



KIMBERLEY DRISCOLL  
MAYOR

# CITY OF SALEM, MASSACHUSETTS BOARD OF APPEAL

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2018 OCT 26 AM 8:52  
CITY CLERK  
SALEM, MASS

October 26, 2018

## Decision

### City of Salem Board of Appeals

A petition of THE STEP UP KINGS, LLC requesting a Special Permit per Sec. 3.3.5 of the Zoning Ordinance to allow the petitioner to convert an existing single-family house into a two-family dwelling at 321 LAFAYETTE STREET (Map 32, Lot 228) (R-1, R-2, and ECOD Zoning District).

A public hearing on the above Petition was opened on October 17, 2018 pursuant to M.G.L. Ch. 40A, § 11 and was closed on that date with the following Salem Board of Appeals members present: Mike Duffy (Chair), Jim Hacker, Patrick Shea, and Paul Viccica.

#### Statements of fact:

1. Attorney Paul M. Lynch represented the petitioner.
2. In the petition date-stamped September 25, 2018, the petitioner requested a Special Permit per Sec. 3.3.5 of the Zoning Ordinance to allow the petitioner to convert an existing single-family house into a two-family dwelling.
3. The property is a single-family detached dwelling located in the R-1, R-2, and Entrance Corridor Overlay Zoning Districts.
4. The requested special permit, if granted, would allow the petitioner to convert the existing single-family house into a two-family dwelling.
5. At the public hearing, no members of the public spoke in favor of the petition and none spoke in opposition.


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**:

The Board finds that the proposed two-family dwelling will not be substantially more detrimental to the neighborhood than the existing nonconforming single-family house.

1. There are community needs that are served by the proposal by providing an additional housing unit.
2. There are no major traffic flow and safety impacts including parking and loading.
3. Utilities and other public services are adequate.
4. There are no negative impacts to the neighborhood character.
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 Board of Appeals voted four (Mike Duffy [Chair], Jim Hacker, Patrick Shea, and Paul Viccica) in favor and none opposed, to issue a Special Permit per Sec. 3.3.5 of the Zoning Ordinance to allow the petitioner to convert an existing single-family house into a two-family dwelling, subject to the following **terms, conditions and safeguards**:

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. Exterior finishes of the new construction shall be in harmony with the existing structure.
6. A Certificate of Inspection is to be obtained.
7. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to the Planning Board.

  
Mike Duffy, 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.*