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CITY OF SALEM, MASSACHUSETTS BOARD OF APPEAL

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2018 MAY 30 AM 11:43
CITY CLERK
SALEM, MASS

May 30, 2018

Decision

City of Salem Board of Appeals

Petition of BREANNAH FORTEY requesting a Special Permit per Sec. 3.2.8 Accessory Living Areas, to allow the petitioner to construct a 612 sq. ft. accessory living area at 42 MEMORIAL DRIVE (Map 42 Lot 34)(R-1 Zoning District).

A public hearing on the above Petition was opened on May 16, 2018 pursuant to M.G.L. Ch. 40A, § 11 and closed on that date with the following Salem Board of Appeals members present: Rebecca Curran (Chair), Peter A. Copelas, Mike Duffy, Chris Drucas, and Paul Viccica.

The petitioner is seeking a special permit per Sec. 3.2.8 Accessory Living Areas, to allow the petitioner to construct a 612 sq. ft. accessory living area.

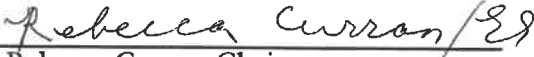
Statements of fact:

1. In the petition date-stamped April 23, 2018, the Petitioner requested a special permit per Sec. 3.2.8 Accessory Living Areas, of the Salem Zoning Ordinance, to allow the petitioner to construct a 612 sq. ft. accessory living area.
2. The petitioner, Breannah Fortey, presents the petition.
3. The property is located in an R-1 Zoning District. The property is a single-family home.
4. The petitioner is proposing to convert an existing 288 square foot garage and constructing a 324 square foot addition to provide a 612 square foot accessory living area for a maternal grandmother to provide companionship, security, privacy, and dignity to Mrs. Michaud, due to age and physical health requirements.
5. The petitioner submitted an addendum to the original application including a request for a variance, statement of hardship, and plot plan. At the May 16, 2018 public meeting, the Building Commissioner, Board and Planning staff informed the applicant that in light of the information submitted in the addendum, the additional relief sought by the applicant could not be considered by the Board or acted upon without sufficient public notification as required by M.G.L. Chapter 40A.
6. The Building Commissioner ruled that the petitioner needs to request a second special permit for the proposed expansion of the garage that is anticipated to encroach within the required side yard.
7. At the May 16, 2018 meeting, the petitioner requested to withdraw this application without prejudice.
8. The requested relief, if granted, would allow the petitioner to construct a 612 sq. ft. accessory living area.

9. At the public hearing one (1) member of the public spoke in favor and none (0) spoke in opposition to the petition.

On the basis of the above statements of facts and findings, the Salem Board of Appeals voted five (5) in favor (Rebecca Curran (Chair), Peter A. Copelas, Mike Duffy, Chris Drucas, and Paul Viccica), and none (0) opposed to allow the petitioner to withdraw the petition without prejudice.

THE PETITION IS WITHDRAWN WITHOUT PREJUDICE.


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.