



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 **March 20, 2024, at 6:30 p.m.**
via remote participation in accordance with Chapter 2 of the Acts of 2023

Nina Vyedin, 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=cTNITIFic2pKNWlOZnV3dW9yb1loUT09> 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.
- 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.

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. CONTINUANCES

1. **Location:** 98 Lafayette Street (B5 Zoning District)

Applicant: North Shore Community Development Coalition

Description: The petition of NORTH SHORE COMMUNITY DEVELOPMENT COALITION at 98 LAFAYETTE STREET (Map 34, Lot 413) (B5 Zoning District) for a Variance from Section *3.2.4.3 Accessory Buildings and Structures* of the Salem Zoning Ordinance to construct a 230 square foot accessory structure located at the rear of the property where the maximum allowed is 120 square feet.

2. **Location:** 28 Fairmount Street (R2 Zoning District)

Applicant: Fairmount Street, LLC

Description: The petition of 28 FAIRMOUNT STREET, LLC at 28 FAIRMOUNT STREET (Map 27, Lot 164) (R2 Zoning District) for a Special Permit per Section *3.3.5 Non-conforming Single- and Two-Family Structures* of the Salem Zoning Ordinance to request Board of Appeals approval for work of a previous owner which added two dormers to the 3rd floor and to alter the rear exterior stairs/deck.

III. REGULAR AGENDA

1. **Location:** 18 1/2 Pickman Street (R2 Zoning District)

Applicant: Steve Arias

Description: The petition of STEVE ARIAS at 18 1/2 PICKMAN STREET (Map 35, Lot 551) (R2 Zoning District) for a Special Permit per Section *3.3.5 Nonconforming Single- and Two-Family Structures* of the Salem Zoning Ordinance to expand the living area of their home to create a primary bedroom suite. Modifications and additions to the roof are sought. The ridge height of the new roof will match the height of the existing roof and the building height will remain unchanged.

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

Applicant: Demetra Karlis

Description: The petition of DEMETRA KARLIS (A/KOUNSALIEH), TRUSTEE at 152-156 DERBY STREET (Map 35, Lot 348) (B1 Zoning District) for a Variance from Section *5.1.8 Table of Required Parking Spaces* of the Salem Zoning Ordinance to remove the requirement in the December 30, 2013, Board of Appeals decision that the owner lease three (3) off-site parking spaces within a reasonable distance of the residential units. The petitioner proposes to change the 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.

3. Location: 5 Howard Street (R3 Zoning District)

Applicant: Tim Walsh

Description: The petition of TIM WALSH at 5 HOWARD STREET (Map 35, Lot 187) (R3 Zoning District) for a Special Permit per Section *3.3.5 Nonconforming Single- and Two-family Structures* of the Salem Zoning Ordinance to modify an existing non-conforming single-family structure by constructing an addition that consists of a covered porch and a new deck. The existing structure has non-conforming setbacks, specifically the side setback is 1'+/- where 20' is required and the front setback is 1'+/- where 15' is required. The proposed addition will be less non-conforming on the side setback as it will be 3 feet instead of one foot.

4. Location: 30 Northey Street (R2 Zoning District)

Applicant: Flora Tonthat

Description: The petition of FLORA TONTHAT at 30 NORTHEY STREET (Map 36, Lot 0020) (R2 Zoning District) for a Special Permit per Section *3.3.3 Nonconforming Structures* and Section *3.2.8 Affordable Accessory Dwelling Units* of the Salem Zoning Ordinance to construct an Accessory Dwelling Unit (ADU) in an existing 20' x 30'10" accessory building. In addition, a Variance from section *4.1.1 Dimensional Requirements* for side and rear setback requirements. The detached garage is nonconforming regarding side yard and rear yard setbacks at less than one foot. The proposed accessory dwelling is seven hundred and nine square feet (709) where nine hundred square feet (900) is allowed.

5. Location: 67 Essex Street (R2 Zoning District)

Applicant: Karen N. Jellow

Description: The petition of KAREN N. JELLOW, TRUSTEE at 67 ESSEX STREET (Map 35, Lot 359) (R2 Zoning District) for a Special Permit per Section *3.3.1 Applicability*, Section *3.3.3 Nonconforming Structures* and Section *3.3.4 Variance Required* of the Salem Zoning Ordinance to construct an addition and roof deck on top of the second-floor roof to improve the habitability of the existing living space on the third floor. This is a three-family home.

IV. APPROVAL OF MINUTES

Minutes from February 14, 2024

V. OLD/NEW BUSINESS

Vote on changing June ZBA meeting date

Vote on changing April ZBA meeting date

VI. ADJOURNMENT

This agenda is subject to change.