



# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

98 WASHINGTON STREET SALEM, MASSACHUSETTS 01970  
TEL: 978-619-5685

DOMINICK PANGALLO  
MAYOR

## **NOTICE OF MEETING**

Notice is hereby given that a meeting of the Salem Zoning Board of Appeals will be held on **January 17, 2024, at 6:30 p.m.** via remote participation in accordance with Chapter 2 of the Acts of 2023

Peter A. Copelas, Chair

### **Important Announcement:**

Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so on matters not requiring a public hearing, we will post on the City of Salem's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Individuals may participate remotely in the meeting via a remote participation platform called Zoom. Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation meeting through any one of the following ways:

### **Attending the Virtual Public Meeting:**

- Go to Website link: <https://us02web.zoom.us/j/83964128644?pwd=cTNITIFic2pKNWIOZnV3dW9yb1loUT09>, go to the website link <https://zoom.us/join> and enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed. Those calling in will not have access to the direct video feed of the meeting, but can follow along with the project materials available for download at [Salem.com/ZBA](http://Salem.com/ZBA)
- Watch the meeting live on Salem Access Television Chanel 22.
- Project materials are available for download at (<https://tinyurl.com/SalemZBA>)

**Providing Public Comment During the Meeting:**

Members of the public attending this meeting virtually will be allowed to make comments during the portion of the hearing designated for each agenda item. Members of the public will be asked to use the virtual "Raise Hand" function in Zoom to indicate that they would like to provide comment.

- Dial \*9 on your phone's dial pad to raise your hand if you are using the toll-free number.
- Click the "Raise Hand" button if you are using the Zoom application on your computer or phone.

For each agenda item, the moderator will identify attendees with raised hands by their screenname or the last 3 digits of their telephone number and will then unmute them. The moderator will then request that the attendee unmute their device to provide their full name, address, and comment for the record.

The moderator will go down the list of attendees in the order presented by the Zoom application. The attendee list is ordered so that phone numbers are first, followed by an alphabetical list of the screen names of attendees accessing Zoom through a computer, tablet, or smartphone. Anyone that speaks about an issue unrelated to the agenda items will be immediately muted.

**Providing Public Comment Before the Meeting:**

Members of the public can alternatively email their comment before the start of the meeting to [zoningboardcomments@salem.com](mailto:zoningboardcomments@salem.com).

**Familiarizing Yourself with Zoom:**

We encourage members of the public to install and familiarize themselves with Zoom in advance of the meeting.

If you plan on providing public comments and are logging into this meeting via the Zoom application, please test your speakers and microphone ahead of time. If we have trouble hearing you when you speak, we will move on to the next person and try to return to you later in the list. If this happens, we recommend that you call the toll-free number to access the meeting and provide your comment.

Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator as soon as possible and no less than two (2) business days before the meeting, program, or event.

The Zoom meeting will open 15 minutes before the start of the meeting to allow participants to connect and practice with the audio and raise hand functions.

## MEETING AGENDA

### I. ROLL CALL

### II. Zoning Board discussion and vote for new chair.

### III. CONTINUANCES

#### 1. **Location:** 45 Jefferson Avenue (I Zoning District)

**Applicant:** Boston Bud Runners LLC

**Description:** The petition of BOSTON BUD RUNNERS LLC at 45 JEFFERSON AVENUE (Map 25, Lot 653) (I Zoning District) for a Special Permit per Section 3.1.4 Table of Principal and Accessory Use Regulations, Section 9.4.2 Special Permit Criteria to operate a marijuana delivery business. In addition, a Variance from 5.1.5 Off-street parking- Design of the Salem Zoning Ordinance proposes aisle width of twenty (20) feet where twenty-four (24) feet is required.

### IV. REGULAR AGENDA

#### 2. **Location:** 52 Forrester Street (R2 Zoning District)

**Applicant:** Circle Hill Builders LLC

**Description:** The petition of CIRCLE HILL BUILDERS LLC at 52 FORRESTER STREET (Map 41, Lot 224) (R2 Zoning District) for a Special Permit per Section 3.3.5 Nonconforming Single- and two-family Residential Structures to alter and to enlarge a non-conforming single-family structure to a two-family structure. The petitioner proposes to remove the existing garage and to construct a second dwelling which is physically connected to the existing structure.

#### 3. **Location:** 301 Essex Street (B5 Zoning District)

**Applicant:** Jerry's LLC

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

**Description:** The petition of JERRY'S LLC at 301 ESSEX STREET (Map 26, Lot 458) (B5 Zoning District) for a Variance per Section *5.1.9 Off-street Parking – Central Development District* to reduce the parking spaces required to a one-to-one ratio. This would result in a total of twenty spaces- twelve would be on site and the remaining eight in an offsite facility. Further, the Applicant is requesting a variance from the requirement in Section 5.1.9(d) that the offsite spaces be located in a facility that is within 1,000 feet of the Property. The Applicant is proposing to purchase additional parking at the Museum Place parking garage which is approximately 1,200 feet from the Property.

**4. Location:** 152-156 Derby Street (B1 Zoning District)

**Applicant:** Demetra Karlis (a/Kounsalieh)

**Description:** A public hearing for all persons interested in the petition of DEMETRA KARLIS (A/KOUNSALIEH), TRUSTEE at 152-156 DERBY STREET (Map 35, Lot 348) (B1 Zoning District) for a Special Permit per Section *3.3.2 Nonconforming Uses* to delete condition #8 from the Board of Appeals decision dated December 30, 2013. Petitioner proposes to change present nonconforming use as a first-floor restaurant with 2 dwelling units above subject to a condition to lease off-street parking to the same use with no requirement to lease off-street parking.

**IV. APPROVAL OF MINUTES**  
Minutes from 11.15.2023

**V. OLD/NEW BUSINESS**

**VI. ADJOURNMENT**

This agenda is subject to change.

