

**17-21 State Street,
Newburyport**

Application for
Variance
June 8th, 2021



Mead, Talerman & Costa, LLC
Attorneys at Law

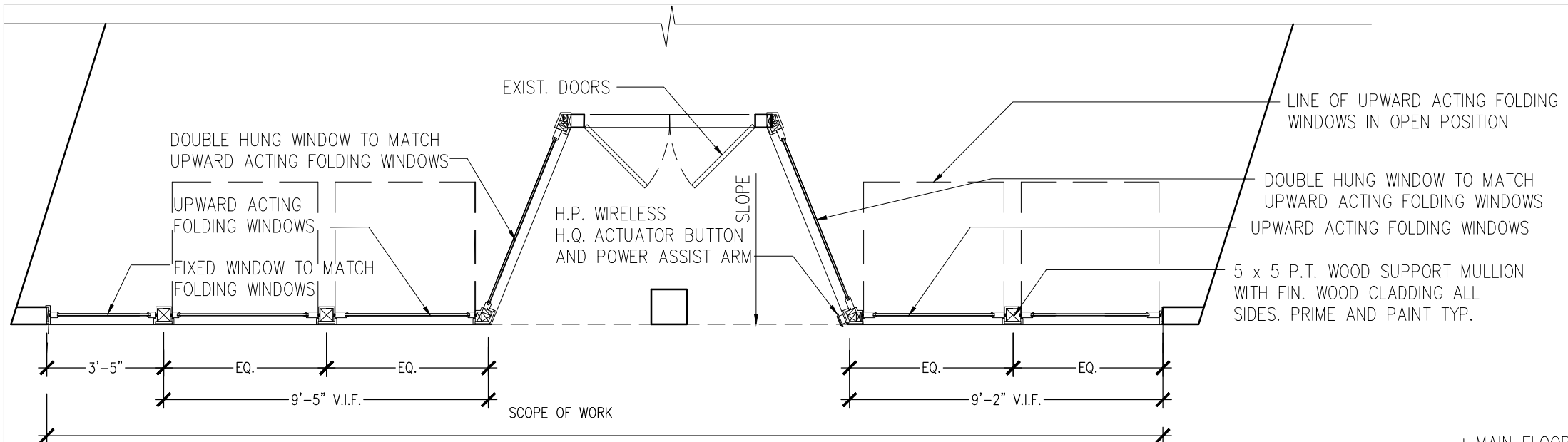
Application: *Variance from DOD to modify windows to be operable as proposed*

**17-21 State Street,
Newburyport**
Project Summary

- Replace storefront windows so they are operable.
- Project does not alter any dimensional aspects of the Property.
- Application to change windows as proposed in order to be operable. Any possible proposed changes to the sign or other aspects of the façade will be proposed to the Historic Commission and Planning Board in compliance with the DOD.

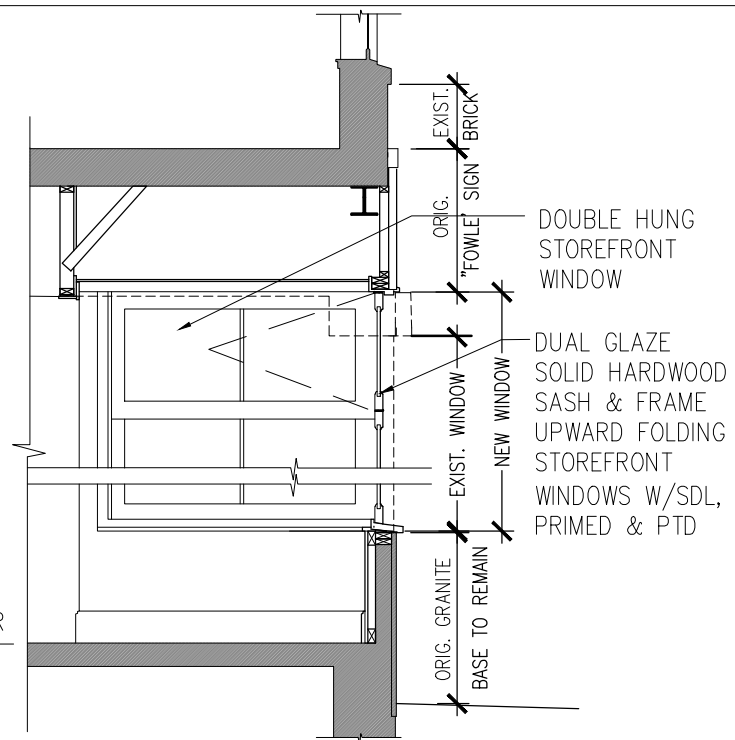
17-21 State Street – Existing Conditions

- 3,112 sf lot with 35.33 feet of frontage along State Street
- Structure built in or about 1820.
- Windows on first floor are not currently operable.
- Structure is Mixed use: restaurant on first floor, and residences on upper floors.
- Property now is in B-2 district and Downtown Overlay District.



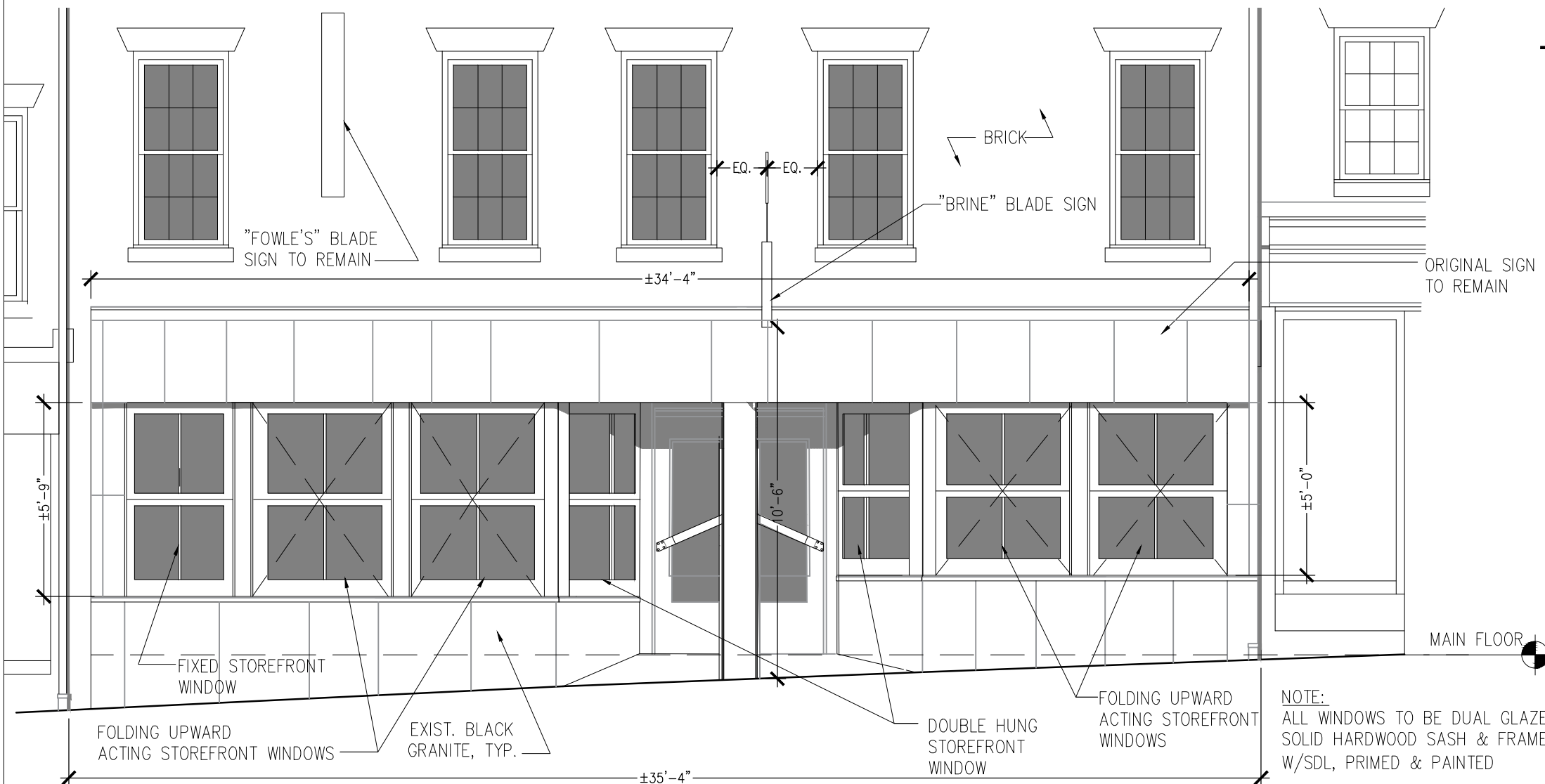
Plan of "Brine" Facade

SCALE: 1/4" = 1'-0"



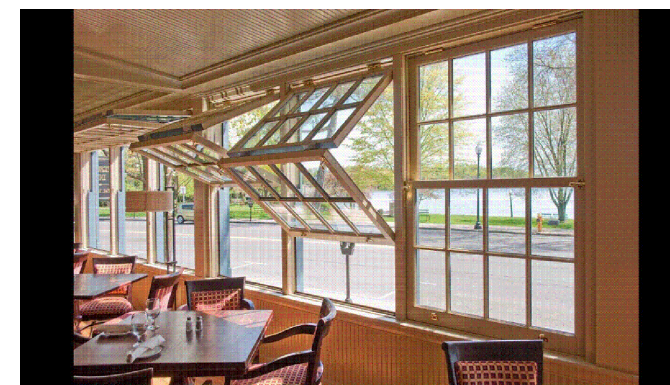
Section at Storefront

SCALE: 1/4" = 1'-0"



Proposed West Elevation

SCALE: 1/4" = 1'-0"



STOREFRONT – NOT FOR CONSTRUCTION

FORM B - BUILDING

NRDIS 8/2/1984

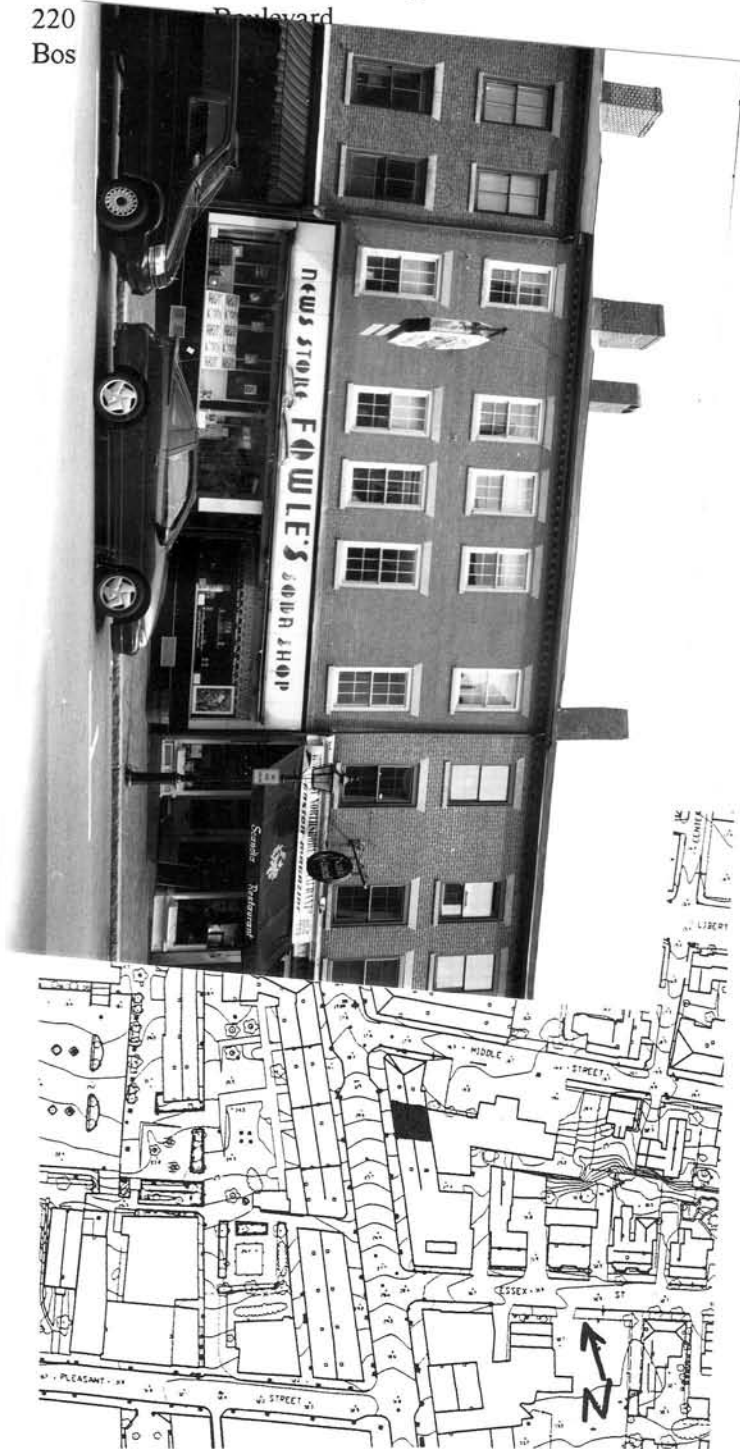
Assessor's number
6-9

USGS Quad
Newburyport

Area(s)
L,U

Form Number
2170

Massachusetts Historical Commission
Massachusetts Archives Building
220
Bos



Town Newburyport

Place (neighborhood or village)

Address 17-21 State Street

Historic Name Fowle's News

Uses: Present Commercial

Original Commercial

Date of Construction c.1820

Source visual inspection

Style/Form Federal (altered)

Architect/Builder unknown

Exterior Material:

Foundation Granite

Wall/Trim Brick/Granite

Roof Asphalt Shingle

Outbuildings/Secondary Structures

none

Major Alterations (with dates) 1941 - storefront

Condition good

Moved no yes Date

Acreage 1628 SF

Setting central business district, flanked by similar
brick blocks

Recorded by Lisa Mausolf

Organization Newburyport Historical Commission

Date (month/year) April 1999

BUILDING FORM (17-21 State Street)

ARCHITECTURAL DESCRIPTION

Describe architectural features. Evaluate the characteristics of the building in terms of other buildings within the community.

Flanked by similar Federal-era brick blocks, 17-21 State Street is a three-story building constructed of brick laid in a common bond. The building is capped by an asphalt-shingled gable roof with a tall square chimney on the front slope. The rear chimney is topped by two pointed arch chimney caps. The upper two stories of the facade are five bays wide; the bays are arranged with a cluster of three bays at the center and one opening on each end of the building. The third story windows are slightly smaller than those on the second floor. All of the windows contain wooden 6/6 windows with splayed granite lintels and plain sills. A hanging metal sign with neon letters is mounted between the first and second bays on the second floor. A brick dentil course decorates the cornice.

The first floor storefront is a 1941 alteration and consists of a central entrance recessed behind a load bearing post. The double swing doors have a large glass window set in a wooden frame with diagonal push bars. The angled display windows on either side are set above a black Carrera glass bulkhead with metal ventilation grates. The ivory enamel metal panels above the windows are incised by black letters reading "NEWS STORE FOWLE'S SODA SHOP" in an Art Deco style font. The storefront is fitted with awnings with an aluminum cornice above.

HISTORICAL NARRATIVE

Describe the history of the building. Explain its associations with local (or state) history. Include uses of the building and the role(s) the owners/occupants played within the community.

Like its neighbors, this early 19th century block was constructed after the 1811 fire which destroyed much of the Market Square area. Directories indicate that in 1849 Charles Currier, a tailor, was located upstairs at 17 State Street, Enoch Smith sold fancy goods at 19 State Street and Moses Hale was the proprietor of a fancy goods store at 21 State. In 1853 Sarah Moody, milliner, was located at 17 State Street while J.G Tilton & Co., paper hangings, was located at #21. A tailor named J.W. Ballou was occupying the space at 17 State Street in 1860 while George Geary sold hats, caps and furs at 21 State Street in the early 1870s. The 1888 Sanborn map indicates that the occupants included a clothing store and tailor with offices upstairs. In the late 19th and early 20th century a boot and shoe store was located at 19 State Street.

Fowle's moved to its present location at 17 State Street about 1900. Stephen Fowle first began the delivery of newspapers in 1853, maintaining a small shack for the sale of newspapers near the Eastern railroad station. Fowle opened his first newspaper, periodical and confectionery establishment at 11 State Street in 1865. By about 1873 Fowle's had outgrown the original location and moved next door to 13 State Street where the store remained for 27 years. After Stephen Fowle's death in 1895, his wife continued to operate the business. Nicholas Arakelian became a clerk in the store about 1905 and in 1911 became Mrs. Fowle's business partner. The partnership continued until 1920 when Arakelian purchased Mrs. Fowle's interest in the store. Later he bought the actual building from the Todd heirs. Although Mrs. Fowle retired from the business in 1920 she continued to work in the store until 1923; she died in 1929.

In 1941 Nicholas Arakelian greatly expanded and modernized Fowle's. The local newspaper described it as "a model store, one that could be copied but not excelled. It is 1941 store architecture at its best...the expansion of this long established company is one of the most important business changes Newburyport has seen in a long time" (Daily News, 9/5/1941). The store was enlarged by taking in the vacant store just above it on State Street. The renovations included the installation of a streamlined 26-foot soda fountain and 17 booths. The other half of the store was equipped with display cases and counters, candy counters, a nut counter, a large tobacco department, magazine display racks 33 feet long and a newspaper counter.

In 1957 Nicholas Arakelian sold Fowle's News Co. to two Hampton Beach businessmen, George Enright and Fred Schaake.

Recommended for listing in the National Register of Historic Places. *If checked, you must attached a completed National Register Criteria Statement form.*

INVENTORY FORM CONTINUATION SHEET

Town
NewburyportProperty Address
17-21 State Street
Area(s) Form No.

Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

L,U	2170
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BIBLIOGRAPHY and/or REFERENCES

Colby, Grace L. "Fowle's News Company is Marking Centenary", *Newburyport Daily News*, May 15, 1952.
Currier, John J. *History of Newburyport, Massachusetts, 1764-1906*, vols. 1 & 2. Newburyport: 1906 & 1909.
"Fowle's News Agency Sold", *Newburyport Daily News*, January 30, 1957.
Massachusetts Historical Commission. *Historic Resources Inventory*: Newburyport.
Newburyport City Directories, various dates.
Newburyport Daily News, September 5, 1941.

Maps

Atlas of Essex County, Massachusetts. Philadelphia: D.B. Beers & Co., 1872.
Atlas of Essex County, Massachusetts. Boston: George H. Walker, 1884.
Beck & Paul. *City of Newburyport*. Framingham, Mass.: Bigelow and Hazen, 1880.
Plan of Newburyport. Philadelphia: H. McIntyre, 1851.
Sanborn Insurance Maps, Newburyport, 1888, 1894, 1906, 1914, 1924, 1946. Massachusetts State Library, Boston, Massachusetts.

Newburyport MIMAP

Merrimack Valley Planning Commission (2020)

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MANAGER LLC TRS
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Tools



Basemaps





AS FOWLE'S NEWS AGENCY USED TO APPEAR



Above is shown Fowle's News Company as it appeared before it was modernized and enlarged by taking in the vacant store just above it on State street. —Daily News Photo

Today is the official opening of Fowle's News company's expanded and 100 percent modern store. The present appearance of Fowle's is, of course, familiar to the people of Newburyport and vicinity because it was a case of "business as usual" while the overcrowded, narrow store was being transformed into a spacious and cheery establishment that in itself is a good advertisement for the enterprise of the management.

The new Fowle's, the gem of lower State street, isn't fully complete yet but will be so shortly. The greeting

card, circulating library and gift departments are still to be installed and about two additions to the staff will be made, bringing the working force to 14.

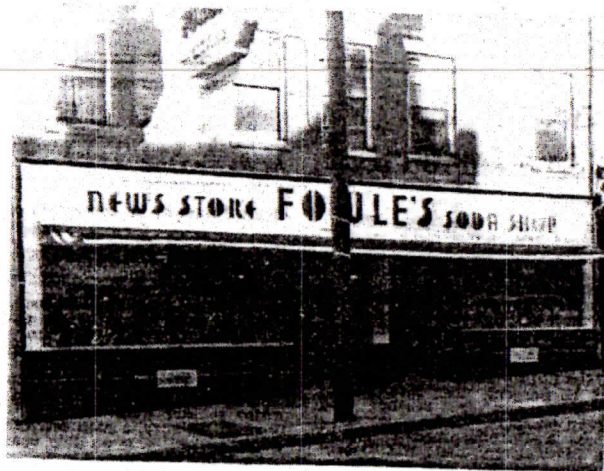
From the modern black and ivory front with its double swinging doors, to the very back of the store, Fowle's truly is a model store, one that could be copied but not excelled. It is 1941 store architecture at its best, planned for the comfort and convenience of patrons and employees.

This store of newspapers, sodas, ice cream, candy, lunches, cigars and

magazines has traditions that go back to the years before the Civil War. It was back in May, 1852, more than 90 years ago, that Stephen H. Fowle began the delivery of papers, but it wasn't until 1865 that he opened a store, selecting quarters on lower State street that had been a recruiting office for Union soldiers. In time Fowle's made two moves, each time to the store just above. This latest move, however, sees Fowle's remaining in the same place, but also taking in the store above.

The proprietor, Nicholas Arakelian,

FOWLE'S PRESENT APPEARANCE



—Daily News Photo.

Above is the Fowle's store of today, with a gleaming black and ivory front. The expansion of this long established company is one of the most important business changes Newburyport has seen in a long time.

is paying a deserved tribute to Mr. and Mrs. Stephen H. Fowle. Their portraits grace a prominent place on one of the side walls.

Fowle's is the latest Newburyport store to be air conditioned for the comfort of customers in all seasons. It has fluorescent lighting with attractive fixtures and a light colored ceiling of lubricated material. The tile floor, in a neat pattern, is constructed for hard usage. Modern light fixtures have a prominent part in the decorating scheme.

The streamlined 26-foot soda fountain, newest of its kind, and 17 booths take up nearly half of the store. The other portion of the store has display cases and counters, candy counters, a nut counter, a large tobacco department, magazine display stands and a newspaper counter. The magazine display racks are 32 feet long, necessary because of the varied assortment that the store offers. The wall space on the left side of the store is suitably utilized for the display of the store's goods.

At the rear is the business office and near it is the kitchen. Far back is the receiving room for newspapers, magazines and merchandise.

A men's rest room is at the rear while a women's rest room and lounge is on the second floor. The women's lounge is becoming a popular meeting place for business girls and others.

Store hours are 6:30 a. m. to 11:30 p. m. week days and 8 a. m. to 11:30 a. m. Sundays.

Established
1852



—Photo by Carrier

The Founder
STEPHEN S. FOWLE
1834-1895

The Fowle News Co. preserves the name of the man whose activities and ambition established the business 89 years ago.



SODA
FOWLE'S
CIGARS

NEWS STORE

Lively Kids

OPENING SOON

NEW & STORE

FOOD MARKET

BRINE Oyster Bar
OPENING SOON

DIRE

F

W

L

E'S

SODA

SHOP

BRINE Oyster Bar
OPENING SOON

BRINE Oyster Bar
OPENING SOON



DEW & STORE

BRINE

BRINE



BRINE Oyster Bar
OPENING SOON

BRINE Oyster Bar
OPENING SOON

EW & STORE



BRINE Oyster Bar
OPENING SOON



NEW & STORE



BRINE Oyster Bar
OPENING SOON

BRINE



Newburyport Zoning Ordinance, § X-H(6), G.L. c. 40A § 10

- Hardship Related to Structure

- No operable windows on first floor. Safety concerns, especially with COVID-19.
- Lack of window operation causes rapid increase in indoor air temperature, and prevents airflow and air circulation.
- CDC advises that “even a light wind can rapidly reduce [SARA-Cov-2] concentrations.”
- CDC identifies primary tool to improve ventilation as “increase introduction of outdoor air” through opening of windows.
- Safety concerns warrant variance, variance diminishes existing harm. *Furlong v. ZBA of Salem*, 90 Mass. App. Ct. 737 (2016).
- New windows are the same height off the sidewalk as the existing windows.
- Black lower material to remain, banner sign to remain intact.
- Public good is served by window operation and structure revitalization.