

**City of Newburyport Zoning Board of Appeals**  
**Application for a SIGN VARIANCE**

Petitioner: Harris Street Properties, LLC  
 Mailing Address: 185 Centre Street Danvers, MA 01923  
 Phone: 978 777 3050 Email: stewart@harristeaassociates.com  
 Property Address: One Harris Street Unit #3  
 Map and Lot(s): MAP 13 Lot 5 Zoning District: B2 / D.O.D  
 Book and Page(s): 36518 / 511  
 Owner(s) Name: HARRIS Street Properties, LLC  
 Mailing Address (if different): 185 Centre Street Danvers, MA 01923  
 Brief description of request: to re-use existing sign from Salem, NH office.

A variance is required due to:

- Lighting                       Sign Type (freestanding, roof sign, etc.)  
 Size                                 Other: \_\_\_\_\_  
 Location

Existing Sign(s):	Sign #1	Sign #2	Sign #3
Area (s.f.)	40 SF +/-		
Dimensions:	2' x 20' (+/-)		
Height:	16 8' +/-		
Type (free standing, wall, projecting, roof)	Wall Mounted		
Method of support	Conc. Anchors		
Method of illumination:	o.b. Lighting		
Material:	Wood		

Total # of existing signs: 1 Total existing sign area: 40 ± SF

# City of Newburyport Zoning Board of Appeals Application for a SIGN VARIANCE

Proposed Sign(s):	Sign #1	Sign #2	Sign #3
Area (s.f.)	17.5 1/2 SF		
Dimensions	30" x 54"		
Height	1/2 - 3'		
Type (free standing, wall, projecting, roof)	Wall Mounted		
Method of support:	Concrete Anchors		
Method of illumination:	NONE		
Material	WOOD		

Total # of <sup>Proposed</sup> existing signs: 1 Total <sup>Proposed</sup> existing sign area: 17.5 1/2 SF

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

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

Sart R. Jelline

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CITY OF NEWBURYPORT, MA  
ZONING REVIEW/BUILDING PERMIT DENIAL

APR# 2018-025

Name: Ed Dixon / Hancock Associates

Address: 1 HARRIS STREET #3 Zoning District(s): B2 / DCP

Request: RELOCATE SIGN > 12' TO NEW LOCATION WITHIN THE DCP

B2 -

ZONING BOARD REVIEW REQUIRED

Variance

- Use Regulations (V)
- Dimensional Controls (VI)
  - \_\_\_ Lot Area      \_\_\_ Open Space      \_\_\_ Front Yard
  - \_\_\_ Lot Frontage      \_\_\_ Height      \_\_\_ Side Yard
  - \_\_\_ Lot Coverage      \_\_\_ Lot Width      \_\_\_ Rear Yard
- Parking (VII)

Sign Variance

- Signs (VIII)
  - \_\_\_ Type       Size
  - \_\_\_ Lighting      \_\_\_ Location

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      \_\_\_ Front Yard
- Over 500 sf. increase (IX.B.3.c)
- Plum Island Overlay District (XXI-G-3)
  - \_\_\_ FAR      \_\_\_ Height
  - \_\_\_ Lot Coverage      \_\_\_ Setbacks
  - \_\_\_ Open Space

Special Permit

- Special Permit for Use (V.D) Use #: \_\_\_\_\_
- 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)
- Other \_\_\_\_\_

PLANNING BOARD REVIEW REQUIRED

Special Permit

- Table of Permitted Uses (V-D)
- Marijuana Overlay District (V-G)
- One residential structure per lot (VI.C)
- Open Space Residential Development (XIV)
- Water Resource Protection District (XIX)
- Federal Street Overlay District (XXII)
- Courts and Lanes (XXIII)
- Waterfront West Overlay District (XXIV)
- Towle Complex Redev. Overlay District (XXV)
- Downtown Overlay District (XXVII)\*
- Other \_\_\_\_\_

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      \_\_\_ Front Yard
- Over 500 sf. increase (IX.B.3.c)

Site Plan Review (XV)

- Major       Minor

Smart Growth District (XXIX)

- Plan Approval

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay       \*Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

CITY COUNCIL REVIEW REQUIRED ( X.H.9)

*[Signature]* 4/17/18  
Newburyport Zoning Administrator      Date

April 25, 2018

Ms. Jennifer Blanchet, Zoning Officer  
City of Newburyport Zoning Board of Appeals  
60 Pleasant Street  
Newburyport, MA 01950

**RE: Appeal for Variance to Overlay District Maximum Sign Size Requirement to Allow The Installation of Hancock Associates Sign At One Harris Street, Newburyport, MA**

Dear: Ms. Blanchet/Members of The Board:

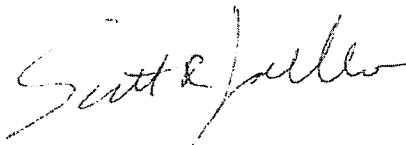
This application is to request a variance to the sign size restrictions as stipulated in the Downtown Overlay District (DOD) Section XXVII-F (Procedure and Criteria) Subsection 5-k limiting the maximum sign size to 12 square feet.

In response to the requirements of the SIGN VARIANCE Application section 1c, we offer the following:

- i. The property the proposed sign is to be installed on is a 2 story brick building with 9 office condominiums situated on Harris Street diagonally opposite the Newburyport Public Library and adjacent to the public parking lot fronting on State Street. Hancock Associates occupies Unit 3 which is the left rear unit facing the parking area, whose entrance is difficult to find.
- ii. The building the office condominium is located is 130+/- from the street line of State Street. This distance significantly reduces the visibility and impact of the proposed signage.
- iii. Hancock Associates is simultaneously closing their Salem, New Hampshire office while relocating its office in Newburyport. We are hoping to re-use the sign (in excellent condition) rather than having a new sign made and disposal of the old sign. The proposed sign actually conforms to the zoning district requirements (less than 40 square feet), is made of wood (as required) and will not require lighting. There is an existing sign on the building for a second floor business which is 40 square feet (conforms to the original code) and is pre-existing non-conforming in reference to the newer DOD requirements. The significant difference in this application from other possible applications in the DOD is that the proposed sign will not be on a street front, but placed on the side of a building significantly setback from the public street across a parking lot. As a result of this difference, the impact of allowing a sign only 5.5 square feet larger than the new regulations stipulates is diminished by the distance and location in relation to the State Street Right of Way.

- iv. Harris Street Properties, LLC (full disclosure: Hancock Associates is a part owner of the LLC) recently acquired this condominium unit in 2018 in order to relocate our existing branch office now located at 18 Center Street also in Newburyport. The sign proposed to be installed is being relocated and re-used from our Salem, New Hampshire office which is being simultaneously closed.
- v. We believe the distance from the State Street Right of Way to the proposed sign, along with the minimal expansion of the size requirement to the regulation creates the unique condition allowing us to re-use our existing sign in this instance. The sign is well within reasonable size for this building. Additionally, re-use of the sign saves destruction of the sign, and creates an economically efficient installation. Lastly, because of the distance to State Street across the public parking lot, granting of this variance affords the public a better opportunity to find Hancock Associates office at this location. It is due to these unique conditions that we do not believe we are requesting to have a special privilege inconsistent with the DOD regulations if granted.

Respectfully Yours,



**Scott R. Jalbert, Manager**  
Harris Street Properties, LLC

c/o **HANCOCK ASSOCIATES**

18 Center Street, Suite 1, Newburyport, MA 01950

Phone: (978) 465-9992, Fax: (978) 255-1249

[sjalbert@hancockassociates.com](mailto:sjalbert@hancockassociates.com)

[www.hancockassociates.com](http://www.hancockassociates.com)

CURRENT OWNER		UTILITIES		STRT./ROAD		LOCATION		CURRENT ASSESSMENT	
NEWBURYPORT PLACE LLC								123 NEWBURYPORT, MA	
1 HARRIS ST UNIT 3								VISION	
NEWBURYPORT, MA 01950		13-5-A/G		CONDO CV: FY08					
Additional Owners:		SUB-DIV		INLAW Y/N:					
		PHOTO		LOT SPLIT:					
		WARD		40B HSNG:					
		TILE #:							
		ATT 1/2 HSE:							
		GIS ID: M_251379_951076		ASSOC PID#					

RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		q/u v/i		SALE PRICE		V.C.	
NEWBURYPORT PLACE LLC		33814/0220		01/22/2015		Q		305,000		00	
ONE HARRIS STREET COMPANY		26309/0556		11/21/2006		U		1J		2018	
DONAHUE AMBROSI & TURBIDE		6932/0490		05/07/1982		U				3401	
Total:								316,900		Total: 316,900	

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Type	Amount	Code
This signature acknowledges a visit by a Data Collector or Assessor			
Total: 316,900			

ASSESSING NEIGHBORHOOD		NOTES	
NBHD/ SUB	NBHD Name	Street Index Name	Batch
0/A			
OFFICE CONDO			

GROUND FLOOR UNIT		APPRAISED VALUE SUMMARY	
Year	Type	Amount	Code
Appraised Bldg. Value (Card)		316,900	
Appraised XF (B) Value (Bldg)		0	
Appraised OB (L) Value (Bldg)		0	
Appraised Land Value (Bldg)		0	
Special Land Value		0	
Total Appraised Parcel Value		316,900	
Valuation Method:		C	
Adjustment:		0	
Net Total Appraised Parcel Value		316,900	

BUILDING PERMIT RECORD		VISIT/ CHANGE HISTORY	
Permit ID	Issue Date	Type	Date
Purpose/Result			

LAND LINE VALUATION SECTION		LAND LINE VALUATION SECTION	
B #	Use Description	Zone	D Front Depth
1	OFF CONDO MDL-06	B2	
Unit Price		0.00	
Units		0 SF	
I. Factor S.A. Disc		1.0000	
C. Factor ST. Idx Adj.		1.00	
Notes-Adj		0.00	
Special Pricing		0.00	
S Adj Fact		-00	
Land Value		0.00	

Total Card Land Units:		Total Land Value:	
0.00 AC	Parcel Total Land Area: 0 AC		0