

**161 Water Street,  
Newburyport**

*Application for*  
**Special Permit for Non-Conformities**

**June 22, 2021**



Mead, Talerman & Costa, LLC  
Attorneys at Law

**161 Water Street,  
Newburyport**  
**Existing Conditions**

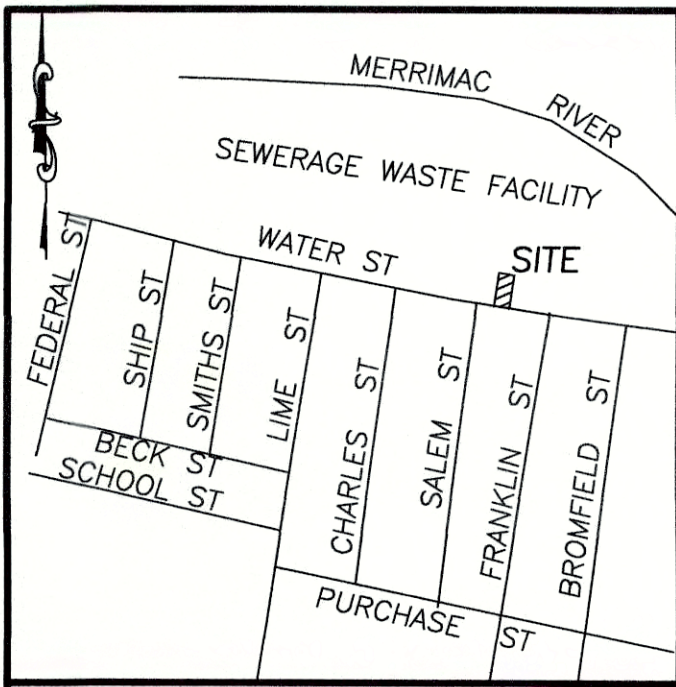
**Existing Conditions**

- Located in WMD and DCOD District.
- Proposing to build rear addition.
- Existing nonconformities:
  - Frontage: Requires 90 feet where lot has 36.28 feet.
  - Lot Size: Requires 10,000 Sq. Ft. where the Lot is 4,026 Sq. Ft.
  - Front Yard Setback: 25 feet required where currently is 3.5 feet.
  - Side Yard Setback: 10 feet required where west side setback is 5 feet.
  - Building height: 25 feet required where existing building is 26 feet.
- DCOD not triggered: removing less than 25% of existing walls.
- Finished floor elevation of structure (15.8 feet) is above AE Flood Zone which is at 12 feet.

## **Proposed Application**

# **161 Water Street, Newburyport Proposed Application**

- Construct one-story addition and new deck to rear of the existing structure.
- “Extend” existing west side setback nonconformity but create no new nonconformities, nor move any closer to the boundaries:
  - Closest setback distance of addition will be 5.1 feet where existing is 5 feet.
- Proposed addition and deck will also be consistent with existing finished floor level above flood zone.
- Basement space of new addition will have no mechanical equipment and be used solely for access to main basement and storage.



LOCUS MAP  
N.T.S.

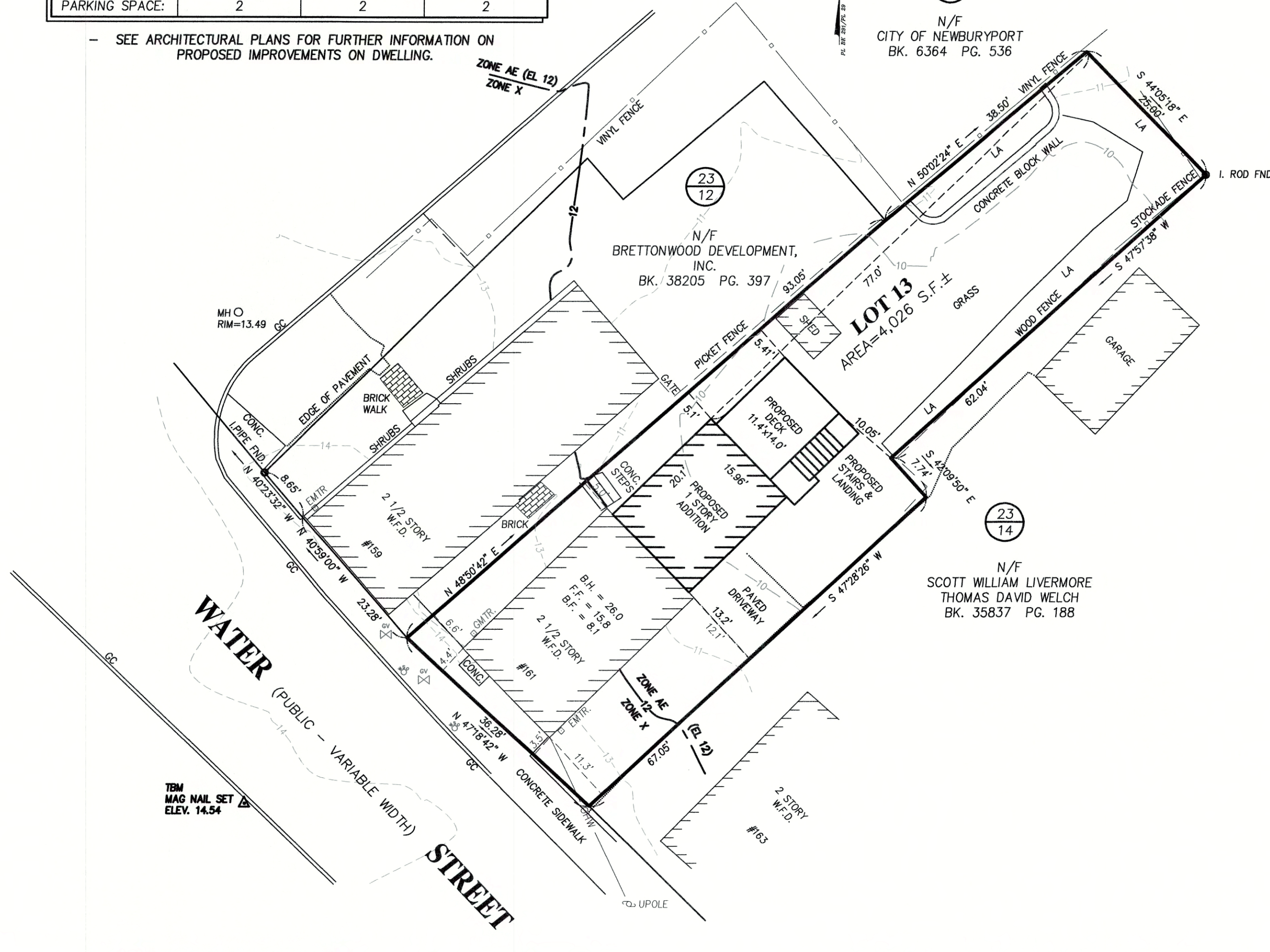
**ZONING TABLE**

161 WATER STREET - ASSESSORS MAP 23 LOT 13 ZONING DISTRICT - WMD - DCOD			
	REQUIRED	EXISTING	PROPOSED
LOT AREA:	10,000 S.F.	4,026 S.F.	4,026 S.F.
LOT FRONTAGE:	90 FT	36.28 FT	36.28 FT
FRONT SETBACK:	25 FT	3.5 FT	3.5 FT
SIDE A SETBACK:	10 FT	5.0 FT	5.0 FT
SIDE B SETBACK:	10 FT	11.3 FT	10.05 FT
REAR SETBACK:	25 FT	86.6 FT	77.0 FT
LOT COVERAGE:	25%	14.4%	22.2%
OPEN SPACE:	40%	68.3%	60.5%
BLDG HEIGHT:	25 FT	26 FT.	26 FT
PARKING SPACE:	2	2	2

SEE ARCHITECTURAL PLANS FOR FURTHER INFORMATION ON PROPOSED IMPROVEMENTS ON DWELLING.



23  
11  
N/F  
CITY OF NEWBURYPORT  
BK. 6364 PG. 536



**BASIS OF BEARINGS**

PLAN 291 PLAN 29

**OWNER OF RECORD**

DAVID L. ANTCZAK  
PATRICE ANTCZAK  
BK. 38609 PG. 62

**PLAN REFERENCES**

PLAN 291 PLAN 29

**FLOOD NOTE**

PORTION OF PROPERTY LIES IN ZONE AE (EL. 12) AS SHOWN ON COMMUNITY PANEL #25009C0136G, EFFECTIVE DATE JULY 16, 2014

**DATUM BASE**

N.A.V.D. 1988

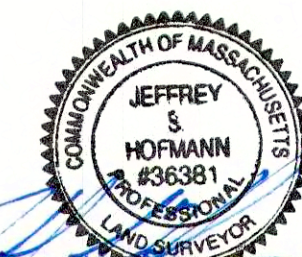
**NOTES:**

THIS PLAN DOES NOT SHOW ANY UNRECORDED OR UNWRITTEN EASEMENTS WHICH MAY EXIST. A REASONABLE AND DILIGENT ATTEMPT HAS BEEN MADE TO OBSERVE ANY APPARENT, VISIBLE USES OF THE LAND; HOWEVER, THIS DOES NOT CONSTITUTE A GUARANTEE THAT NO SUCH EASEMENTS EXIST.

RECORD UTILITY INFORMATION HAS NOT BEEN OBTAINED FOR LOCUS. VISIBLE SURFACE STRUCTURES HAVE BEEN LOCATED AND ARE SHOWN HEREON HOWEVER, SUBSURFACE UTILITY LINES ARE NOT SHOWN.

THE CERTIFICATIONS SHOWN HEREON ARE NOT INTENDED AS CERTIFICATION TO TITLE OR OWNERSHIP OF PROPERTY SHOWN. OWNERS OF ADJOINING PROPERTIES ARE ACCORDING TO CURRENT CITY OF NEWBURYPORT ASSESSORS RECORDS.

I CERTIFY: THAT THIS ACTUAL SURVEY WAS MADE ON THE GROUND ON JANUARY 21, 2021, AND THAT THE STRUCTURES AND PHYSICAL FEATURES ARE LOCATED AS SHOWN TO THE BEST OF MY ABILITY AND BELIEF.

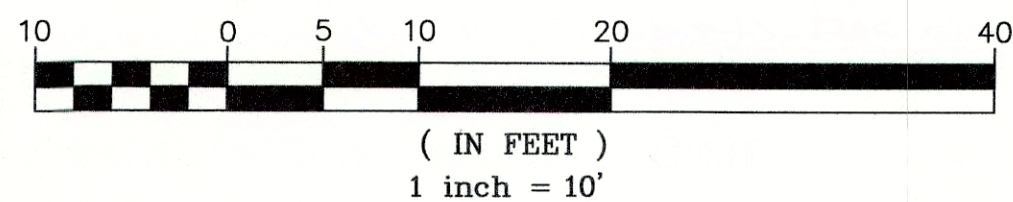


PROFESSIONAL LAND SURVEYOR DATE 5/12/21

**LEGEND**

- I. ROD IRON ROD
- I. PIPE IRON PIPE
- FND. FOUND
- N/F NOW OR FORMERLY
- LA LANDSCAPED AREA
- CONC. CONCRETE
- B.H. BUILDING HEIGHT
- F.F. FIRST FLOOR
- B.F. BASEMENT FLOOR
- MAG. MAGNETIC
- GC GRANITE CURB
- UPOLE UTILITY POLE
- OHW OVERHEAD WIRE
- EMTR ELECTRIC METER
- GMTR GAS METER
- ⊗ GAS VALVE
- ⊕ WATER SHUT OFF
- ⊖ WATER VALVE
- 0/00 ASSESSORS MAP#
- 00 PARCEL#

**GRAPHIC SCALE**



PREPARED FOR  
DAVID L. ANTCZAK  
PATRICE ANTCZAK  
#161 WATER STREET  
NEWBURYPORT, MA 01950

**PLAN OF LAND**  
IN  
**NEWBURYPORT, MA**

SHOWING  
**PROPOSED CONDITIONS**  
AT  
**#161 WATER STREET**  
MAP 23 - LOT 13



**MILLENNIUM ENGINEERING, INC.**

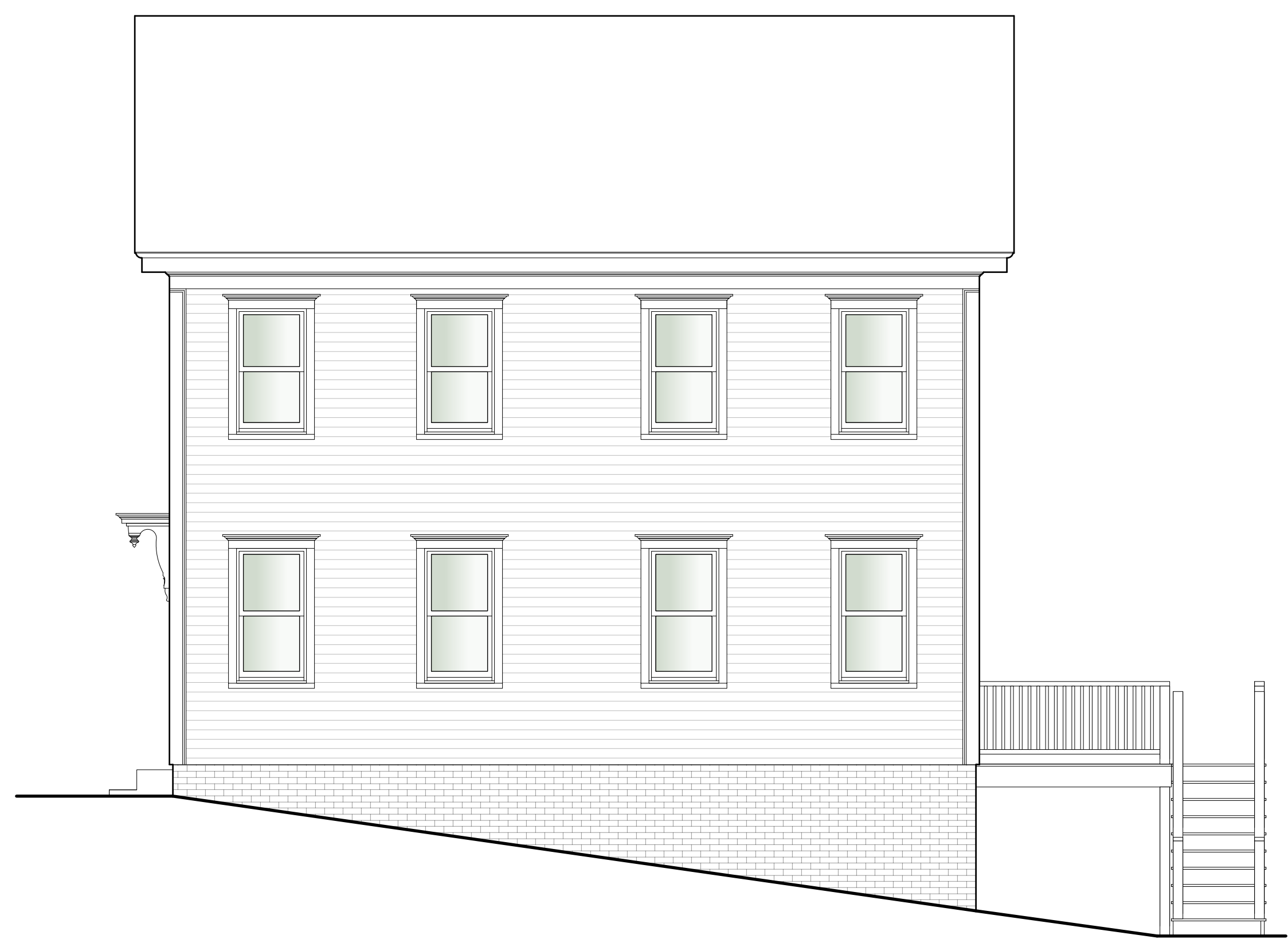
ENGINEERING AND LAND SURVEYING  
62 ELM ST. SALISBURY, MA 01952 (978) 463-8980  
13 HAMPTON RD. EXETER, NH 03833 (603) 778-0528

SCALE: 1"=10'	CALC. BY: S.F.R.	PROJECT: M213883
DATE: MAY 12, 2021	CHKD. BY: J.S.H.	SHEET: 1 OF 1

ADDITIONS/ALTERATIONS  
TO THE:  
**ANTCZAK RESIDENCE**  
161 WATER STREET, NEWBURYPORT, MA 01950



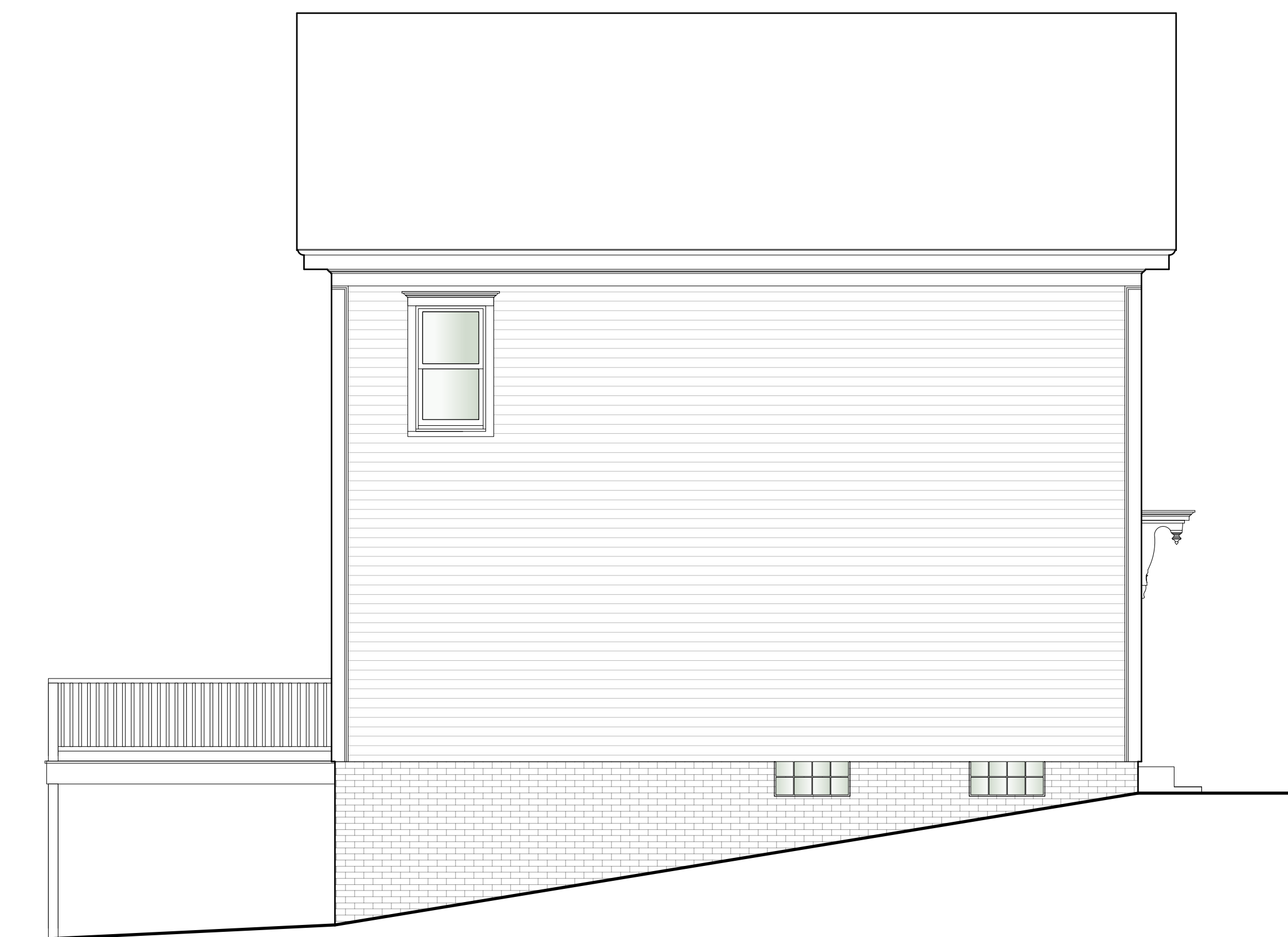
1 FRONT ELEVATION  
Scale: 1/4" = 1'-0"



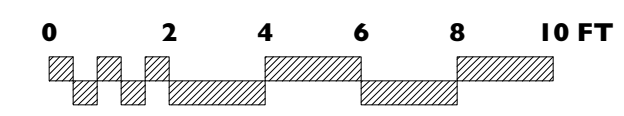
2 RIGHT ELEVATION  
Scale: 1/4" = 1'-0"



3 REAR ELEVATION  
Scale: 1/4" = 1'-0"



4 LEFT ELEVATION  
Scale: 1/4" = 1'-0"



REVISION & REISSUE NOTES

No.	Date	Notes
A	5-12-21	ZBA SUBMISSION

Project #	Project Manager	Date
2021-18	X.X.	5-12-21

Scale: AS NOTED

EXISTING  
ELEVATIONS

**EC2.1**

ADDITIONS/ALTERATIONS  
TO THE:  
**ANTCZAK RESIDENCE**  
161 WATER STREET, NEWBURYPORT, MA 01950

REVISION & REISSUE NOTES

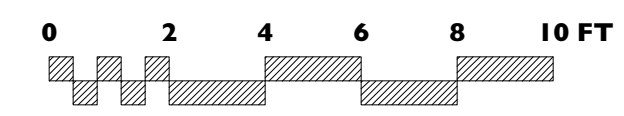
No.	Date	Notes
A	5-12-21	ZBA SUBMISSION

Project #	Project Manager	Date
2021-18	X.X.	5-12-21

Scale: AS NOTED

PROPOSED  
ELEVATIONS

**A2.1**



## **Criteria for Special Permit for Nonconformities for Single and Two Family Residential Structures and Uses:**

- 1. That there will be no addition of a new nonconformity;**
  - Here, there are no new conformities being created. No existing nonconformities being worsened.**
- 2. That the proposed change will not be substantially more detrimental to the neighborhood than the preexisting nonconforming structure or use.**
  - Addition is minimally visible from the street.**
  - Modest in size and designed to match architectural style of existing structure.**
  - Received a butter non-opposition letter.**
  - Addition steps in from original structure and is one story.**
  - Will have no negative impact on City of Newburyport Water Treatment Plant to the rear.**
  - Proposal is mindful of flood zone requirements and will include flood vents to new addition.**