



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEAL

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2015 NOV -4 P 12: 07  
FILE #  
CITY CLERK, SALEM, MASS

November 4, 2015

## Decision

### City of Salem Board of Appeals

Petition of CHRISTOPHER INGERSOLL, seeking an appeal of the Decision of the Building Inspector to allow a 10' wide curb cut at the property located at 76-78 ENDICOTT STREET (Map 25 Lot 453)(R2 Zoning District).

A public hearing on the above Petition was opened on October 21, 2015 pursuant to M.G.L Ch. 40A, § 11. The hearing was closed on that date with the following Salem Board of Appeals members present: Rebecca Curran (Chair), Jimmy Tsitsinos, Mike Duffy, Peter Copelas, Jim Hacker (alternate).

The Petitioner seeks an Appeal of the Building Inspector's Decision.

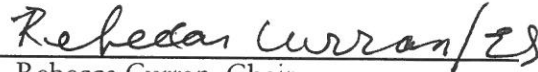
#### Statements of fact:

1. In the petition date-stamped September 22, 2015, the Petitioner requested an Appeal of the Decision of the Building Inspector.
2. Mr. Ingersoll, petitioner, presented the petition.
3. The Building Inspector denied an application for a 10' wide curb cut based on the criteria of the Salem Zoning Ordinance Section 5.1.5 subsection 6 (c) that states that the widths of entrance and exit drives shall be a maximum of twenty (20) feet at the street lot line in residence districts.
4. The property has two-residential units with an existing 14' curb cut. The Building Inspector testifies that the additional proposed 10' curb cut at the property exceeds the maximum linear feet allowed at the property.
5. Mr. Ingersoll was informed that he could apply to the Zoning Board of Appeals for a dimensional variance.
6. The requested relief, if granted, would allow the petitioner to construct a 10' wide curb cut.
7. At the public hearing, one (1) member of the public spoke in support and one (1) member spoke in opposition to the petition.

The Salem Board of Appeals, after careful consideration of the evidence presented at the public hearing, and after thorough review of the petition, including the application narrative and plans, makes the following findings that the proposed project does not meet the provisions of the City of Salem Zoning Ordinance.

On the basis of the above statements of facts and findings, the Salem Board of Appeals voted none (0) in favor and five (5) opposed (Rebecca Curran (Chair), Jimmy Tsitsinos, Mike Duffy, Peter Copelas, Jim Hacker (alternate), to Appeal of the Decision of the Building Inspector to allow a 10' wide curb cut at the property located at 76 ENDICOTT STREET (Map 25 Lot 453)(R2 Zoning District).

**THE DECISION OF THE BUILDING INSPECTOR IS UPHELD.**



Rebecca Curran, Chair  
Board of Appeals

A COPY OF THIS DECISION HAS BEEN FILED WITH THE PLANNING BOARD AND THE CITY CLERK

*Appeal from this decision, if any, shall be made pursuant to Section 17 of the Massachusetts General Laws Chapter 40A, and shall be filed within 20 days of filing of this decision in the office of the City Clerk. Pursuant to the Massachusetts General Laws Chapter 40A, Section 11, the Variance or Special Permit granted herein shall not take effect until a copy of the decision bearing the certificate of the City Clerk has been filed with the Essex South Registry of Deeds.*