

City of Newburyport Zoning Board of Appeals

Application for a VARIANCE

Petitioner: Frank Tagliaferri

Mailing Address: 18 Ashland St.

Phone: 404-281-7785 Email: taglif@comcast.net

Property Address: 18 Ashland St.

Map and Lot(s): map 68 Lot 150 Zoning District: _____

Book and Page(s): Book 31581 Page 599

Owner(s) Name: Frank + Jenna Tagliaferri

Mailing Address (if different): _____

The petitioner is requesting a Variance from section(s):

Use Regulations (V)

Parking (VII)

PIOD (XXI)

- ___ FAR
- ___ 2 ½ stories
- ___ Footprint expansion

Dimensional Controls (VI)

- ___ Lot Area
- ___ Open Space
- ___ Lot Coverage
- ___ Height
- ___ Frontage
- ___ Front Yard
- ___ Side Yard
- ___ Rear Yard
- ___ Lot Width

Other: Modification to granted Variance on Lot 1.

Request:

See attached document.

	Existing	Proposed
Ground Floor Square Feet		
Number of Floors		
Total Square Feet		
Use		

City of Newburyport Zoning Board of Appeals

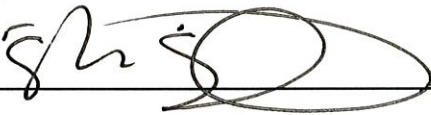
Application for a VARIANCE


	Existing Dimensional Controls	Proposed Dimensional Controls	Required Dimensional Controls
Lot Area			
Frontage			
Height			
Lot Coverage (%)			
Open Space (%)			
Front Setback			
Side A Setback			
Side B Setback			
Rear Setback			
Parking Spaces			
FAR*			

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

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 Variance shall 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, publishing, 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 of this application as incomplete.

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





Request:

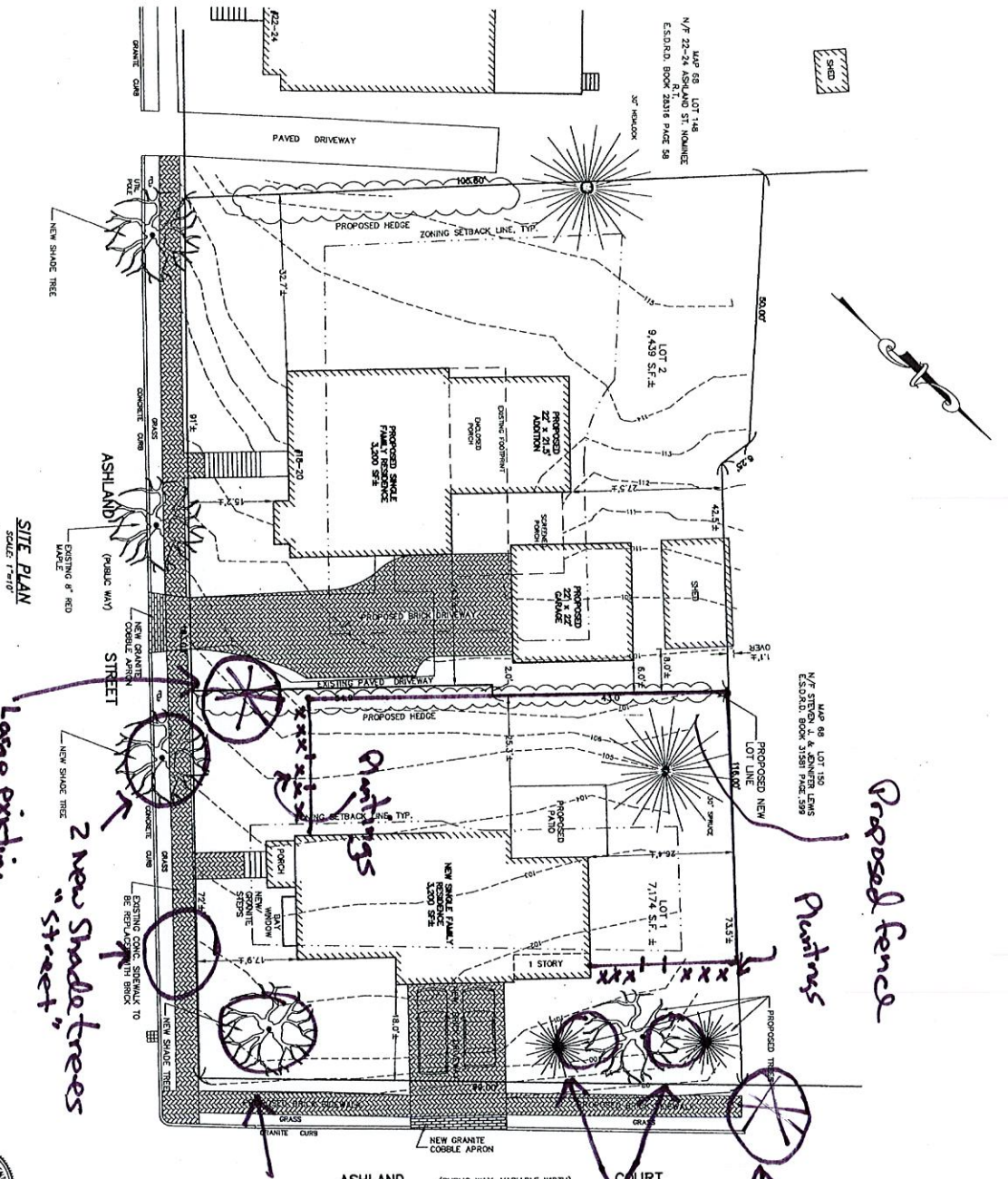
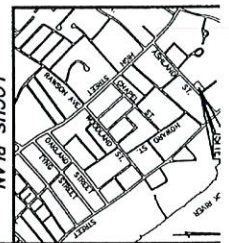
The original granted variance contained the following landscaping stipulations for Lot 1 (now 18 Ashland St.):

1. From #7 on page 4 of 2015-054: "3 Street trees...located within the right of way along the street frontage along Ashland St." According to the drawing only one of these trees is on Lot 1 (to the left of 18 Ashland).
2. From the drawing: 4 trees, one on the Ashland St/Ashland Ct corner of the property to the left of the driveway and 3 on the Ashland Ct. frontage to the right of the driveway.
3. From the drawing: "Proposed hedge" following the property line dividing Lot 1 from Lot 2.

After careful consideration of the stipulations and consultation with the planning office, ZBA (9/4), DPS (Wayne Amaral), the Newburyport Tree Commission (Connie Preston), and neighbors we respectfully propose to make the following changes:

1. The street tree to the left of the house will be planted as requested. However, after consultation with the DPS and Tree Commission, a smaller variety than oak or maple was suggested due to ground area, power lines, and salt tolerance so a Columnar Sargent Cherry was deemed appropriate and will be planted.
2. The property tree on the Ashland St/Ashland Ct corner of the property will be planted as requested, and depending on availability will be a magnolia, red bud, weeping cherry, or one from the original list.
3. Because the finished home now has sewer, water, and gas lines underground in the area to the right of the driveway and a large existing street tree already exists adjacent to that area, two (instead of three) trees will be placed in the available utility-free portions of this area. The species stated in the variance were spruce, hemlock, oak, or maple. After consultation with DPS and the Tree Commission something smaller than oak or maple was suggested (email correspondence) as there are already large trees on the property and surrounding properties so evergreens, dogwoods, or other species that would help block the view of the existing Mersen parking lot will be planted. Ms. Preston of the Tree Commission additionally stated that she is trying to ensure diversity in species in the area, and there is already a very large evergreen on the property with very little land (subsequent conversation).
4. To make up for the one tree that would be problematic if added to the right of the driveway, we propose to plant an additional street tree (Columnar Sargent Cherry) on the Ashland St frontage to the right of the front door, also a recommendation from the tree commissioner.
5. Instead of a hedge between the properties, a professionally installed fence will be installed. Now that the home is built there is a grade difference between Lot 1 and Lot 2 of approximately 4 feet. This relatively steep slope now makes the planting of a hedge on Lot 1 problematic due to the lack of sufficient level ground and the existence of 2 very large existing trees already flanking the property line. A hedge would need to be either planted on a significant slope or well-off the property line, neither of which is desirable. The fence will be finished on both sides (see brochure) and will have plantings in front of the street-facing sides to soften the appearance.

Proposed Variance Modification



Large existing tree + plantings (not shown on original)

2 New Shade trees

New Shade tree

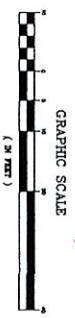
2 New trees

Large existing Shade tree (not shown on original)

Proposed fence

Plantings

Plantings



SHEET 2 OF 2
DATE: OCTOBER 20, 2015
REVISIONS:

10-24-15
DATE: 10-20-2015

SITE PLAN FOR THE ZONING BOARD OF APPEALS
18-20 ASHLAND STREET
NEWBURYPORT, MA

PREPARED FOR:
DENNIS R. & JUDY A. KEATING
38 WOSELEY AVE., NEWBURYPORT, MA 01950



18 ASHLAND ST

Location 18 ASHLAND ST

Mblu 68/ 149/A / /

Owner TAGLIAFERRI FRANK & JENNA
T/E

Assessment \$844,000

PID 104428

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2018	\$594,000	\$250,000	\$844,000

Owner of Record

Owner TAGLIAFERRI FRANK & JENNA T/E

Sale Price \$485,000

Co-Owner

Certificate

Address 18 ASHLAND ST
NEWBURYPORT, MA 01950

Book & Page 35607/0392

Sale Date 01/12/2017

Instrument 10

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
TAGLIAFERRI FRANK & JENNA T/E	\$485,000		35607/0392	10	01/12/2017
LEWIS STEVEN J & JENNIFER T/E	\$442,400		34148/0131	1P	06/19/2015

Building Information

Building 1 : Section 1

Year Built: 2017

Living Area: 3,392

Building Attributes	
Field	Description
Style	Conventional
Model	Residential
Stories:	2.75
Occupancy	1
Exterior Wall 1	Clapboard

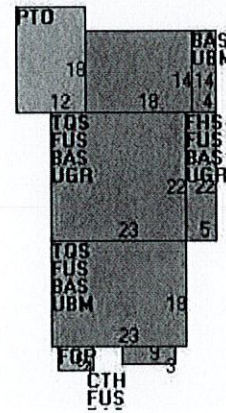
Exterior Wall 2	
Roof Structure:	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
Interior Wall 1	Plastered
Interior Wall 2	
Interior Flr 1	Hardwood
Interior Flr 2	
Heat Fuel	Gas
Heat Type:	Forced Air-Duc
AC Type:	Central
Total Bedrooms:	4 Bedrooms
Total Bthrms:	3
Total Half Baths:	1
Total Xtra Fixtrs:	
Total Rooms:	8
Bath Style:	Average
Kitchen Style:	Average

Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPotos//\01\00\0>)

Building Layout



Building Sub-Areas (sq ft)			Legend
Code	Description	Gross Area	Living Area
BAS	First Floor	1,365	1,365
FUS	Upper Story, Finished	1,282	1,282
TQS	Three Quarter Story	920	690
FHS	Half Story, Finished	110	55
CTH	Cathedral Ceiling	252	0
FOP	Porch, Open	24	0
PTO	Patio	216	0
UBM	Basement, Unfinished	749	0
UGR	Garage, Unfinished	616	0
		5,534	3,392

Extra Features

Extra Features				Legend
Code	Description	Size	Value	Bldg #

FPL4	FIREPLACE, MNF	1 UNITS	\$1,200	1
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Land

Land Use

Use Code 1010
Description SINGLE FAM
Zone R2

Land Line Valuation

Size (Acres) 0.16
Depth
Assessed Value \$250,000

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Assessment
No Data for Assessment History

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CITY OF NEWBURYPORT
 ZONING BOARD OF APPEALS
 60 PLEASANT STREET • P.O. BOX 550
 NEWBURYPORT, MA 01950
 (978) 465-4400 • (978) 465-4452 (FAX)

RECEIVED
 CITY CLERK'S OFFICE
 NEWBURYPORT, MA
 2015 NOV 19 P 4:26

RECORD OF PROCEEDINGS AND DECISION
 FOR A DIMENSIONAL VARIANCE

An application for a Dimensional Variance was filed by:

Steven J. Lewis
 78 Moseley Avenue
 Newburyport, MA 01950

for property owned by **Steven J. Lewis** for the following request:

divide existing lot into two lots, requiring variances for lot area and frontage

The application was filed at the City Clerk's Office on **9/15/15** under the Zoning Ordinance Section X-H.3 Powers of the Board and Section **VI.A Dimensional Controls**.

The application is for the premises at **18-20 Ashland Street** in the **R2** Zoning District, as indicated in the Newburyport Assessor's Office as map and parcel **68-149** and recorded in the Essex South District Registry of Deeds as Book and Page **8846-240**. The newspaper notices for the public hearing were posted on **9/28/15** and **10/05/15** in the Newburyport Daily News.

A public hearing was held for the above application on **11/10/15** at 7:15 p.m. at which time the Board heard the petition for a Dimensional Variance. After the close of the hearing on **11/10/15**, upon motion made by Member **Robert Ciampitti** and duly seconded by Member **Duncan LaBay**, the Board voted to **APPROVE** the petition for the Dimensional Variance.

The following members present and voting, and voting as follows with respect to the petition:

Robert Ciampitti	<u>Yes</u>	Jamie Pennington	<u>Yes</u>
Duncan LaBay	<u>Yes</u>	Richard Goulet	<u>Yes</u>
Edward Ramsdell, Chair	<u>Yes</u>	Libby McGee, Associate	<u>Absent</u>
Renee Bourdeau, Associate	<u>Absent</u>		

Having received the necessary two-thirds super majority vote or all the members of the ZBA, in accordance with M.G.L. c.40A, Section 10, as adopted, the petition for the Dimensional Variance was therefore **APPROVED**.

FINDINGS

After the public hearing, in accordance with the criteria set forth in the City of Newburyport Zoning Ordinance Section X-H-6 Dimensional Variances, the Newburyport Zoning Board of Appeals made the following findings:

1. Initially the applicant sought relief to divide the property into two parcels in the R2 zoning district. The applicant proposed to construct a single-family home on Proposed Lot 1, at the corner of Ashland Court and Ashland Street. The existing home on Proposed Lot 2 would have remained and its use as a two-family would have been retained. Relief was sought for Lot Area for both proposed lots (7,251 sq. ft. where 10,000 sq. ft. is required for single family and 9,352 sq. ft. where 15,000 sq. ft. is required for two family). Relief for lot frontage was sought (91 ft. where 120 ft. required for two family). An SPNC was also sought to allow an addition of over 500 sq. ft. for each of the two units on the existing structure. At the time of an initial hearing on 13 October the applicant requested a continuance to 27 October and subsequently to 10 November 2015. Revised the plans were submitted for the 10 November hearing that eliminated the two-family use on the original parcel and proposed a single family structure. This revision reduced the types of relief required. The applicant proposed to split the lot into two parcels, each with a single-family structure, removing an existing addition and constructing a new one not exceeding the 500 square foot threshold that initially would have required an SPNC. There were insignificant changes in the lot area of the respective lots although the new proposal of a single-family use instead of the two-family reduced the lot area non-conformity of that lot significantly.
2. The property is located on a corner lot and faces a street that provides the dividing line between an R2 District (where the subject lot is located) and an R3 District. The applicant stated that there are five factors that make this parcel unique: the large length of frontage, the location of the existing structure of the lot, the fact that it is a corner lot with open frontage, the location of the parcel at the confluence of other zoning districts and the idea that this parcel is one of the only ones remaining in the North End that could support a new structure.
3. The ZBA found that this lot is unique to others in the neighborhood in that there is the long frontage and a large secondary front yard (between the existing structure and Ashland Court). Also, it should be noted that the existing home on the property, the William Merrill House, is a historic structure listed in the National Register of Historic Places as a contributing structure in the Newburyport Historic District. This listing potentially significantly constrains demolition, including demolition of over 25% of the buildings exterior walls under Newburyport's Demolition Control Overlay District.
4. There is a substantial hardship, financial or otherwise which results from the literal enforcement of the applicable zoning restrictions with respect to the land and structure for which the variance is sought. Literal enforcement imposes a significant hardship upon the property.
5. The relief sought will be desirable and without substantial detriment to the public good. It is desirable to develop the property consistent with the growth patterns of the neighborhood that are replete with lots and houses, such as the one being proposed.
6. Strict application of the Ordinance would deprive the applicant of reasonable use of the lot and building in a manner equivalent to the use permitted to be made by other owners of their neighboring lands,

structure, or structures in the same district.

7. Relief sought may be given without nullifying or substantially derogating from the intent or purpose of the Ordinance.

8. The unique conditions and circumstances are not the result of the actions of the applicant taken subsequent to the adoption of the Ordinance.

9. Relief will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the District. There are other properties where relief has been granted for various reasons within this zoning district.

10. Evidence was presented and the Board found that the proposed change continues to be in conformity with the neighborhood and will not be substantially more detrimental to the neighborhood than the pre-existing non-conforming structure.

PLAN REFERENCES

This variance is approved based on the following plans and/or documents:

"Site Plan for Zoning Board of Appeals 18-20 Ashland Street Newburyport, MA" by GA Consultants dated 10/20/15; and
"Additions/Alterations to the Existing Multi-Family Residence at 18-20 Ashland Street Newburyport, MA 01950" by Scott M. Brown, Architect, dated 8/28/15 and revised 11/3/15, consisting of pages A1 through A4

Any alterations to these plans shall require subsequent approval by the Zoning Board of Appeals.

CONDITIONS OF APPROVAL

The following conditions do not limit any other rights and remedies the City of Newburyport may have.

1. This Variance shall not take effect until a copy of the decision bearing the certification of the City Clerk of Newburyport is recorded in the Essex County South Registry of Deeds under the name of the owner of record or is recorded and noted on the owner's certification of title. The fee for recording or registering shall be paid by the owner or applicant.

2. This Variance will lapse if not exercised within one year from the date of granting.

3. As part of the proposed project the historic structure will be renovated with period-appropriate materials and design as outlined in the application.

4. The Approval Not Required subdivision plan submitted to the Planning Board shall show all improvements as shown on the revised site plan dated 10-20-15, include the granite curbing replacement along Ashland Street, and include a note on the plan that references or lists any stipulations included in the variance approval;

5. Prior to the issuance of a building permit a covenant shall be recorded at the Registry of Deeds that restricts the use of the principal structure on each lot to a single-family residential use.

6. Subject to final approval from the Department of Public Services, the concrete and bituminous sidewalk along the frontage of both lots shall be replaced with a full-depth brick sidewalk as specified by the Department of Public Services. Denial of such approval from the Department of Public Services shall require an amendment and approval from the Zoning Board of Appeals;

7. Subject to final approval from the Department of Public Services, three (3) street trees (which shall be at least 3 inches in diameter when planted) shall be located within the right of way along the street frontage along Ashland Street as shown on the revised site plan. Denial of such approval from the Department of Public Services shall require an amendment and approval from the Zoning Board of Appeals;

8. The final construction drawings associated with a Building Permit Application for the William Merrill House (c.1800) or the proposed two-car garage shall conform to the renovation plans and architectural elevations including the following:

- The exterior will be resided with cedar clapboards (with a 2.75 inch exposure) with wood trim and period details for the windows, doors, corner boards, cornice and other building elements;
- The window openings on the front and side facades will include double-hung, wood windows with period profiles and muntin patterns;
- The front door will be solid wood and the stairs will be replaced with hardwood with period handrails and balustrades;
- The chimneys will be repaired and repointed; and
- The roof will be re-shingled using a commercial grade, architectural asphalt shingle.

9. Any alterations to the architectural style, materials, footprint, height, or projections on either principal structure shall require subsequent approval by the Zoning Board of Appeals;

10. The final construction drawings associated with a Building Permit Application for the proposed Greek-Revival house on the corner of Ashland Street and Ashland Court shall conform to the materials, elevations, and improvements including the following:

- A thin-brick chimney;
- Copper gutters and downspouts;
- Cedar siding with a 2.75-3.5 inch exposure;
- SDL. Double-Hung, G/B, Wood Windows;
- Solid wood exterior doors;
- Granite steps and landing;
- A parged or thin-brick foundation (with a brick shelf);
- Standing-seam metal lead-coated copper porch or bay roofs;
- Slateline or equal asphalt shingles; and
- Authentic exterior trim details.

11. Subject to final approval from the Department of Public Services, the concrete curbing along the frontage of Ashland Street shall be replaced with granite curbing as specified and approved by the Department of Public Services. Denial of such approval from the Department of Public Services shall

require an amendment and approval from the Zoning Board of Appeals;

12. Subject to final approval from the Department of Public Services, both driveways shall have a granite cobblestone aprons to match 17-19 Ashland Street and all driveways. Denial of such approval from the Department of Public Services shall require an amendment and approval from the Zoning Board of Appeals;

13. All proposed parking areas and walkways shall be constructed of brick pavers that match the sidewalks;

14. The proposed evergreen and shade trees, shown on Lot 1, shall be at least 3 inches in caliper when planted and shall be either spruce, hemlock, oak or maple. The proposed privet hedge, shown on Lot 2, shall be at least 36 inches in height when planted along the property line adjacent the abutting driveway and parking area of 22-24 Ashland Street. All other existing trees shown on the revised site plan shall be preserved and protected with fencing during construction and all existing trees within 20 feet of the rear property lines of both lots shall be preserved and protected during construction;

15. Any changes to the proposed on- or off-site improvements shall be subject to further review and approval by the Zoning Board of Appeals; and

16. Prior to construction, a construction management plan shall be presented to the Planning Department and it shall be used to coordinate contractors, provide a primary point-of-contact, address on-street parking management, and ensure the hours of operations for construction adhere to all applicable city ordinances.

17. An easement will be acquired for the existent shed that slightly intrudes onto the property at 5-7 Ashland Court.

This decision was filed with the Newburyport City Clerk on **11/19/15** and sent registered mail to the applicant and by regular mail to the Parties in Interest and the abutting Municipalities.

Undersigned Chair of the Zoning Board of Appeals,


Edward Ramsdell

Date: 11/19/15

CERTIFICATION OF CITY CLERK

I, Richard Jones, City Clerk of the City of Newburyport, hereby certify pursuant to M.G.L. Chapter 40A, Section 17, that the decision for the property known as **18-20 Ashland Street** was filed in the Office of the City Clerk on **11/19/15**.

Pursuant to M.G.L. Chapter 40A, Section 11 this decision was also filed with the Newburyport Planning Board on **11/19/15**.

Twenty (20) days have elapsed since the decision was filed and **NO APPEAL** has been filed. Appeals shall be made pursuant to M.G.L. Chapter 40A, Section 17 and filed within (20) twenty days after the date of filing of this decision in the Office of the City Clerk.

Newburyport City Clerk

Date: _____

Re: 18 Ashland Landscaping approval

Steve Hunt <steve.hunt@gordon.edu>

9/6/2018 9:40 AM 

To Andy Simonds, Robert Germinara **Copy** afpatterson@comcast.net, bessst.lawrence@comcast.net, carolgates7@gmail.com, darcynation@gmail.com, dkbelle930@hotmail.com, docgibs1@gmail.com, ebpurs@aol.com, fournations@comcast.net, gibs430@gmail.com, jcclavin@comcast.net, jeff@atlanticplywood.com, jillgjazz@gmail.com, jtag@comcast.net, kcdelahanty@hotmail.com, kippdw@gmail.com, lambertlindamarie@gmail.com, lamiller20@comcast.net, lharding6@comcast.net, lindyhoo@comcast.net, lsimonds@comcast.net, marley@xdd-llc.com, mgclavin@gmail.com, niketic@airkiosk.com, pamkipp@gmail.com, rgroskin@gmail.com, sonyachampion@gmail.com, spurinton@rpi-apex.com, taglif@comcast.net, tkolterjahn@gmail.com, tontar44@comcast.net, wstlawrence@northernpower.com

Sounds good to us. Good luck!
Bridget and Steve

From: Andy Simonds <absimonds@gmail.com (mailto:absimonds@gmail.com)>

Date: Thursday, September 6, 2018 at 8:52 AM

To: Robert Germinara <parker77street@aol.com (mailto:parker77street@aol.com)>

Cc: afpatterson@comcast.net (mailto:afpatterson@comcast.net), bessst.lawrence@comcast.net (mailto:bessst.lawrence@comcast.net), carolgates7@gmail.com (mailto:carolgates7@gmail.com), darcynation@gmail.com (mailto:darcynation@gmail.com), dkbelle930@hotmail.com (mailto:dkbelle930@hotmail.com), docgibs1@gmail.com (mailto:docgibs1@gmail.com), ebpurs@aol.com (mailto:ebpurs@aol.com), fournations@comcast.net (mailto:fournations@comcast.net), gibs430@gmail.com (mailto:gibs430@gmail.com), jcclavin@comcast.net (mailto:jcclavin@comcast.net), jeff@atlanticplywood.com (mailto:jeff@atlanticplywood.com), jillgjazz@gmail.com (mailto:jillgjazz@gmail.com), jtag@comcast.net (mailto:jtag@comcast.net), kcdelahanty@hotmail.com (mailto:kcdelahanty@hotmail.com), kippdw@gmail.com (mailto:kippdw@gmail.com), lambertlindamarie@gmail.com (mailto:lambertlindamarie@gmail.com), lamiller20@comcast.net (mailto:lamiller20@comcast.net), lharding6@comcast.net (mailto:lharding6@comcast.net), lindyhoo@comcast.net (mailto:lindyhoo@comcast.net), lsimonds@comcast.net (mailto:lsimonds@comcast.net), marley@xdd-llc.com (mailto:marley@xdd-llc.com), mgclavin@gmail.com (mailto:mgclavin@gmail.com), niketic@airkiosk.com (mailto:niketic@airkiosk.com), pamkipp@gmail.com (mailto:pamkipp@gmail.com), rgroskin@gmail.com (mailto:rgroskin@gmail.com), sonyachampion@gmail.com (mailto:sonyachampion@gmail.com), spurinton@rpi-apex.com (mailto:spurinton@rpi-apex.com), Steve Hunt <Steve.Hunt@gordon.edu (mailto:Steve.Hunt@gordon.edu)>, taglif@comcast.net (mailto:taglif@comcast.net), tkolterjahn@gmail.com (mailto:tkolterjahn@gmail.com), tontar44@comcast.net (mailto:tontar44@comcast.net), wstlawrence@northernpower.com (mailto:wstlawrence@northernpower.com)

Ad Feedback
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124254-c733c77b-
141a-42d7-
be9f-2e52b426622
IID=1&
source=102226)

Subject: Re: 18 Ashland Landscaping approval

Frank and Jenna, it's all good.

Andy

On Thu, Sep 6, 2018 at 12:06 AM Robert Germinara <parker77street@aol.com

Re: 18 Ashland Landscaping approval



Robert Germinara <parker77street@aol.com>

9/6/2018 12:06 AM

To taglif@comcast.net **Copy** lindyhoo@comcast.net

Frank and Jenna, You have my FULL SUPPORT for your change in Plans. The House looks GREAT !! Rob Germinara 2 and 8 Ashland Street

Sent from AOL Mobile Mail

Get the new AOL app: mail.mobile.aol.com (<http://mail.mobile.aol.com>)

On Wednesday, September 5, 2018, Frank Tagliaferri <taglif@comcast.net> (<mailto:taglif@comcast.net>)> wrote:

Hi All,

My wife Jenna and I built the new house at 18 Ashland St. and appreciated meeting most of you while we all successfully fought the 2-family house on Ashland Ct. As some of you probably know, in order for us to get the approval to build our home a number of building and landscaping stipulations had to be met. We are happy to say that we have completed these obligations with the exception of the final tree placement on the property. Now with the lot split, the terrain modified, and the house built, and the weather in our favor (We moved in just prior to Thanksgiving), it turns out that the original proposed plan is not optimal for the property in terms of placement and types of trees and we have been asked by the zoning board to get some feedback or consent from our neighbors before we would be allowed to proceed with a change.

Of course, we have consulted with multiple Newburyport committees and it is hard to believe there is so much beouracracy in the smallest town in MA! To this end we have met with representatives from the city including the zoning board, DPS, and the Tree Commission to come up with a revised proposal to meet the requirements. This proposal takes into account the placement of the house, the wires above, the terrain between 18/20, as well as the available space by the curb for planting. Please take our word that we have a lot vested in this home and want to finish it off with the same quality we have elsewhere, so a beautiful landscape and a number of sustainable trees is in our best interest. We feel the new plan is a modification from that drafted 3 years ago, but no less appropriate for the home and neighborhood.

I have attached the original stipulation and our new proposal to this email. In general we want to spread out the tree placement around the outside of the property (as opposed to having a grouping that would eventually cause crowding issues) and replace a proposed hedge between 18 and 20 with a professionally installed fence that also borders the back of the property. The land between the lots differs in height by at least 4 feet and not only would a hedge no longer work there, but even if it could be planted on the grade it would take a long time to mature and not provide any privacy to either home in the meantime. In regard to tree species we are taking the recommendations from the DPS and Tree Commission who suggest Columnar Cherries for the street (limited planting area and they won't grow into the above wires) and 2 nice ornamental trees for the property (Magnolia, Weeping Cherry, or similar).

We kindly ask that you please respond to this email with your agreement to the plan, or if you have specific issues, let us know by email or a call so that we can take them into consideration.

Thanks for your time and we hope to be good neighbors for a long time to come.

Warmest Regards

Re: 18 Ashland Landscaping approval



Andy Simonds <absimonds@gmail.com>

9/6/2018 8:52 AM

To Robert Germinara **Copy** afpatterson@comcast.net

Frank and Jenna, it's all good.

Andy

On Thu, Sep 6, 2018 at 12:06 AM Robert Germinara <parker77street@aol.com
(<mailto:parker77street@aol.com>)> wrote:

Frank and Jenna, You have my FULL SUPPORT for your change in Plans. The House looks GREAT !!
Rob Germinara 2 and 8 Ashland Street

Sent from AOL Mobile Mail
Get the new AOL app: mail.mobile.aol.com (<http://mail.mobile.aol.com>)

On Wednesday, September 5, 2018, Frank Tagliaferri <taglif@comcast.net
(<mailto:taglif@comcast.net>)> wrote:

Hi All,

My wife Jenna and I built the new house at 18 Ashland St. and appreciated meeting most of you while we all successfully fought the 2-family house on Ashland Ct. As some of you probably know, in order for us to get the approval to build our home a number of building and landscaping stipulations had to be met. We are happy to say that we have completed these obligations with the exception of the final tree placement on the property. Now with the lot split, the terrain modified, and the house built, and the weather in our favor (We moved in just prior to Thanksgiving), it turns out that the original proposed plan is not optimal for the property in terms of placement and types of trees and we have been asked by the zoning board to get some feedback or consent from our neighbors before we would be allowed to proceed with a change.

Of course, we have consulted with multiple Newburyport committees and it is hard to believe there is so much beouracracy in the smallest town in MA! To this end we have met with representatives from the city including the zoning board, DPS, and the Tree Commission to come up with a revised proposal to meet the requirements. This proposal takes into account the placement of the house, the wires above, the terrain between 18/20, as well as the available space by the curb for planting. Please take our word that we have a lot vested in this home and want to finish it off with the same quality we have elsewhere, so a beautiful landscape and a number of sustainable trees is in our best interest. We feel the new plan is a modification from that drafted 3 years ago, but no less appropriate for the home and neighborhood.

I have attached the original stipulation and our new proposal to this email. In general we want to spread out the tree placement around the outside of the property (as opposed to having a grouping that would eventually cause crowding issues) and replace a proposed hedge between 18 and 20 with a professionally installed fence that also borders the back of the property. The land between the lots differs in height by at least 4 feet and not only would a hedge no longer work there, but even if it could be planted on the grade it would take a long time to mature and not provide any privacy to either home in the meantime. In regard to tree species we are taking the recommendations from the DPS and Tree Commission who suggest Columnar Cherries for the street (limited planting area and they won't grow into the above wires) and 2 nice ornamental trees for the property (Magnolia Weeping

Re: 18 Ashland Landscaping approval



Colin Gibney <gibs430@gmail.com>

9/6/2018 11:07 AM

To steve.hunt@gordon.edu **Copy** absimonds@gmail.com


Looks good! Thanks for circulating the maps.

On Thu, Sep 6, 2018 at 9:38 AM Steve Hunt <Steve.Hunt@gordon.edu (mailto:Steve.Hunt@gordon.edu)> wrote:

landscaping



Jill Tierney <jillgjazz@gmail.com>

9/6/2018 1:20 PM 

To taglif@comcast.net

All sounds excellent! good luck,
Jill Tierney

Re: 18 Ashland Landscaping approval



Bess St. Lawrence <bessst.lawrence@comcast.net>

9/6/2018 1:11 PM

To Frank Tagliaferri

Looks very nice!

~ Bess & Billy St. Lawrence

Sent from my iPhone

On Sep 5, 2018, at 7:43 PM, Frank Tagliaferri <taglif@comcast.net (mailto:taglif@comcast.net)> wrote:

<18AshlandTreeProposalPlansFence.pdf>

Hi All,

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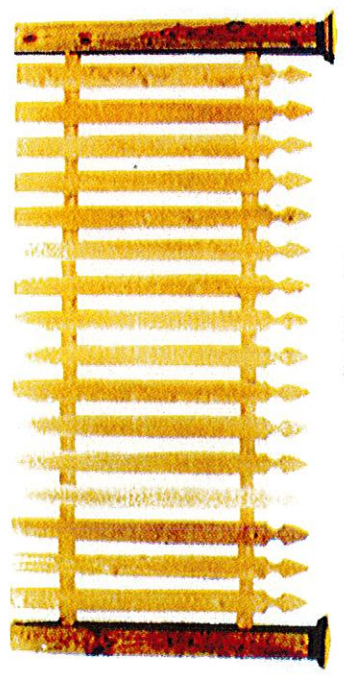
We kindly ask that you please respond to this email with your agreement to the plan, or if you have specific issues, let us know by email or a call so that we can take them into consideration.

Proposed Fence

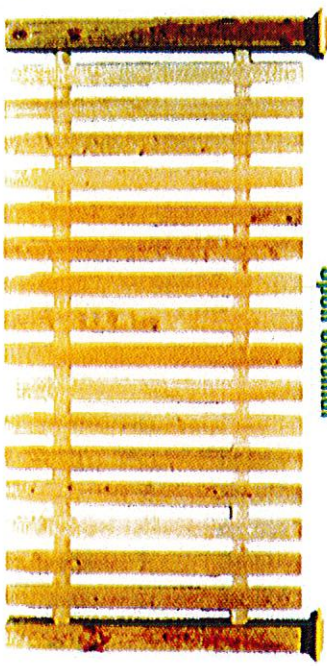


Open Picket

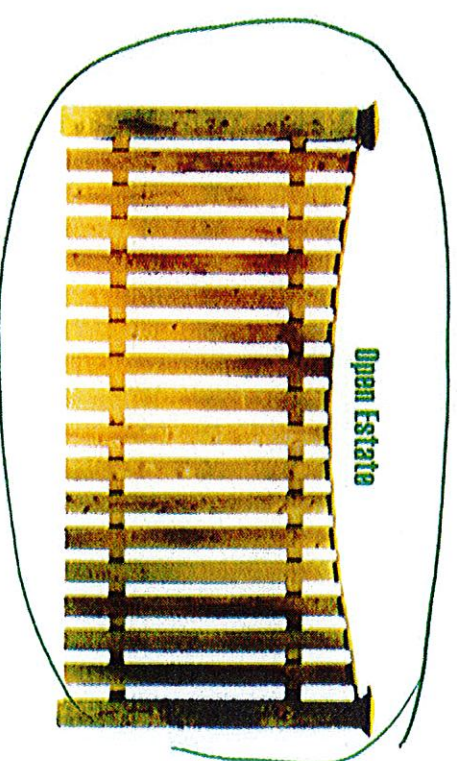
Open Picket Scalloped



Open Gothic

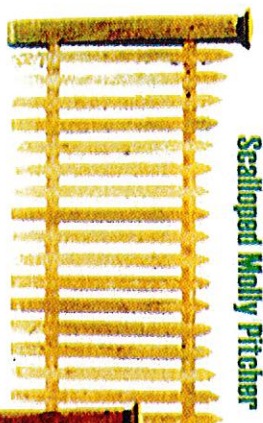


Open Colonial

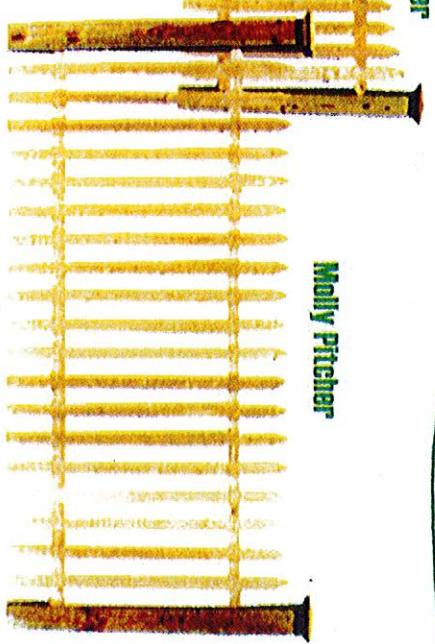


Open Estate

*Our spacious
open cedar panels
are a handsome backdrop,
in nearly any landscape,
yet still provide an effective
barrier for children and pets.*



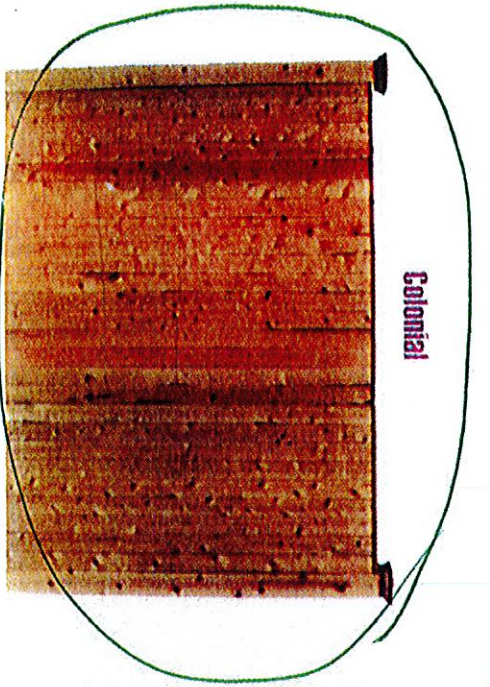
Scalloped Molly Pitcher



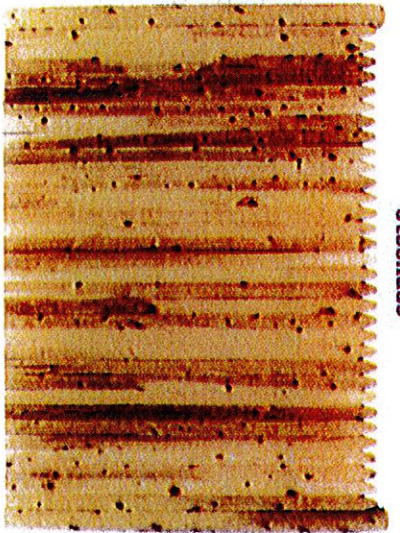
Molly Pitcher

Open Cedar Panels

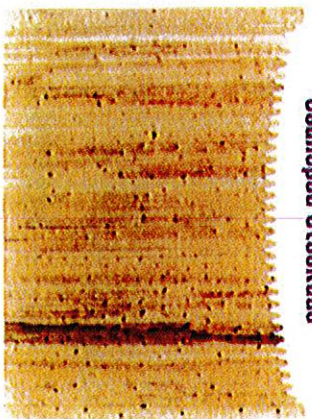
Proposed Fence



Colonial



Stockade



Scalloped Stockade



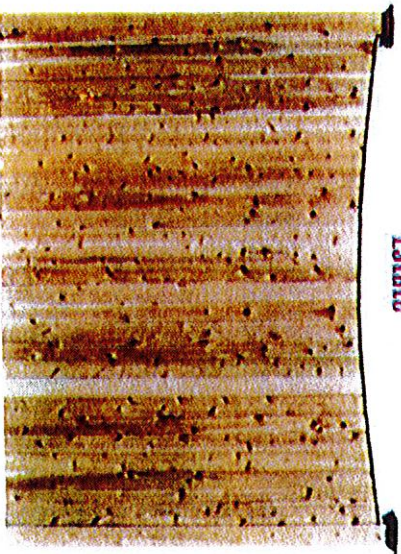
Gothic

Privacy Cedar Panels

Our privacy cedar panels offer total privacy and maximum security, providing decoration as well as peace of mind to any home.



Crown



Estate