



CITY OF SALEM, MASSACHUSETTS BOARD OF APPEALS

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DOMINICK PANGALLO
MAYOR

NOTICE OF MEETING

Revised

250, 260 Highland Avenue request to continue to August 21, 2024

Notice is hereby given that a meeting of the Salem Zoning Board of Appeals will be held
on **July 17th, 2024, at 6:30 p.m.**
via remote participation in accordance with Chapter 2 of the Acts of 2023.

Nina Vyedin, Chair

Important Announcement:

Every effort will be made to ensure that the public can adequately access the proceedings in real time, via technological means. In the event that we are unable to do so on matters not requiring a public hearing, we will post on the City of Salem's website an audio or video recording, transcript, or other comprehensive record of proceedings as soon as possible after the meeting.

Individuals may participate remotely in the meeting via a remote participation platform called Zoom. Members of the public and/or parties with a right and/or requirement to attend this meeting may access the remote participation meeting through any one of the following ways:

Attending the Virtual Public Meeting:

- Go to Website link:
<https://us02web.zoom.us/j/83964128644?pwd=cTNITIFic2pKNWlOZnV3dW9yb1loUT09> go to the website link <https://zoom.us/join> and enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed to do so on screen.
- Dial toll-free phone number 877-853-5257. When prompted enter meeting ID #**839 6412 8644** followed by meeting password **011324** if directed. Those calling in will not have access to the direct video feed of the meeting but can follow along with the project materials available for download at Salem.com/ZBA.
- Watch the meeting live on Salem Access Television Chanel 22.
- Project materials are available for download at (<https://tinyurl.com/SalemZBA>)

Providing Public Comment During the Meeting:

Members of the public attending this meeting virtually will be allowed to make comments during the portion of the hearing designated for each agenda item. Members of the public will be asked to use the virtual "Raise Hand" function in Zoom to indicate that they would like to provide comment.

- Dial *9 on your phone's dial pad to raise your hand if you are using the toll-free number.
- Click the "Raise Hand" button if you are using the Zoom application on your computer or phone.

For each agenda item, the moderator will identify attendees with raised hands by their screenname or the last 3 digits of their telephone number and will then unmute them. The moderator will then request that the attendee unmute their device to provide their full name, address, and comment for the record.

The moderator will go down the list of attendees in the order presented by the Zoom application. The attendee list is ordered so that phone numbers are first, followed by an alphabetical list of the screen names of attendees accessing Zoom through a computer, tablet, or smartphone. Anyone that speaks about an issue unrelated to the agenda items will be immediately muted.

Providing Public Comment Before the Meeting:

Members of the public can alternatively email their comment before the start of the meeting to zoningboardcomments@salem.com.

Familiarizing Yourself with Zoom:

We encourage members of the public to install and familiarize themselves with Zoom in advance of the meeting.

If you plan on providing public comments and are logging into this meeting via the Zoom application, please test your speakers and microphone ahead of time. If we have trouble hearing you when you speak, we will move on to the next person and try to return to you later in the list. If this happens, we recommend that you call the toll-free number to access the meeting and provide your comment.

Persons requiring auxiliary aids and services for effective communication such as sign language interpreter, an assistive listening device, or print material in digital format or a reasonable modification in programs, services, policies, or activities, may contact the City of Salem ADA Coordinator as soon as possible and no less than two (2) business days before the meeting, program, or event.

The Zoom meeting will open 15 minutes before the start of the meeting to allow participants to connect and practice with the audio and raise hand functions.

Know your rights under the Open Meeting Law M.G.L. c. 30A § 18-25 and City Ordinance § 2-2028 through § 2-2033.

MEETING AGENDA

I. ROLL CALL

II. CONTINUANCES

1. **Location:** 11 March Street (R2 Zoning District)

Applicant: Johane Jean-Baptiste

Description: The petition of JOHANE JEAN-BAPTISTE at 11 MARCH STREET (Map 36, Lot 176) (R2 Zoning District) for a Special Permit per Section *3.3.5 Nonconforming Single- and Two-family Structures* of the Salem Zoning Ordinance to expand an existing nonconforming structure with a 192 square foot, one story addition. The addition proposes a 1.8' front yard setback where a 15' front yard setback is required. A 3.4' side yard setback and a 25' rear yard setback. In the R2, 10 feet is required for a side yard setback and 30 feet is required for the rear yard setback.

III. REGULAR AGENDA

1. **Location:** 3 Smith Street, Unit 2 (R2 Zoning District)

Applicant: Julio Da Rosa

Description: The petition of JULIO DA ROSA at 3 SMITH STREET, UNIT 2 (Map 36, Lot 0014) (R2 Zoning District) for a Special Permit per Section *3.3.5 Nonconforming Single- and Two-family Structures* of the Salem Zoning Ordinance to extend an existing nonconforming structure by enlarging the existing dormer to a measurement of 25'2" X 8'5". 3 Smith Street does not meet any of the required setbacks in the R2 Zoning District.

2. **Location:** 12 Woodside Street (R2 Zoning District)

Applicant: Raymond McSwiggin, Trustee

Description: The petition of RAYMOND MCSWIGGIN, TRUSTEE at 12 WOODSIDE STREET (Map 17, Lot 200) (R2 Zoning District) for a Special Permit per Section *3.3.3 Nonconforming Structures* of the Salem Zoning Ordinance to extend an
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existing nonconforming structure by constructing a 17'6" X 4'0" addition at the rear of the home. 12 Woodside Street is nonconforming for lot area and all setbacks required in the R2 Zoning District.

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~~3. Location:~~ ~~250, 260 Highland Avenue (B2/ECOD Zoning Districts)~~

~~Applicant:~~ ~~PN Restaurants~~

~~Description:~~ ~~The petition of PN RESTAURANTS at 250 HIGHLAND AVENUE (Map 8, Lot 118) and 260 HIGHLAND AVENUE (Map 8, Lot 117) (B2/ECOD Zoning Districts) for a Variance from Section 6.7.6 Drive-Through Facilities, Standard 12-Minimum of 200 Feet from the Property Line of a Residential Use of the Salem Zoning Ordinance to a distance of 65 feet from the closest residential property line.~~

IV. APPROVAL OF MINUTES

Minutes from June 12th, 2024.

V. OLD/NEW BUSINESS

VI. ADJOURNMENT

This agenda is subject to change.