



KIMBERLEY DRISCOLL
MAYOR

CITY OF SALEM, MASSACHUSETTS BOARD OF APPEAL

120 WASHINGTON STREET ♦ SALEM, MASSACHUSETTS 01970

TELE: 978-745-9595 ♦ FAX: 978-740-9846

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FILE #
CITY CLERK, SALEM, MASS.

August 27, 2014

Decision

City of Salem Board of Appeals

Petition of BRIDGET K. PAGE requesting a Special Permit per Section 3.3.4 of the Salem Zoning Ordinance to allow the extension of an exterior wall along an existing nonconforming distance within a required side yard, in order to construct a second story addition at the property located at 65 TREMONT STREET (R2 Zoning District).

A public hearing on the above Petition was opened on July 16, 2014 pursuant to M.G.L. Ch. 40A, § 11. The hearing was closed on that date with the following Salem Board of Appeals members present: Ms. Curran (Chair), Mr. Duffy, Mr. Watkins, and Mr. Copelas (Alternate).

The Petitioner seeks a Special Permit from Section 3.3.4 of the Salem Zoning Ordinance.

Statements of fact:

1. In the petition date-stamped June 24, 2014, the Petitioner requested a Special Permit to extend an exterior wall along an existing nonconforming distance within a required side yard, in order to construct a second story addition to a single-story portion of the existing structure.
2. Ms. Veronica Hobson, Residential Designer, presented the petition for the property at 65 Tremont Street.
3. The proposed addition will be over the footprint of the existing structure, with a 2-foot overhang at the rear of the building.
4. The roof height of the proposed addition would be lower than the roof height of the existing two-story portion of the building.
5. The requested relief, if granted, would allow the Petitioner to construct a 12-foot 9-inch by 13-foot 9.5 inch second story addition over a single-story portion of the existing single-family residence.
6. At the public hearing, no members of the public spoke in favor of, or in opposition to, the petition.

The Salem Board of Appeals, after careful consideration of the evidence presented at the public hearing, and after thorough review of the petitions, including the application narrative and plans, and the Petitioner's presentation and public testimony, makes the following **findings** that the proposed project meets the provisions of the City of Salem Zoning Ordinance:

Findings:

1. The community needs served by the proposal will be unchanged from the existing condition.
2. The parking and loading will be unchanged from the existing condition.
3. The impact on utilities and public services will be unchanged from the existing condition.
4. The impact on the natural environment will be unchanged from the existing condition.

5. The proposal will improve the neighborhood character.

6. The proposal is an improvement to the property, so it will have a positive economic and fiscal impact.

On the basis of the above statements of facts and findings, the Salem Board of Appeals voted four (4) in favor (Mr. Watkins, Ms. Curran, Mr. Copelas and Mr. Duffy in favor) and none (0) opposed, to grant the requested Special Permit to allow the extension of an exterior wall along an existing nonconforming distance within a required side yard, in order to construct a second story addition, subject to the following **terms, conditions, and safeguards**:

1. The Petitioner shall comply with all city and state statutes, 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 new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy is to be obtained.
7. A Certificate of Inspection is to be obtained.
8. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board



Rebecca Curran, 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.