

City of Salem Zoning Board of Appeals
Meeting Minutes
August 19, 2026

A meeting of the Salem Zoning Board of Appeals (“Salem ZBA”) was held on Wednesday, August 19, 2026 at 6:30 pm via remote participation in accordance with Section 30A of Chapter 20 of the Acts of 2021, as amended by Section 40 of Chapter 2 of the Acts of 2023, and further amended by Section 1 of Chapter 2 of the Acts of 2025, the City is authorized to conduct remote meetings of its public bodies through June 30, 2027.

Chair Vyedin calls the meeting to order at 6:31 pm.

Chair Vyedin explains how individuals can participate in the meeting remotely via Zoom, and that instructions to participate remotely can also be found on the Salem website. Ms. Vyedin also explains the rules regarding public comment.

ROLL CALL

Those present were: Chair Nina Vyedin, Ellen Simpson, Peter Habib, Elena Eimert, Stephen Larrick, and Hilary Forbes. Also in attendance were Brennan Postich — Staff Planner. Those absent were: Vice Chair Christa McGaha

CONTINUANCES

Location:	7 Burnside Street and 5 Skerry Street Court (Map 36, Lot 0157; Map 36, Lot 0149) (R2 Zoning District)
Applicant:	Graham Wing (formerly Graham Hines)
Project:	A public hearing for all persons interested in the petition of GRAHAM WING (formerly Graham Hines) at 7 BURNSIDE STREET and 5 SKERRY STREET COURT (Map 36, Lot 0157; Map 36, Lot 0149) (R2 Zoning District) for a Variance per Section 4.1.1 Dimensional Requirements of the Salem Zoning Ordinance to divide an existing merged parcel and construct a two-family house at 5 Skerry Street Court. The proposal would create a 4,393-square-foot lot at 7 Burnside Street with a 2,196-square-foot lot area per dwelling unit, and a 3,820-square-foot lot at 5 Skerry Street Court with a 1,910-square-foot lot area per dwelling unit, thirty-seven-foot frontage, and insufficient front, side, and rear setbacks.

Documents and Exhibitions

- Application date-stamped May 28, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Attorney Bill Quinn introduces himself on behalf of the petitioner and explains that they would like to continue due to complications and complexities relating to the proposal. Mr. Quinn requests to continue to the next regularly scheduled meeting.

Chair Vyedin opens the floor to public comment.

Gretchen Buckley of 3 Skerry Street Court introduces herself and explains she is a direct abutter. Ms. Buckley states she is disappointed that there has been no update but glad that the concerns raised are being looked at and considered. She raises concerns about neighborhood safety, welfare, and health, and asks that the Board consider that in the balance of the need for new housing.

Ian Clark of 3 Skerry Street Court introduces himself and expresses concerns relating to the petition regarding health, safety, and welfare. He also asks how many times the petition can be continued or postponed.

Pat Frederikson of 1 Skerry Street Court introduces herself and expresses opposition to the project, as well as similar concerns as the other commenters, including safety, congestion, snow removal, and drainage.

Motion and Vote: Mr. Habib motions to continue the petition of GRAHAM WING (formerly Graham Hines) at 7 BURNSIDE STREET and 5 SKERRY STREET COURT (Map 36, Lot 0157; Map 36, Lot 0149) (R2 Zoning District) for a Variance per Section 4.1.1 Dimensional Requirements of the Salem Zoning Ordinance to divide an existing merged parcel and construct a two-family house at 5 Skerry Street Court. The proposal would create a 4,393-square-foot lot at 7 Burnside Street with a 2,196-square-foot lot area per dwelling unit, and a 3,820-square-foot lot at 5 Skerry Street Court with a 1,910-square-foot lot area per dwelling unit, thirty-seven-foot frontage, and insufficient front, side, and rear setbacks. The petition is continued to the next regularly scheduled meeting of the Zoning Board of Appeals on September 16, 2026.

Ms. Forbes seconds the motion. **The vote is five (5) in favor (Elena Eimert, Ellen Simpson, Peter Habib, Hilary Forbes, and Nina Vyedin) and none (0) opposed. The motion passes.**

Location: **2 Rockdale Avenue (Map 09, Lot 0157) (R1 Zoning District)**

Applicant: **Israel Berl**

Project: A public hearing for all persons interested in the petition of ISRAEL BERL at 2 ROCKDALE AVENUE (Map 09, Lot 0157) (R1 Zoning District) for a Variance per Section 5.1.5 Parking Design of the Salem Zoning Ordinance to create an eighteen-foot curb cut for a two-car parking area. The proposal would reduce an existing twenty-two-foot curb cut to twenty feet and create a total curb cut length of thirty-eight feet where twenty feet is required.

Documents and Exhibitions

- Application date-stamped June 8, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Israel Berl introduces himself on behalf of the petitioner and describes the updates to the proposal from the last meeting. Mr. Berl presents an updated plot plan and indicates the new proposal would

create an 18-foot curb cut for the parking area, as well as bringing the existing curb cut into compliance by reducing it to twenty feet.

The Board members ask clarifying questions regarding the petition and drainage. They continue to discuss the petition and updated plans, as well as potential special conditions to ensure that the currently paved area on the plot plan that will be removed is replaced with softscaping. They also suggest making sure there is some delineation between the sidewalk, curb cuts, and asphalt, as well as other improvements. The Board members agree that the updated design is an improvement from the previous iteration. They discuss the curb and sidewalk conditions in more detail and determine that because the applicant is seeking almost double the amount of curb cut allowed, it is reasonable to have special conditions requiring curb and other improvements. The Board members discuss the potential special conditions.

Chair Vyedin opens the floor to public comment but there is none.

Motion and Vote: Mr. Habib motions to approve the petition of ISRAEL BERL at 2 ROCKDALE AVENUE (Map 09, Lot 0157) (R1 Zoning District) for a Variance per Section 5.1.5 Parking Design of the Salem Zoning Ordinance to create an eighteen-foot curb cut for a two-car parking area. The proposal would reduce an existing twenty-two-foot curb cut to twenty feet and create a total curb cut length of thirty-eight feet where twenty feet is required. The petition is subject to the following standard conditions:

1. 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. Petitioner shall obtain a building permit prior to beginning any construction.
4. The exterior finishes of new construction shall be in harmony with the existing structure.
5. Petitioner is to obtain approval from any City Board or Commission having jurisdiction including, but not limited to, the Planning Board.
6. All construction shall be done per the plans and dimension submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.
7. Petitioner shall schedule Assessing Department inspections of the property, at least annually, to project completion and a final inspection upon project completion.

And the following special conditions:

1. The petitioner shall fill the approximately twenty-foot-wide by 27.5-foot-long area labeled "Existing Paved Area to be Removed" on the site plan dated June 3, 2026, by Berl Engineering, with softscape, such as grass, organic ground coverings, or vegetation. The area shall not be replaced with hardscape materials.
2. The petitioner shall install the 3.82-foot curb between the two curb cuts, with a height determined to be appropriate by the Engineering Department prior to receiving necessary permits.
3. The petitioner shall install either a retaining wall or back curb along the 26.5-foot-long area between the proposed softscape and existing sidewalk prior to receiving necessary permits.

Ms. Eimert seconds the motion. **The vote is five (5) in favor (Nina Vyedin, Elena Eimert, Stephen Larrick, Ellen Simpson, and Peter Habib) and none (0) opposed. The motion passes.**

Location: **8 Briggs Street (Map 35, Lot 0512) (R2 Zoning District)**

Applicant: **B4 and After Design, LLC**

Project: A public hearing for all persons interested in the petition of B4 AND AFTER DESIGN, LLC at 8 BRIGGS STREET (R2 Zoning District) (Map 35, Lot 0512) for Variances per Section 4.1.1 Dimensional Requirements and Section 5.1.5(2) Parking Design, and a Special Permit per Section 3.3.5 Nonconforming Single-Family and Two-Family Residences of the Salem Zoning Ordinance to structurally change and enlarge a nonconforming single-family structure to a nonconforming two-family structure. The proposal would construct an exterior staircase and landing two feet from the north property line (Section 3.3.5), decrease the lot area per dwelling unit from 3,900 to 1,950 square feet per dwelling unit (Section 4.1.1), increase the lot coverage from 38.25% to 39.2% (Section 4.1.1), and allow tandem parking for three on-site, eighteen-foot-long parking spaces (Section 5.1.5(2)).

Documents and Exhibitions

- Application date-stamped July 2, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Attorney Bill Quinn introduces himself and summarizes the proposal and updated plans. Mr. Quinn presents a photo of the property and describes the home built in 1833, noting that while not in the national registry of historic homes, the property is located in a national register district. Mr. Quinn indicates there is plenty of square footage inside to have the home serve two families. He explains that initially the proposal sought to include legal parking by removing the existing porch, but that the updated proposal requests relief to allow tandem parking. He presents a plot plan and introduces project architect Dan Ricciarelli.

Mr. Ricciarelli describes the character of the property and the plans for modifying the dwelling into a two-family residence. He notes the desire to keep the porch and the subsequent need for tandem parking for two of the three spaces. Mr. Ricciarelli also presents floor plans showing the proposed division of space and proposed egresses. Additional photos of the property are shown.

Chair Vyedin notes that the Board does not generally approve tandem parking, and so the request here would be for a variance to have two legal parking spaces. The Board members discuss the parking and relief being sought. Mr. Habib notes he is familiar with the property and area and that the parking area is very tight. He suggests potentially reducing the request to one parking space, particularly because he states there is ample street parking available. The petitioner agrees to the change to have just one parking space, which currently exists.

Chair Vyedin opens the floor to public comment but there is none.

Motion and Vote: Ms. Simpson motions to approve the petition of B4 AND AFTER DESIGN, LLC at 8 BRIGGS STREET (R2 Zoning District) (Map 35, Lot 0512) for Variances per Section 4.1.1 Dimensional Requirements and Section 5.1.5(2) Parking Design, and a Special Permit per Section 3.3.5 Nonconforming Single-Family and Two-Family Residences of the Salem Zoning Ordinance to structurally change and enlarge a nonconforming single-family structure to a nonconforming two-family structure. The proposal would construct an exterior staircase and landing two feet from the north property line (Section 3.3.5), decrease the lot area per dwelling unit from 3,900 to 1,950 square feet per dwelling unit (Section 4.1.1), increase the lot coverage from 38.25% to 39.2% (Section 4.1.1), and allow parking for one car where three are required (Section 5.1.5(2)). The petition is subject to the following standard conditions:

1. 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. The 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.
9. Petitioner shall obtain street numbering from the City of Salem Assessor's Office and shall display said number to be visible from the street.
10. Unless this Decision expressly provides otherwise, any zoning relief granted does not empower or authorize the Petitioner to demolish or reconstruct the structure(s) located on the subject property to an extent of more than fifty percent (50%) of its floor area or more than fifty percent (50%) of its replacement cost at the time of destruction. If the structure is demolished by any means to an extent of more than fifty percent (50%) of its replacement cost or more than fifty percent (50%) of its floor area at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Ordinance.
11. All construction shall be done per the plans and dimension submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.
12. Petitioner shall schedule Assessing Department inspections of the property, at least annually, to project completion and a final inspection upon project completion.

And the following special condition:

1. The petitioner shall submit a plot plan revising the stamped plot plan dated June 30, 2026, and revised July 24, 2026, by the North Shore Survey Corporation, showing one nine-foot by nineteen-foot parking space for review and approval by the Inspectional Services Department prior to receiving a building permit.

Ms. Eimert seconds the motion. **The vote is five (5) in favor (Ellen Simpson, Elena Eimert, Nina Vyedin, Hilary Forbes, and Peter Habib) and none (0) opposed. The motion passes.**

REGULAR AGENDA

Location: **22 Vista Avenue (Map 09, Lot 0059) (R1 Zoning District)**

Applicant: **Michael Kostopoulos**

Project: A public hearing for all persons interested in the petition of MICHAEL KOSTOPOULOS at 22 VISTA AVENUE (Map 09, Lot 0059) (R1 Zoning District) for a Variance per Section 3.2.4 Accessory Buildings and Structures of the Salem Zoning Ordinance to construct a twenty-one-foot-tall, two-story detached garage. The proposal amends a decision dated September 2, 2025, which granted a Variance per Section 4.1.1 Dimensional Requirements and a Special Permit per Section 3.2.4(1) Accessory Buildings and Structures to construct an eighteen-foot-tall, 1.5-story, four-car detached garage two feet from the rear property line.

Documents and Exhibitions

- Application date-stamped July 13, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Attorney Bill Quinn introduces himself on behalf of the petitioner and describes the property. He presents a plot plan and discusses the proposal to construct a four-car detached garage with two stories. Mr. Quinn notes this would be an amendment to a prior Board decision from September 2, 2025, which approved a smaller garage. Mr. Quinn explains that the designs went through multiple iterations prior to being initially approved to assuage concerns raised by neighbors and Board members. Mr. Quinn indicates construction began and that the initial design was about three-quarters complete when a neighbor complained, and it was determined that three feet had been added to the height of the structure. The building commissioner also determined that a variance for a full second story would be required. Mr. Quinn presents elevations and images of the proposed garage.

Chair Vyedin notes that the petition will be considered as if it were not constructed yet. She suggests that the change in height feels significant and asks how the change fits within the updated variance criteria. Mr. Quinn explains the initial request for a second floor above the garage, noting that the petitioner has storage requirements in addition to storing his cars. Chair Vyedin asks why the additional three feet are needed if the use is for additional storage. Mr. Quinn describes the initial proposal again and the circumstances leading to the requested additional/amended relief. Phillip Kritkos introduces himself and presents elevations. Mr. Habib indicates the initial proposal already felt large and that he voted to approve with some reservations. He expresses concerns about the additional height and asks how the construction ended up deviating from the initially approved plans. The initial plans are shown along with elevations for the current construction. Ms. Simpson notes the complexities of the petition, acknowledging the financial hardship of needing to tear down construction as well as the various comments from neighbors and abutters, some of which have no issue with the height. Chair Vyedin notes that this petition must be considered as if it were not yet built and that, as such, the financial hardship associated with modifying construction or demolishing something already built should not be part of the evaluation.

The Board members continue to discuss the petition and review photographs, noting that the constructed garage is large and almost appears like a house. They discuss their concerns and note the nature of the self-created hardship. The Board members review additional elevations and compare them to previously approved plans and ask additional clarifying questions. The Board members also discuss the fact that this petition would be more attractive if it were for an ADU as opposed to storage space, particularly since the structure is large and looks like a house. They note the potential future benefits of having an additional ADU space in the City but acknowledge the concerns and complexities of the matter. Attorney Quinn and the Board members discuss potentially continuing the petition to address the Board's concerns and get additional information. Ms. Eimert suggests the petitioner provide an updated statement of practical difficulty as well as a better explanation of the division of space and increased height.

Chair Vyedin opens the floor to public comment but there is none.

Motion and Vote: Mr. Larrick motions to continue the petition of MICHAEL KOSTOPOULOS at 22 VISTA AVENUE (Map 09, Lot 0059) (R1 Zoning District) for a Variance per Section 3.2.4 Accessory Buildings and Structures of the Salem Zoning Ordinance to construct a twenty-one-foot-tall, two-story detached garage, to the next regularly scheduled meeting of the Zoning Board of Appeals on September 16, 2026. The proposal amends a decision dated September 2, 2025, which granted a Variance per Section 4.1.1 Dimensional Requirements and a Special Permit per Section 3.2.4(1) Accessory Buildings and Structures to construct an eighteen-foot-tall, 1.5-story, four-car detached garage two feet from the rear property line.

Mr. Habib seconds the motion. **The vote is five (5) in favor (Ellen Simpson, Peter Habib, Elena Eimert, Nina Vyedin, and Stephen Larrick) and none (0) opposed. The motion passes.**

Location: **111 Mason Street (Map 36, Lot 0157) (R2 Zoning District)**

Applicant: **Marc Tranos**

Project: A public hearing for all persons interested in the petition of MARC TRANOS at 111 MASON STREET (Map 16, Lot 0363) (R2 Zoning District) for Variances per Section 4.1.1 Dimensional Requirements and Section 5.1.5(6.c) Design of the Salem Zoning Ordinance to construct a 2.5-story rear addition to a single-family house, creating a two-family house, with a thirteen-foot rear setback where thirty feet is required, a lot area per dwelling unit of 3,630 square feet where 7,500 square feet per dwelling unit is required, and a total curb cut length of thirty-six feet (two eighteen-foot curb cuts) where twenty feet is required.

Documents and Exhibitions

- Application date-stamped July 16, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Attorney Ryan Carlucci introduces himself on behalf of the petitioner and describes the existing single-family home. Mr. Carlucci describes the proposal to construct a 2.5-story addition to create a two-family dwelling, and describes the relief being sought. Mr. Carlucci presents a plot plan showing existing and proposed conditions. Mr. Tranos introduces himself as well.

Chair Vyedin discusses concerns about the curb cuts and asks clarifying questions. Visibility and parking are discussed, as well as the egresses. The Board members discuss the petition further and ask additional questions.

Chair Vyedin opens the floor to public comment but there is none.

Board members discuss the number of parking spaces being proposed and logistics, as well as the street conditions. The Board discusses whether having more than the required parking and the additional curb cut is appropriate or not, and ultimately the petitioner decides he will resubmit plans with only three parking spaces proposed, eliminating the need for the second curb cut.

Motion and Vote: Ms. Eimert motions to approve the petition of MARC TRANOS at 111 MASON STREET (Map 16, Lot 0363) (R2 Zoning District) for Variances per Section 4.1.1 Dimensional Requirements of the Salem Zoning Ordinance to construct a 2.5-story rear addition to a single-family house, creating a two-family house, with a thirteen-foot rear setback where thirty feet is required, and a lot area per dwelling unit of 3,630 square feet where 7,500 square feet per dwelling unit is required. The petition is subject to the following standard conditions:

1. 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. The 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.
9. Unless this Decision expressly provides otherwise, any zoning relief granted does not empower or authorize the Petitioner to demolish or reconstruct the structure(s) located on the subject property to an extent of more than fifty percent (50%) of its floor area or more than fifty percent (50%) of its replacement cost at the time of destruction. If the structure is demolished by any means to an extent of more than fifty percent (50%) of its replacement cost or more than fifty percent (50%) of its floor area at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Ordinance.
10. All construction shall be done per the plans and dimension submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.
11. Petitioner shall schedule Assessing Department inspections of the property, at least annually, to project completion and a final inspection upon project completion.

And the following special condition:

1. The petitioner shall submit a revised plot plan for the stamped plot plan dated June 8, 2026, by the North Shore Survey Corporation, removing parking spaces #4 and #5, and reference to a removed eighteen-foot curb cut for review and approval by the Inspectional Services Department prior to receiving a building permit.

Ms. Simpson seconds the motion. **The vote is five (5) in favor (Elena Eimert, Ellen Simpson, Hilary Forbes, Peter Habib, and Nina Vyedin) and none (0) opposed. The motion passes.**

Location:	61 Salem Street (Map 25, Lot 0661) (R3 Zoning District; Coastal Resiliency Overlay District)
Applicant:	Robert Cabrera
Project:	A public hearing for all persons interested in the petition of ROBERT CABRERA at 61 SALEM STREET (Map 34, Lot 0151) (R3 Zoning District; Coastal Resiliency Overlay District) for Variances per Section 3.2.8(4.n) and Section 3.2.8(4.q) Accessory Dwelling Units (ADUs), and a finding per Section 3.2.8(4.k) ADUs of the Salem Zoning Ordinance, to construct a nineteen-foot-tall ADU with a two-story staircase located 0.1 feet from the side property line on a nonconforming lot, and five feet from a garage on an abutting lot.

Documents and Exhibitions

- Application date-stamped July 16, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Attorney Ryan Carlucci introduces himself on behalf of the petitioner and describes the property, noting it is in the Point neighborhood. Mr. Carlucci presents a plot plan and dimensional table showing existing and proposed conditions and discusses the petition to move the garage and add an ADU above. He discusses the relief being requested related to height and proximity to the lot line and a garage on an abutting lot. Chair Vyedin asks if the garage will still be in use. Mr. Carlucci explains that it is currently a three-car garage that will operate as a two-car garage if the petition is approved, with one of the garage doors turning into an entryway. Floor plans are presented, and Mr. Carlucci provides additional details regarding the petition.

Chair Vyedin suggests the petitioner is seeking more relief than necessary for an ADU proposal and states she would be more comfortable with the Board only approving the required relief. She indicates the petitioner only needs relief related to the staircase. The petitioner agrees to only request the necessary relief.

Chair Vyedin opens the floor to public comment but there is none.

The Board discusses the matter and determines the only Variance relief required is for Section 3.2.8(4.n) ADUs of the Salem Zoning Ordinance for the side setback.

Motion and Vote: Ms. Simpson motions to approve the petition of ROBERT CABRERA at 61 SALEM STREET (Map 34, Lot 0151) (R3 Zoning District; Coastal Resiliency Overlay District) for a Variance per Section 3.2.8(4.n) ADUs and a finding per Section 3.2.8(4.k) ADUs of the Salem Zoning Ordinance, to construct a nineteen-foot-tall ADU with a two-story staircase located 0.1 feet from the side property line on a nonconforming lot. The approval is subject to the following standard conditions:

1. 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. The exterior finishes of new construction shall be in harmony with the existing structure.
6. A Certificate of Occupancy 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.
8. Petitions shall obtain street numbering from the City of Salem Assessor's Office and shall display said number to be visible from the street.
9. Unless this Decision expressly provides otherwise, any zoning relief granted does not empower or authorize the Petitioner to demolish or reconstruct the structure(s) located on the subject property to an extent of more than fifty percent (50%) of its floor area or more than fifty percent (50%) of its replacement cost at the time of destruction. If the structure is demolished by any means to an extent of more than fifty percent (50%) of its replacement cost or more than fifty percent (50%) of its floor area at the time of destruction, it shall not be reconstructed except in conformity with the provisions of the Ordinance.
10. All construction shall be done per the plans and dimension submitted to and approved by this Board. Any modification to the plans and dimensions must be approved by the Board of Appeals unless such changes are deemed a minor field change by the Building Commissioner in consultation with the Chair of the Board of Appeals.
11. Petitioner shall schedule Assessing Department inspections of the property, at least annually, to project completion and a final inspection upon project completion.

Mr. Habib seconds the motion. **The vote is five (5) in favor (Nina Vyedin, Elena Eimert, Stephen Larrick, Ellen Simpson, and Peter Habib) and none (0) opposed. The motion passes.**

MEETING MINUTES

July 15, 2026

Motion and Vote: Ms. Simpson motions to approve the minutes from the July 15, 2026 meeting of the Zoning Board of Appeals as drafted. Ms. Eimert seconds the motion. **The vote is all in favor. The motion passes.**

OLD/NEW BUSINESS

Location: **116 Highland Avenue Unit A1 (Map 14, Lot 0105) (R1 Zoning District; Entrance Corridor Overlay District)**

Applicant: **Cynthia Nina-Soto**

Project: A public hearing for all persons interested in the petition of CYNTHIA NINA-SOTO at 116 HIGHLAND AVENUE UNIT A1 (Map 14, Lot 0105) (R1 Zoning District; Entrance Corridor Overlay District) for a six-month extension to rights granted by the Board on October 22, 2025. The extension would allow Cynthia Nina-Soto to exercise rights granted by the Board for a Variance per Section 4.1.1 Dimensional Requirements and a Special Permit per Section 3.3.2(2) Nonconforming Uses of the Salem Zoning Ordinance, to convert a nonconforming mixed-use commercial office building with three dwelling units on the second floor to a nonconforming seven-family residential building with a smaller first-floor commercial office space, for an additional six months.

Documents and Exhibitions

- Application date-stamped August 12, 2026, and supporting documentation

Chair Vyedin introduces the petition.

Attorney Ryan Carlucci introduces himself on behalf of the petitioner and discusses the need for the extension.

Chair Vyedin opens the floor to public comment but there is none.

Motion and Vote: Mr. Habib motions to approve the petition of CYNTHIA NINA-SOTO at 116 HIGHLAND AVENUE UNIT A1 (Map 14, Lot 0105) (R1 Zoning District; Entrance Corridor Overlay District) for a six-month extension to rights granted by the Board on October 22, 2025. The extension would allow Cynthia Nina-Soto to exercise rights granted by the Board for a Variance per Section 4.1.1 Dimensional Requirements and a Special Permit per Section 3.3.2(2) Nonconforming Uses of the Salem Zoning Ordinance, to convert a nonconforming mixed-use commercial office building with three dwelling units on the second floor to a nonconforming seven-family residential building with a smaller first-floor commercial office space, for an additional six months.

Ms. Eimert seconds the motion. **The vote is five (5) in favor (Ellen Simpson, Hilary Forbes, Peter Habib, Elena Eimert, and Nina Vyedin) and none (0) opposed. The motion passes.**

Board Election For the Secretary Officer Position

Chair Vyedin introduces the matter and reads the Secretary Officer position responsibilities and duties. After discussion, the Board members nominate Ellen Simpson.

Roll Call Vote: The vote is five (5) in favor to elect Ellen Simpson as the Secretary Officer of the Zoning Board of Appeals.

Staff updates and discussions on potential revisions to the Board's Application Requirements and Standard Conditions

Mr. Brennan introduces the discussion on updating the application requirements and standard conditions. The Board and staff discuss what is necessary and helpful and review the application checklist and requirements. Language updates and wording changes are also suggested. After additional discussion, the Board determines they are in favor of the proposed updates.

Next Meeting

September 16, 2026

ADJOURNMENT

Motion and Vote: Ms. Simpson motions to adjourn the meeting. Mr. Habib seconds the motion. The vote is all in favor. The motion passes.

The meeting ends at 10:15 PM on August 19, 2026.

For actions where the decisions have not been fully written into these minutes, copies of the Decisions have been posted separately by address or project at:

<https://www.salem.com/zoning-board-appeals/pages/zoning-board-appeals-decisions-2026>

Respectfully submitted,
Brennan Postich, Staff Planner