

# City of Newburyport Zoning Board of Appeals Application for a SPECIAL PERMIT

Petitioner: KEVIN + STEFANIE PESSOLANO

Mailing Address: 2 1/2 COLTIN DRIVE

Phone: 508-826-0159 Email: ROSEFITZ1@COMCAST.NET

Property Address: 2 1/2 COLTIN DRIVE

Map and Lot(s): 97/9/E Zoning District: R1

Book and Page(s): 25425 / 10

Owner(s) Name: KEVIN + STEFANIE PESSOLANO

Mailing Address (if different): \_\_\_\_\_

The applicant is requesting a Special Permit under section(s):

- |  |  |
|--|--|
| <input type="checkbox"/> Special Permit for Use (V.D) – Use # _____          | <input type="checkbox"/> Personal Wireless Communication Services (XX) |
| <input type="checkbox"/> Spacing (VI.D)                                      | <input type="checkbox"/> Wind Energy Conversion Facilities (XXVI)      |
| <input checked="" type="checkbox"/> In-Law Apartment (XIIA)*                 | <input type="checkbox"/> Other _____                                   |
| <input type="checkbox"/> Bonus Provisions for Multifamily Developments (XVI) |  |

\*Include In-Law Apartment Attachment

Description of request:

REQUEST FOR PERMISSION TO CREATE AN IN-LAW APARTMENT  
ATTACHED TO THE EXISTING STRUCTURE

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. 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, publication, 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 by the ZBA of this application as incomplete.

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



\_\_\_\_\_

CITY OF NEWBURYPORT, MA  
ZONING DETERMINATION

APR# 2019-084Rev

Name: Pessolano c/o/Aileen Graf

Address: 2.5 Coltin Drive

Zoning District(s): R1

Request: Construct an In-Law Unit attached to the primary dwelling.

ZONING BOARD REVIEW REQUIRED

Variance

- Dimensional Controls (VI)
  - Lot Area
  - Lot Frontage
  - Lot Coverage
  - Parking (VII)
  - Modification
- Open Space
- Height
- Lot Width
- Front Yard
- Side Yard
- Rear Yard

Sign Variance

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

Other

\_\_\_\_\_

Special Permit

- Table of Use Regulations (V.D) #: \_\_\_\_\_
- 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: \_\_\_\_\_

Special Permit for Non-Conformities

- Extension or Alteration (IX.B.2)
  - Parking
  - Upward Extension
  - Open Space
  - Height
  - Lot Area
  - Use
  - Rear Yard
  - Lot Coverage
  - Side Yard
  - Lot Frontage
  - Front Yard
- Over 500 sf. increase (IX.B.3.c)
- Plum Island Overlay District (XXI-G-3)
  - FAR
  - Lot Coverage
  - Height
  - Setbacks
  - Open Space

PLANNING BOARD REVIEW REQUIRED

Special Permit

- Table of Use Regulations (V-D) # \_\_\_\_\_
- 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
  - Upward Extension
  - Open Space
  - Height
  - Lot Area
  - Use
  - Rear Yard
  - Lot Coverage
  - Side Yard
  - Lot Frontage
  - Front Yard
- Over 500 sf. increase (IX.B.3.c)

Smart Growth District (XXIX)

- Plan Approval

Site Plan Review (XV)

- Major
- Minor

HISTORICAL COMMISSION REVIEW REQUIRED

- Demo. Delay
- \*Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

  
Newburyport Zoning Administrator

12/4/2019  
Date

## Memorandum In Support of a Special Permit

### 2 1/2 COLTIN DRIVE

1. The proposed addition of an in-law apartment is allowable in the R1 zoning district. The in-law apartment will be occupied by the Applicant's parents and the Applicants and their children will continue to reside in the remainder of the home.
2. The proposed in-law apartment will not effect the public in an adverse way. The addition includes a 2 car garage which will be for the primary house. The in-law occupants will have two cars in the driveway. This is the current scenario for the cars as they currently don't have a garage, therefore the landscape of cars and driveway remains unchanged to the neighborhood. The proposed drive and garage can accommodate 4+ cars.
3. The proposed in-law apartment will not change the current connection of driveway to the street and public way. It will, in fact, improve the turn around capabilities so that cars can enter the street head first.
4. The proposed in-law apartment will add one bedroom to the current city sewer system.
5. No special regulations are required.
6. The proposed in-law apartment will support the existing family centric character of the neighborhood by encouraging grandparents to occupy.
7. The proposed in-law apartment will not cause excess of that particular use that could be detrimental to the character of said neighborhood.
8. The proposed in-law apartment is in harmony with the purpose and intent of this ordinance.
9. The proposed in-law apartment shall not be conducted in a manner as to emit any dangerous, noxious, injurious or otherwise objectionable fire, explosion, radioactive or other hazardous, noise or vibration, smoke, dust, odor or other form of environmental pollution.

Property Location: 2.5 COLTIN DR

MAP ID: 97/9/E//

Bldg Name:

State Use: 1010

Vision ID: 6401

Account #

Bldg #: 1 of 1

Sec #: 1 of 1

Card 1 of 1

Print Date: 01/16/2019 21:38

CURRENT OWNER		TOPO.	UTILITIES	STRT.ROAD	LOCATION	CURRENT ASSESSMENT			
PESSOLANO KEVIN STEFANIE T/E 2 1/2 COLTIN DR. NEWBURYPORT, MA 01950 Additional Owners:						Description	Code	Appraised Value	Assessed Value
						RESIDENTL	1010	186,100	186,100
						RES LAND	1010	248,800	248,800
						RESIDENTL	1010	3,600	3,600
		<b>SUPPLEMENTAL DATA</b>				<b>Total</b>		<b>438,500</b>	<b>438,500</b>
Other ID: 97-9-E SUB-DIV PHOTO WARD 5 FILE #: ATT 1/2 HSE: GIS ID: M 249519_951349		CONDO CV: INLAW Y/N: Y LOT SPLIT: 40B HSNG:		ASSOC PID#					

123  
NEWBURYPORT, MA

**VISION**

RECORD OF OWNERSHIP		BK-VOL/PAGE	SALE DATE	q/u	v/i	SALE PRICE	V.C.	PREVIOUS ASSESSMENTS (HISTORY)								
PESSOLANO KEVIN HUFF DONALD MCRAE JOAN M MCRAE BASIL A HILL EDWARD C. JR.		25425/0010 13192/0446 07085/0600 06867/0164 6820/ 659	03/02/2006 09/15/1995 04/11/1983 09/28/1981 05/20/1981	Q Q U U U	1 1 1 1 1	397,499 156,000 1 70,000 17,000	00 00 1A 1D 1D	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value	Yr.	Code	Assessed Value
								2019	1010	186,100	2018	1010	179,500	2017	1010	171,300
								2019	1010	248,800	2018	1010	237,000	2017	1010	225,800
								2019	1010	3,600	2018	1010	3,600	2017	1010	3,600
								<b>Total:</b>		<b>438,500</b>	<b>Total:</b>		<b>420,100</b>	<b>Total:</b>		<b>400,700</b>

EXEMPTIONS			OTHER ASSESSMENTS					
Year	Type	Description	Amount	Code	Description	Number	Amount	Comm. Int.
<b>Total:</b>								

This signature acknowledges a visit by a Data Collector or Assessor

ASSESSING NEIGHBORHOOD				
NBHD/ SUB	NBHD Name	Street Index Name	Tracing	Batch
5/A				

APPRAISED VALUE SUMMARY	
Appraised Bldg. Value (Card)	183,000
Appraised XF (B) Value (Bldg)	3,100
Appraised OB (L) Value (Bldg)	3,600
Appraised Land Value (Bldg)	248,800
Special Land Value:	0
Total Appraised Parcel Value	438,500
Valuation Method:	C
Adjustment:	0
<b>Net Total Appraised Parcel Value</b>	<b>438,500</b>

NOTES	
SHDI NY IN-LAW APT 12/15EXT&INT=G;NEW FLOORING UPDATED BATH &KITCH;BDRM IN SFB;EST REAR&WDK=LOCKED F ENCE	

BUILDING PERMIT RECORD										VISIT/ CHANGE HISTORY					
Permit ID	Issue Date	Type	Description	Amount	Insp. Date	% Comp.	Date Comp.	Comments	Date	Type	IS	ID	Cd.	Purpose/Result	
WS222-1095	10/30/1995	RS	Residential	0	10/01/1996	100	10/01/1996	WOODSTOVE	12/22/2015 10/24/2006 10/15/1996 09/30/1996 10/12/1988			DAR RL GB BB BM	00 02 00 01 00	Measur+Listed Measur+2Visits Measur+Listed Measur+1Visit Measur+Listed	

LAND LINE VALUATION SECTION																				
B #	Use Code	Use Description	Zone	D	Front	Depth	Units	Unit Price	I. Factor	S.A.	Acre Disc	C. Factor	ST. Idx	Adj.	Notes- Adj	Special Pricing				
															Spec Use	Spec Calc	S Adj Fact	Adj. Unit Price	Land Value	
1	1010	SINGLE FAM	R1				20,002	SF	12.44	1.0000	5	1.0000	1.00	0.00				1.00	12.44	248,800
<b>Total Card Land Units:</b>			0.46 AC		<b>Parcel Total Land Area:</b>			0.46 AC			<b>Total Land Value:</b>			248,800						

Property Location: 2.5 COLTIN DR  
 Vision ID: 6401

MAP ID: 97/9/E //

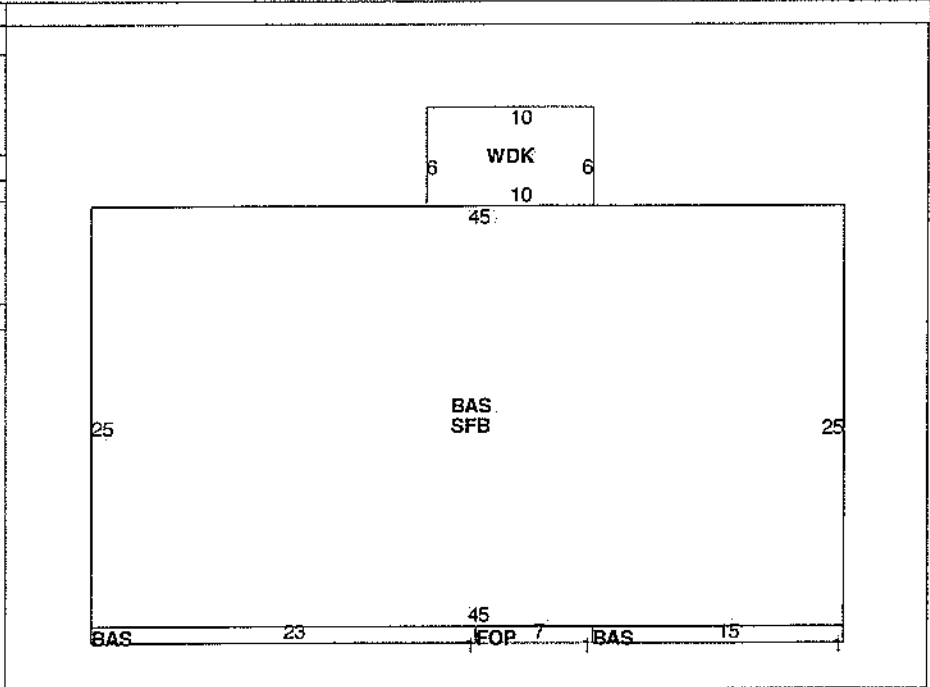
Bldg Name:

State Use: 1010  
 Print Date: 01/16/2019 21:38

Account #

Bldg #: 1 of 1 Sec #: 1 of 1 Card: 1 of 1

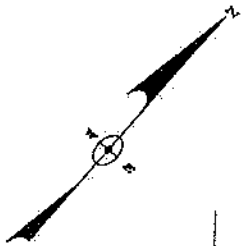
CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)				
Element	Cd.	Ch.	Description	Element	Cd.	Ch.	Description
Style	08		Raised Ranch				
Model	01		Residential				
Grade	03		Average				
Stories	1		1 Story	Kitchen Grd			
Occupancy	2			<b>MIXED USE</b>			
Exterior Wall 1	11		Clapboard	Code	Description	Percentage	
Exterior Wall 2	14		Wood Shingle	1010	SINGLE FAM	100	
Roof Structure	03		Gable/Hip				
Roof Cover	03		Asph/F Gls/Cmp				
Interior Wall 1	05		Drywall/Sheet	<b>COST/MARKET VALUATION</b>			
Interior Wall 2				Adj. Base Rate:		112.71	
Interior Flr 1	14		Carpet	Replace Cost		207,950	
Interior Flr 2	12		Hardwood	AYB		1981	
Heat Fuel	02		Oil	EYB		2006	
Heat Type	05		Hot Water	Dep Code		G	
AC Type	01		None	Remodel Rating			
Total Bedrooms	03		3 Bedrooms	Year Remodeled			
Total Bthrms	2			Dep %		12	
Total Half Baths	0			Functional Obslnc		0	
Total Xtra Fixtrs				External Obslnc		0	
Total Rooms	5		5 Rooms	Cost Trend Factor		1	
Bath Style	02		Average	Condition			
Kitchen Style	02		Average	% Complete			
				Overall % Cond		88	
				Apprais Val		183,000	
				Dep % Ovr		0	
				Dep. Ovr Comment			
				Misc Imp. Ovr		0	
				Misc Imp. Ovr Comment			
				Cost to Cure Ovr		0	
				Cost to Cure Ovr Comment			



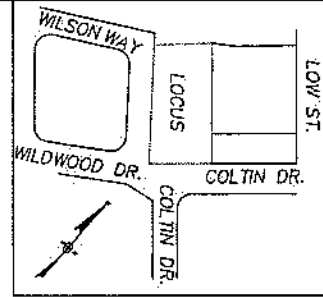
OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)												
Code	Description	Sub	Sub-Description	L/B	Units	Unit Price	Yr	Gde	Dp Rt	Cnd	%Cnd	Appr Value
WDK	WOOD DECK			L	252	19.00	2015		0		75	3,600
FPL1	FIREPLACE 1			B	1	3,500.00	2006		1		100	3,100

BUILDING SUB-AREA SUMMARY SECTION						
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprec. Value
BAS	First Floor	1,163	1,163	1,163	112.71	131,082
FOP	Porch, Open	0	7	1	16.10	113
SFB	Base, Semi-Finished	0	1,125	675	67.63	76,079
WDK	Deck, Wood	0	60	6	11.27	676
<b>Ttl. Gross Liv/Lease Area:</b>		<b>1,163</b>	<b>2,355</b>	<b>1,845</b>		<b>207,950</b>

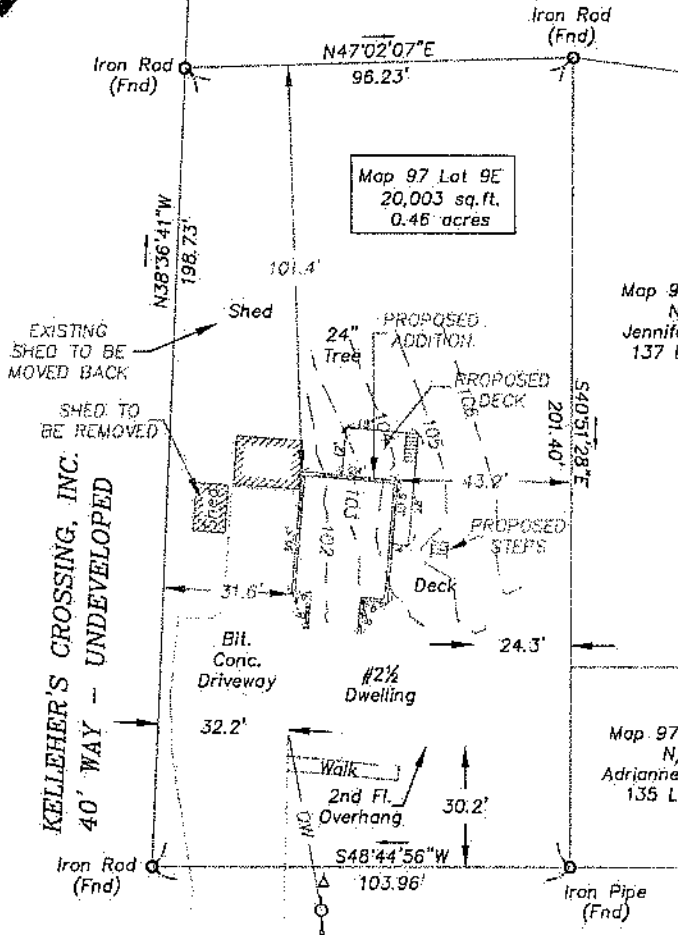




Map 97 Lot 9B&C  
N/F  
Dare Family Services  
141 Low St.



LOCUS MAP - N.T.S.



Map 97 Lot 9  
N/F  
Jennifer Juste  
137 Low St.

LOT COVERAGE

HOUSE & DECK - 1576  
SHED - 196  
NEW DECK - 280  
NEW ADDITION - 844  
TOTAL - 2896 S.F.  
2896 / 20003 = 14.5%

OPEN SPACE

STRUCTURES - 2896  
DRIVE - 2235  
WALK - 98  
TOTAL - 5229 S.F.  
5229 / 20003 = 26.1%  
100 - 26.1 = 73.9% OPEN

Map 97 Lot 9A  
N/F  
Adrienne Jackson  
135 Low St.

COLTIN DRIVE - Public - 50' Wide

ZONING DISTRICT - R1			
	EXISTING	REQUIRED	PROPOSED
LOT AREA	20,003	20,000	20,003
FRONTAGE	198.73'	125.00'	198.73'
HEIGHT	16.6'	30'	18.3'
% LOT COVERAGE	9.3	20	14.5
OPEN SPACE	78.6	50%	73.9
FRONT *	32.2'	30'	31.6'
FRONT **	30.2'	30'	30.2'
SIDE	139.9'	20'	101.4'
REAR	24.3'	30'	24.3'

\* Kelleher's Crossing  
\*\* Coltin Drive

REFERENCES:

- 1) Deed Book 25425 Page 10
- 2) Plan Book 165 Plan 64
- 3) Plan #478 of 1971
- 4) Plan Book 144 Plan 70

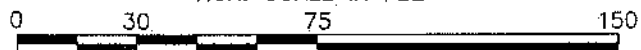
**PROPOSED PLOT PLAN**  
2 1/2 COLTIN DRIVE  
NEWBURYPORT, MASSACHUSETTS

Prepared By  
LeBlanc Survey Associates, Inc.  
161 Holten Street  
Danvers, MA 01923  
(978) 774-6012

December 3, 2019 Scale: 1"=30'



HOR. SCALE IN FEET



project:  
**PESSOLANO  
 RESIDENCE**

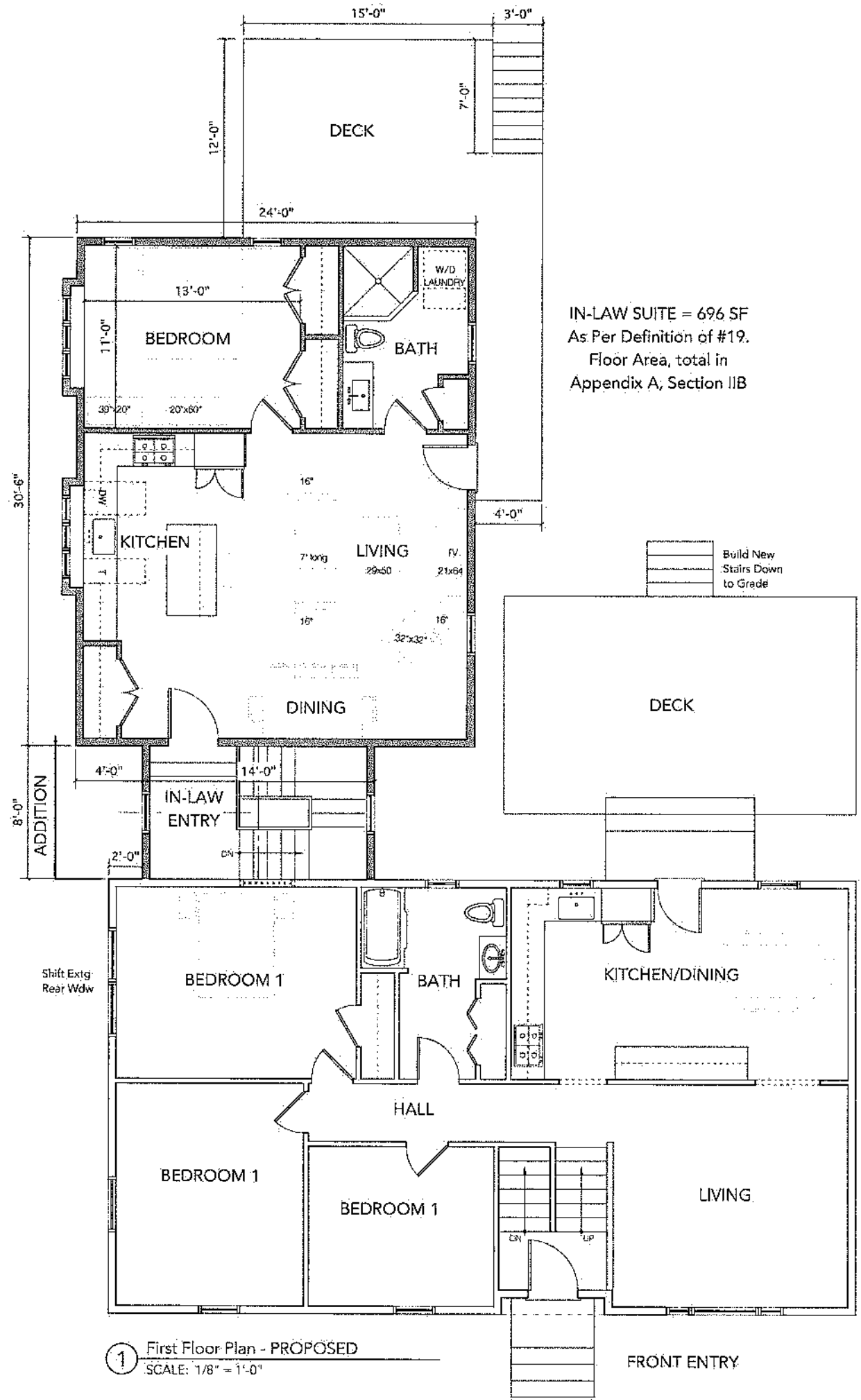
2 1/2 Coltin Drive  
 Newburyport, MA

architect:  
**GRAF  
 ARCHITECTS**  
 2 Liberty Street  
 Newburyport, MA  
 01950  
 T. 978 499 9442  
 www.grafarch.com

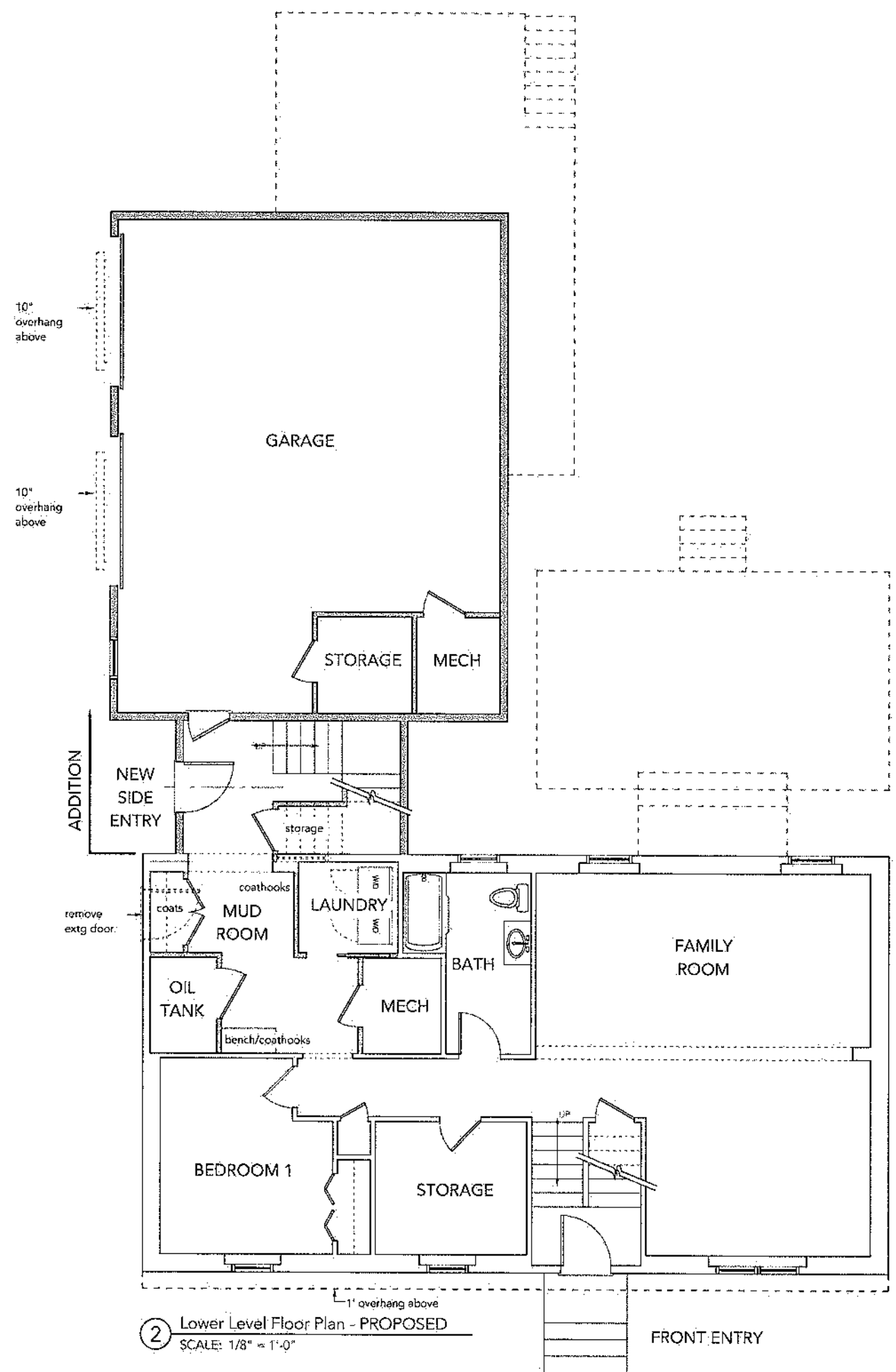
title:  
**PROPOSED  
 Floor Plans**

SCALE: 1/8" = 1'-0"  
 2 december 2019

**A01**



1 First Floor Plan - PROPOSED  
 SCALE: 1/8" = 1'-0"



2 Lower Level Floor Plan - PROPOSED  
 SCALE: 1/8" = 1'-0"

project:

# PESSOLANO RESIDENCE

2 1/2 Coltin Drive  
Newburyport, MA

architect:

**GRAF ARCHITECTS**

2 Liberty Street  
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01950  
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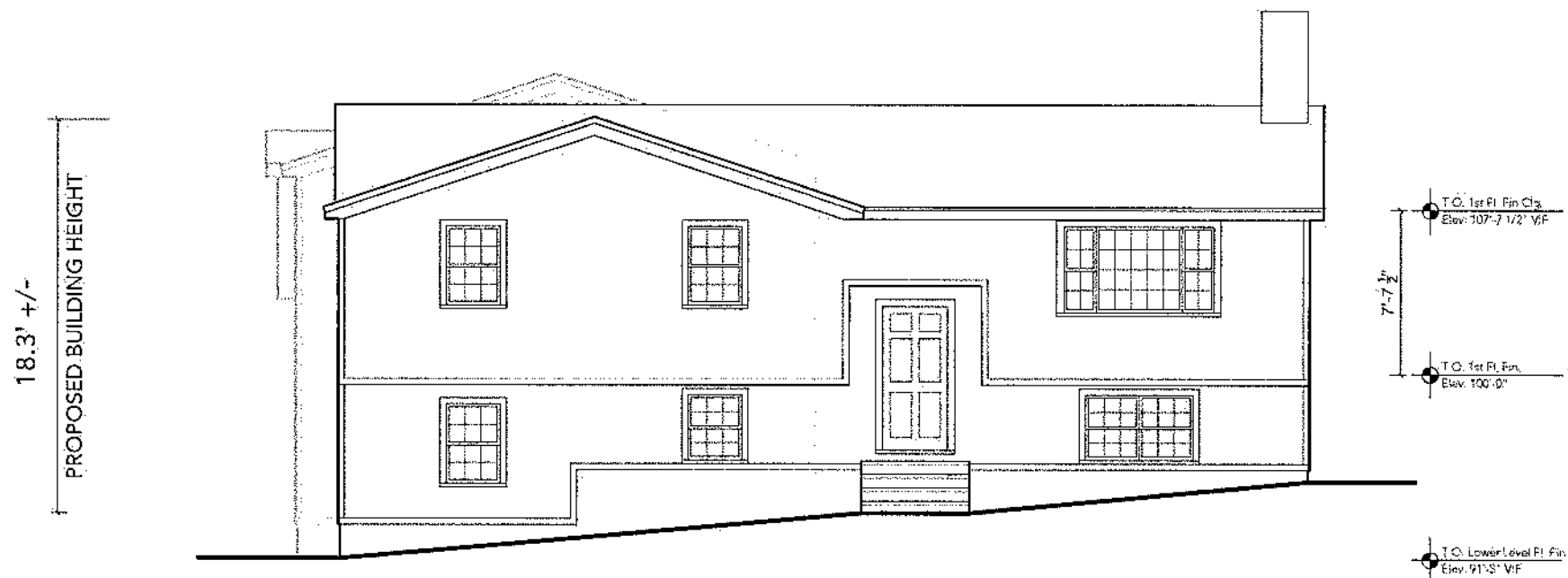
Title:

## PROPOSED Exterior Elevations

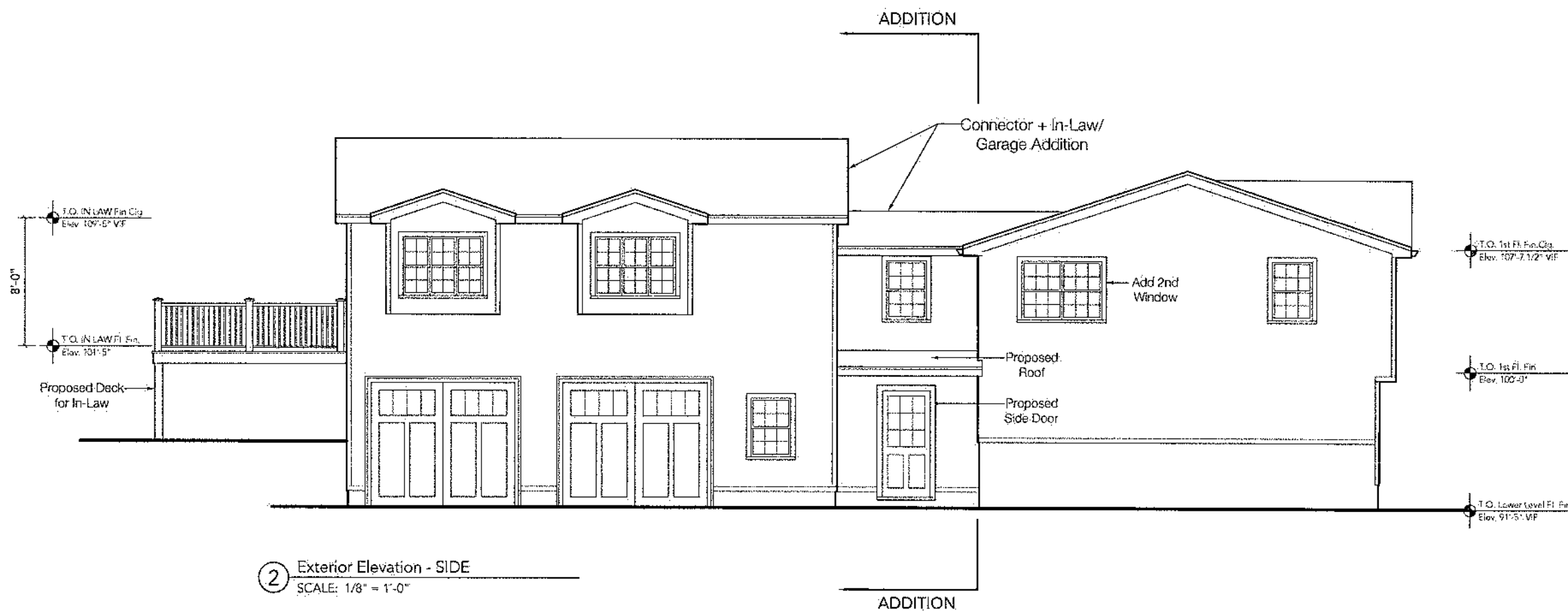
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2 december 2019

A02

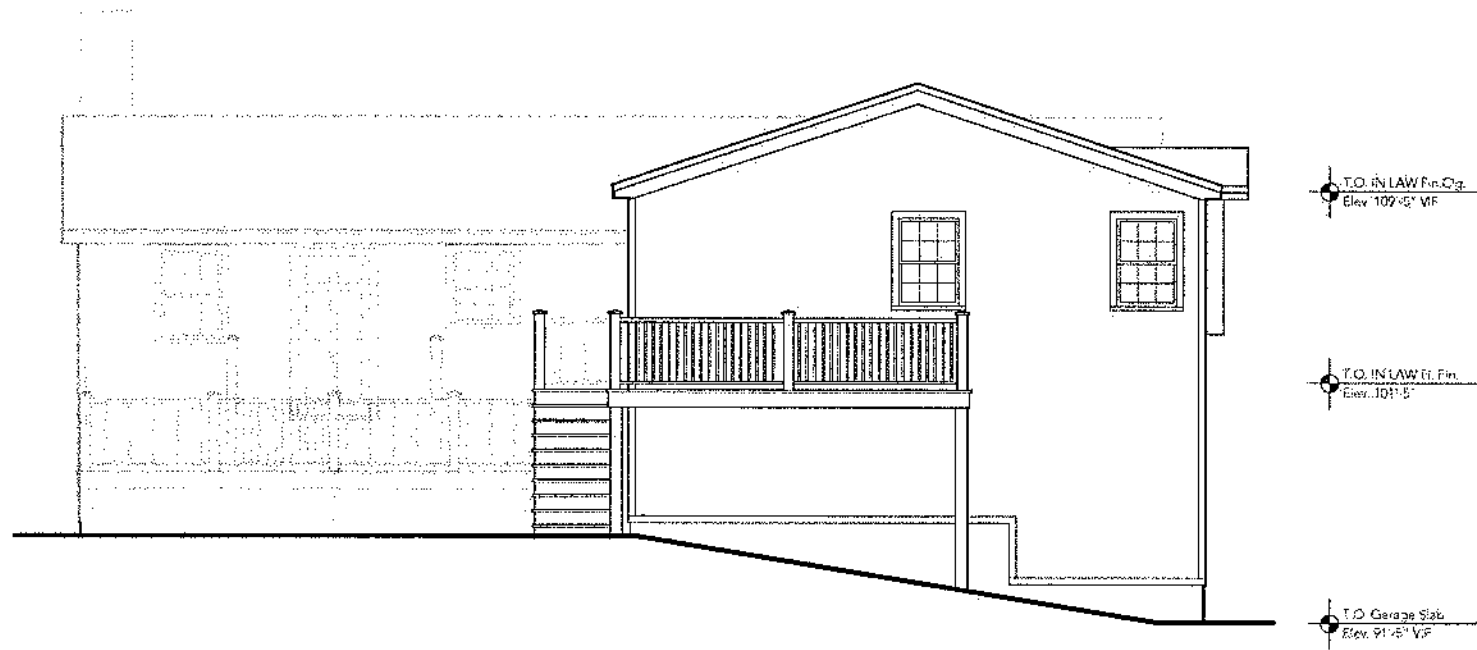


1 Exterior Elevation - FRONT  
SCALE: 1/8" = 1'-0"

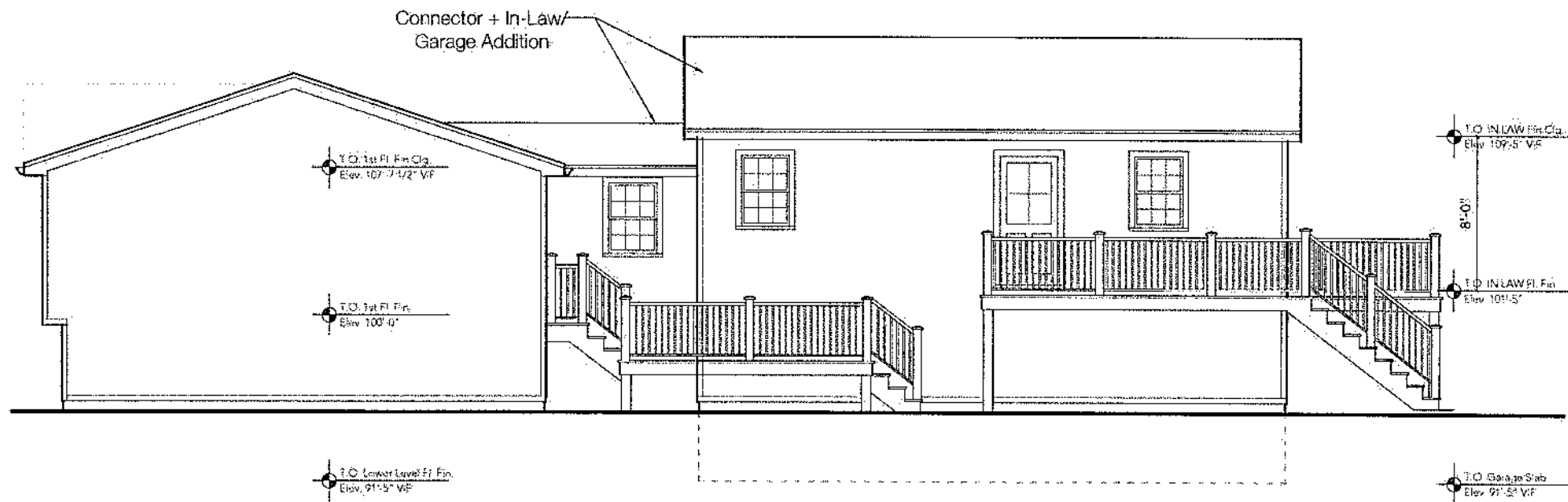


2 Exterior Elevation - SIDE  
SCALE: 1/8" = 1'-0"





① Exterior Elevation - REAR  
SCALE: 1/8" = 1'-0"



② Exterior Elevation - SIDE  
SCALE: 1/8" = 1'-0"

project:

# PESSOLANO RESIDENCE

2 1/2 Coltin Drive  
Newburyport, MA

architect:

## GRAF ARCHITECTS

2 Liberty Street  
Newburyport, MA  
01950  
T. 978.499.9442  
www.grafarch.com

title:

### PROPOSED Exterior Elevations

SCALE: 1/8" = 1'-0"

2 december 2019

A03

project:

# PESSOLANO RESIDENCE

2 1/2 Coltin Drive  
Newburyport, MA

architect:

**GRAF ARCHITECTS**

2 Liberty Street,  
Newburyport, MA  
01950  
T. 978 499 9442  
[www.grafarch.com](http://www.grafarch.com)

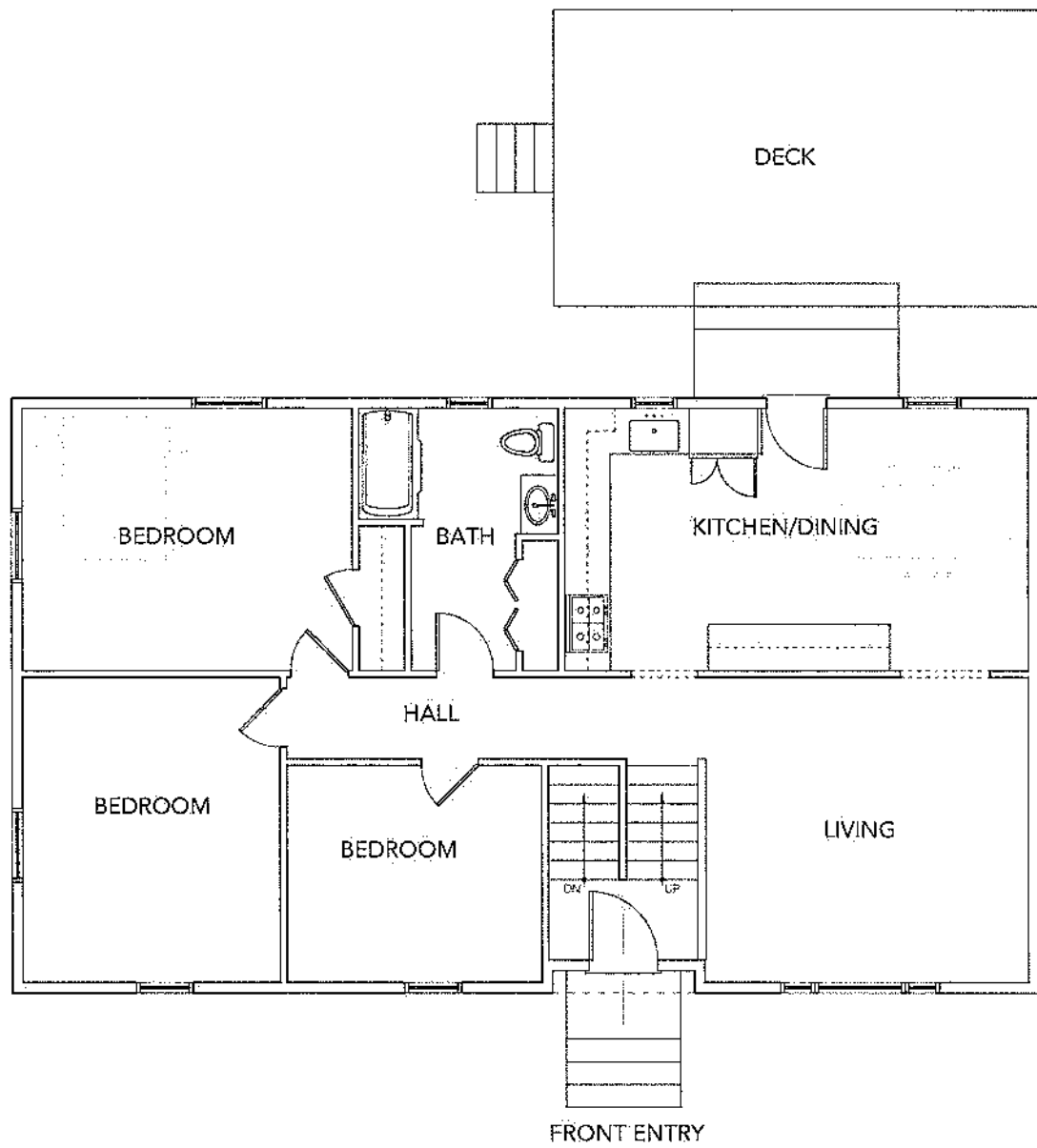
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**Existing  
Floor Plans**

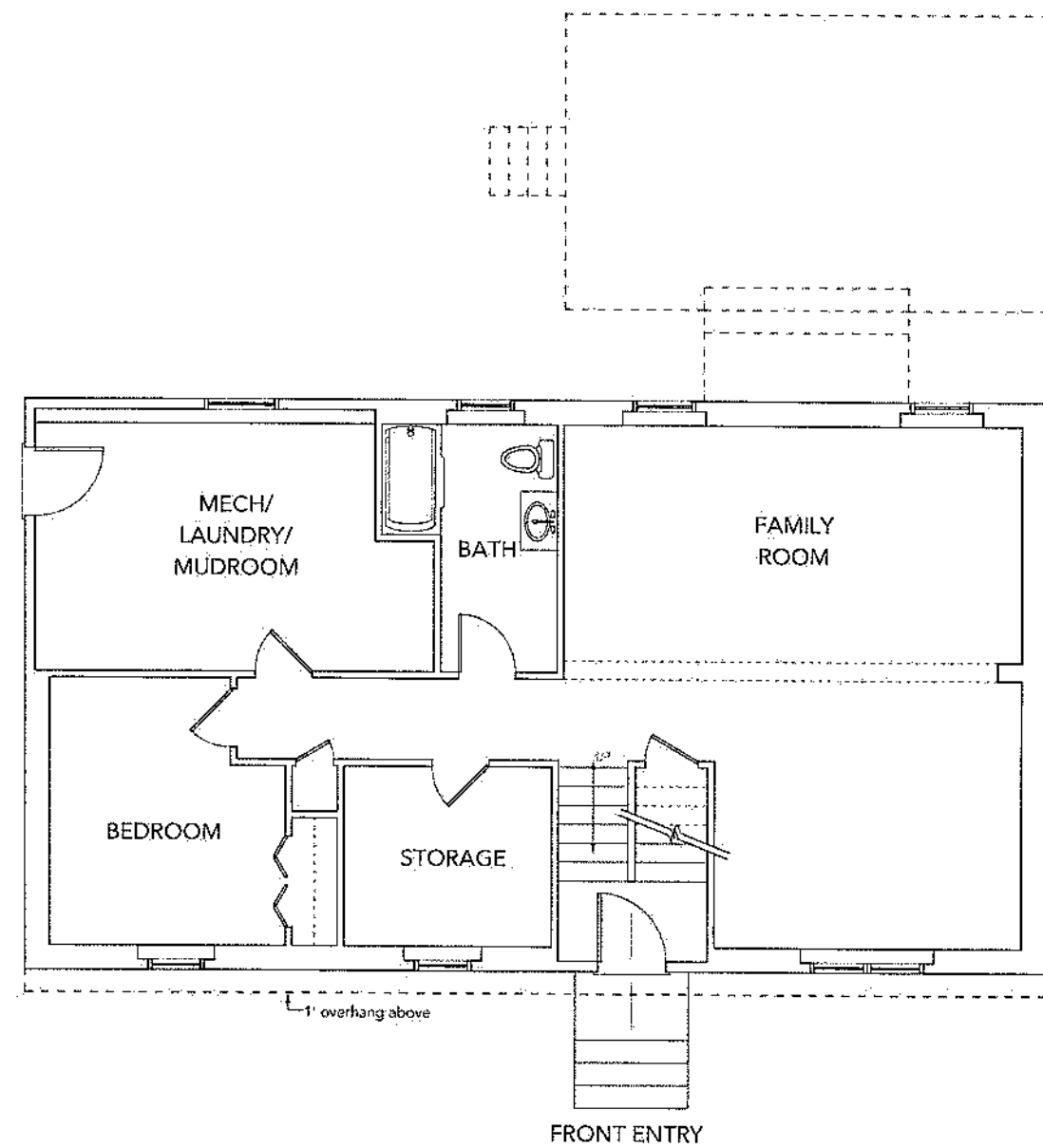
SCALE: 1/8" = 1'-0"

2 december 2019

EX1



① First Floor Plan - EXISTING  
SCALE: 1/8" = 1'-0"



② Lower Level Floor Plan - EXISTING  
SCALE: 1/8" = 1'-0"

project:

# PESSOLANO RESIDENCE

2 1/2 Coltin Drive  
Newburyport, MA

architect:

**GRAF ARCHITECTS**

2 Liberty Street  
Newburyport, MA  
01950  
T. 978.499.9442  
www.grafarch.com

title:

**EXISTING  
Exterior Elevations**

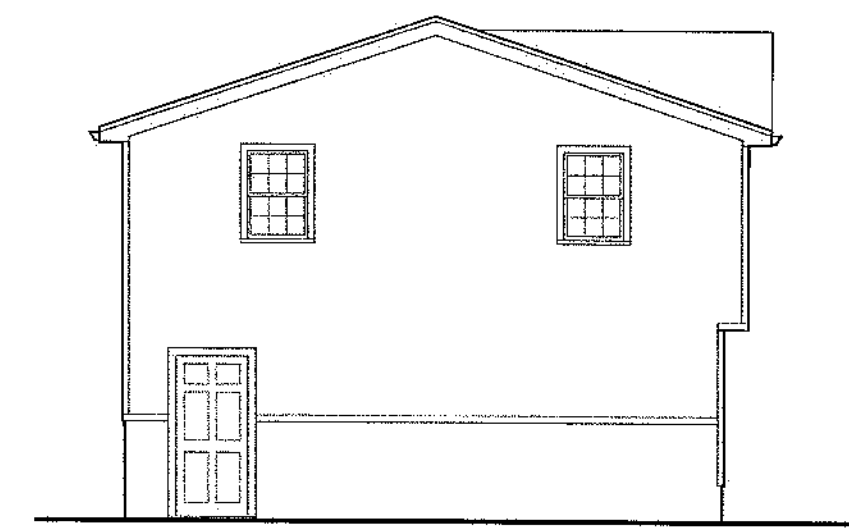
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2 december 2019

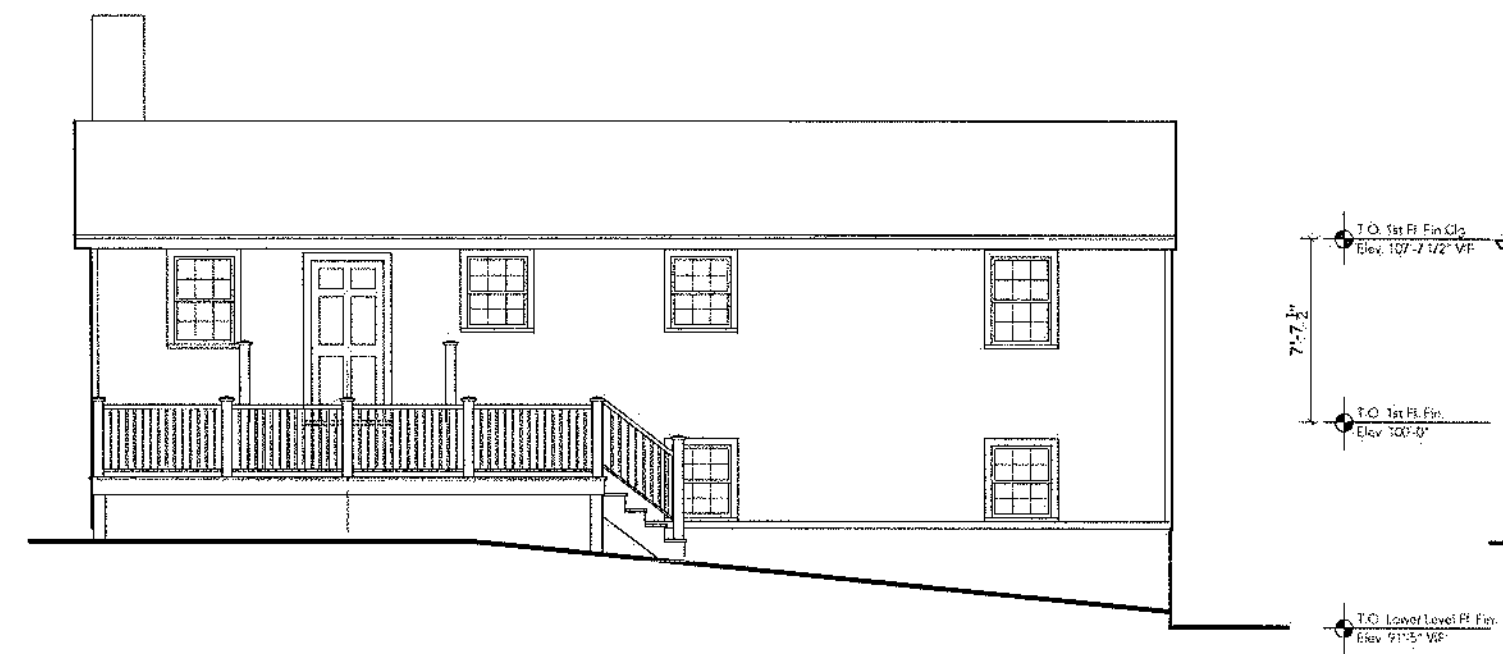
**EX2**



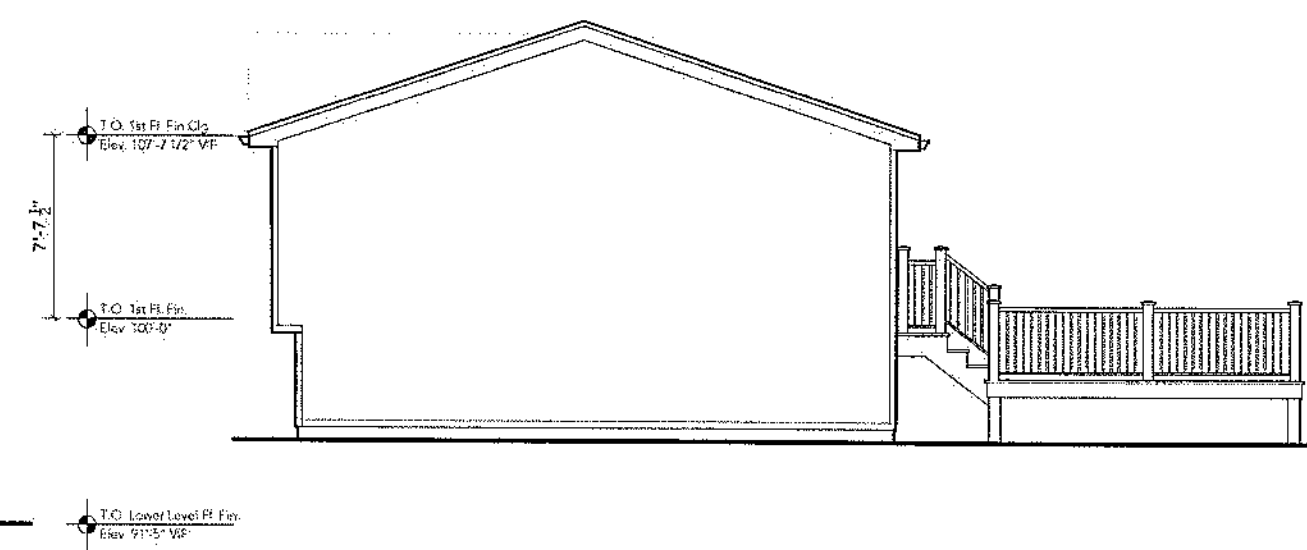
1 Exterior Elevation - FRONT  
SCALE: 1/8" = 1'-0"



2 Exterior Elevation - SIDE  
SCALE: 1/8" = 1'-0"



3 Exterior Elevation - REAR  
SCALE: 1/8" = 1'-0"



4 Exterior Elevation - SIDE  
SCALE: 1/8" = 1'-0"