

## CITY OF SALEM, MASSACHUSETTS BOARD OF APPEAL

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## October 1st, 2014 <u>Decision</u>

City of Salem Board of Appeals

CITY CLERK, SAL

Petition of DENISE SNAPE, requesting a Special Permit per Sec. 3.0 Table of Principal and Decessory Use Regulations of the Salem Zoning Ordinance, in order to allow the addition of a tasting room to an existing brewery, distillery or winery located at 102 JACKSON STREET (B-4 Zoning District).

A public hearing on the above Petition was opened on September 17th, 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. Dionne, Mr. Copelas (Alternate), and Mr. Tsitsinos (Alternate).

The Petitioner seeks a Special Permit from the provisions of Section 3.0 Table of Principal and Accessory Use Regulations of the Salem Zoning Ordinance.

## Statements of fact:

- 1. In the petition date-stamped August 25th, 2014, the Petitioner requested a Special Permit per Section 3.0 Table of Principal and Accessory Use Regulations of the Salem Zoning Ordinance, in order to allow the addition of a tasting room to an existing brewery, distillery or winery.
- 2. The Petitioner, Ms. Denise Snape, presented the petition.
- 3. The proposed tasting room would be approximately 787 square feet within a brewery, distillery, or winery no larger than 33% of the main building's square footage.
- 4. The requested relief, if granted, would allow the Petitioner to add a tasting room within an existing brewery, distillery or winery.
- 5. The parking area on the premises can accommodate 5 cars with additional street parking of up to 10 cars
- 6. The planned hours of operation for the tasting room are Thursday and Friday from 5-8pm and Saturday from 1-8pm.
- 7. It is estimated that daily water usage and disposal will increase by approximately 15 gallons per week for washing glasses and 96 gallons per week for public bathroom use.
- 8. At the public hearing, no members of the public spoke in opposition to the petition. One member of the public spoke in favor of the petition.

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:** 

## **Findings**

The proposal is consistent with the definition of a tasting room Section 10.0 of the City of Salem Zoning Ordinance.

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- 1. The parking area on the premises can accommodate 5 cars with additional street parking of up to 10 cars. The addition of a tasting room to the facility will have minimal impact on parking, traffic flow and safety.
- 2. The introduction of a tasting room has no impact the environment and adequacy of utilities. The tasting room does not significantly change the use and therefore would not be substantially more detrimental that the existing nonconforming use to the neighborhood.

On the basis of the above statements of facts and findings, the Salem Board of Appeals voted four (4) in favor (Ms. Curran, Mr. Dionne, Mr. Copelas and Mr. Tsitsinos) and none (0) in opposed, to approve the requested Special permit to allow the addition of a tasting room to an existing brewery, distillery, winery. The petition is granted.

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.