

City of Salem Board of Appeals
Meeting Minutes
Wednesday, February 15, 2017

A meeting of the Salem Board of Appeals (“Salem BOA”) was held on Wednesday, February 15, 2017 in the third floor conference room at 120 Washington Street, Salem, Massachusetts at 6:30 p.m.

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

ROLL CALL

Those present were: Mike Duffy, Jim Hacker (alternate), Jimmy Tsitsinos, Paul Viccica (alternate), and Tom Watkins. Those not present were: Rebecca Curran (Chair), Peter A. Copelas (Vice-Chair). Also in attendance Tom St. Pierre - Building Commissioner, Erin Schaeffer - Staff Planner, and Colleen Anderson – Recorder.

Motion and Vote: Mr. Viccica makes a motion to allow Mike Duffy to act as Chair for the February 15, 2017 meeting. The motion is seconded by Mr. Watkins. The vote was unanimous with five (5) in favor and none (0) opposed.

REGULAR AGENDA

THE APPLICANT FOR 99 MARGIN STREET HAS REQUESTED TO WITHDRAW

Project A public hearing for a petition of, seeking a Special Permit per *Sec. 3.1.2 Table of Principal and Accessory Use Regulations* of the Salem Zoning Ordinance, to allow the applicant to operate a metal storage, recycling, and transportation facility categorized as a junkyard.

Applicant **EXCEL RECYCLING/SALEM, LLC**
Location **99 MARGIN STREET (Map 24 Lot 120)(I Zoning District)**

Motion and Vote: Mr. Hacker makes a motion to accept the Applicants request to withdrawal their petition without prejudice. The motion is seconded by Mr. Watkins. The vote was unanimous with five (5) in favor and none (0) opposed.

THE APPLICANT HAS REQUESTED A CONTINUATION TO THE NEXT REGULARLY SCHEDULED MEETING ON MARCH 16, 2017

Project A petition seeking a Special Permit under *Sec. 3.3.5 Nonconforming Single and Two-Family Residential Structures* and *Sec. 4.1.2 Notes to the Table of Dimensional*

Requirements of the Salem Zoning Ordinance, to construct 14' wide and 16.6' deep roof deck.

Applicant **PETER LUTTS**
Location **24 WINTER STREET (Map 35 Lot 83) (R2 Zoning District)**

Motion and Vote: Mr. Viccica makes a motion to continue the public hearing to the next regularly scheduled meeting on March 15, 2017 with no evidence taken. The motion is seconded by Mr. Watkins. The vote was unanimous with five (5) in favor and none (0) opposed.

Project A public hearing for a petition seeking a Special Permit per 3.3.3 *Nonconforming Structures* of the Salem Zoning Ordinance to reconstruct, extend, or structurally change the existing historic carriage house at the property.

Applicant **THOMAS PELLETIER**
Location **138 NORTH STREET (Map 27 Lot 272)(R2 Zoning District)**

Documents and Exhibitions

- Application dated December 20, 2016 and supporting documentation

Thomas Pelletier of 182 Lowell Street, Peabody, was present to discuss the project. Pelletier stated that a year ago he received approval to restore a carriage house, however; the structure is too deteriorated to restore. Pelletier proposed to reconstruct the carriage house while saving as much of the original structure as possible; the east and west facades will be restored, the north will be rebuilt, and the south and roof will be new. The interior will be rebuilt with the same post and beam construction and any detail that cannot be salvaged will be milled and installed. Pelletier and his contractor determined that in order to put footings below the structure it will need to be moved 2 feet North and 1 foot East (more onto his property).

Ms. Schaeffer - read a letter from neighbor James Mears of 4 Dearborn Street. Mears stated that he is concerned with any damage to his property and driveway, wants Pelletier to be held responsible for repairing any potential damage, and a deadline for any repair work at both 38 North Street and 4 Dearborn Street to be completed. Pelletier replied that he has spoken with Mears and has agreed to repair any damage to Mears' property. The carriage house is currently 1 foot away from Mears' property line and moving it 2 feet further away will minimize any damage to his property.

Mr. Viccica - asked if the carriage house will have a basement. Pelletier replied no. Mr. Viccica - asked if when the project originally came before the Board if it did include a basement. Pelletier replied yes.

Acting Chair Duffy opens public comment.

Dean Gantz of 136 North Street, a direct abutter, is also concerned with potential damage to the driveway. Pelletier replied that 3 feet of space already exists and the additional foot of space should eliminate the potential for any property damage along that side.

Dan Bar of 136 North Street, a direct abutter, asked if any heavy equipment or scaffolding would need to be placed on their property that could cause any damage. Pelletier replied that no heavy equipment will be on their property but scaffolding would be used to install siding and paint, and that could take a couple weeks.

No one else in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Mr. St. Pierre asked if the project has been before the Historic Commission. Pelletier replied that he did originally and would need to go before them again.

Mr. Viccica - noted that a third party should have photographic documentation of the existing condition of all abutters properties on all side and should any damage occur, it shall be replaced in kind or better. All abutters should receive a copy of that documentation should a dispute occur.

Motion and Vote: Mr. Viccica makes a motion to approve the application for a Special Permit per 3.3.3 Nonconforming Structures of the Salem Zoning Ordinance to reconstruct, extend, or structurally change the existing historic carriage house at the property with the following conditions; 1) a second review by the Historic Commission and 2) a third party shall provide photographic documentation of the existing conditions of all abutters properties prior to the start of the work and any damage shall be replaced in kind or better. The motion is seconded by Mr. Watkins. The vote was unanimous with five (5) in favor and none (0) opposed.



Project	A public hearing for a petition, seeking a Special Permit per 3.3.5 Nonconforming Single and Two-Family Residential Structures of the Salem Zoning Ordinance to reconstruct, extend, or structurally change the existing structure to add a 10' x 9' dormer.
Applicant	GAIL WHITNEY
Location	4 MOUNT VERNON STREET (Map 25, Lot 255)(R2 Zoning District)

Documents and Exhibitions

- Application dated January 20, 2017 and supporting documentation

Gail Whitney of 4 Mount Vernon Street, was present to discuss the project. Whitney stated that she would like to install a dormer on the south-west side of her home to expand the second floor.

Acting Chair Duffy – noted that in the statement of ground the new dormer will match an existing dormer on the front side of the house.

Mr. Viccica – asked if this structure is a two-family and if the attic is currently occupied. Whitney replied that the structure is an existing two-family; the First floor is one unit and the Second Floor and Third (attic) make-up the other unit (her unit). The attic is currently used for storage but will become her bedroom.

Acting Chair Duffy opens public comment.

Daryl Bennett of 2 ½ Mount Vernon Street requested to see an image of the proposed dormer.

No one else in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Mr. Viccica – asked if the entire third floor would be the bedroom and if a bathroom would be added to the third floor. Whitney replied yes. Mr. St. Pierre noted that the addition of a new bathroom would require no action from this Board.

Motion and Vote: Mr. Watkins makes a motion to approve the application for a Special Permit per 3.3.5 Nonconforming Single and Two-Family Residential Structures of the Salem Zoning Ordinance to reconstruct, extend, or structurally change the existing structure to add a 10' x 9' x 9'deep dormer. The motion is seconded by Mr. Viccica. The vote was unanimous with five (5) in favor and none (0) opposed.



Project A public hearing for a petition seeking a Special Permit per 3.3.5 Nonconforming Single and Two-Family Residential Structures of the Salem Zoning Ordinance to reconstruct, extend, or structurally change the existing structure and a Variance per Sec. 5.1.8 Table of Required Parking Spaces to allow parking within five (5') feet of the street line.

Applicant **LEE DEARBORN**

Location **32 BUFFUM STREET (Map 25, Lot 255)(R2 Zoning District)**

Documents and Exhibitions

- Application dated January 24, 2017 and supporting documentation

Lee Dearborn of 32 Buffum Street, was present to discuss the project. Dearborn stated that he would like to add an existing non-conforming addition to the North and East sides of the structure. The proposed addition would turn the top and bottom units into two side-by-side 2 ½ story townhomes, one towards the front and one towards the rear. Dearborn is also seeking a variance to place parking in the front setback. The two tandem parking spaces would remain and the proposed design would extend it towards the rear unit. The existing curb cut on the right side of the home will not be used as he intends to preserve that façade to maintain the look of the neighborhood and keep the yard intact.

Acting Chair Duffy opens public comment.

Mike Becker of 38 Buffum Street requested to see an image of the proposed design.

Emily Udy of 8 Buffum Street requested to see an image of the proposed design.

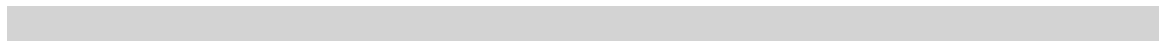
No one else in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Mr. Watkins – stated that the hardship for the variance should be addressed. Acting Chair Duffy – noted that the Applicant stated that maintaining the side yard and the look of the façade were the reasons listed in the statement of hardship. Adding driveway in front and blocking the view of that façade with vehicles would be a detriment. Mr. Viccica – agreed and noted that historic pieces of land in the City should be maintained. Acting Chair Duffy – added that granting the variance would be to the advancement of the public good.

Mr. Watkins – asked if the tree would be removed. Dearborn replied yes. Ms. Schaeffer – noted that the tree to be removed is on Dearborn’s property and is not a shade tree along the street.

Motion and Vote: Mr. Viccica makes a motion to approve the application for a Special Permit per 3.3.5 Nonconforming Single and Two-Family Residential Structures of the Salem Zoning Ordinance to reconstruct, extend, or structurally change the existing structure and a Variance per Sec. 5.1.8 Table of Required Parking Spaces to allow parking within five (5') feet of the street line. The motion is seconded by Mr. Tsitsinos. The vote was unanimous with five (5) in favor and none (0) opposed.



Project A public hearing for all persons interested in the petition of seeking a modification/amendment of the Board of Appeal Decision dated April 4, 2014 to modify Special Condition #8 to allow for operation on Sunday between the hours of 9am-7pm.

Applicant **ALTERNATIVE THERAPIES GROUP, INC.**
Location **50 GROVE STREET (Map 16 Lot 238)(BPD/ECOD)**

Documents and Exhibitions

- Application dated January 24, 2017 and supporting documentation

Attorney George Atkins of 65 Congress Street, represents the applicant and introduces the Executive Director Chris Edwards. Atty. Atkins stated that this petition is a request for a modification to decision made at an April 4, 2014. Condition #8 describes the days of the week and hours of operation. Their request is to add Sunday as a day of operation during the same business hours – 9AM to 7PM.

Ms. Schaeffer read a letter from Salem Police Chief Mary Butler stating that she is in support of the modification.

Atty. Atkins noted that ATG is the first marijuana dispensary in the State and has had to comply with many regulations and have had to continue to comply. The City has renegotiated the Community Benefits Agreement with ATG where in ATG must make a significant payment to the City based on a percentage of their sales for the year and the City has increased that amount in the renegotiation if Sundays is allowed, which will benefit the City.

Acting Chair Duffy - asked if the Moose Lodge hours or operation would have a negative impact on the available parking. Edwards replied that other tenants in the building who do not operate on the weekend so there is ample parking, especially on Sunday, and if the Moose Lodge did have a Sunday event ATG has and would continue to make the necessary adjustments.

Mr. Viccica – asked if the ATG ever has events. Edwards replied no.

Acting Chair Duffy opens public comment.

No one in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Motion and Vote: Mr. Watkins makes a motion to approve the petition of seeking a modification of the Board of Appeal Decision dated April 4, 2014 to modify Special

Condition #8 to allow for operation on Sunday between the hours of 9AM-7PM, and leaving all other previous conditions shall remain in place. The motion is seconded by Mr. Tsitsinos. The vote was unanimous with five (5) in favor and none (0) opposed.



Project A public hearing for a petition seeking a Special Permit under *Sec. 3.3.2 Nonconforming Uses* and *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to extend a non-conforming residential use and structure; The petitioner is also requesting Variances per *Sec. 4.1.1 Table of Dimensional Requirements* for relief from minimum lot area per dwelling unit; *Sec. 8.4.8 Mechanical Equipment and Refuse Storage* to allow mechanical equipment within front yard or within twenty five (25) feet of the side yard lot line; *8.4.13 Transitional Overlay District* of the NRCC to allow less than the required fifty foot (50') buffer, to exceed the maximum building height (feet and stories), and to exceed the maximum fence height adjacent to non-residential uses.

Applicant **JUNIPER POINT 9 SOUTH MASON STREET LLC**
Location **9 SOUTH MASON STREET, 3A BUFFUM STREET
EXTENSION, and 23 MASON STREET also including 23 ½ and
23R MASON STREET (Map 26 Lots 73, 74, 79) (NRCC and I
Zoning Districts)**

* There is the appearance of a conflict of interest and Mr. Tsitsinos will recuse himself for the petition of Juniper Point 9 South Mason Street LLC

Documents and Exhibitions

- Application dated January 24, 2017 and supporting documentation

Attorney Joseph Correnti, 63 Federal Street, represents the applicant

Other presenters include:

- Bob Griffin, Civil and Site Engineer

Atty. Correnti stated that the site comprises 3 different properties. 29 Units are proposed: 17 existing and 12 new. In the past year, two successful neighborhood meetings were held; one at Mack Park Neighborhood Association and another at the Salvation Army Hall for more direct abutters. Presentations have also been made to the Planning Board, Design Review Board, Site Plan Review, and two Peer Reviews were conducted (Traffic and Civil.) The site is zoned Industrial, North River Canal Corridor (NRCC), Transitional Overlay District

(which required special permit and variance relief), and Floor Hazard Overlay District. A presentation to the Conservation Commission is needed as well as a Chapter 91 license because of the fill tidelands.

Atty. Correnti stated that 4 condominium buildings are proposed, 2 rehabbed structures and 2 new. 3 of the structures will be 2 ½ story townhomes along the perimeter of the site and the fourth is a centrally located bunker style building. 2 special permits and 6 variances are being requested.

Griffin stated that the site incorporates and is surrounded by industrial, commercial, and residential buildings. An existing 3 family structure at 3A Buffum Street will be modified to create one of the new structures. The proposal is to have the Planning Board approve separate the northern residences from the southern parcel. A few thousand square feet behind the 3A Buffum Street residence will be incorporated into the southern site as landscaping. The central structure has an existing basement, first, and second floor, and the first floor is raised and accessed with an existing stair that will be demolished. Several underground storage tanks have failed and the soil/fill was contaminated, however; remediation on that area of the site began in 2016 and is ongoing under a Licensed Site Professional (LSP.) Griffin noted that there is a 50 foot TOD buffer setback from the property line that has triggered some of the variances, and the Chapter 91 license because the structures south of the site were infilled to create Commercial Street.

Griffin stated that Building #3 is the existing 3A Buffum Street three-family that is being renovated and expanded to house 7 units. Its foundation is higher because of its existing foundation height. The centrally located building #1 is concrete building will have stairwells added to the front and rear as well as new porches for the units. Griffin noted that new building #2 will house 6 units and new L-shaped building #4 will house 6 units. Suspended canopies above the new porches, storefront style entrances, and a new third floor with a flat roof will be added, and the structure will house 10 units, including several affordable units. The raised floor at Building #2 is also higher so the first floor is a couple feet above the 100 year flood elevation of 10 feet. Flood openings will be created in the crawlspaces below Building #2 to allow any potential flood waters to enter and recede on their own. Traffic will enter and exit from Buffum street and there will be a 1-way loop around the concrete building. The industrial look of the concrete building will remain and not resemble the new townhouses, per the DRB's request. Pathways above the 100 year flood elevation of 10 will be created from each building to East Mason Street in the event of a flood.

Griffin stated that the Design Review Board paid significant attention to the landscaping and the Landscape Architect included plantings and deciduous trees, screenings between the decks and perimeter of the site/lawn for a residential feel.

Atty. Correnti noted that in terms of the fence height request, the NRCC and TOD allow a 4 foot fence height when abutting a residential use and the Planning Board granted a Special Permit to allow a fence up to 10 feet high in the TOD & NRCC. The neighboring parcels are of varying uses and a Variance to go over the NRCC maximum fence height and to maintain a continuous 8 foot fence height is being sought and the hardship is proposing to

keep the perimeter fence height consistent. St. Pierre noted that 6 feet is the standard residential fence height.

6 Zoning Requests

1. Extension of a non-conforming use at 3A Buffum Street through a Special Permit
2. 50 foot TOD setback from 9 South Mason Street
3. Lot area per dwelling unit: *(22 units at 46,000 square feet = 2,000+ square feet per dwelling unit when 3,500 square feet is required)*
4. Building height increase: *(40 feet is required in a TOD buffer zone and 50 feet is required in the NRCC. 46 feet is the highest proposed height of Building #1)* The TOD maximum number of stories is 3 and the NRCC is 4 if it is not in the TOD. *(Building #1 has three stories of living space and the Basement counts as a story because it is more than 50% above grade)*
5. Mechanical equipment in the front yard and within 25 feet of the side yard *(The electrical transformer which is in an industrial zone and will be located near the entrance, near the electrical source, and above the flood elevation, but does not require relief.)* The perimeter townhouses will also have individual HVAC units concealed underneath the rear decks in the side yards with lattice.
6. Fence height increase: Neighboring non-residential use parcels

Acting Chair Duffy – asked for clarification on the lot area per dwelling unit. Atty. Correnti replied that 3,500 square feet per dwelling unit would equal 12 units is not economically feasible with a proposed residential use, site remediation from the previous industrial use, topography in relation to flood zones, the need for a Ch. 91 license, and a zoning line running through the site that is land locked with minimum required frontage. Care was taken to not have the proposed design overpopulate the site.

Mr. Watkins – asked if rooftop units will be placed on top of Building #1. Griffin replied yes, but they will be set back away from the edge of the roof. St. Pierre added that larger units need to be raised up above the roof but multiple smaller units can be set back from the roof edge for esthetic reasons and units in front and side yards must be screened from public ways, parking, and open space areas.

Mr. Viccica – asked if the 3A Buffum Street building would be torn down or rehabbed. Griffin replied that the foundation would be saved, the siding, bays, and porch would be removed, new openings would be created for doors and windows, and a foundation and structure would be added in the direction of the water.

Acting Chair Duffy opens public comment.

Mike Becker of 38 Buffum Street. Is in favor of removing the dilapidated industrial site with contaminated soil, is in favor of the new development, and believes it would make a nice addition to the neighborhood.

Emily Udy of 8 Buffum Street and Historic Salem representative. Believes the development respects the intent of the NRCC, it will expand and integrate the look and feel of the neighborhood with its design.

Mark Suel 18-20 Mason Street. Is in favor of the development, they have been cleaning up the contaminated site, adding new greenspace, will provide more home ownership to the area and not apartments, and there will be no impact to the street since parking will be contained to the site.

No one else in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Acting Chair Duffy – stated that is a unique property with a unique building being remodeled.

Motion and Vote: Mr. Watkins makes a motion to approve the petition for a Special Permit under *Sec. 3.3.2 Nonconforming Uses* and *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to extend a non-conforming residential use and structure; The petitioner is also requesting Variances per *Sec. 4.1.1 Table of Dimensional Requirements* for relief from minimum lot area per dwelling unit; *Sec. 8.4.8 Mechanical Equipment and Refuse Storage* to allow mechanical equipment within front yard or within twenty five (25) feet of the side yard lot line; *8.4.13 Transitional Overlay District* of the NRCC to allow less than the required fifty foot (50') buffer, to exceed the maximum building height (feet and stories), and to exceed the maximum fence height adjacent to non-residential uses. The motion is seconded by Mr. Hacker. The vote was unanimous with five (4) in favor and none (0) opposed.



Project	A public hearing for a petition seeking a Special Permit under <i>Sec. 3.3.2 Nonconforming Uses</i> of the Salem Zoning Ordinance, to change a non-conforming use from a landscape and painting business office and storage to a glass manufacturer office, warehouse, and product photography studio.
Applicant	DEREK ARNOLD d/b/a WITCH DR
Location	64-70 WARD STREET (Map 34 Lot 346 347)(R3 Zoning District)

Documents and Exhibitions

- Application dated January 24, 2017 and supporting documentation

Attorney George Atkins, 65 Congress Street, represents the applicants; Derek & John Arnold. Their existing business is located at 109 Lafayette Street in Salem, where they manufacturing (glass-blowing) glass smoking and vaporizing products. Their properties are located at 64 Ward Street, a building, and 70 Ward Street, a parking lot. Their special permit request is to change one non-conforming use to another non-conforming use in an R3 zone. The building department records were examined and the granting of a change in non-conforming use by the ZBA has been granted in the past. The retail area would remain located at 109 Lafayette and this new location would be used as additional manufacturing space, warehouse, office, showroom, and a photography studio.

Atty. Atkins noted that the requirement under the ordinance requires; 1 space per any company vehicles, 1 space per every 2 employees, and 1 space per 1,000 square foot of non-storage space. 3 full-time employees will be located at this site, there is approximately 1,500 square feet of non-storage space, and there company van will require a space equally 5 total required spaces, and the plot plan indicated that the site has 9 existing space to cover that requirement. This additional off-street parking and the less-intensive use of non-retail will also help relieve neighborhood parking concerns.

Schaeffer – read an e-mail from Mickey Northcutt of the Northshore CDC stating that Witch Dr. has been an excellent neighbor and addition to the neighborhood, are happy to hear of their additional investment which would further enhance in the Point neighborhood. Witch Dr. has been excellent neighbors, model small business owners, and generous in the community through volunteer work and donations.

Atty. Atkins stated that there will be no change in the structure or utilities, and the economic benefit would allow a growing business to remain and expand in Salem. Mr. Viccica – asked how the glass blowing pieces were manufactured. Atty. Atkins replied that the process uses gas and an oxygen generating machine where only heat gets vented out of the building and their 109 Lafayette Street location has had no incidents. Arnold added that there are filters within the system that clean the air before it is vented up through the roof.

Mr. Tsitsinos – asked about the hours of operation. Arnold replied that the hours would be between 6AM to 4PM.

Acting Chair Duffy opens public comment.

No one in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Motion and Vote: Mr. Viccica makes a motion to approve the petition for Special Permit under *Sec. 3.3.2 Nonconforming Uses* of the Salem Zoning Ordinance, to change a non-conforming use from a landscape and painting business office and storage to a glass manufacturer office, warehouse, and product photography studio. The city ordinance will set the hours of operation. The motion is seconded by Mr. Watkins. The vote was unanimous with five (5) in favor and none (0) opposed.

Project	A public hearing for a petition seeking a Special Permit per Sec. 3.3.2.1 Nonconforming Uses and Sec. 3.3.3.1 Nonconforming Structures to accommodate a new Emergency Department and Inpatient Beds
Applicant	NORTHSHORE MEDICAL CENTER INC.
Location	81 Highland Avenue (Map 24, Lot 1); 108 Jefferson Avenue (Map 24, Lot 88); Old Road (Map 24, Lot 19); 1 Dove Avenue (Map 24, Lots 216 and 218); 79 Highland Avenue (Map 14, Lot 129); 55 Highland Avenue (Map 24, Lot 220); and 57 Highland Avenue (Map 24, Lot 2) (R-1 Zoning District)

Documents and Exhibitions

- Application dated January 24, 2017 and supporting documentation

Attorney Joseph Correnti, 63 Federal Street, represents the applicant

Other presenters include:

- Shelly Bisegna, Director of Real Estate and Project Management
- Justin Mosca, Project Engineer from VHB

Atty. Correnti stated that the proposed addition to the former Shaughnessy-Kaplan Building will house the new Emergency Department and the entire site is zoned R1 which requires approval from the ZBA. Two special permits are being requested, extension of a non-conforming use (hospital use) and extension of a non-conforming structure (new addition).

Bisegna stated that the former Shaughnessy-Kaplan Building will be rehabbed and the addition will be in the crook of the L-shaped structure. Some utility relocation and demolition is in process. A new 26 foot wide two-way access road off of the existing Jefferson Avenue entrance will connect to the new ER and will continue to Dove Avenue. The new route will be for ambulances and first responders only, so it will have minimal traffic. A 10 foot wide buffer for trees and landscaping will be placed between the new route and the edge of the neighboring Bertram Field. An employee shuttle drop-off, ambulance bay and entrance will be placed at the perimeter of the addition. This project is part of the consolidation of Union Hospital in Lynn but there will be no expansion of services, these services already exist on the Salem Campus. This \$200M project should be completed and open in late 2019.

Mr. Viccica – asked if a road leading from Jefferson Avenue to Dove Avenue currently exists, because it could be used as a cut-through for vehicular traffic, and its future use should be watched closely. Bisegna replied yes, on the opposite side of the campus. Use of that road will not be promoted because; there is no room for sidewalks, the additional traffic flow would disrupt their residential neighbors, it would be a longer route for first responders,

and that side is busy with the loading dock, Birth Place patients, and employees entering the building from the rear parking lot. This new access road will not be seen by the residential neighbors.

Atty. Correnti stated this project has undergone a review by the Planning Board - Site Plan Review, Conservation Commission, The City of Salem and the State of Massachusetts. There has been cooperation at all levels and special attention has been paid to ensure that any new construction does not disturb the neighboring wetlands. A 300 square foot triangular at the edge of Bertram Field was used to create the new access road. Salem dedicated Bertram Field dedicated parkland 7 years ago and legislature needed to be passed and signed by Governor Baker in order to exchange this portion of land and allow for the placement of this new access road. A Community Benefits Agreement was signed by the City of Salem and the Northshore Medical Center to provide new support for City infrastructure and programs.

Acting Chair Duffy opens public comment.

No one in the assembly wished to speak.

Acting Chair Duffy closes public comment.

Motion and Vote: Mr. Watkins makes a motion to approve the petition for a Special Permit per Sec. 3.3.2.1 Nonconforming Uses and Sec. 3.3.3.1 Nonconforming Structures to accommodate a new Emergency Department and Inpatient Beds. The motion is seconded by Mr. Viccica. The vote was unanimous with five (5) in favor and none (0) opposed.

APPROVAL OF MEETING MINUTES

Motion and Vote: Mr. Watkins makes a motion to approve the December 21, 2016 minutes. Seconded by Mr. Tsitsinos. The vote was unanimous with five (5) in favor and none (0) opposed.

OLD/NEW BUSINESS

ADJOURNMENT

Motion and Vote: Mr. Viccica made a motion to adjourn the February 15, 2017 regular meeting of the Salem Board of Appeals, seconded by Mr. Watkins, and the vote was unanimous with five (5) in favor and none (0) opposed.

The meeting ends at 9:00 PM.

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:
http://saalem.com/Pages/SalemMA_ZoningAppealsMin/

Respectfully submitted,
Erin Schaeffer, Staff Planner