

# City of Newburyport Zoning Board of Appeals Application for a SPECIAL PERMIT

Petitioner: Chris Horan, c/o Lisa L. Mead, Mead, Talerman & Costa, LLC

Mailing Address: 30 Green Street, Newburyport MA 01950

Phone: 978 463 7700 Email: Lisa@MTClawyers.com

Property Address: 10 Ashland Street

Map and Lot(s): Map 68 Lot 156 Zoning District: R-2

Book and Page(s): Book 12676 Page 464

Owner(s) Name: Madeline A Insalaco

Mailing Address (if different): 10 Ashland Street

The applicant is requesting a Special Permit under section(s):

- Special Permit for Use (V.D) – Use # 102
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus Provisions for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Wind Energy Conversion Facilities (XXVI)
- Other \_\_\_\_\_

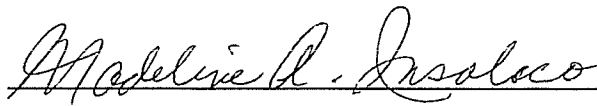
Description of request:

Permit a two family use on the property.

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publication, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal by the ZBA of this application as incomplete.

Petitioner's and Owner's signature(s):

  
\_\_\_\_\_

  
\_\_\_\_\_

# City of Newburyport Zoning Board of Appeals

## Application for a SPECIAL PERMIT FOR NON-CONFORMITIES

Petitioner: Chris Horan, c/o Lisa L. Mead, Mead, Talerman & Costa LLC

Mailing Address: 30 Green Street, Newburyport

Phone: 978 463 7700 Email: Lisa@MTClawyers.com

Property Address: 10 Ashland Street

Map and Lot(s): Map 68 Lot 156 Zoning District: R-2

Book and Page(s): Book 12676 Page 464

Owner(s) Name: Madeline A Insalaco

Mailing Address (if different): 10 Ashland Street

This request for a Special Permit for Non-Conformities is made under section(s):

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Extension or Alteration (IX.B.2) | <input type="checkbox"/> Over 500 s.f. increase (IX.B.3.c)      |
| <input type="checkbox"/> Parking                                     | <input type="checkbox"/> Plum Island Overlay District (XXI-G-3) |
| <input checked="" type="checkbox"/> Upward Extension                 | <input type="checkbox"/> FAR                                    |
| <input type="checkbox"/> Open Space                                  | <input type="checkbox"/> Footprint Expansion                    |
| <input type="checkbox"/> Height                                      | <input type="checkbox"/> Height Increase                        |
| <input type="checkbox"/> Lot Area                                    |   |
| <input type="checkbox"/> Rear Yard                                   |   |
| <input type="checkbox"/> Lot Coverage                                |   |
| <input type="checkbox"/> Side Yard                                   |   |
| <input type="checkbox"/> Lot Frontage                                |   |
| <input type="checkbox"/> Front Yard                                  |   |

(Refer to the Building Permit Denial as supplied by the Building Commissioner/Zoning Codes Administrator)

Description of request:

Permit modification of pre-existing non-conforming structure for two family use.

All information contained within this application will become a formal part of the Zoning Board of Appeals proceedings and decision.

**City of Newburyport Zoning Board of Appeals**  
**Application for a SPECIAL PERMIT FOR NON-CONFORMITIES**

	Lot s.f.	Open Space %	Lot Coverage %	FAR*	Height	Frontage	Parking Spaces	Front Setback	Side A Setback	Side B Setback	Rear Setback
Existing	15768	82.2	14.1		27.5	249.50	2+	24.1 28		57.2	32
Proposed	15768	79.3	14.1		27.5	249.50	4+	24.1 28		57.2	32
Required	15000	40	25		35	120	4	25 25		20	25

\*FAR is only applicable within the Plum Island Overlay District (PIOD).

**Existing Buildings:**

Ground Floor Sq. Feet	# of Floors	Total Sq. Feet	Use Code of Building**
1,770	2	3,600	101

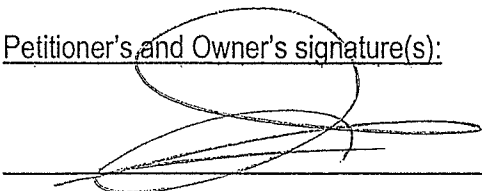
**Proposed Buildings:**

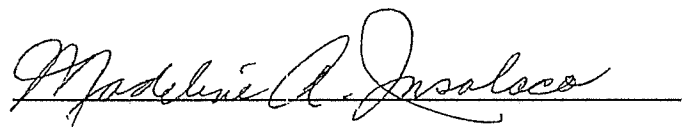
Ground Floor Sq. Feet	# of Floors	Total Sq. Feet	Use Code of Building**
2,119	2	5,214	102

\*\*Reference Dimensional Code numbers and uses from the Zoning Ordinance. (e.g. – 101 = single family, etc.)

Any advice, opinion, or information given by any board member or any other official or employee of the City of Newburyport shall not be binding on the Zoning Board of Appeals. Every application for a Special Permit for Non-Conformities must be made on this form, which is the official form of the ZBA. It shall be the responsibility of the petitioner to furnish all supporting documentation with this application. The dated copy of this application received by the City Clerk or Planning Office does not absolve the petitioner from this responsibility. The petitioner shall be responsible for all expenses for the filing, publication, and legal notification. Failure to comply with the application requirements, as cited herein and in the Zoning Board Rules and Regulations may result in a dismissal by the ZBA of this application as incomplete.

Petitioner's and Owner's signature(s):







Mead, Talerman & Costa, LLC  
Attorneys at Law

30 Green Street  
Newburyport, MA 01950  
Phone 978.463.7700  
Fax 978.463.7747

www.mtclawyers.com

July 7, 2017

By Hand

Ed Ramsdel, Chair  
Zoning Board of Appeals  
City of Newburyport  
City Hall  
60 Pleasant Street  
Newburyport, Massachusetts 01950

Re: Request for Special Permit for Use and Special Permit for Non-conformities; 10 Ashland Street, Newburyport, MA ( the "Property"), Assessor's Map: 68 Lot 156

Dear Chair and Members of the Board;

Reference is made to the above-captioned matter. In that connection, this firm represents Chris Horan, the Buyer of 10 Ashland Street (the "Petitioner"), relative to the Petitioner's request to convert the existing single-family home to a two-family use, and modify a pre-existing non-conforming structure. As you are aware, the Property is located in the R-2 Zoning District of the Newburyport Zoning Ordinance ("NZO") where a 2 Family use is permitted by a Special Permit.

The Property consists of 15,768 square feet of land with 249.50 feet of frontage on Ashland Street and Ashland Court. There are two front yards given the corner lot, where one front yard is non-conforming at 24.1 where 25 is required. As a single family dwelling it is non-conforming due to front yard setback. As a 2-Family dwelling, the same non-conformity exists, otherwise, the property fully conforms to the dimensional requirements for a two-family dwelling in the R-2.

The Petitioner will be modifying the structure an adding more than 500 square feet of floor area. Currently the structure consists of 3,600 square feet of living space. The new structure will consist of 5,214 of total living space, Unit 1 will include 2,724 square feet and Unit 2 will consist of 2,490 square feet.

The Applicant will require a **Special Permit for use** as a two-family under section **X-H(7)** of the NZO, a **Special Permit to modify** a pre-existing Non-conforming structure under section **IX-B(2)** of the NZO.

**Special Permit to Modify Pre-existing Non-Conforming Structure**

Section IX-B(2)(A) allows for the modification of a pre-existing non-conforming single or two-family structure where the Board finds that there will be no addition of a new non- conformity and that the proposed changes will not be substantially more detrimental to the neighborhood.

As is shown on the plans, there is only one non-conformity on the lot – the front yard setback on Ashland Court is at 24.1' where 25' is required. There are no

*Millis Office*

730 Main Street, Suite 1F  
Millis, MA 02054  
Phone 508.376.8400

other non-conformities on the lot. There will be an intensification of this non-conformity by an upward extension of the existing garage.

There will be no new non-conformities. The next question for the Board is, will the modification to the pre-existing non-conforming structure be substantially more detrimental to the neighborhood than the existing structure. It is the Petitioner's position that the Board can find the modest change to the structure elevation on Ashland Street is not substantially more detrimental to the neighborhood than the existing structure. As you can see from the elevations, existing v. proposed

The Petitioner states that the Board can find that the proposed change will not be substantially more detrimental to the neighborhood than the pre-existing nonconforming structure. (NZO §IX(B)(2)(B)(1-2).

Here, because there will be no new nonconformities created, all of the changes will be within the same footprint of the existing structure and limited by the same height and because the new use will be consistent with the rest of the neighborhood, the proposed changes to the structure will not be substantially more detrimental to the neighborhood. The Board can find the proposed change to the structure will not be substantially more detrimental to the neighborhood.

### Special Permit for Use

The existing use of the Property is as a single-family use. The Applicant seeks to make convert the structure to a two-family use. A two-family use is allowed in accordance with section V-D of the Ordinance with a Special Permit from the Board. Referencing Section X-H(7) of the NZO, I note the following, required "general conditions" for the issuance of a special permit for a two-family use together with an explanation of the Petitioner's compliance with each such requirement:

1. The use requested is listed in the table of use regulations or elsewhere in the ordinances [as] requiring a special permit in the district for which application is made or is similar in character to permitted uses in a particular district but is not specifically mentioned.

As noted above, the Property is located in an R-2 zoning distraction where a two-family use is allowed by special permit.

2. The requested use is essential and/or desirable to the public convenience or welfare.

Again, the use as a two family is allowed by special permit in the R-2 district and therefore, by its very nature, has been determined by the City to be desirable. The R-2 district is a modestly dense district in the city, requiring more lot area for single and two family uses. The City includes the two-family use in the R-2 which recognizes that it is appropriate to allow more dense developments in various appropriate properties. The proposed modification to a two family certainly keeps with in the intent of the ordinance. Here the lot area and frontage are more than sufficient for a two-family use, something that is unusual – even in the Ashland Street neighborhood. Therefore, it is appropriate and desirable, where there is sufficient area and frontage to allow a two-family use to provide a diversity of housing in the City.

3. The requested use will not create undue traffic congestion, or unduly impair pedestrian safety.

The creation of a second unit on the Property will not create undue traffic congestion or unduly impair pedestrian safety. A new drive will be created on Ashland Street. Both units will have more than sufficient parking. There is a sidewalk which runs along the opposite sides of both Ashland Street and Ashland Court and continues along Ashland Street up the same side as Ashland Court. As a result, there will be no detrimental impact with regard to traffic or pedestrian safety as a result of the proposed two-family use on site.

4. The requested use will not overload any public water, drainage or sewer system or any other municipal system to such an extent that the requested use or any developed use in the immediate area or in any other area of the city will be unduly subjected to hazards affecting health, safety or the general welfare.

The existing house contains four (4) bedrooms thereby impacting the city water and sewer system with approximately 440 gpd of water and sewer usage. One unit of the proposed two family would contain four (4) and one unit would contain three (3) bedrooms for a total increase of 330 gpd of impact on the water and sewer system. The additional possible 330 gpd use of the water and sewer system will not have a detrimental impact on the public water or sewer system.<sup>1</sup> This addition to the public infrastructure is negligible. As a result, the public systems will not be overloaded and nothing about the increased use on site will pose a hazard to the public health or safety.

5. Any special regulations for the use, set forth in the special permit table are fulfilled.

There are no special regulations for a two-family use exist in the Ordinance.

6. The requested use will not impair the integrity or character of the district or adjoining districts, nor be detrimental to the health or welfare.

The creation of a two-family use is consistent with the zoning district and the integrity and character of the neighborhood. The westerly side of Ashland Street is the R-2 zoning district and the easterly side is R-3. All along Ashland Street there is a mixture of single family, two family and multifamily homes – on both sides of the street. In this immediate area in particular, at 11-13 Ashland Court there is a two family, at 5-7 Ashland Court there is a three family, at 17-21 Ashland Street there is a two family. The proposed two-family use is consistent with the neighborhood generally and it will not impair the integrity or character of the district or adjoining districts.

7. The requested use will not, by its addition to a neighborhood, cause an excess of that particular use that could be detrimental to the character of said neighborhood.

As noted above, the two-family use is consistent in the varied housing types in neighborhood and in the vicinity generally. As noted in 6 above, the addition of a two family to the neighborhood will be entirely consistent with the surrounding uses in the area and will not cause an excess of this particular use or be detrimental to the neighborhood.

---

<sup>1</sup> Newburyport treats approximately 2.1 million gpd of water and treats 2.4 million gpd for sewer. Therefore the impact on water is .00015 and the impact on the sewer system is .00013 of the current usage of the system.

8. The proposed use is in harmony with the purpose and intent of this ordinance.

Once again, the two-family use is allowed by special permit in the R-2 District. The R-2 district is the second most dense residential districts in the City and therefore allowing the two-family use is in harmony with the purpose and intent of the Ordinance – particularly where the lot area and frontage, open space and lot coverage, are in full compliance with the dimensional requirements of the Ordinance.

9. The proposed use shall not be conducted in a manner so as to emit any dangerous, noxious, injurious or otherwise objectionable fire, explosion, radioactive or other hazard, noise or vibration, smoke, dust, odor or other form of environmental pollution.

The construction and thereafter use of a two family will not itself create hazardous materials and transmissions. Proposed construction will be completed in a manner that is not dangerous, noxious or injurious, and it will not emit, noise, vibration, smoke, dust or odor or other form of environmental pollution

Finally, under section X-H.7.B.10, the Board can find that it is not “appropriate” to add sidewalks in front of this home either on Ashland Street nor on Ashland Court. Currently there are no sidewalks on this side of Ashland Street nor are there any on this side of Ashland Court. Indeed, if a sidewalk were to be installed on the Ashland Street side, a major street tree would have to be removed. Further, it does not appear as though it would be appropriate to add any more street trees to the frontage of the property. The Applicant will await the opinion of DPS on this matter.

As a result, the applicant requests the Board find that the proposed alterations to the existing structure are not substantially more detrimental than the existing structure. Additionally, that the Board grant a special permit to allow the two-family use on the Property.

Respectfully submitted,  
Chris Horan  
By His Attorney



Lisa L. Mead

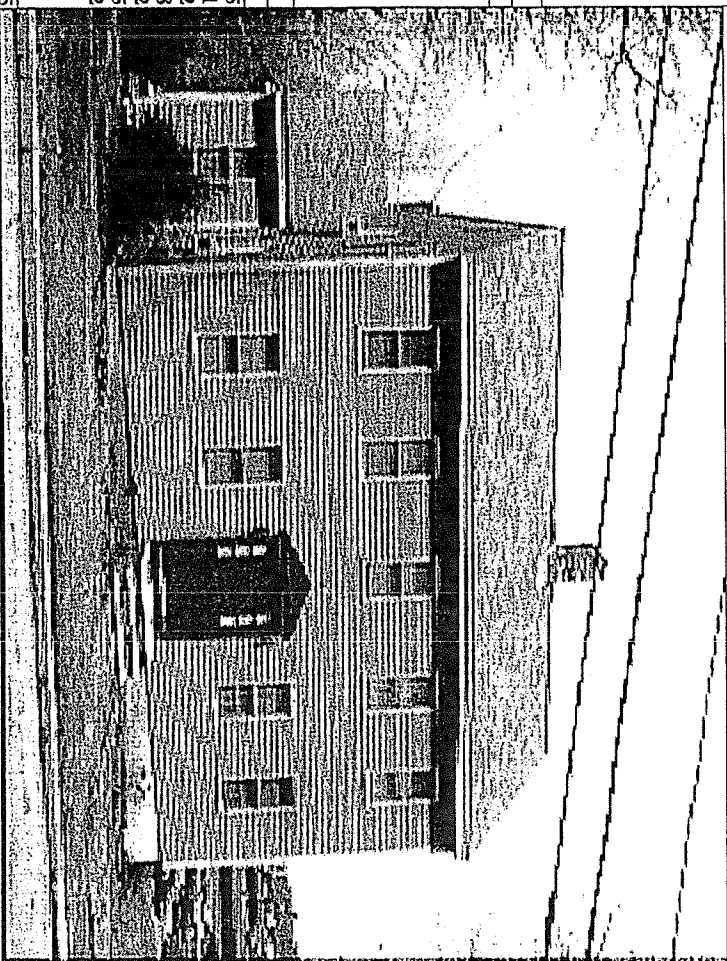
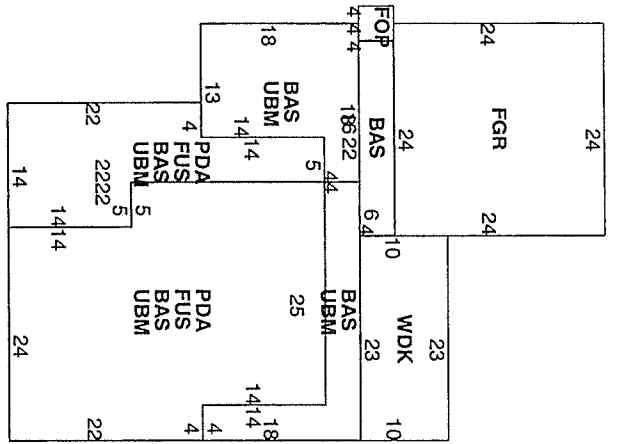
CONSTRUCTION DETAIL CONSTRUCTION DETAIL (CONTINUED)

Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description				
Style	03		Colonial								
Model	01		Residential								
Grade	04		Average +10								
Stories	2		2 Stories								
Occupancy	1										
Exterior Wall 1	11		Clapboard								
Exterior Wall 2											
Roof Structure	03		Cable/Hip								
Roof Cover	03		Asph/F Gls/Cmp								
Interior Wall 1	05		Drywall/Sheet								
Interior Wall 2											
Interior Fir 1	12		Hardwood								
Interior Fir 2											
Heat Fuel	02		Oil								
Heat Type	05		Hot Water								
AC Type	01		None								
Total Bedrooms	04		4 Bedrooms								
Total Bathrms	2										
Total Half Baths	1										
Total Xtra Fixrs	8										
Total Rooms	8										
Bath Style	02		Average								
Kitchen Style	02		Average								
<b>OB-OUTBUILDING &amp; YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)</b>											
Code	Description	Sub	Sub Descrip	L/B Units	Unit Price	Yr	Gde	Dp Rr	Cnd	%Cnd	Apr Value
FPL3	FIREPLACE 2			B	4,400.00	2002		1		100	3,800

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Underprec. Value
BAS	First Floor	1,770	1,770	1,770	124.00	219,485
FGR	Garage, Attached	0	576	230	49.52	28,521
FOP	Porch, Open	0	16	3	23.25	372
FUS	Upper Story, Finished	0	1,256	1,256	124.00	155,748
PDA	Pull Down Attic	0	0	63	6.22	7,812
UBM	Basement, Unfinished	0	1,682	336	24.77	41,665
WDK	Deck, Wood	0	230	23	12.40	2,852

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Underprec. Value
<b>Ttl. Gross LwL Lease Area:</b>						
		3,026	6,786	3,681		456,455





CURRENT OWNER	TOPO.	UTILITIES	STRT./ROAD	LOCATION	CURRENT ASSESSMENT	VISION
INSALACO, MADELINE A. 10 ASHLAND ST NEWBURYPORT, MA 01950 Additional Owners:					Description Code RESIDENTL 1010 RES LAND 1010	123 NEWBURYPORT, MA
SUPPLEMENTAL DATA					Appraised Value 396,400	Assessed Value 396,400
Other ID: 68-156					Assessed Value 221,700	Assessed Value 221,700
SUB-DIV PHOTO WARD						
ATT 1/2 HSE:						
GIS ID: M.249931.952641						

RECORD OF OWNERSHIP	BK-VOL/PAGE	SALE DATE	q/u	w/i	SALE PRICE	V.C.	Yr. Code	Assessed Value	Yr. Code	Assessed Value	Yr. Code	Assessed Value		
INSALACO, MADELINE A.	12676/0464	07/26/1994	Q	I	255,000	00	2017	396,400	2016	1010	373,000	2015	1010	381,600
MCGIBNEY, JOHN W	09602/0245	07/08/1988	Q	I	307,500	00	2017	221,700	2016	1010	211,100	2015	1010	211,100
WOOD THOMAS W	08687/0482	12/18/1986	Q	V	50,000	00	2017							
HALL CHARLES H	3425/340				0									
Total:								618,100		618,100		584,100		592,700

EXEMPTIONS	Description	Amount	Code	Description	Number	Amount	Comm. Int.
OTHER ASSESSMENTS							
Total:							

ASSESSING NEIGHBORHOOD	Street Index Name	Tracing	Batch
NBHD/SUB			
S/A			
NOTES			

BUILDING PERMIT RECORD	Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments
	A2008-408	10/16/2008	RS	Residential	8,450		0		STRIP & RE-ROOF

LAND LINE VALUATION SECTION	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	L. Factor	S.A.	Disc	C. Factor	ST. Idx	Adj.	Notes-Adj
	1	1010 SINGLE FAM	R2				15,768	SF	14.06	1.00000	5	1.00000	1.00	0.00	

VISIT/CHANGE HISTORY	Date	Type	ID	Ca.	Purpose/Result
	09/22/2016		RK	FR	Field Review as mandated
	03/26/2014		A1	00	Measur+Listed
	12/27/2006		AF	02	Measur+2Visits
	10/16/1996		BB	00	Measur+Listed
	10/02/1988		JS	02	Measur+2Visits

APPRaised VALUE SUMMARY	Appraised Bldg. Value (Card)	Appraised XF (B) Value (Bldg)	Appraised OB (L) Value (Bldg)	Appraised Land Value (Bldg)	Special Land Value	Total Appraised Parcel Value	Valuation Method:	Adjustment:	Net Total Appraised Parcel Value
	392,600	3,800	0	221,700	0	618,100	C	0	618,100

Total Card Land Units: 0.36 AC Parcel Total Land Area: 0.36 AC Total Land Value: 221,700

OFFICE OF THE BUILDING COMMISSIONER/ZONING CODE ENFORCEMENT OFFICER

ZONING DENIAL

City APR#: 48

Name: Chris Heran / Lisa Mead

Address: 10 Ashland St.

Zoning District: R-II

Request: Construct Addition to go from single family to two family use w/ non-conformities  
 ZONING BOARD Front Yard Setback

**Dimensional Variance**

- |  |                                     |  |
|--|-------------------------------------|--|
| <input type="checkbox"/> Dimensional Controls (VI) | <input type="checkbox"/> PIOD (XXI) | <input type="checkbox"/> Parking (VII) |
| ___ Lot Area                                       | ___ FAR                             |  |
| ___ Open Space                                     | ___ 2 1/2 stories                   |  |
| ___ Lot Frontage                                   | ___ Height                          |  |
| ___ Lot Coverage                                   | ___ Lot Width                       |  |
| ___ Front Yard                                     | ___ Side Yard                       |  |
| ___ Rear Yard                                      |                                     |  |

**Use Variance**

- Not permitted use (V)

**Sign Variance**

- Signs (VIII)
- |              |              |
|--------------|--------------|
| ___ Type     | ___ Size     |
| ___ Lighting | ___ Location |

**Special Permit**

- Special Permit for Use (V.D) Use #: 102
- Spacing (VI.D)
- In-Law Apartment (XIIA)
- Bonus for Multifamily Developments (XVI)
- Personal Wireless Communication Services (XX)
- Demolition Control Overlay District (XXVIII)
- Wind Energy Conversion Facilities (XXVI)

**Special Permit for Non-Conformities**

- Extension or Alteration (IX.B.2)
- |                      |  |
|----------------------|--|
| ___ Parking          | ___ Rear Yard                                  |
| ___ Upward Extension | ___ Lot Coverage                               |
| ___ Open Space       | ___ Side Yard                                  |
| ___ Height           | ___ Lot Frontage                               |
| ___ Lot Area         | <input checked="" type="checkbox"/> Front Yard |
- Over 500 s.f. increase (IX.B.3.c)
- Plum Island Overlay District (XXI-G-3)
- |                         |                     |
|-------------------------|---------------------|
| ___ FAR                 | ___ Height Increase |
| ___ Footprint Expansion | ___ # of bedrooms   |

PLANNING BOARD

**Special Permit**

- |   |  |
|---|--|
| <input type="checkbox"/> One residential structure per lot (VI.C) | <input type="checkbox"/> Courts and Lanes (XXIII)                    |
| <input type="checkbox"/> Floodplain (XIII)                        | <input type="checkbox"/> Waterfront West Overlay District (XXIV)     |
| <input type="checkbox"/> Open Space Residential Development (XIV) | <input type="checkbox"/> Towle Complex Redev. Overlay District (XXV) |
| <input type="checkbox"/> Water Resource Protection District (XIX) | <input type="checkbox"/> Downtown Overlay District (XXVII)           |
| <input type="checkbox"/> Federal Street Overlay District (XXII)   |  |

**Site Plan Review (XV)**

- Major       Minor

**Smart Growth District (XXIX)**

- Plan Approval

HISTORICAL COMMISSION

- Demo. Delay       Advisory Review

CONSERVATION COMMISSION

CITY COUNCIL

- GACM (X.H.9)

7/10/17

Date

Building Commissioner/Zoning Code Enf. Officer



Mead, Talerman & Costa, LLC  
Attorneys at Law

July 6, 2017

By Hand

Peter Binnette  
Building Commissioner  
City of Newburyport  
City Hall  
60 Pleasant Street  
Newburyport, Massachusetts 01950

30 Green Street  
Newburyport, MA 01950  
Phone 978.463.7700  
Fax 978.463.7747

www.mtclawyers.com

Re: Request for Permit Denial; 10 Ashland Street, Newburyport, MA ( the "Property"), Assessor's Map: 68 Lot 156

Dear Peter;

Reference is made to the above-captioned matter. In that connection, this firm represents Chris Horan, the Buyer of 10 Ashland Street (the "Petitioner"), relative to the Petitioner's request to convert the existing single family home to a two family use, and modify a pre-existing non-conforming structure. As you are aware, the Property is located in the R-2 Zoning District of the Newburyport Zoning Ordinance ("NZO") where a 2 Family use is permitted by a Special Permit.

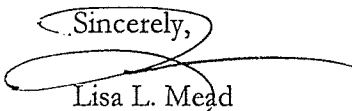
The Property consists of 15,768 square feet of land with 249.50 feet of frontage on Ashland Street and Ashland Court. There are two front yards given the corner lot, where one front yard is non-conforming at 24.1 where 25 is required. As a single family dwelling it is non-conforming due to front yard setback. As a 2-Family dwelling, the same non-conformity exists, otherwise, the property fully conforms to the dimensional requirements for a two-family dwelling in the R-2.

The Petitioner will be modifying the structure an adding more than 500 square feet of floor area. Currently the structure consists of 3,600 square feet of living space. The new structure will consist of 5,214 of total living space, Unit 1 will include 2,724 square feet and Unit 2 will consist of 2,490 square feet.

The Applicant will require a **Special Permit for use** as a two-family under section **X-H(7)** of the NZO, a **Special Permit to modify** a pre-existing Non-conforming structure under section **IX-B(2)** and **IX-B(3)(C)** of the NZO.

Should you have any questions or concerns, please contact me at (978) 463-7700.

Sincerely,

  
Lisa L. Mead

Attachment  
cc: Client

RECEIVED

JUL 06 2017

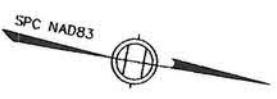
CITY OF NEWBURYPORT  
BUILDING DEPARTMENT

Millis Office

730 Main Street, Suite 1F  
Millis, MA 02054  
Phone 508.376.8400

N/F  
 GANTON LLC  
 MAP 68 LOT 155  
 E.S.D.R.D. BK. 22957 PG. 100  
 N 40°15'00" E  
 100.35'

N/F  
 BART REALTY TRUST  
 MAP 68 LOT 156A  
 E.S.D.R.D. BK. 12839 PG. 49



**ZONING**  
 RESIDENTIAL  
 (R-2)

	EXISTING	PROPOSED (USE 101)	PROPOSED (USE 102)
MINIMUM LOT SIZE:	10,000 SF	15,768 SF	15,768 SF
MINIMUM FRONT SETBACK:	90 FT	248.50 FT	248.50 FT
MINIMUM SIDE SETBACK (R):	25 FT	24.1 FT	24.1 FT
MINIMUM SIDE SETBACK (L):	25 FT*	28.0 FT	28.0 FT
MINIMUM REAR SETBACK:	10 FT	57.2 FT	57.2 FT
MAX LOT COVERAGE:	25%	14.15%	14.1%
MAX BUILDING HEIGHT:	35 FT	27.5 FT	27.5 FT
MINIMUM OPEN SPACE:	40%	82.2%	40%

INFORMATION REGARDING ZONING, INCLUDING PARKING ABOVE, SHOWN HEREON IS NOT INTENDED TO BE A GUARANTEE OF ZONING OR ANY OTHER LEGAL MATTER. CONSULT WITH A PROFESSIONAL ENGINEER OR ARCHITECT FOR LEGAL COUNSEL PRIOR TO RELIANCE UPON THE SAME.  
 \* FRONT SETBACK IS MEASURED AS A FRONT PER ZONING ORDINANCE.

**NOTES**

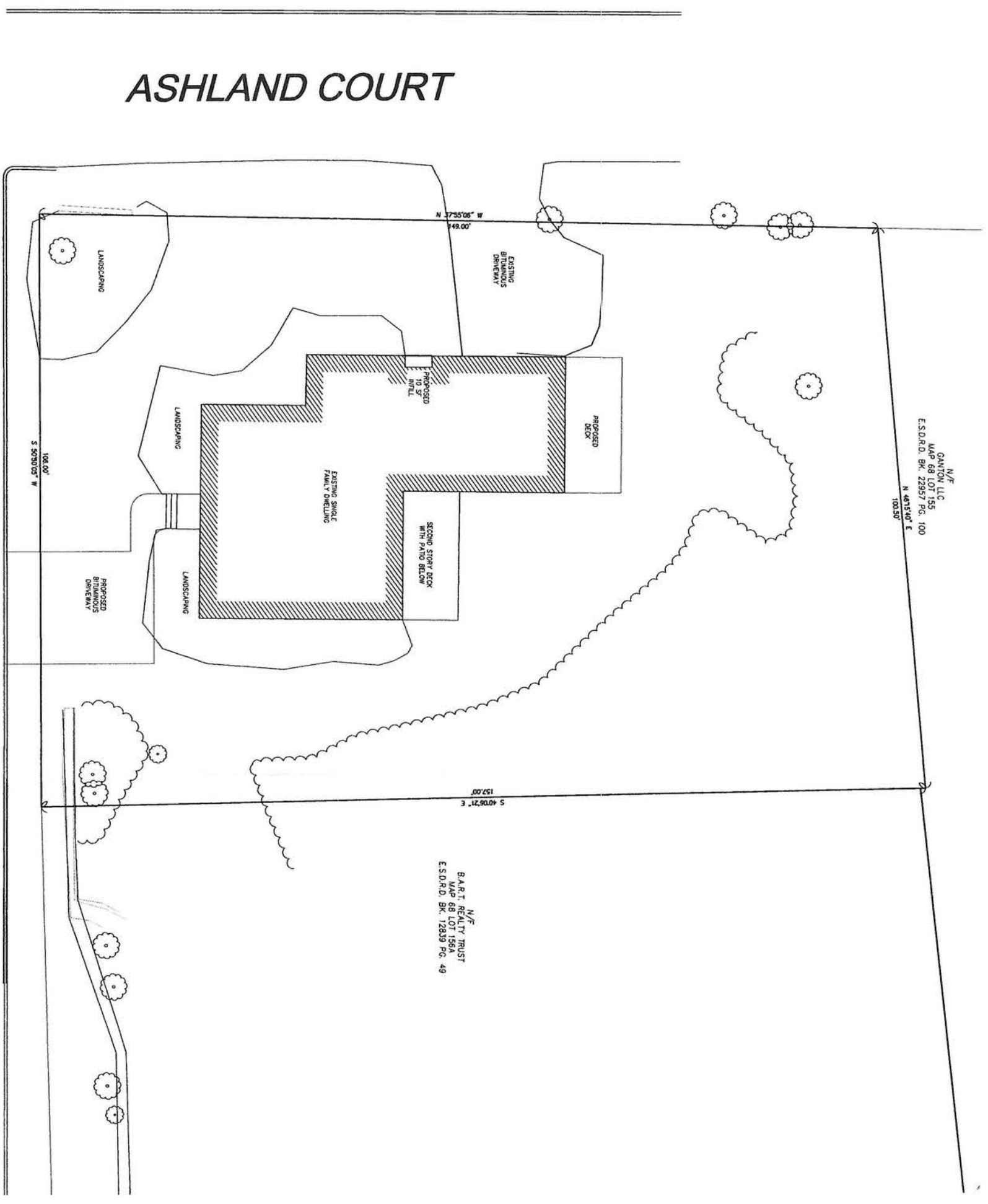
THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING CONDITIONS ON THE LOT AND IS THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED ON JUNE 23, 2017.  
 OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.  
 TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THIS PLAN COMPLIES WITH ALL APPLICABLE REGULATIONS AND STANDARDS OF THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.



P.L.S.  
 EVERETT J. CHANDLER, P.L.S. MASS. REGISTRATION NO. 41783  
 DATE 7/2/17

**LOCUS TILE INFORMATION**

10 ASHLAND STREET  
 OWNER: MADELINE INSALACO  
 DEED REFERENCE: BOOK 12676 PAGE 464  
 ASSESSORS: MAP 68 PARCEL 156



**ASHLAND COURT**

**ASHLAND STREET**

Copyright 2017 Winter GEC, LLC

**Winter GEC, LLC**  
 34 WINTER STREET  
 NEWBURYPORT, MA 01950  
 978-270-8828

SCALE: HORIZ.: 1" = 5' VERT.: N/A

NO.	DATE	BY	REVISIONS

FIELD: I.P.L. CAUS: I.P.L. CHECKED: E.J.C. AS-PROJED: E.J.C.

ZONING BOARD OF APPEALS  
 PLAN  
 10 ASHLAND STREET

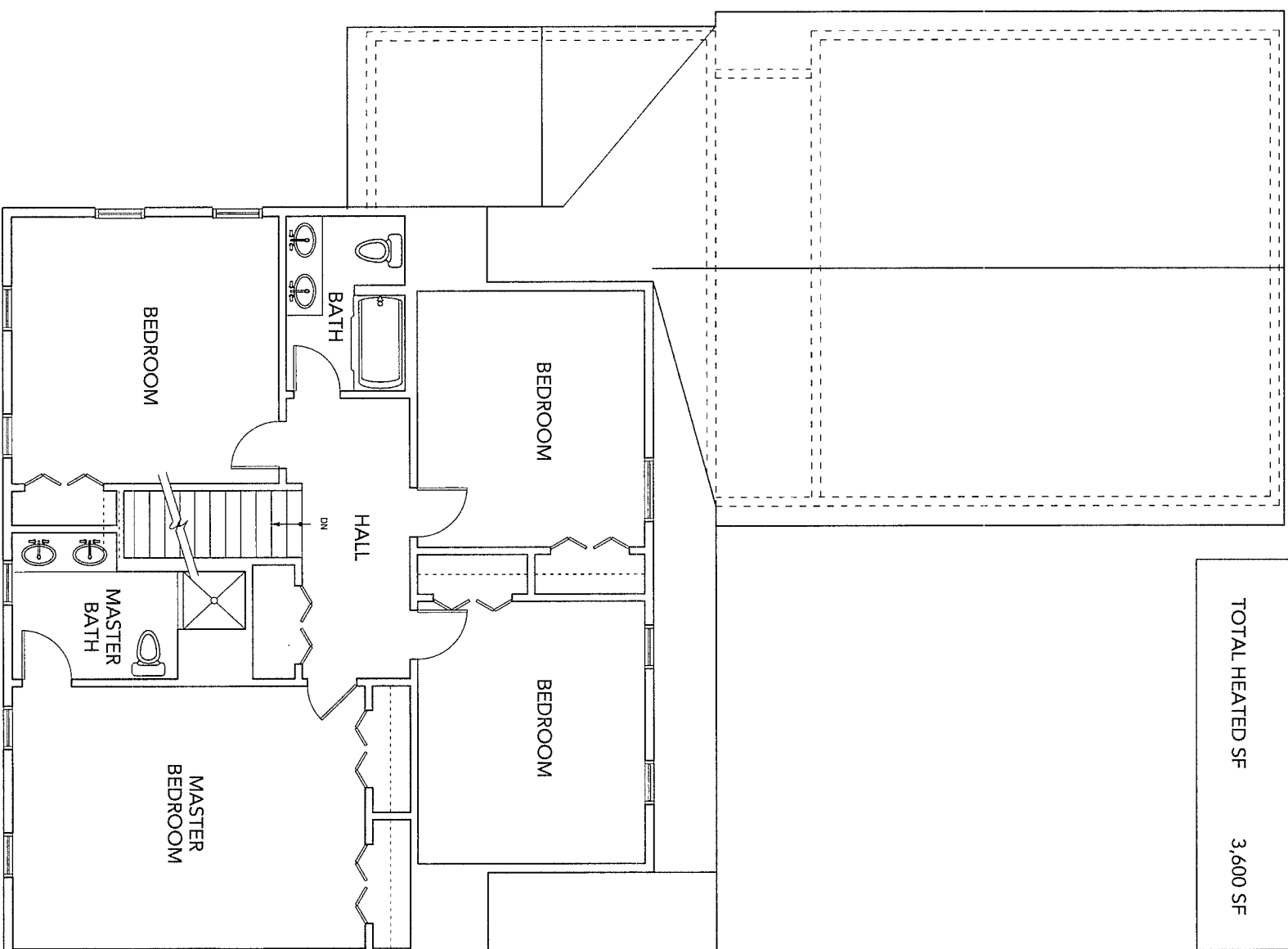
PLAN OF LAND IN  
 NEWBURYPORT, MASSACHUSETTS  
 SURVEYED FOR  
 BALMORAL DEVELOPMENT, LLC

PROJECT NO. 2017-10ASHLAND  
 DATE: JUNE 30, 2017  
 SHEET NO. 1 OF 1



1 First Floor Plan - EXISTING  
SCALE: 1/8" = 1'-0"

EXISTING SF CALCULATIONS	
1ST FL	1,584 SF
2ND FL	1,169 SF
BASEMENT	847 SF
TOTAL HEATED SF	3,600 SF

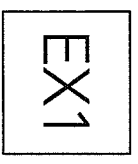


2 Second Floor Plan - EXISTING  
SCALE: 1/8" = 1'-0"

project:  
**10 ASHLAND STREET**  
Newburyport, MA  
01950

architect:  
**GRAF ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978.499.9442  
www.grafarch.com

title:  
**EXISTING**  
First + Second  
Floor Plans  
SCALE: 1/8" = 1'-0"  
6 JULY 2017



Project:

# 10 ASHLAND STREET

Newburyport, MA  
01950

Architect:

**GRAF ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978 499 9442  
www.grafarch.com

Title:

**EXISTING**  
Basement Floor Plan

SCALE: 1/8" = 1'-0"  
6 July 2017

**EX2**

1 Basement Floor Plan - EXISTING  
SCALE: 1/8" = 1'-0"



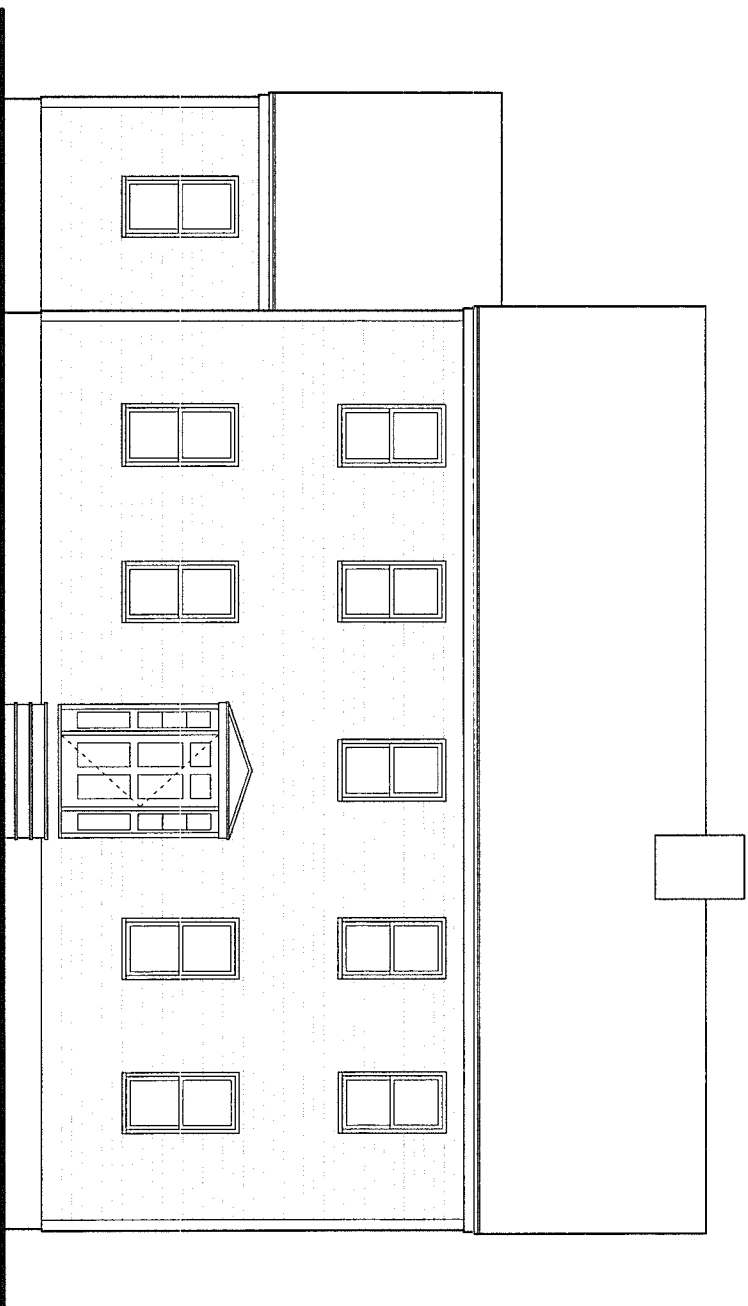
Project:

# 10 ASHLAND STREET

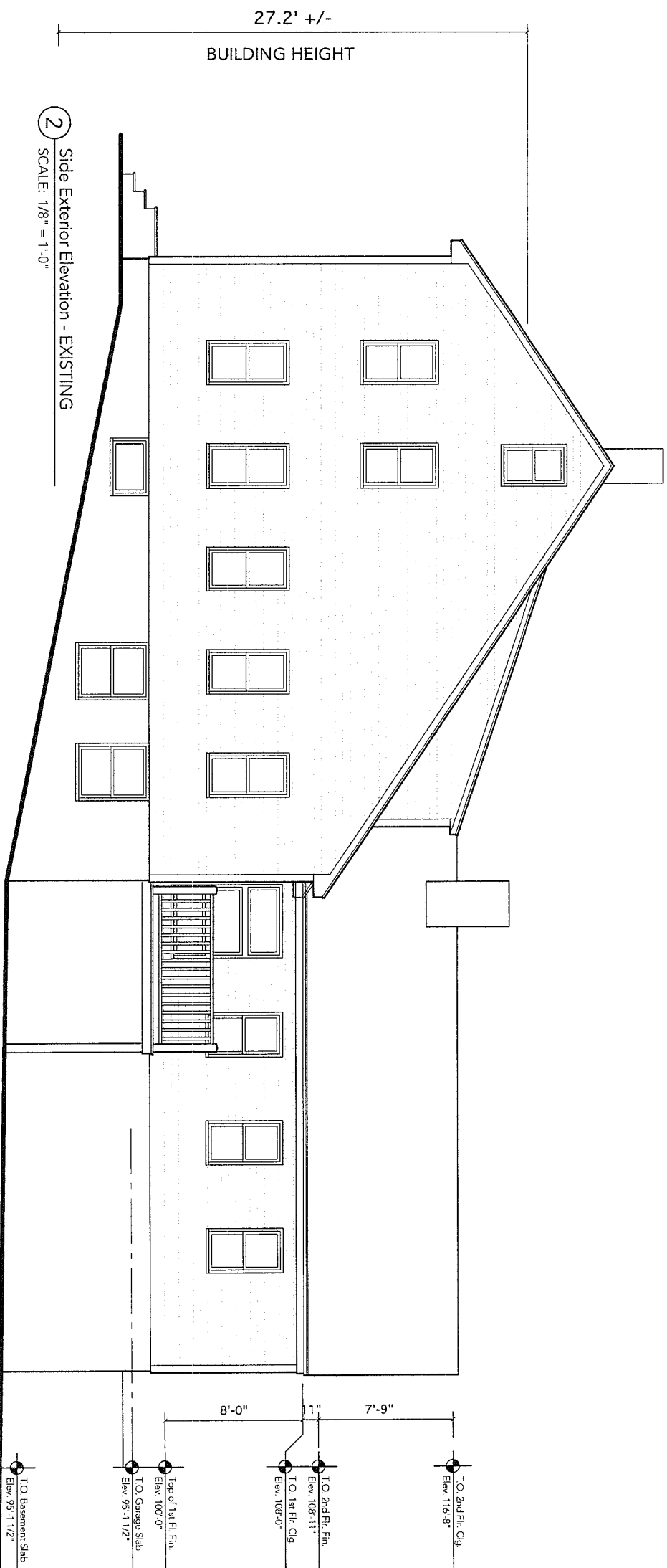
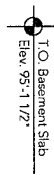
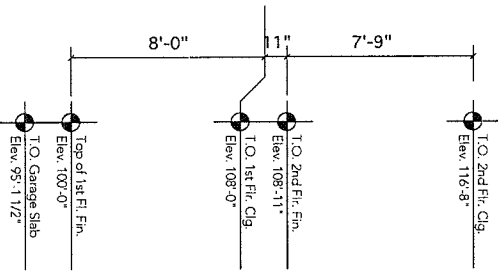
Newburyport, MA  
01950

architect:

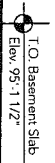
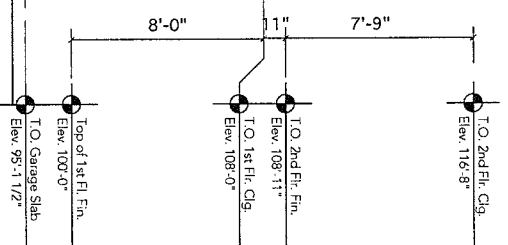
**GRAF ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978 499 9442  
www.grafarch.com



1 Front Exterior Elevation - EXISTING  
SCALE: 1/8" = 1'-0"



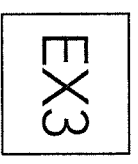
2 Side Exterior Elevation - EXISTING  
SCALE: 1/8" = 1'-0"



Title:

## EXISTING Exterior Elevations

SCALE: 1/8" = 1'-0"  
6 July 2017



project:

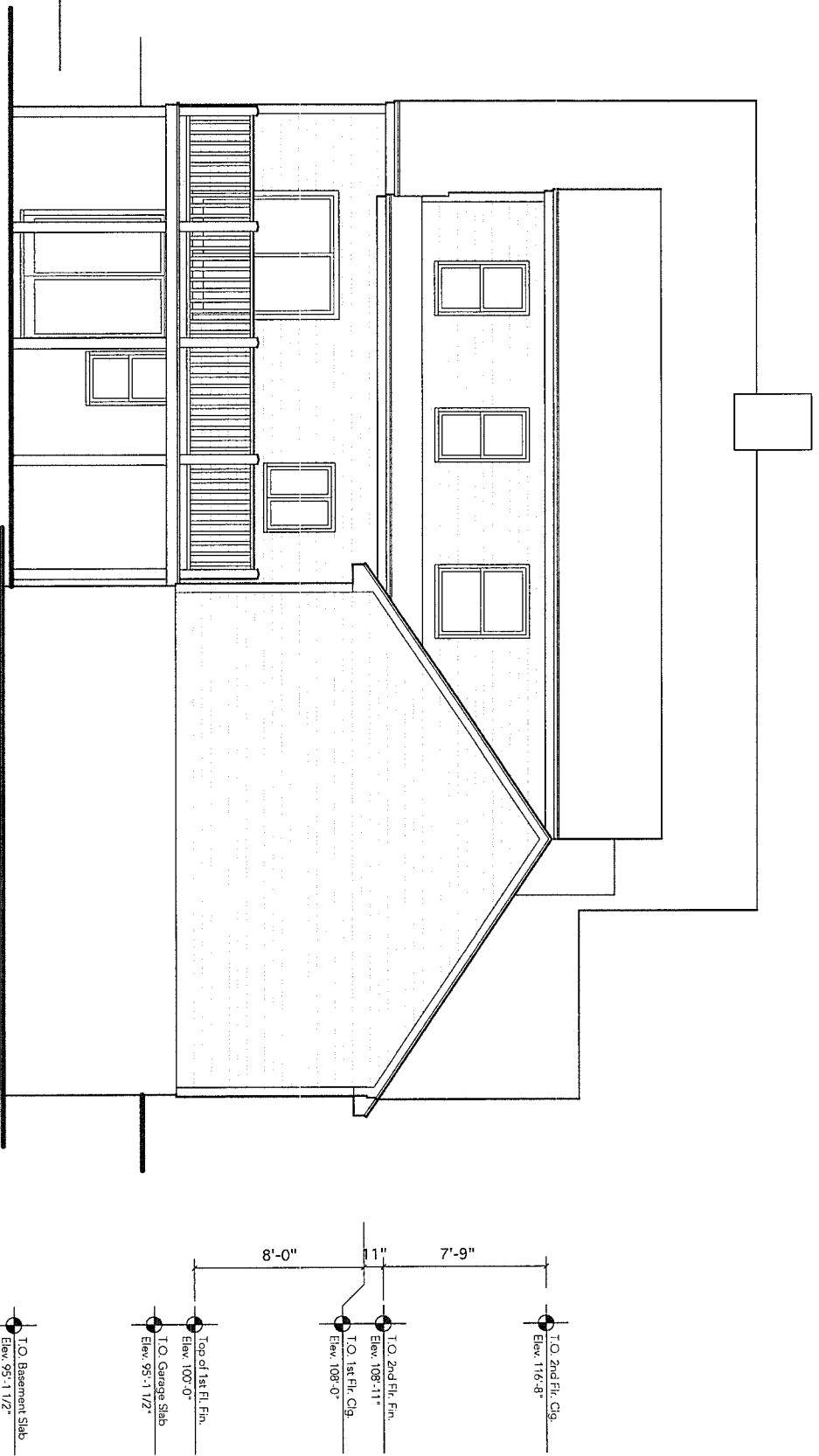
# 10 ASHLAND STREET

Newburyport, MA  
01950

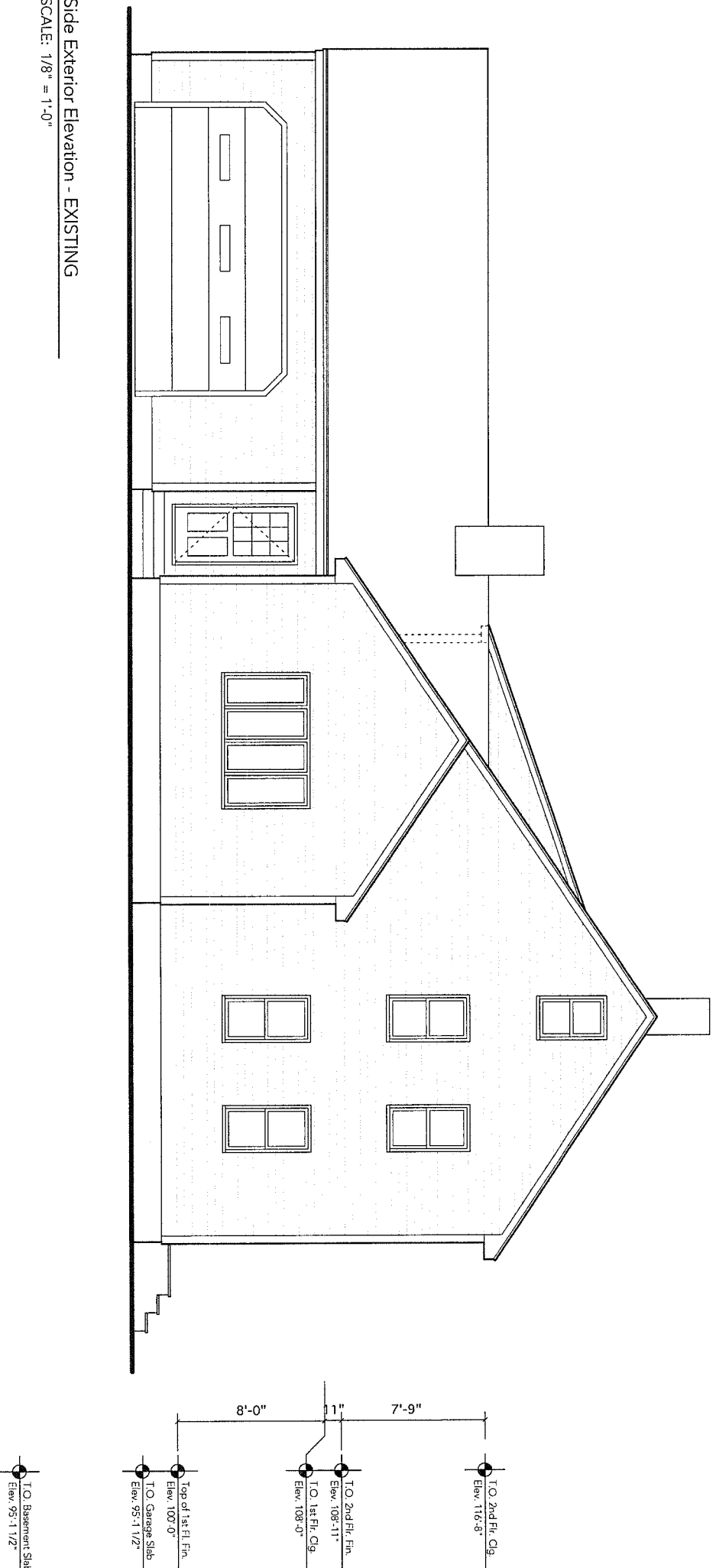
architect:

**GRAF**  
**ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978 499 9442  
www.grafarch.com

1 Rear Exterior Elevation - EXISTING  
SCALE: 1/8" = 1'-0"



2 Side Exterior Elevation - EXISTING  
SCALE: 1/8" = 1'-0"



title:

**EXISTING**  
**Exterior Elevations**

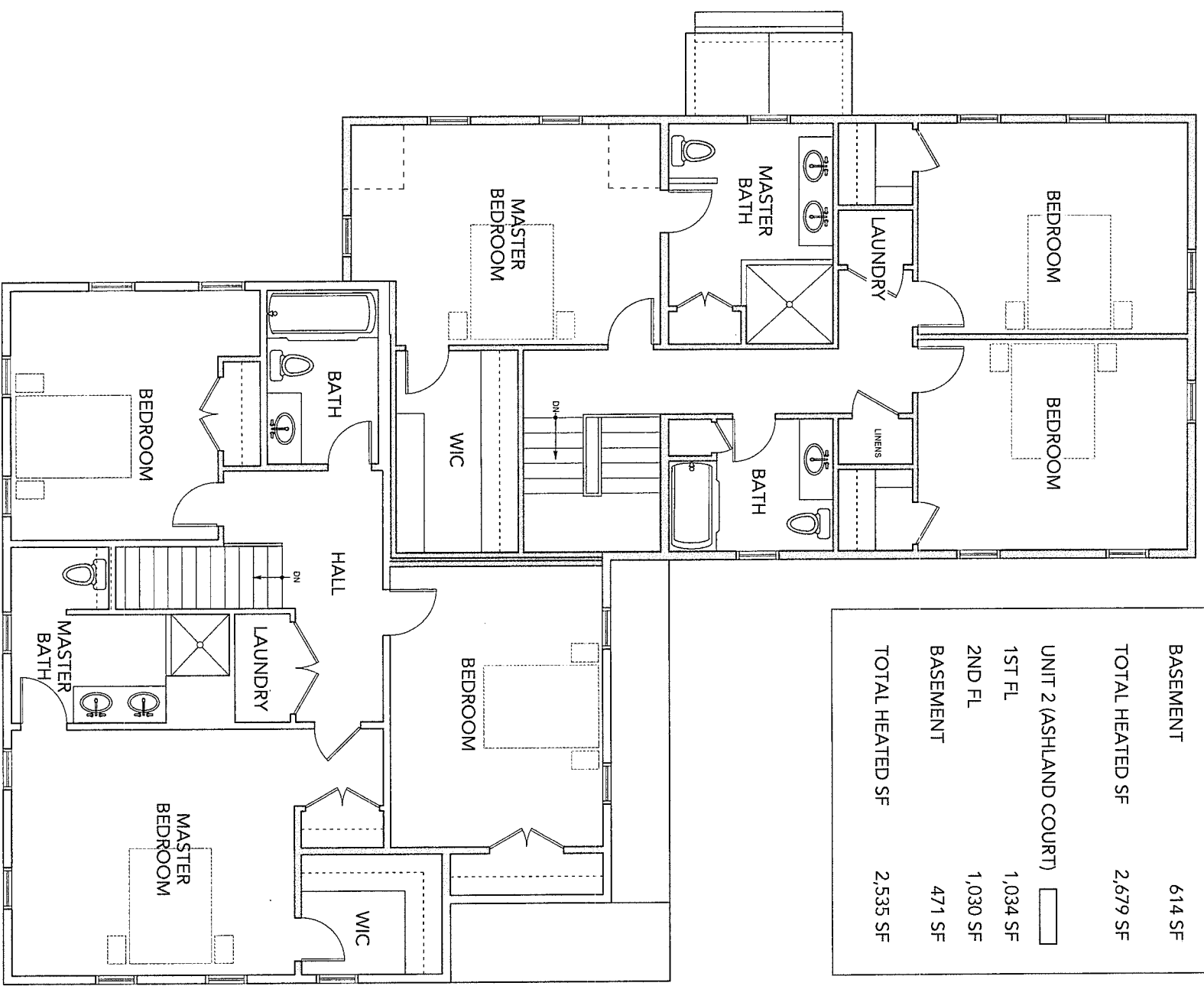
SCALE: 1/8" = 1'-0"  
6 July 2017

EX4

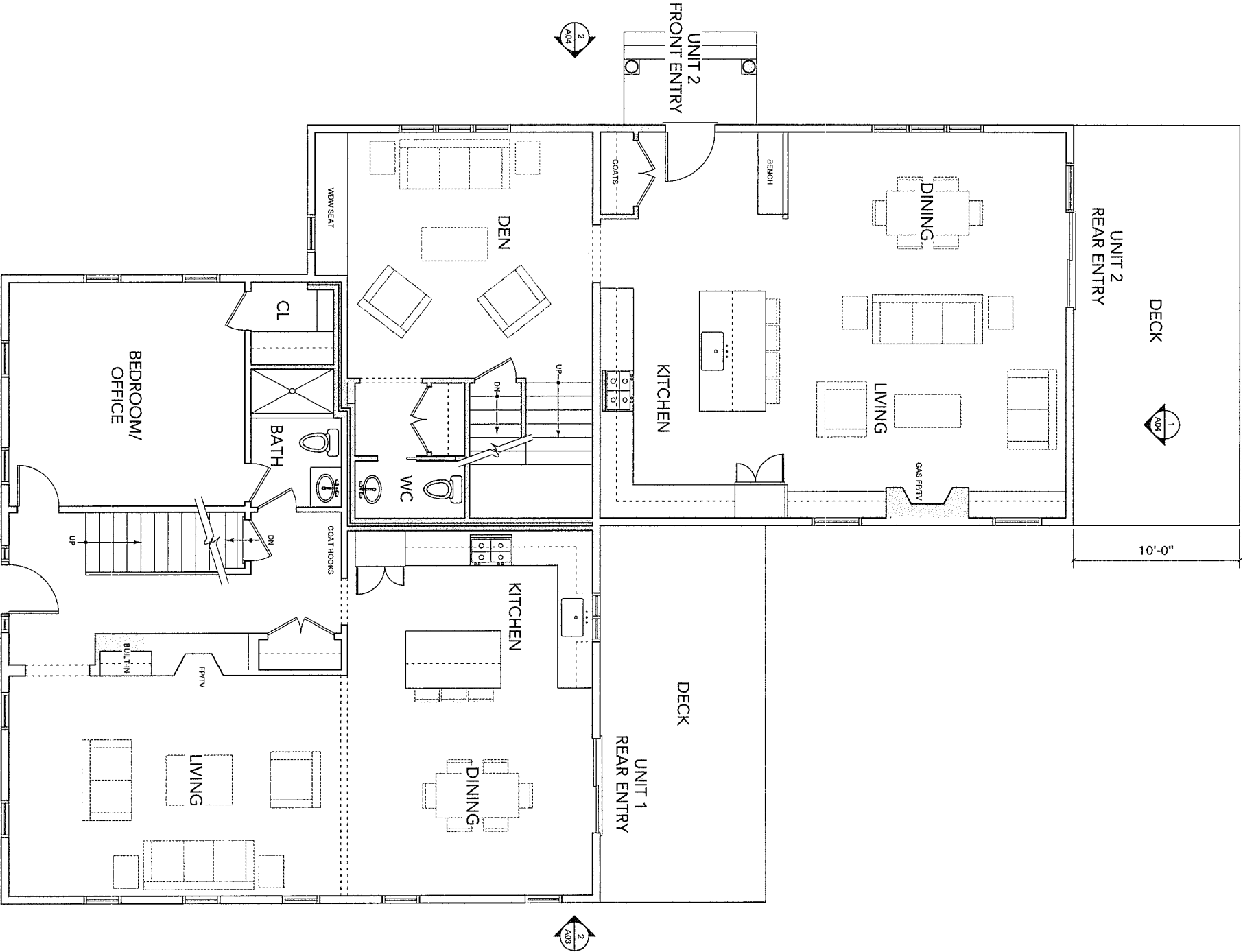


project:  
**10 ASHLAND STREET**  
 Newburyport, MA  
 01950

PROPOSED SF CALCULATIONS	
UNIT 1 (ASHLAND ST)	1,085 SF
1ST FL	980 SF
2ND FL	614 SF
BASEMENT	471 SF
TOTAL HEATED SF	2,679 SF
UNIT 2 (ASHLAND COURT)	1,034 SF
1ST FL	1,030 SF
2ND FL	471 SF
BASEMENT	471 SF
TOTAL HEATED SF	2,535 SF



2 Second Floor Plan - PROPOSED  
 SCALE: 1/8" = 1'-0"



1 First Floor Plan - PROPOSED  
 SCALE: 1/8" = 1'-0"

architect:

**GRAF ARCHITECTS**  
 2 Liberty Street  
 Newburyport, MA  
 01950  
 T. 978.499.9442  
 www.grafarch.com

title:

**PROPOSED**  
 First + Second  
 Floor Plans

SCALE: 1/8" = 1'-0"  
 6 JULY 2017

**A01**

project:

# 10 ASHLAND STREET

Newburyport, MA  
01950

architect:

**GRAF ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978.499.9442  
www.grafarch.com

title:

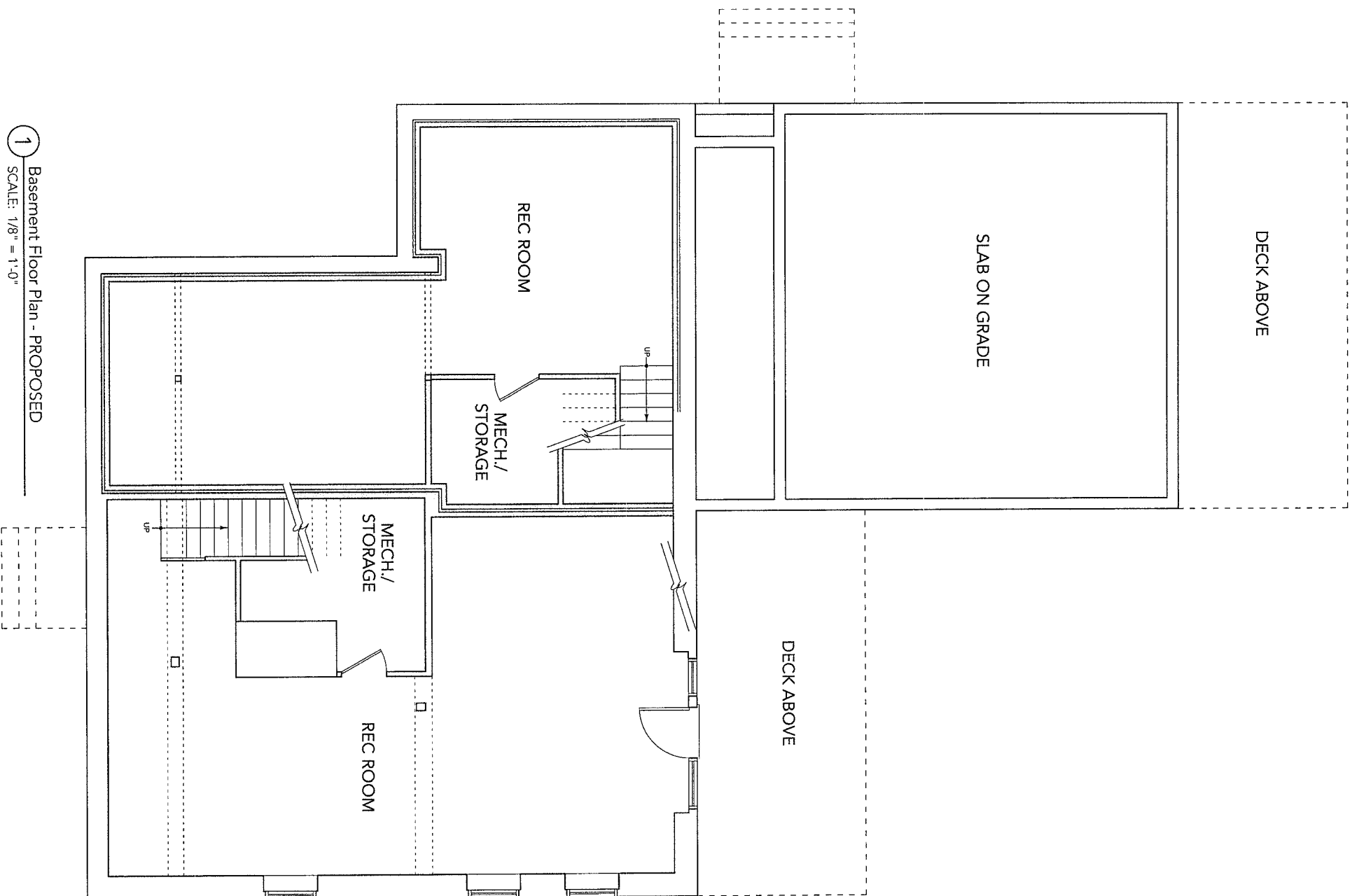
## PROPOSED Basement Floor Plan

SCALE: 1/8" = 1'-0"

6 JULY 2017

A02

PROPOSED SF CALCULATIONS	
UNIT 1 (ASHLAND ST)	□
1ST FL	1,085 SF
2ND FL	980 SF
BASEMENT	614 SF
TOTAL HEATED SF	2,679 SF
UNIT 2 (ASHLAND COURT)	□
1ST FL	1,034 SF
2ND FL	1,030 SF
BASEMENT	471 SF
TOTAL HEATED SF	2,535 SF



1 Basement Floor Plan - PROPOSED  
SCALE: 1/8" = 1'-0"

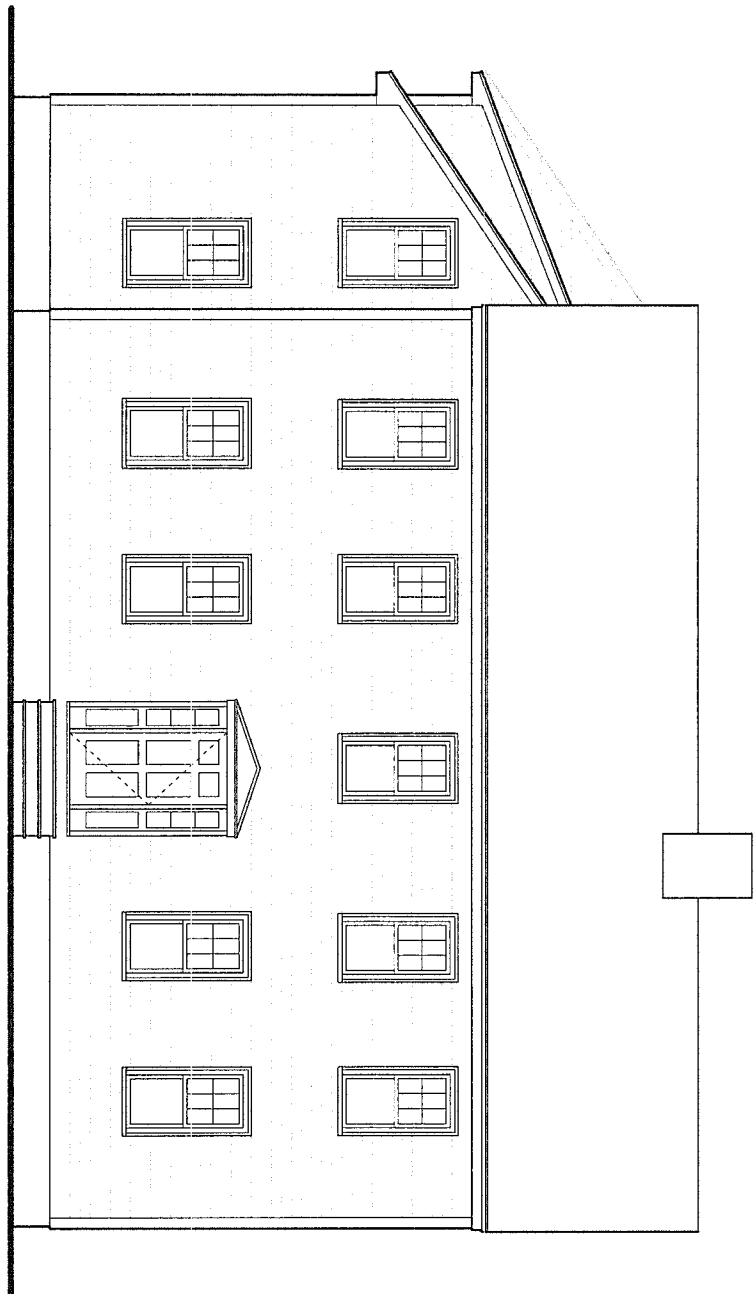
project:

# 10 ASHLAND STREET

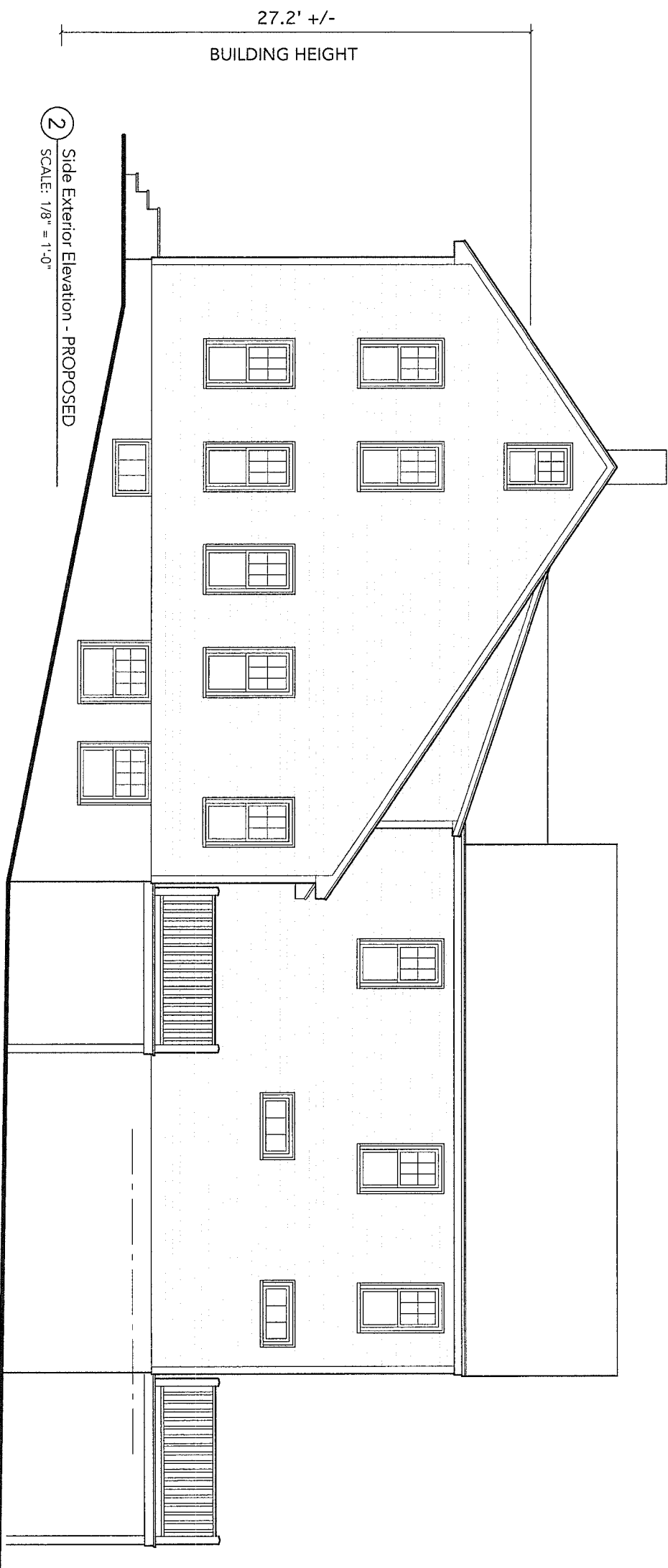
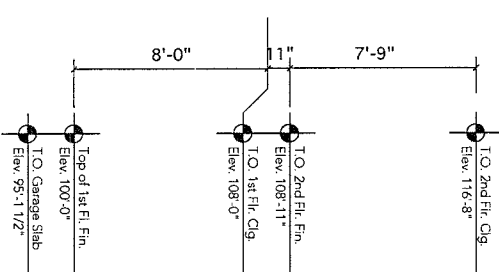
Newburyport, MA  
01950

architect:

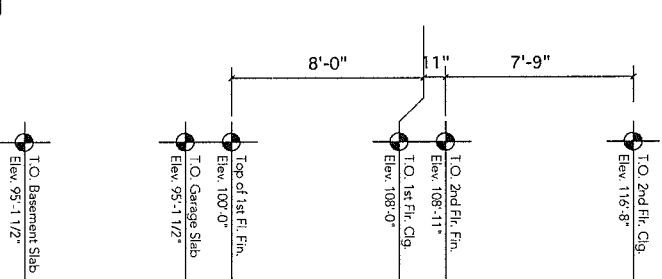
**GRAF**  
**ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978.499.9442  
www.grafarch.com



1 Front Exterior Elevation - ASHLAND STREET  
SCALE: 1/8" = 1'-0"



2 Side Exterior Elevation - PROPOSED  
SCALE: 1/8" = 1'-0"



title:

**PROPOSED**  
**Exterior Elevations**

SCALE: 1/8" = 1'-0"  
6 July 2017

A03

Project:

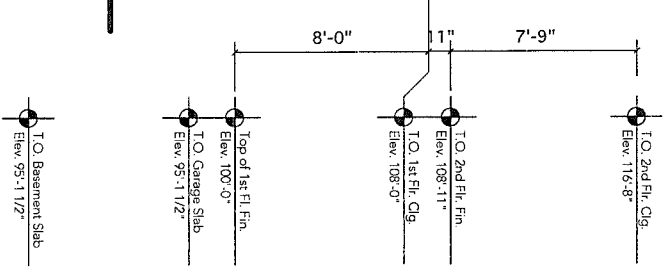
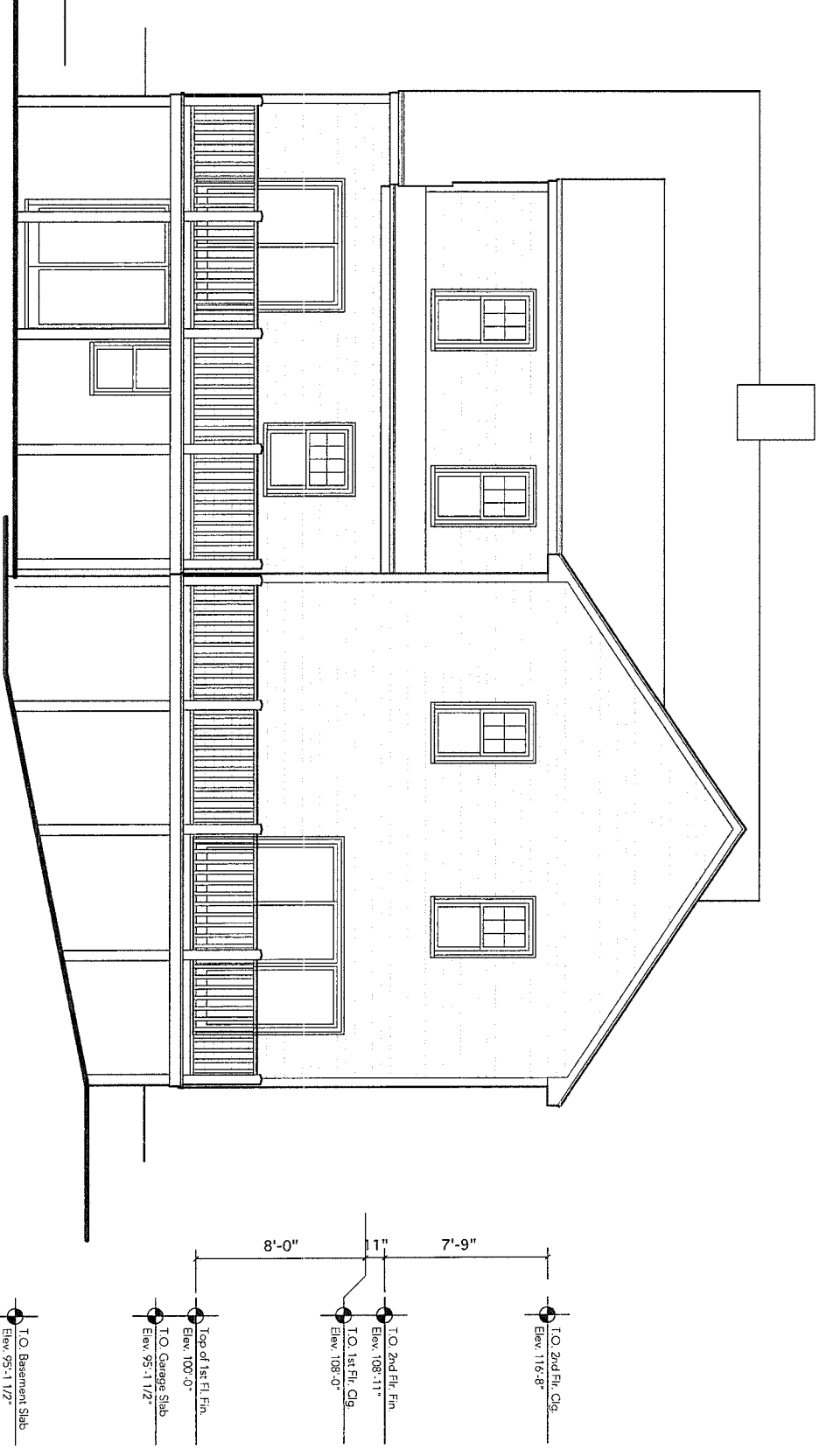
# 10 ASHLAND STREET

Newburyport, MA  
01950

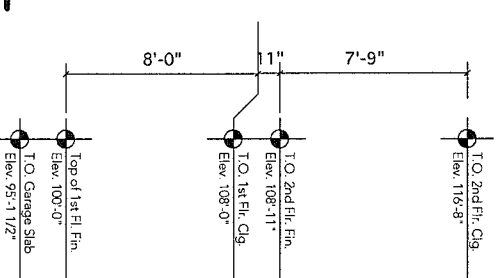
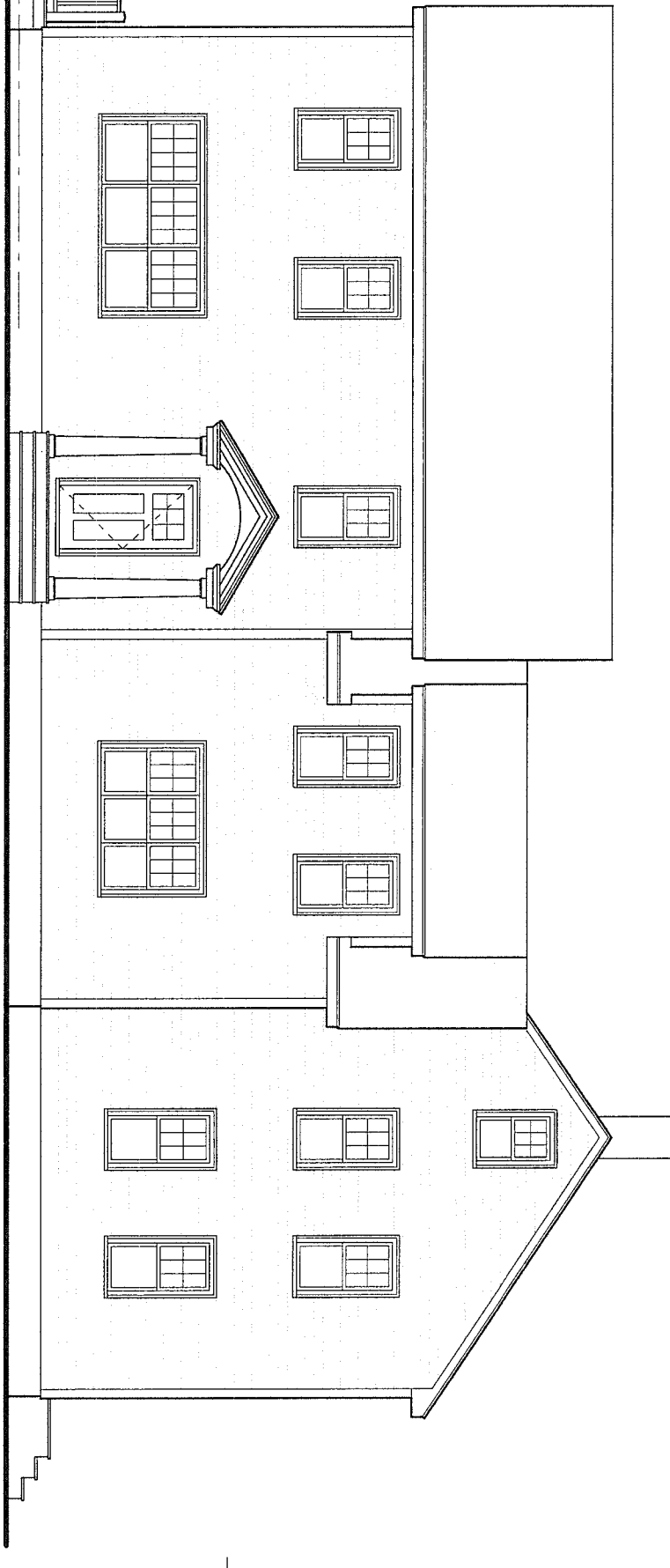
architect:

**GRAF ARCHITECTS**  
2 Liberty Street  
Newburyport, MA  
01950  
T. 978 499 9442  
www.grafarch.com

1 Rear Exterior Elevation - PROPOSED  
SCALE: 1/8" = 1'-0"



2 Front Exterior Elevation - ASHLAND COURT  
SCALE: 1/8" = 1'-0"



title:

**PROPOSED**  
Exterior Elevations

SCALE: 1/8" = 1'-0"  
6 July 2017

A04