



# CITY OF SALEM PLANNING BOARD

2018 OCT 24 PM 12:39

October 24, 2018

CITY CLERK  
SALEM, MASS

## Decision

### **Special Permit under the North River Canal Corridor Neighborhood Mixed Use District**

On October 18, 2018, the Planning Board of the City of Salem opened a Public Hearing for a Special Permit associated with the North River Canal Corridor Neighborhood Mixed Use District (NRCC) to allow the applicant to operate a fraternal organization at 18 Commercial Street (Map 26, Lot 51).

The petitioner requests the following Special Permit:

1. Special Permit per Sec. 8.4.5(4.4) of the NRCC to allow the operation of a fraternal organization.

#### **Statements of fact:**

1. In the application date-stamped September 6, 2018, the Applicant requested a Special Permit per sec. 8.4.5 Table of Uses – NRCC District, to allow the applicant to operate a fraternal organization.
2. The property is located in the North River Canal Corridor Neighborhood Mixed Use District (NRCC).
3. The applicant is proposing to operate the Knights of Columbus entity at the site.
4. The Board of Appeals voted on October 17, 2018 to grant a variance per Sec. 5.1.8 Table of Parking Requirements of the Salem Zoning Ordinance, to allow the petitioner to have less than the required number of parking spaces.

The Salem Planning Board, 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**:

The adverse effects of the proposed use and structure will not outweigh its beneficial impacts to the City or neighborhood.

1. There are community needs that are served by the proposal. The applicant is providing meeting space for organizations, such as the Salem Little League, Salem American Legion, Garden Club of Salem, and Salem Youth Football, as well as to provide a location for Red Cross blood drives several times a year. In addition, the member auxiliary will continue their charitable events to support the annual cancer walk, and members of the Knights of Columbus will continue to raise funds for the Salem High School band and veterans' organizations.
2. There are no significant traffic flow and safety impacts including parking and loading. The lounge use and meetings occur primarily later in the day and in the evenings and weekends.

Average attendance is generally a total of 15-20 persons, with 8-10 at any one time, and with an average number of 6-12 cars at any particular time. The site will provide 12-13 parking spaces as shown on the site plan prepared by Verner Johnson Inc., dated 8/29/2018.

3. Utilities and other public services are adequate.
4. There are minimal impacts to the neighborhood character. The applicant has agreed with the abutter to the north of the site to prohibit use of the site's rear area and provide sound proofing in the rear if required. The applicant has agreed with the immediate abutter to the east and the west to control member parking and coordinate snow plowing. The usage of the building at night and on the weekends will provide some security to the neighborhood.
5. There are no negative impacts to the natural environment.
6. Potential economic and fiscal impact, including impact on City services, tax base, and employment is positive.

On the basis of the above statements of facts and findings, the Salem Planning Board voted eight (8) in favor (Chair Ben Anderson, Matt Venø, Matt Smith, Bill Grisct, Helen Sides, Noah Koretz, DJ Napolitano, and Kirt Rieder) and none opposed, to approve the requested special permit to allow the petitioner to operate a fraternal organization, subject to the following **terms, conditions and safeguards:**

**Standard:**

1. Petitioner shall comply with all city and state statues, ordinances, codes and regulations.
2. All construction shall be done as per the plans and dimensions submitted to and approved by the Building Commissioner.
3. All requirements of the Salem Fire Department relative to smoke and fire safety shall be strictly adhered to.
4. Petitioner shall obtain a building permit prior to beginning any construction.
5. A Certificate of Inspection is to be obtained.
6. A Certificate of Occupancy is to be obtained.
7. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to the Board of Appeals.

I hereby certify that a copy of this decision and plans has been filed with the City Clerk and copies are on file with the Planning Board. The Special Permit shall not take effect until a copy of this decision bearing the certification of the City Clerk that twenty (20) days have elapsed and no appeal has been filed or that if such appeal has been filed, and it has been dismissed or denied, is recorded in the Essex South Registry of Deeds and is indexed under the name of the owner of record and/or is recorded on the owner's Certificate of Title. The owner or applicant, his successors or assigns, shall pay the fee for recording or registering.



Ben J. Anderson  
Chairman