



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS

BOARD OF APPEAL

120 WASHINGTON STREET, 3RD FLOOR
SALEM, MASSACHUSETTS 01970

TELEPHONE: 978-745-9595
FAX: 978-740-9846

2011 SEP 27 A 9:55

September 27, 2011

Decision: 315-317 ESSEX STREET

City of Salem Zoning Board of Appeals

On September 21, 2011, the Zoning Board of Appeals met to clarify its intent with regard to two petitions filed by 315-317 ESSEX STREET SALEM LLC for the property located at 315-317 Essex Street. In the first petition, dated February 2, 2009, the applicant requested a Special Permit to convert the first-floor office space to five units of residential housing. The Board granted the Special Permit, and it was filed April 22, 2009. This decision was appealed. While the Special Permit decision was under appeal, the petitioner filed another petition, dated February 26, 2010, requesting a Special Permit to convert the entire building, a 13-room lodging house and office space, to six two-bedroom residential units, and also requesting dimensional Variances to construct two dormers. At the public hearing on March 17, 2010, the petitioner, the Board and abutters/appellants discussed that it was the petitioner's intent that this project would be constructed instead of the previously approved project. The Board granted the requested relief, and the decision was filed on March 31, 2010. It was not appealed.

On September 21, 2011, the Board met to discuss its intent with regard to the two decisions, per remand by the Essex County Superior Court, in the action appealing the April 22, 2009 Special Permit. Whereas it was the Board's intent that by granting the Special Permit filed on March 31, 2010, the Special Permit filed on April 22, 2009 would be vacated, the Board voted on September 21, 2011 to vacate its 2009 decision by a vote of 4-0 (Rebecca Curran, James Tsitsinos, Bonnie Belair and Annie Harris in favor, none opposed). The vote was held to resolve any confusion remaining as to the Board's intent. The Special Permit granted to 315-317 ESSEX STREET SALEM LLC for the property located at 315-317 ESSEX STREET to convert the first-floor office space only to three units of residential housing (filed on April 22, 2009) is void. The Special Permit and Variances granted to allow conversion of the entire building from a lodging house and office space to six residential units (filed on March 31, 2010), stand.

Rebecca Curran

Rebecca Curran, Chair
Zoning Board of Appeals