



# CITY OF SALEM PLANNING BOARD

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## Reconsideration Decision

April 1, 2013

Michael McArdle, Esquire  
60 Island Street, Suite 508E  
Lawrence, MA 01840

### Re: Reconsideration Request for 9-11 Ocean Terrace

Dear Mr. McArdle

On March 21, 2013, at the regularly scheduled Salem Planning Board meeting, the Board under the provisions of M.G.L. Chapter 40A § 16 consented by a vote of 7-0 (Mr. Puleo (Chair), Mr. Ready, Mr. McCabe, Mr. George, Ms. Sides, Mr. Rieder, and Mr. Anderson) in favor and none opposed to the granting of the Reconsideration request. The Board's consent to the Reconsideration request allows the applicant to reapply to the Salem Board of Appeals (BOA) before the period of two years has expired from the date of the Board of Appeals' denial.

The Planning Board, after careful consideration of the evidence presented at the public hearing, and after thorough review of the petition submitted and testimony, makes the following findings for their decision:

1. The petitioner has proposed Specific and Material Changes to the previously denied Special Permit modification request.
2. The revised petition retains the "owner-occupied" language in Conditions #1 and #2 of the Special Permit granted by the BOA on June 16, 2010, which was initially requested to be removed.
3. The Petitioner's revised petition requests the BOA to amend or clarify the applicability of Conditions #1 and #2 to a mortgage lender in the instance of a foreclosure.

An 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.

If you have any questions or further information, please contact Daniel Sexton in the City of Salem Department of Planning & Community Development by phone at (978) 619-5685 ex. 5691 or email at [dsexton@salem.com](mailto:dsexton@salem.com).

Sincerely,

Chuck Puleo, Chairman  
Salem Planning Board