

## City of Salem Board of Appeals

### Meeting Minutes

Wednesday, August 16, 2017

A meeting of the Salem Board of Appeals (“Salem BOA”) was held on Wednesday, August 16, 2017 in the third floor conference room at 120 Washington Street, Salem, Massachusetts at 6:30 p.m.

**Chair Curran calls the meeting to order at 6:30 pm.**

#### **ROLL CALL**

Those present were: Chair Rebecca Curran, Peter Copelas, Mike Duffy, James Hacker (Alternate), Jimmy Tsitsinos, Paul Viccica, Tom Watkins. Those not present were: None. Also in attendance: Tom St. Pierre - Building Commissioner, Erin Schaeffer - Staff Planner, and Colleen Brewster – Recorder.

#### **REGULAR AGENDA**

**\*THE APPLICANT HAS REQUESTED A CONTINUATION TO THE NEXT REGULARLY SCHEDULED MEETING ON SEPTEMBER 20, 2017\***

Project	A continuation of a public hearing for a petition requesting a Special Permit per <i>Sec. 3.1 Principal Uses</i> , to allow an indoor commercial recreational use including puzzle room and virtual reality experiences. The petitioner is also requires Variances for relief from <i>Sec. 3.3.4 Variance Required</i> to allow less than the required setbacks and <i>Sec. 5.1.8 Table of Required Parking Spaces</i> to allow less than the required number of parking spaces.
Applicant	<b>ALEXIS ABARE</b>
Location	<b>1 JEFFERSON AVE (Map 25 Lot 649)(I Zoning District)</b>

**Motion and Vote: Mr. Duffy makes a motion to accept the Applicants request for a continuation to the September 20, 2017 regularly scheduled meeting. The motion is seconded by Mr. Watkins. The vote was unanimous with seven (7) in favor and none (0) opposed.**

Project	A continuation of a public hearing for a petition requesting a Comprehensive Permit pursuant to M.G.L. Chapter 40B, Section 20-23 to construction multi-family housing. The Board will discuss the following: <ul style="list-style-type: none"><li>• Civil and Traffic Peer Review Responses</li><li>• Discussion and respond to ZBA comments from the June 28, 2017 meeting</li><li>• Review and Discussion on Board and Commission comments</li></ul>
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Applicant      **NORTH SHORE COMMUNITY DEVELOPMENT CORP.**  
Location      **34 PEABODY STREET, 47 LEAVITT STREET, AND 39  
PALMER STREET (Map 43 Lots 384, 136, 155)**

Atty. Scott Grover of Tinti, Quinn, Grover & Frey, 27 Congress Street, Suite 414, Salem, MA 01970, was present to discuss the project and represent North Shore Community Development Corp.

Atty. Grover noted that the issues raised at the last meeting have been resolved and will be addressed. A letter submitted by the Historic Commission made two recommendations. 1- Waive the demolition delay permit at 47 Leavitt Street. His client would agree to it to allow sufficient time to document historically significant elements of the building. The Salem Historic Commission also recommended that the Zoning Board of Appeals delay a decision on the Comprehensive Permit until the Massachusetts Historic Commission review the project. The Salem Zoning Board of Appeals 40B process cannot be delayed or contingent upon the state review process of the project. The applicant will be subject to all state standards and will comply with all applicable review.

Chair Curran - replied that the Board would not delay in making a decision and will continue to follow the rules and procedures of the 40B process.

#### Peer Review Response – Development Concerns

David Valecillos (project manager) of North Shore CDC; Michelle Apigian (architect) of ICON Architecture was present to a general overview of the peer review comments.

David Valecillos presented responses to the City's traffic peer reviewer's comments:

1. 34 Peabody Street: The NSCDC is proposing a small community room space will be used in conjunction with events and public programming at Peabody Street Park.
2. 47 Leavitt Street: The NSCDC is proposing a commercial retail space that will serve as a neighborhood scale retail store. The NSCDC will not be using the space for a restaurant or bank. These commercial retail uses (bank and restaurant) have the most intensive parking demand. The NSCDC is looking to support a commercial retail store that is pedestrian friendly and fits with the existing neighborhood.
3. Trash collection: No trucks will drive onto 34 Peabody Street or 47 Leavitt Street. Trash will be rolled out and placed on the street for private trash collection 2-3 times per week, as needed. At 47 Leavitt Street trash compactors will be used.
4. Parking strategy and management: All lots will be gated with key fobs to provide access. Parking spaces can be assigned dependent upon the size of the cars.
5. Parking numbers: Numbers were determined through a census, 85% of residents in The Point have either 0 or 1 car. The neighborhood promotes walkability.

<u>The Point</u>	<u>Downtown Salem</u>	<u>City of Salem</u>	
Population:	2,721	6,559	42,999
Density:	24,861	11,662	5,133

The North Shore CDC surveyed over 200 of the 250 units they own in The Point and the ratio results were .87 less, than 1 car per household.

The North Shore CDC is committed to Historic Preservation in The point. They paid over \$40,000 in consultants services spent to designate the point as a National Historic District. In 2015, NSCDC rehabilitated 11 buildings and 77 units using over \$3M of historic tax credits. In 2017, NSCDC rehabilitated 8 buildings and 64 units using over \$5 million of historic tax credits.

Ms. Schaeffer noted that the 34 Peabody Street building is a contributing property in the historic district.

### **Peer Review Response – Development Concerns**

Summary of response by Architect Michelle Apigian of Icon Architecture

1. The parking dimensions and layouts have been updated
2. The scope of the structural wall at 34 Peabody has been defined
3. The shadow study for 47 Leavitt street has been completed
4. The facades at 34 Peabody and Ward Street has been updated to be more pedestrian friendly
5. Resilient design elements to be used in a Flood hazard overlay district

The living spaces start on the second floor, the first floor is parking or commercial spaces and the lower level interiors will be designed with the anticipation that they will flood. The materials will be chosen for their ability to dry out and promote long term durability. The mechanical spaces are all elevated. Passive house level design will be utilized for resiliency and residents will be able to shelter in place during floods. The CDC has plans in place to communicate with residents, bring them water, etc. during times of flood.

### **37 Leavitt Street Parking:**

Ratio in CDC portfolio is currently under .9 but a parking ratio of 1-1 was their goal.

**Option 1:** Maintain 1-1 but introduce compact spaces and ensure that structural elements and existing wall are outside of those spaces. Visibility will be good with Leavitt Street open and Naumkeag Street screened. A meeting with Stantec took place to think through vehicle maneuvering. The driving aisle was increased from 20 to 22 feet wide on both sites and the average size for cars was used to demonstrate a 1 to 1 ratio. The balance of parking is off site.

**9 compact + 7 standard + 2 barrier free = 18 total.**

**Option 2:** Corner space at street was trickier to navigate. After dropping a couple spaces on each site frees up some space that is compact in depth but wider for maneuvering room.

**0 compact spaces + 14 standard spaces + 2 barrier free = 16 total**

### **38 Palmer Street Parking:**

9 foot wide spaces were used, although 8.5 feet wide would be more consistent and could allow one more parking spot. There should be no plantings or fences that vehicles to back up into.

### **34 Peabody Street Parking:**

**Option1:** 22 foot drive aisle width, 8.5 foot wide spaces, 1 to 1 ratio, corner spaces are tricky but maneuverable due to restrictions by retaining walls and parking lot width.

**15 compact spaces + 4 standard spaces + 2 barrier free = 21 total**

#### **Option 2:**

Eliminating 2 spaces increases on site maneuverability and the equal width parking spaces.

**0 compact + 17 standard + 2 barrier free = 19 total**

**Retaining wall:** The structural engineer is proposing to keep the wall and its foundation, cut off top 2-3 feet, and set the structure next to the wall but cantilever the steel over it without touching it maintaining a 2" gap. Ms. Schaeffer – asked if it will it still be visible and access for any repairs and if the top of it comes up to the sidewalk. Ms. Apigian replied yes, it will become the back wall of the parking garage, the wall comes up to the plane and some of it is part of the city sidewalk. The top of the wall comes to the top plane of the sidewalk and is a part of the sidewalk. Mr. Viccica – asked who owns the wall. Ms. Apigian replied that is on both city and their property.

### **Shadow Study:**

Ms. Apigian stated that the shadow study was presented showing proposed shadows from March 21<sup>st</sup> - December 21<sup>st</sup>.

**Elevations:** Ms. Apigian noted that the Peabody Street façade will be in contact with neighboring buildings and there will be an impact on the view to street beyond. Other buildings are 4 to 4 1/2 stories and this building will be slightly taller. The second level is set by Ward Street elevation at grade. Ward Street buildings are mostly 3 stories, this building will be 4 but the height per story will be less. The Peabody Street façade will have a high first level at the garage and Community space.

**Color:** Ms. Apigian stated that the Gateway building and Lighthouse will become a beacon and highly visible from downtown Salem to encourage engagement with the Point. Other neighborhood buildings are lighter in color but the lighthouse will not be masonry. The vertical facade coloration on Peabody Street will match the continuous facades of neighboring buildings. The continuous color will pull the two commercial spaces together and to and the recessed entrance will to break up the facade with a modest shared canopy at a lower pedestrian friendly level. Stepped windows were added at the mid-section of the main staircase from the residential to add light and articulate that upward movement. They are proposing to maintain existing trees on the street. The materials have not changed, they are still propping a resin based panel cladding for durability and can be installed at grade in a lighter and darker colors with a wood pattern.

**Ward Street elevation:** Ms. Apigian stated that the masonry facade has been changed so that the same material will be around to the Ward street side but with accents in a patinaed copper color.

Bays were added to highlight the townhouses for vertical continuity. The overhangs/shading elements over the window are being designed to provide south shading and a variance will be required for elements hanging over the City sidewalks. Mr. Watkins – asked if A/C would be provided. Ms. Apigian replied that A/C has not been planned but they will use a high efficiency building envelop, high efficiency heat pump systems and cross ventilation will help maintain the temperatures. Mr. Viccica – The windows that are proposed will not accommodate A/C units. With climate change it is critical to provide operable windows and accommodation for A/C units. The cost of the project should not come before the comfort of the future tenants. Ms. Apigian stated that the intention is to provide a heat pump system in the building. However, if this is not possible, NSCDC needs to provide air conditioning.

Apigian replied that the windows will be operable if A/C is not provided, although Ward Street is not as exposed at Leavitt Street. The current windows are tilt and turn windows, and a small opening for an A/C unit could be included. Child safety and other issues will be determined and designed into the window openings.

### **Civil Engineering Peer Review Response**

Steven Ventresca, PE of Nitch Engineering was present to discuss the Civil Engineering Peer Review concerns.

1. Test Pits: All three sites were tested in July to determine if they had adequate separation from ground water to the bottom of the test pits. All three sites had a separation of more than 2 feet. Estimated seasonal high groundwater was not observed.
2. Sever flows: They were calculated and a peaking factor of 5 was added. Based on the flows for the two sites with buildings the pipes were found to have adequate capacity for the anticipated flows.
3. Proposed grading: The new grades were revised and will match the existing grades.
4. O&M Plan was revised to include the regular cleaning of the drainage systems.

Outstanding items:

1. Doing CCTV for the sewer and drain lines in the streets they are connecting to. North Shore CDC will provide that information.
2. Plumbing Plans: They are not at that stage of design but those plans will be provided to the Engineering Department for review prior to construction – could be conditional.
3. Retaining walls: A stamped engineering plan could also be provided to the Engineering Department prior to construction – could be conditional.

### **Civil Engineering Peer Review**

Bill Ross, P.E of New England Civil Engineering Corp. was present to discuss his Civil Engineering Peer Review concerns.

1. Existing abandoned utilities & water service: They will trace the lines to the street and work with the city engineering department to cut and cap this week.

2. The retaining wall. Initial concerns were whether the wall could support the building, and now that it no longer will, there are concerns regarding whether it can withstand construction. The Geotechnical Engineer will be able to provide additional info on the wall prior to construction. Mr. Viccica – stated that its condition should be monitored. Ms. Schaeffer – noted that documentation will provide.

### **Traffic Safety and Impact Peer Review Response**

Jeff Parenti of Nitch Engineering was present to discuss the Traffic Peer Review concerns.

Sight lines for vehicles exiting the parking areas. The first consideration is for an open line of sight along the sidewalk/abutting the building and along street is the concern to prevent collisions with pedestrians and with other vehicles.

#### **47 Leavitt Street:**

For an interaction with a vehicle and a pedestrian; a 20 foot sight distance is preferred so the pedestrian can see the exiting vehicle, and the driver would be approximately 6 feet away from the front of the car. The end bays along the sidewalk are open and allows for visibility. The same design occurs at both exits.

#### **38 Palmer Street:**

The surface lot also has a 20 foot sight line and is open on both sides.

#### **34 Peabody Street:**

There is a solid wall on left side but car will exit on right side of driveway to give a 20 foot clearance. On the right side the corner of building is in the line of sight. An audible alert (sound and light) will activate to alert pedestrians, and the sounds are adjustable for day and night. Ms. Schaeffer – stated that in Boston the preference is for cars but not pedestrians and asked what will make vehicles stop. Watkins – suggested that a speed bump at exit at all to force the vehicle to stop. Apigian noted that the garage door opening and closing will make pedestrians stop and wait. Mr. Copelas – suggested that the enter and exit lanes be delineate with a stripe. Mr. Parenti replied that one could be added.

The second consideration is for the interaction with vehicle on roadway. The sight line varies depending up where the vehicles parked car on the street, and on both sides of the exit, and what kind of vehicle it is. After a pedestrian has passed a driver will pull the vehicle out as far as they can to see if another vehicle is coming. There are clear sightlines to nearest intersections because there are no hills or curves. With the exception of 34 Peabody Street, the sightlines are adequate and he is comfortable with all three sites

### **Reply to the Traffic Peer Review Response**

Gary Hebert, PE of Stantec was present to discuss the reply to the Traffic Peer Review response.

Regarding sightlines at 34 Peabody Street: Mr. Herbert stated that there is parking at both sides of the street and being a one way street. The audible sound from the garage door is good idea but shouldn't be a disturbance to the neighborhood. Mr. Hebert suggested adding a 6 foot bump out to the 7 foot wide sidewalk to create a 13 foot distance at the garage entrance to provide an adequate sightline for an exiting vehicle, and a bump out on the right side could match it. No parking space should be that close to the garage entrance and a crosswalk could be aligned with it to connect to the park across the street. Keep the Peabody Street will to no less than 18 feet wide for plowing, but with a 25 mph speed limit and 13 foot clearance is best for a clear sightline.

Mr. Hebert noted that either options for parking lots are good but the smaller spaces will provide more parking for the neighborhood.

### **Construction Management Plan Response**

Mr. Vallecious noted that the construction management plan is attached to the obligation statement and the sidewalks will be closed during construction but there will be no long term street closures. The 1,529 SF at the commercial space is split into two. Mr. Herbert noted that he would like to have seen an envelope plan showing the location of construction vehicles. The 8.5 foot spaces would be more consistent but compact spaces would provide 3 additional off-street parking space. Mr. Copelas – noted that if compact spaces could make the garages tighter tenants wouldn't want to park there so standard spaces would be better even if spaces are lost. Mr. Hebert added that 9 foot wide spaces are standard.

Mr. Hebert stated that regarding the access and site analysis, the 2 driveways on Naumkeag Street are transparent and being at the corner approaching vehicles will already be slowing down.

Outstanding information:

1. Addressing site distance issue at 34 Peabody Street - Adding a bump out or additional transparency if the current design is not adequate for safety.
2. Civil concerns – some items still need to be addressed.
3. Garage retaining wall – add bollards or curbing to protect it Apigian noted that wheel stops would be added.
4. A/C units – Apigian noted that access for them must be provided.
5. The windows are large – Apigian noted that window shades will be provided.
6. Trees will be replaced if they are damaged during construction
7. Parking will be assigned depending upon cars. If there is more parking than units they could be guest parking or some units could get 2 spaces.

Ms. Schaeffer – asked if an alternate design was in the works if the City Council does not approve the overhangs. Apigian replied that a flat façade design can be considered and provided.

Chair Curran – noted that she in favor of less parking to make the garages more comfortable. Vallecious noted that units with no parking would cost less. Mr. Viccica – agreed with Chair Curran and noted that a contemporary façade on a structure with a larger building mass shouldn't be white/buff especially when the color palate is darker on each side of the building. It is not a natural color or material.

*Chair Curran opens public comment.*

No one else in the assembly wished to speak.

*Public comment will remain open.*

Mr. Copelas – noted that the Salem Fire Department has commented on the design yet.

Mr. Valecillos noted that there are no design drawings yet; however, responses to recent concerns can be given within a month. Chair Curran – replied that items requiring drawings can be conditioned, such as plumbing, structural plans and monitoring the retaining wall, etc. Mr. Copelas – noted that the A/C could impact design.

Ms. Schaeffer – noted her concern for the retaining wall, the need to determine ownership and a possible easement. The city engineer may need to conduct a peer review of it but that could be conditioned. Ross added that the Geotechnical Engineer will be doing more work. Mr. St. Pierre – Noted that the permitting issues will need to be resolved before a permit can be issued.

Atty. Grover noted that with a bump out 1 parking space would need to be removed from Peabody Street. Chair Curran – replied that their response must include whether they would be willing to create one and it should be shown on the plan. Mr. Viccica – noted that a smaller bump out could be added. Apigian noted that they would propose a crosswalk in front of the entrance for direct park access. Atty. Grover noted that the City Council would also need to approve it.

**Motion and Vote: Mr. Copelas makes a motion to continue to Sept 20, 2017 regularly scheduled meeting. The motion is seconded by Mr. Duffy. The vote was unanimous with seven (7) in favor and none (0) opposed.**

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Project	A continuation of a public hearing for a petition requesting a Special Permit per <i>Sec. 3.0 Table of Uses</i> to allow a historic carriage house to be converted into a dwelling unit.
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Applicant	<b>LORRAINE BOUCHER</b>
Location	<b>13 ARTHUR STREET (Map 23 Lot 35)(R2 Zoning District)</b>

#### Documents and Exhibitions

- Application dated March 28, 2017 and supporting documentation

Dean and Lorraine Boucher of 13 Arthur Street, and David Jaquith, Architect, of 81 Railroad Avenue, Rowley, MA were present to discuss the proposed project.



Chair Curran – noted that they were waiting on option of city solicitor.

Jaquith stated that the 380 SF footprint house contains the living space on first floor and bedrooms on the second. They are assuming the design windows that go back to 1890's and a petition from neighborhood has no opposition. City Solicitor ruled in favor that it can be changed with the ZBA approval. Mr. Boucher noted that Land surveyor, John of DeFalco Engineers sent a letter requesting approval.

Chair Curran – stated that the restoration is based on old photographs. Mr. Boucher noted that the vinyl siding will be removed and clapboards will be installed. Mr. Viccica – asked they would keep or remove the interior. Mr. Jacquith replied that it will be restored but the walls would be enclosed. Mr. Viccica – noted that the single cut nail in the photographs provided show that the structure is as old as they claim it to be.

Ms. Schaeffer – Noted that additional info on historic character and design will be needed. Chair Curran – stated that they could condition a voluntary review by the Historic Commission. Mr. Jacquith noted that they would agree to that. Viccica – noted that the Historic Commission could request 6 over 6 windows. Copelas – noted that preservation is a stretch vs. allowing the use, but the City Solicitor believes the criteria have been met. Mr. Viccica – noted that corner boards, window, clapboard exposure, etc. are what the Historic Commission would review.

**Motion and Vote: Mr. Duffy makes a motion to approve the petition for a Special Permit per *Sec. 3.0 Table of Uses* to allow a historic carriage house to be converted into a dwelling unit, with a Special Condition to Submit to the Historic Commission for comment regarding the restoration and the project should be completed within 1 year once a building permit has been issue. The motion is seconded by Mr. Watkins. The vote was unanimous with seven (7) in favor and none (0) opposed.**

**\*THE APPLICANT HAS REQUESTED TO WITHDRAW\***

Project	A public hearing for a petition requesting a Special Permit per <i>Sec. 3.3.3 Non-conforming Single and Two-Family Structures</i> , to construction a 5'x22' single story addition.
Applicant	<b>SINAN LIKA</b>
Location	<b>37 BOW STREET (Map 15 Lot 124)(R-1 Zoning District)</b>

**Motion and Vote: Mr. Duffy 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 petition was withdrawn.**

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Project            A public hearing for a petition seeking to appeal the Building Inspectors interoperation of the Tasting Room regulations as defined in Sec. 10 of the Salem Zoning Ordinance.

Applicant        **AL SNAPE**

Location         **108 JACKSON STREET (Map 25, Lot 390)(B-4 Zoning District)**

#### Documents and Exhibitions

- Application dated July 19, 2017 and supporting documentation

Ms. Schaeffer – noted that the interpretation and definition of a tasting room being challenged. The definition states that a tasting room cannot be more than 50% of the square footage. The 140 square feet of Basement was omitted from documents submitted to St. Pierre when he made his decision. Product space in Basement is licensed by the ABCC and can count toward the total square footage. The new information requires a new application to the Building Inspector.

Mr. Snape requested a continuance.

**Motion and Vote: Mr. Duffy makes a motion to continue with no evidence taken. The motion is seconded by Mr. Watkins. The vote was unanimous with seven (7) in favor and none (0) opposed.**

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Project            A public hearing for a petition requesting a Special Permit requesting relief from *Sec. 3.3.5 Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance, to raise the existing non-conforming structure approximately two (2) feet to install a foundation and construct a second floor dormer.

Applicant        **KRIS KLEIN**

Location         **48 BAY VIEW AVENUE (Map 44, Lot 141)(R-1 Zoning District)**

#### Documents and Exhibitions

- Application dated July 20, 2017 and supporting documentation

Atty. Scott Grover of Tinti, Quinn, Grover & Frey, 27 Congress Street, Suite 414, Salem, MA 01970, was present to discuss the project and represent Mr. Kris Klein. Architect Steve Livermore was present to discuss the proposed project.

Atty. Grover stated that Klein is new owner on Bay View Ave. The structure retains a lot of the historical character from 100 years ago and his client would like to retain and raise the house approximately 2 feet with a small concrete foundation and on the same footprint. At the rear a small

spiral will be added for porch access. The top floor will become new bedroom and bathroom and they will add a shed dormer which will be visible from the front. A square tower addition will be added to the rear. Being a single family home a special permit is needed. The existing structure is not in the best condition, but it will be renovated and remain a single family structure. A significant financial investment is being made which will benefit to City with the increased tax revenue. Additional permits are needed beyond special permit because the structure lies within the flood plain overlay district and the cost exceed 50% of the value so the Conservation Commission will need to grant approval because it is on the waterfront.

Mr. Livermore reiterated that they are staying within the exist footprint, repairing an existing foundation to create storage space under the porch, with some reconfigurations to the interior. The rear tower will provide water views and the dormer at right side will increase living space at second floor. The second floor will extend beyond the old floor line at rear for a master bedroom. They are reconstructing the roof and adding shed dormers. The new roof design will be similar to existing and the porch railing details will also be added.

Mr. Watkins – asked if the railings will remain wood. Mr. Livermore – replied Azek but they will resemble wood. Mr. Viccica – noted that Azek is okay but not PVC.

Ms. Schaeffer – noted that Patti Kelleher, Staff Planner for the City of Salem, is encouraging preservation of window openings and configurations. Mr. Livermore replied that the kitchen location is changing the windows slightly but detail will be similar to original. Mr. Viccica – suggested that the hood remain at the front and rear.

Ms. Schaeffer – asked why the house was being raised and if the existing is a living space. Mr. Livermore replied to add headroom to the Basement and the existing latticework will be replaced but it will just be higher. It was not a finished space but it will be improved and will serve as living space. Part of it is in the floodplain, but it will it meet flood zone building code requirements. Ms. Schaffer – recommended to the Board that the materials be matched. Mr. Livermore replied that the siding will remain wood and the shingles would be replaced. St. Pierre – commends the petitioner's efforts to restore the house.

*Chair Curran opens public comment.*

Marianne Osmond, 51 Bay View Avenue. Noted that the owners have been respectful of neighbors, property, and the architecture of house, and have kept all neighbors informed.

Kathy Driscoll, 52 Bay View Avenue. Is in favor of this petition, this will be a win for the petitioner, neighbors and neighborhood.

John Doyle, 121 Columbus Avenue. He has seen changes to box type houses and that has changed and lost their character. This house is proposed very little changes and commends the petitioner on their proposed renovation.

Richard Roderick, 7 Sutton Avenue. Commends the petitioner for their efforts.

Atty. Scott Grover provided a petition in favor signed by neighbors and letters from the following neighbors in favor of this petition from;

Amelia and Sallie Cass, James and Catherine Klein, and Charlene Hamlin of 18 Juniper Avenue.

No one else in the assembly wished to speak.

*Chair Curran closes public comment.*

**Motion and Vote:** Mr. Duffy makes a motion to approve the special permit requesting relief from *Sec. 3.3.5 Nonconforming Single- and Two-Family Residential Structures* of the Salem Zoning Ordinance, to raise the existing non-conforming structure approximately two (2) feet to install a foundation and construct a second floor dormer with special condition to maintain the original fenestration pattern shall be maintained, and the materials be in congruent with the style of the house, and allowing the use man made materials but not PVC. The motion is seconded by Mr. Watkins. The vote was unanimous with seven (7) in favor and none (0) opposed.

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## **OLD/NEW BUSINESS**

Review and vote to approve amendments to ZBA Rules and Regulations

## **ADJOURNMENT**

**Motion and Vote:** Mr. Copelas made a motion to adjourn the August 16, 2017 regular meeting of the Salem Board of Appeals, seconded by Mr. Duffy, and the vote was unanimous with seven (7) in favor and none (0) opposed.

The meeting ends at 9:00PM.

*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://salem.com/Pages/SalemMA\\_ZoningAppealsMin/](http://salem.com/Pages/SalemMA_ZoningAppealsMin/)

Respectfully submitted,  
Erin Schaeffer, Staff Planner