy notes it seems to run along the existing tree line, and asks what measures will be put in place to protect the trees, as they are a buffer between the property and the school.

Alayna Eimer of 8 Prescott Street introduces herself and expresses support for the project. She notes there has been robust discussion and rigorous review throughout the process, including tonight with the engineering review. She commends the City and stakeholders for their work, and states she is excited as a Salem resident to get to know some new neighbors and to see the residents of Leefort Terrace get much needed improved living space.

Stacia Kraft of 140 Federal Street introduces herself and contends she was asked to advocate for some of the residents of Leefort Terrace. Ms. Kraft indicates they have been blocked from participating at times, the police have been called when advocates have stood with Leefort Terrace residents, and that many are unable to participate in this process because they do not have the technology to participate. She also notes that initially this was proposed as having market rate units, and that it did not become 100 percent affordable until they got involved. Ms. Kraft states that Climate Ready Boston indicates the seaport will be under water and that the billions invested there may be lost, so we should be looking at the future. She references Salem Sound Coast Watch and the Woods Hole Group, who have made a map regarding future flooding. Ms. Kraft expresses concern about roads being under water and adding so many units to the area, and suggests that once the Board approves the petition and changes an R1 zone to R2, it will set precedent and suggests implications for places like Camp Naumkeag, the Plummer Home for Boys, and Cat Cove, which she and others suspect are desirable for development. Ms. Kraft asks that the Board look closely at the proposal and consider flood plain predictions, and states there is more beyond the “bureaucracy” that needs to be looked at. Ms. Kraft suggests the existing homes at Leefort Terrace look very sturdy and she does not see why steps and handicap ramps could not be installed. She states she is skeptical about this whole project, and expresses concern regarding older residents needing to move during construction.

Lori Stewart of 7 Barnes Road introduces herself and speaks in favor of the project. Ms. Stewart states it is difficult listening to the people who are opposed to the project, noting that she has actually been inside the units and that the conditions are deplorable and inaccessible. She states that for every mention of an older resident, the flip side is denying someone like Shannon Bailey, who is the duly elected tenant president, because many bodies made sure there was representation for those affected by the process. Ms. Stewart speaks to the need for this project due to the housing crisis, stating that she works in public houses and gets over 20 calls a day from people seeking applications to be on the four year waiting list. She suggest the numbers for the Salem Housing Authority could be even higher. She asks the Board listen to the people in Salem who want the project to be there.

Flora Tonthat of 30 Northey Street introduces herself and thanks the Board for their work and review. She states she supports the project and is very excited, speaking to the housing affordability

crisis. Ms. Tonthat also indicates she appreciates how resilient the project has become. She echoes the positive and supportive comments from others provided to date.

Perla Peguero of 30 Boardman Street introduces herself and states she appreciates the Board's discussion this evening regarding oversight and the conditions. Ms. Peguero states she worked in a new building that from the beginning had a water infiltration problem that never got fixed, despite having a clerk of the works. Ms. Peguero suggests an affordable housing project is an excellent thing for Salem, but wishes the Board had addressed more of the neighbors concerns. Ms. Peguero states the project has been like a steam train that is difficult to stop or deviate. She wishes the Board would acknowledge that some in the neighborhood feel the building is too tall. Ms. Peguero suggests it is not that the neighbors do not want this project, but rather would like it to be something that fit in the neighborhood. She expresses hope that the project fits and meets the needs of Salem residents, even though she states the project is not just for Salem residents. Ms. Peguero indicates she votes but that she has not felt like she has had a voice here.

Cindy Jerzylo of 17 Bayview Avenue introduces herself and states she has attended all meetings related to this project. Ms. Jerzylo thanks the Board for the work they have done but indicates she is opposed to the project, and asks what happened to the "friendly 40B" this project started as. She asks if the Board has considered that they provided 200 signatures opposing the project from abutters and surrounding residents. She suggests that many speaking in favor of the project are not actual abutters and will not be directly affected. Ms. Jerzylo contends the project does not fit the neighborhood and that the height is too high. She also raises concerns about the project being in a flood plain. Ms. Jerzylo suggests that Ms. Hoog has not been forthcoming during this process and has denied members of the public access to meetings and process.

Judith Reilly (no address provided) introduces herself and thanks the Board for balancing conflicting needs and opinions with respect to this project. Ms. Reilly states she appreciates learning many of the technical aspects of resilience. She states she is in favor of the project and has met some of the LTO residents. Ms. Reilly recommends listening to the conflicting needs and desires but that the best thing is to move forward with this project. Ms. Reilly indicates that while she does not abut the project she thinks the elevations look nice, and that she herself lives in a neighborhood with mixed height buildings.

Ward 7 City Councilor Andy Varela of 23 Cedar Crest Avenue introduces himself and speaks in favor of the project, noting the comprehensiveness of the engineering study. He acknowledges the height concerns, but suggests the project is necessary and that the height is important for the elevation of the garage. Mr. Varela commends the project resiliency and efficiency.

Christine Madore of 120 Federal Street Unit 8 introduces herself and expresses thanks to the Board for their diligence and review of this project. Ms. Madore speaks in support of the project and states she excited to welcome new community members to Salem. She states many of those that will benefit cannot be here to advocate for themselves, but that this project is about giving them safe homes and a sense of dignity. Ms. Madore suggests having more neighbors makes us a stronger community, and speaks in favor. She states many of the concerns are repetitive and unfounded, noting that the answers to many of their questions are found in the facts of the proposal, and that it is easier to keep asking questions simply to oppose the project.

Jennifer Gaffney of 18.5 Webb Street introduces herself and states she is close to Leefort Terrace. Ms. Gaffney indicates her home was built in 1840 and she has concerns about what will happen to it during all this construction. Ms. Gaffney states she agrees with some of the comments and agrees there is a need for affordable housing, but suggests Salem provides a lot of affordable housing. She states she has spoken to some of the Leefort Terrace residents and that while some want to see this project go forward, some do not because they are happy where they are and are fearful of what will happen. Ms. Gaffney suggests these people have also not had a voice. She states she knows the project is going forward, but hopes the Board is careful about what they approve and sign.

Richard Stafford of (no address provided) introduces himself and asks about the rationale for raising the project six inches when the projections for 2070 still show the garage being affected. Regarding discussions of simple measures to prevent floodwaters entering the garage, Mr. Gaffney states he hopes there are specific items mentioned in the Boards conditions to make sure they are in place, and not simply waiting for future technology. He states oversight will be critical as the project moves forward as he assumes it will be approved, and asks that the Board seek input from the City Solicitor so that the language has a City perspective, since most has been drafted by the developers counsel. He adds that he thinks this project is a missed opportunity for the City, and that the size and massing will be out of character with the local construction.

Elizabeth Kavanaugh of 48 Webb Street introduces herself and states she is essentially an abutter. She expresses concerns regarding construction noise, street parking, and traffic, but states she is not opposed to tearing down and renovating the buildings. Ms. Kavanaugh states she takes issue with the height and massing of the building, as well as the number of families and associated cars and traffic and their impact on the area. She notes she would be okay with the impacts of construction if she felt like the number of units was appropriate for the space. Ms. Kavanaugh indicates she does not feel like she had a voice from the beginning, and that the project was basically decided from the start. She asks why the project is Beacon Communities or nothing and why it could not be put out to RFP or some other process. Ms. Kavanaugh also states she gets offended anytime someone suggests that she does not want to help or is against working with neighbors and public housing. She clarifies she is merely concerned with the impact it will have on her life.

City Councilor at Large Conrad Prosnuski introduces himself and states he agrees with Councilor McCarthy that he wishes something could have been done to limit the size of the building as it has a direct impact on neighbors. He also states he has seen what Beacon has built in other communities and they seem to fit in nicely, but suggests what is proposed here does not seem like it would fit in Salem or even New England. Mr. Prosnuski states the residents would prefer to look at something nicer and that fits in better than what is currently proposed, so he hopes there is still some wiggle room.

Chair Duffy asks if the applicant would like to address anything specific that came out of public comment. Ms. Koslow notes that a statement was made about the developers attorney drafting the decision, and she clarifies that that was not the case. Mr. Laroe confirms it was drafted by himself and staff at City Hall. Ms. Koslow adds that she appreciates and acknowledges this project will have an impact on the community. She maintains they have been listening quite a bit and made many changes to the proposal over time and the building has become smaller, more condensed, and pulled back. She references community discussions and resident meetings and indicates they are being considered every step of the way. Regarding relocation and impact on current residents, Ms. Koslow states Beacon will work individually with every resident to customize their individual plan

identifying their needs in the transition at no cost to the residents. She states change happens all the time in communities, and that it is important to consider the benefits this will provide.

Chair Duffy asks about the perforated drain line mentioned in comment, and how far from the boundary line it will be and if there is any concern about the impact on the trees. Mr. Martorano explains that it looks closer on the plans than it actually is, noting it will be efftely where the building is today and at the same elevation as existing footings. He adds that the trees were certainly considered, and that there will be additional trees added to the area.

Chair Duffy asks Board members if they are in a place to vote on the application or if before that anyone would like to make any other motion concerning the proceedings.

Mr. Copelas asks if we the decision would simply make reference to the draft, as amended. Chair Duffy states the vote is to approve the application for a comprehensive permit to build the project as stated in the petition, and would be doing so not with the Board's standard conditions, but with those in the draft decision pursuant to the statement of facts and findings in the decision, to grant the waivers listed, subject to the limitations and pursuant to the special conditions included in the decision as discussed and amended. The Board will then have a period of time before issuing a final written decision.

Mr. Grover states it is important to explicitly grant the waivers in the motion as it is an essential action the Board needs to take. He adds that the Board should also close the public hearing before taking a vote.

Motion and Vote: Mr. Copelas motions to conclude the public hearing portion of tonights meeting. Ms. McClain seconds the motion. The vote is all in favor, the motion passes and the public hearing is closed.

Chair Duffy asks if any Board member would like to put forth a motion to approve the petition.

Motion and Vote: Mr. Viccica motions to approve 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 including the decision as drafted for this October 24, 2022 meeting of the Zoning Board of Appeals, and subject to the draft decision, to grant the waivers, exceptions, and special conditions as put forward and amended per discussions during the meeting.

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

MEETING MINUTES

The Board members indicate they are behind on reviewing the minutes and postpone the approval to the next scheduled meeting.

OLD/NEW BUSINESS

None.

ADJOURNMENT

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

The meeting ends at 9:08 PM on October 24, 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