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BY EMAIL

November 16, 2021

Zoning Board of Appeals
City of Newburyport
60 Pleasant Street
Newburyport, MA 01950

RE: 17-21 State Street Appeal-Request for Continuance

Dear Chair and Members of the Board;

Reference is made to the above captioned matter. In that connection, this firm represents Caswell Restaurant Group, Inc., (the "Petitioner") the tenant at 17-21 State Street (the "Property") relative to its appeal of the Zoning Administrator's determination on the above referenced Property. The hearing for this appeal was previously continued to the November 23, 2021, ZBA Meeting.

To update the Board, the Applicant has taken the following actions:

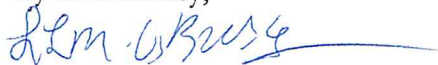
1. On October 18, 2021, it filed a request with the Newburyport Historical Commission for a DOD Advisory Report. The reason that the submission to the Historic Commission did not occur sooner is that the Applicant undertook an extensive search for windows which would appear to be as close to the storefront windows but still operate. Further, in order to comply with the DOD filing requirements, a preservation consultant needed to be engaged and undertake its review which included a site inspection and writing a report.
2. On October 28, 2021, the Applicant presented its request at the Historical Commission meeting. The Applicant awaits the issuance of the Commission's DOD Advisory Report.
3. Once the 30 day period as required in the DOD provisions expires, the Applicant will to apply to the Planning Board, and submit its Special Permit Application. Per Section XXVII-F of the Downtown Overlay Ordinance, "The owner (applicant) shall also be responsible for submitting a copy of the above materials to the historical commission **no less than thirty (30) calendar days prior to the submission of an application to the SPGA**. Such submission shall be a prerequisite for the submission of an application to the SPGA under this section." This date will occur on November 18, which is after submission of this written request but before your November 23 Meeting.
4. However, also please note that the Applicant will not be able to appear in front of the Planning Board until January 2021 in accordance with the Planning Board deadline and notice requirements, hence the request to continue this until the ZBA's first meeting in February. The filing deadline for the December 15, 2021, Planning Board Meeting is November 17, 2021, which falls before the Applicant will be eligible to file its Special Permit Application.

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Now, the Applicant respectfully requests that the matter be continued until the first ZBA meeting in February which is on February 8, 2022. Should you have any further questions on this request, I will be present at the November 23 meeting.

Respectfully submitted
Caswell Restaurant Group, Inc.,
By its Attorney,



Lisa L. Mead

cc: Client