



CITY OF NEWBURYPORT
HISTORICAL COMMISSION
60 PLEASANT STREET • P.O. BOX 550
NEWBURYPORT, MA 01950
(978) 465-4400

Request for Historical Report

Applicant: Geoff & Nora Dodge, c/o Lisa Mead, Mead, Talerman & Costa

Mailing Address: 30 Green Street,
Newburyport

Phone: 978 463 7700

Email: Lisa@mtclawyers.com

Property Address: 21-23 Walnut

The subject property is located within the: Downtown Overlay District (DOD)
 Demolition Control Overlay District (DCOD)

The Special Permit is for the following request:
Remove later added addition in rear and construct new addition.


Signature of Applicant

8-10-2020
Date



Mead, Talerman & Costa, LLC
Attorneys at Law

30 Green Street
Newburyport, MA 01950
Phone 978.463.7700
Fax 978.463.7747
www.mtclawyers.com

August 11, 2020

By Hand

Glen Richards, Chair
Historic Commission
City of Newburyport
City Hall
60 Pleasant Street
Newburyport, Massachusetts 01950

Re: Request for Advisory Review Demolition Control Overlay District
21-23 Walnut Street, Newburyport, MA (the "Property")
Assessor's Map: 60 Lot: 25 A/B

Dear Mr. Richards:

Reference is made to the above-captioned matter. In that connection, this firm represents Geoff and Nora Dodge the owners of the Property (the "Applicant"), who will be renovating and converting this pre-existing non-conforming two-family home to a single family home.

The Property is located in the R-2 zoning district and DCOD overlay district. The structure on the Property was constructed on or around 1850 as is listed as Contributory on the District Data Sheets. There is no Form B for the Property.

The Property includes 54.50 feet of frontage where 90 is required for a single family home and includes 10,064 square feet where 10,000 square feet is required for a single family home. The side yard requirement is 10 feet and there is a non-conforming side yard setback on the northeasterly side of 4.6 feet. In all other respects the Property and Structure meets the dimensional requirements of the Ordinance.

The Applicant proposes to remove the rear portion of the Structure, including more than 25% of the exterior walls (36%) and construct an addition. Further, the Applicant is proposing to construct a dormer on the northeasterly roof of the original Structure and which does not meet the exclusion requirements of the Ordinance.

The proposed demolition constitutes the demolition of more than 25% of the exterior walls of the Structure, requiring the Applicants to seek a DCOD Special Permit from the Zoning Board of Appeals, pursuant to Section XXVIII of the Ordinance. Pursuant to Section XXVIII.E.3, the Zoning Board must find that the portion of the Structure to be demolished "retains no substantial remaining market value or reasonable use, taking into account the cost of rehabilitation to meet the requirements of the State Building Code as it applies to historic buildings or structures, or of other applicable laws." The Applicants contend that the poor condition of the rear portion of the Structure, as described in more detail below and evidence by the photos attached hereto, prohibit the reasonable use of those portions of the Structure. Further, the amount of rehabilitation

Millis Office

730 Main Street, Suite 1F
Millis, MA 02054
Phone 508.376.8400

required to harmonize the failing additions with the original Structure, and the associated cost, are not reasonably feasible.

History and Condition

The structure was built in or around 1850 according to the District Data Sheets and is described as a “Sidehall Greek Revival”. According to the title search this office undertook, the Property was originally laid out as a lot by Steve Pillsbury as part of a new street in or around 1848. Mr. Pillsbury passed away and his heirs then conveyed the Property to John F. Felker, a shipwright. (Book 405 Page 42). In 1849, Mr. Felkner conveyed ½ of the land the of the land with 1/2 of the buildings there on to Solomon Felker, also a shipwright. (Book 410 Page 4). The remaining half was conveyed to Solomon Felker, in 1852. (Book 459 Page 119). From the deed descriptions, it appears as though the structure was constructed by John Felkner after 1848 but before he conveyed half to Solomon Felker in 1849. It is of note that Mr. Orrin J. Gurney owned the Property from June 19, 1884 (Book 1131 Page 271) until September 29, 1887 (Book 1207 Page 418). Mr. Gurney was later Mayor of Newburyport in 1893 and died in 1923.

The earliest Sanborn Map which includes this portion of Walnut Street is dated 1900. (Exhibit A) You will note the house located on the map with what appears to be a form similar to the form of the home today. The 1906 Sanborn Map (Exhibit B) and the 1914 Sanborn Map both include the structure in a similar form as it exists today. (Exhibit C). It should be noted however, the structure was a one family structure originally. As noted, currently the structure is used as a two-family structure. Further, what is clear from the photographs of the existing conditions (Exhibit D) that the addition which is proposed to be removed was later added. Indeed, there have been many iterations of this addition.

The Applicants engaged Joe Fix, a structural engineer to review the condition of this addition. Mr. Fix’s report is attached as Exhibit E. As you can see from the report Mr. Fix opines that the foundation, framing, joists and roof structure are in poor shape and of insufficient strength to support expected loads. Mr. Fix concludes that “In my opinion, the current rear section of the building is unsafe, unstable and is not capable of resisting expected loadings.”

It should be noted that the proposed addition which will replace the portion of the structure which is proposed to be removed, remains lower in height than the existing structure and continues with the appropriate siding material as used on the original structure and will include two over two windows as well. While longer than the existing addition, the proposed addition carries the same wall plane as the existing on the northwestern side and maintaining the one story aspect on the southeastern side. The width of the second floor addition will remain the same as existing.

Requested Advisory Determination

As a result, the Applicant requests that the Commission advise the Zoning Board that the portion of the structure proposed to be removed retains no substantial remaining market value or reasonable use, taking into account the cost of rehabilitation to meet the requirements of the State Building Code as it applies to historic buildings or structures, or of other applicable laws.

Roof Line Change

The Applicants are converting this now two family structure into a single family structure. They have gone to great lengths to try to determine how to reconfigure the home without an addition which is too large for the

existing historic structure. To that end the Applicants are constructing living space in the attic. In order to do so they require a stair which meets building code requirements. In order to accommodate those dimensional and special needs, the Applicant is proposing a dormer on the northern side of the roof. You will note the dormer is set back from the wall below by 8" and is set back from the front façade by 5'-6". The dormer is articulated and designed to be of low reveal with a wall height of only 3'-10" and horizontal awning windows.

Based upon the foregoing, while the Commission should find that the original structure is historically significant and should be preferably preserved, we request the Commission not impose a delay and approve the roof line change as proposed.

Please do not hesitate to contact me at 978-463-7700 if you have any questions.

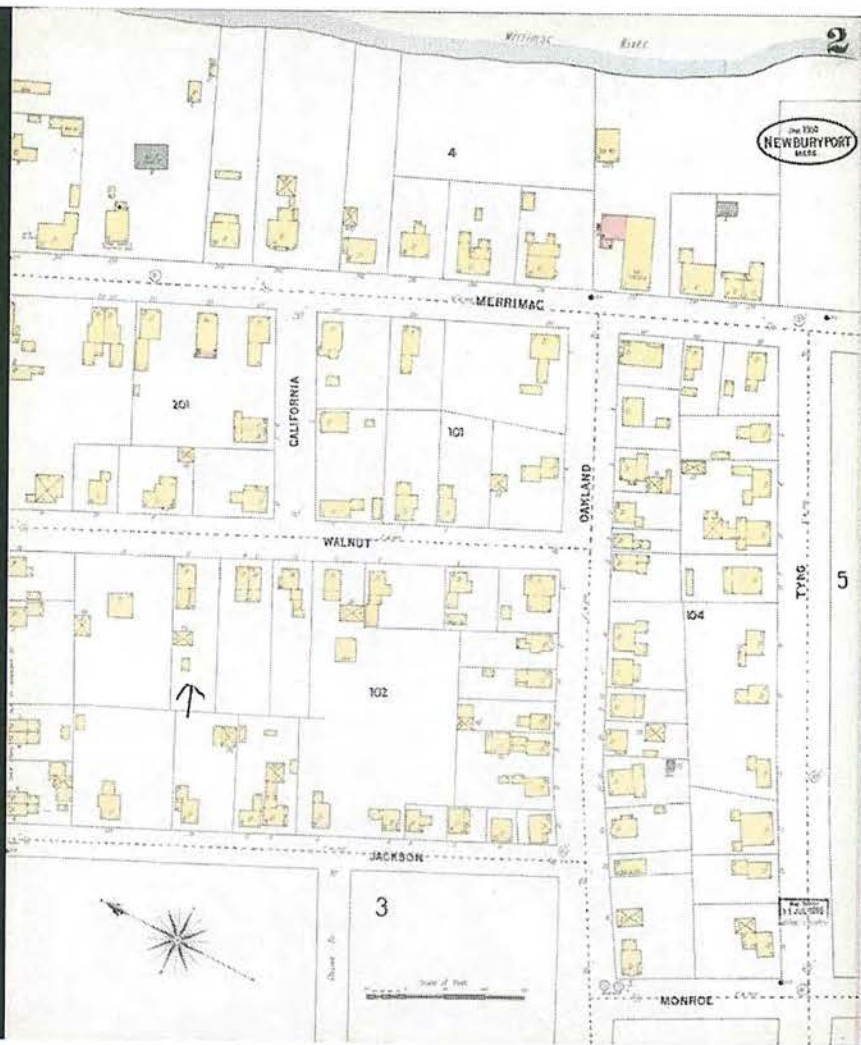
Respectfully submitted
Geoff and Nora Dodge
By their Attorney



Lisa L. Mead

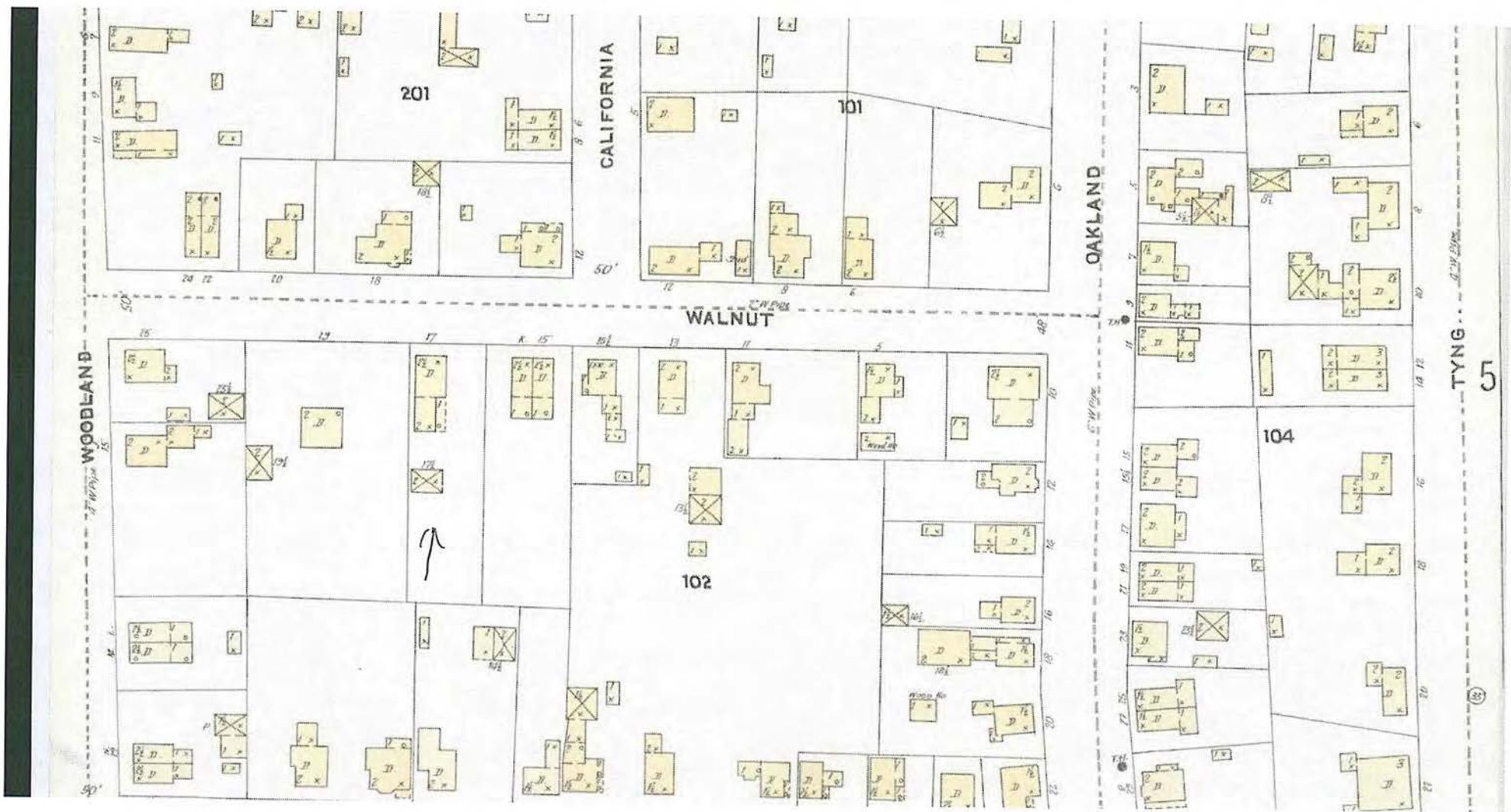
Attachment
cc: client

Exhibit A: 1900
Sanborn Map



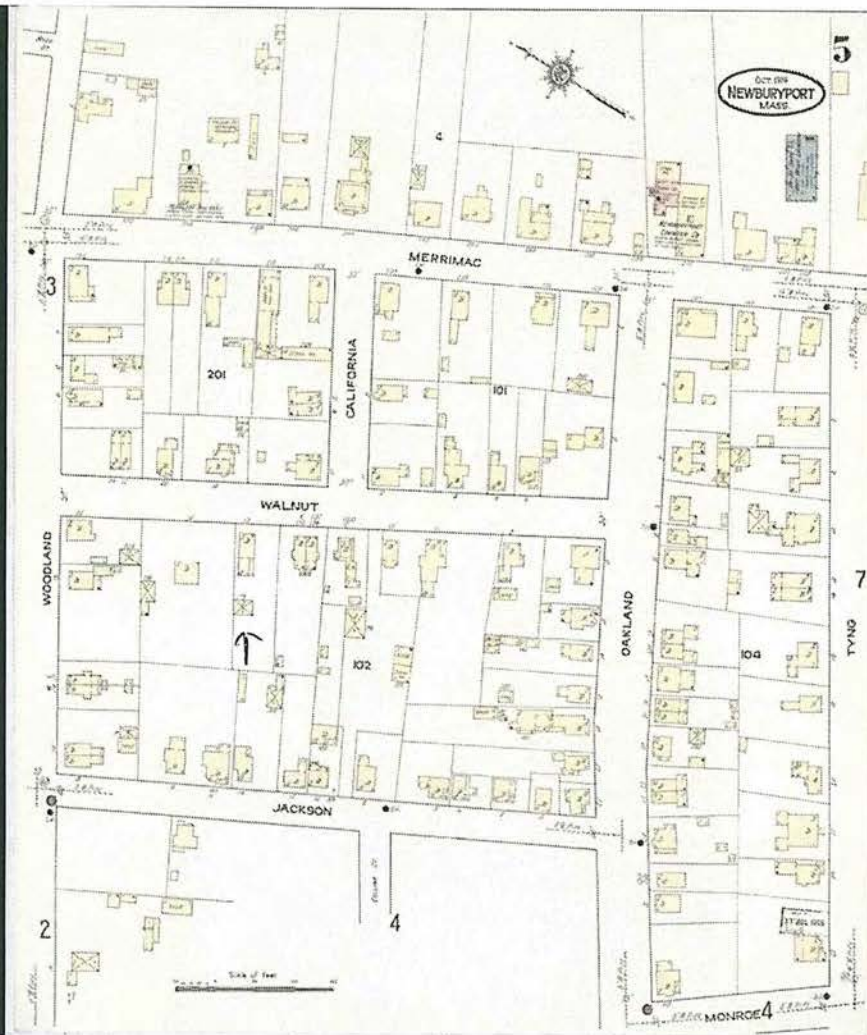
1960 Sanborn

Exhibit B: 1906
Sanborn Map



1906 Sanborn

Exhibit C: 1914
Sanborn Map



1914 Sanborn

Exhibit D: Photographs
of Existing Conditions

















Exhibit E: Structural
Engineer Report

FIX ENGINEERING

2 Silver Ledge Road, Newbury, MA 01951

Office: 978-462-4331 Cell: 978-973-2366 Fax: 978-462-4335 email: jfix@comcast.net

August 10, 2020

Newburyport Historical Commission
60 Pleasant Street
Newburyport, MA 01950

Re: Rear section of existing residence at 21-23 Walnut St., Newburyport, MA
Evaluation of existing structure

Dear Historical Commission:

I have made observations of the existing rear structure of the residence at 21-23 Walnut St. The rear two-story section of the building is approximately 16 ft x 24 ft, with an attached one-story porch measuring approximately 6 ft x 24 ft.

I observed that the grade around the rear section of the building is too high and slopes toward the house. This has resulted in rotting of both the sill and lower sections of the sheathing. The perimeter foundation itself consists of several courses of brick masonry set on very loose rubble. Within the perimeter foundation is a very shallow dirt crawl space. In the crawl space there are several wood columns set on large stones acting as footings – an unstable condition, in my opinion.

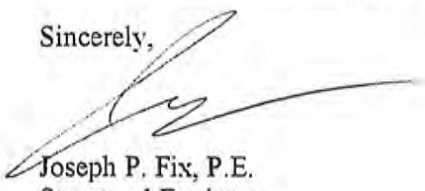
The second-floor framing consists of undersized joists, and beams that have been cut off. The floor is noticeably bouncy.

I observed that the original roof structure is built with undersized rafters spaced at 30 inches. More recent construction consisted of sistering 2x10s to the rafters and adding collar ties. But, based on my evaluation, the collar ties are set too high to keep the rafters from spreading.

In my opinion, the current rear section of the building is unsafe, unstable and is not capable of resisting expected loadings. Furthermore, I believe it would be very difficult and impractical to perform some of the required remedial work. For example, in order to make the perimeter foundation stable and resistant to drainage issues, the entire structure would need to be temporarily supported while the foundation is removed and replaced. I therefore recommend that the existing rear section of the residence be demolished.

If you have any questions, please feel free to contact me.

Sincerely,



Joseph P. Fix, P.E.
Structural Engineer

City of Newburyport

08/03/2020



Data Sources: Produced by Merrimack Valley Planning Commission (MVPC) using data provided by the City of Newburyport & NasdIP/MassGIS. MVPC AND THE CITY OF NEWBURYPORT MAKES NO WARRANTIES, EXPRESSED OR IMPLIED, CONCERNING THE ACCURACY, COMPLETENESS, RELIABILITY, OR SUITABILITY OF THESE DATA. THE CITY OF NEWBURYPORT AND MVPC DOES NOT ASSUME ANY LIABILITY ASSOCIATED WITH THE USE OR MISUSE OF THIS INFORMATION.



Legend

- Municipal Boundary
- Parcels (on aerial)
- Roads
 - Interstate
 - Major Road
 - Local Road
 - Railroad

ZONING DETERMINATION

Name: Geoff and Nora Dodge c/o Lisa Mead, MTC LLC

Address: 21-23 Walnut Street Zoning District(s): R2/DCOD

Request: Demolish rear section of non conforming historically contributing structure on a non conforming lot and construct addition that will increase the NSF by greater than 500sf and extend the non conforming side yard setback. Non conforming dormer review under DCOD

ZONING BOARD REVIEW REQUIRED

Variance

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

Sign Variance

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

Other

Blank line for other information

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

Smart Growth District (XXIX)

- Plan Approval

Site Plan Review (XV)

- Major, Minor

HISTORICAL COMMISSION REVIEW REQUIRED

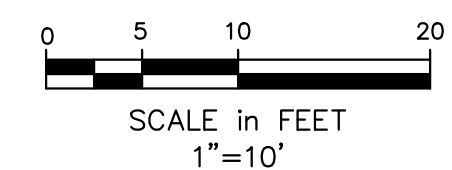
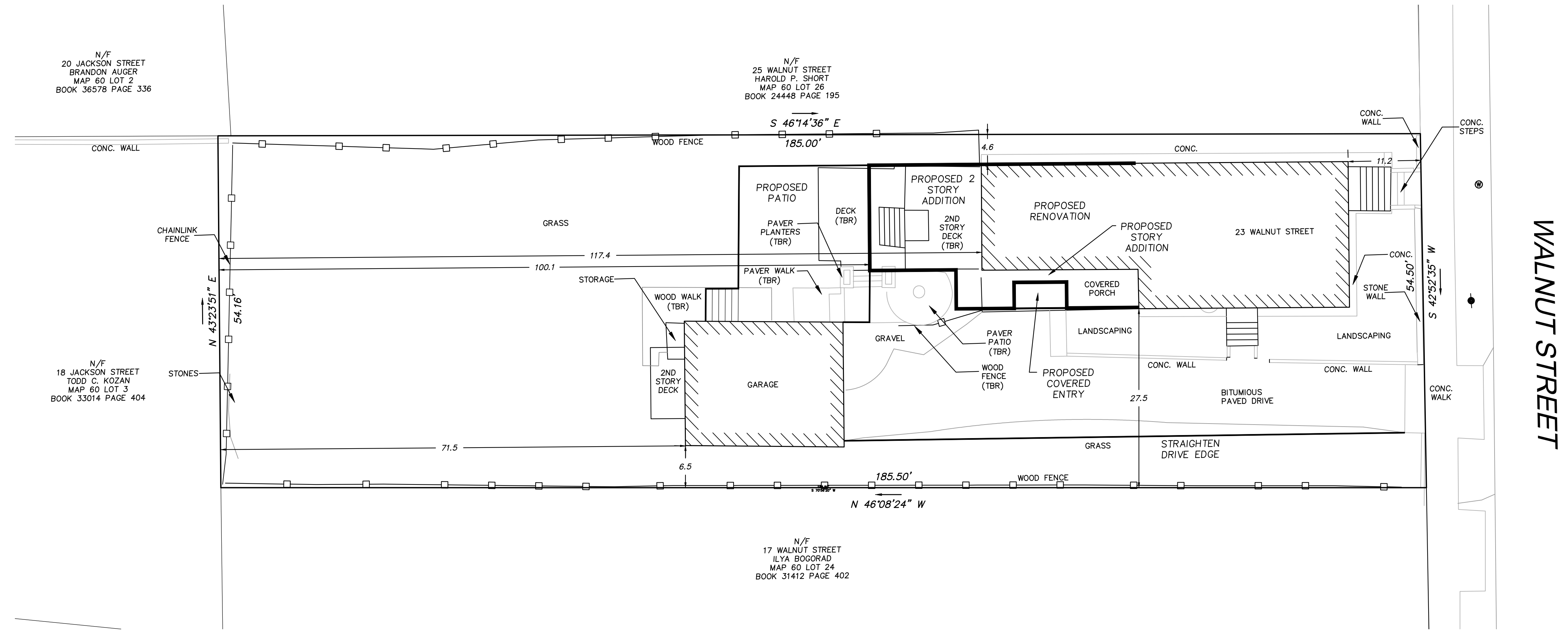
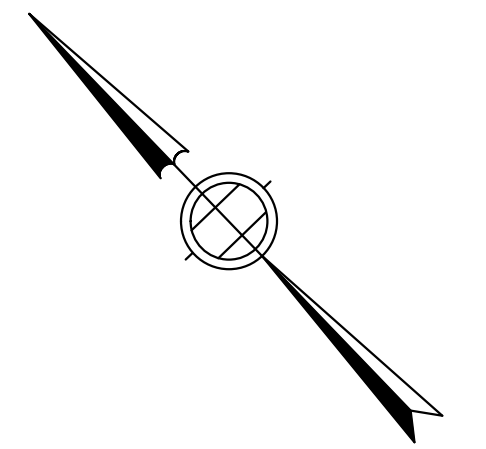
- Demo. Delay, *Advisory Review

CONSERVATION COMMISSION REVIEW REQUIRED

Review for subst. rehab tree & sidewalk

The name typed below represents the intent to sign the foregoing document:

Jennifer Blanchet 08/05/2020
Newburyport Zoning Administrator Date



ZONING
RESIDENTIAL (R-2)

	REQUIRED (TWO-FAMILY - 102)	EXISTING TWO-FAMILY - 102)	REQUIRED (SINGLE-FAMILY - 101)	PROPOSED (SINGLE-FAMILY - 101)
MINIMUM LOT AREA	15,000 SQUARE FEET	10,064 SQUARE FEET	10,000 SQUARE FEET	10,064 SQUARE FEET
MINIMUM LOT FRONTAGE	120 FEET	54.50 FEET	90 FEET	54.50 FEET
FRONT SETBACK	25 FEET	11.2 FEET	25 FEET	11.2 FEET
SIDE SETBACK (R)	20 FEET	4.6 FEET	10 FEET	4.6 FEET
SIDE SETBACK (L)	20 FEET	27.5 FEET	10 FEET	27.5 FEET
(ACCESSORY SIDE)	6.0 FEET	6.5 FEET	6.0 FEET	6.5 FEET
REAR SETBACK	25 FEET	117.4 FEET	25 FEET	101.0 FEET
(ACCESSORY REAR)	6.0 FEET	71.5 FEET	6.0 FEET	71.5 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	15.8%	25.0%	19.9%
MAXIMUM HEIGHT	35 FEET	23 FEET	35 FEET	23 FEET
MINIMUM OPEN SPACE	40.0%	66.8%	40.0%	67.0%
MINIMUM PARKING REQUIRED	3	3+	2	3+

LOCUS TITLE INFORMATION

21-23 WALNUT STREET
 OWNER: GEOFFREY & NORA LOBOSCO DODGE
 DEED REFERENCE: BK. 38591 PG. 284 & 286
 ASSESSORS: MAP 60 LOT 25-A/B

NOTES

THE PURPOSE OF THIS PLAN IS TO SHOW THE EXISTING BUILDING AND PROPOSED ADDITION TO THE SAME ON THE LOCUS PROPERTY. THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED MAY 29, 2020 BY THIS FIRM.

ARCHITECTURAL PLANS HAVE BEEN UTILIZED FOR BUILDING ADDITION DETAILS.

OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.

TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION, AND BELIEF, THIS PLAN CONFORMS TO THE TECHNICAL AND PROCEDURAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

ON-LINE ZONING ORDINANCES
 CITY OF NEWBURYPORT WEBSITE
<http://www.cityofnewburyport.com/Planning/Index.html>
 PLANNING DEPARTMENT - MAIN PHONE 978-465-4400

INFORMATION REGARDING ZONING, INCLUDING PARKING ABOVE, SHOWN HEREON IS NOT INTENDED TO BE A DEFINITIVE ZONING OPINION AND IS FOR INFORMATIONAL PURPOSES ONLY. ALL INFORMATION SHOULD BE VERIFIED BY LEGAL COUNSEL PRIOR TO RELIANCE UPON THE SAME.

Copyright 2020 Winter GEC, LLC

<p>Winter GEC, LLC</p> <p>44 MERRIMAC STREET NEWBURYPORT, MA 01950 978-270-8626</p>	SCALE:				FIELD: <u>CO</u> CALCS: <u>EC</u> CHECKED: <u>EJC</u> APPROVED: <u>EJC</u>	ZONING PLAN 21-23 WALNUT STREET	PLAN OF LAND IN	PROJECT NO. 2020-23WALNUT DATE: <u>JUL 21, 2020</u> SHEET NO. 1 OF 1
	HORIZ: <u>1" = 10'</u>						NEWBURYPORT, MASSACHUSETTS	
	VERT: _____						SURVEYED FOR GEOFF DODGE	
				NO. DATE BY REVISIONS				

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

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

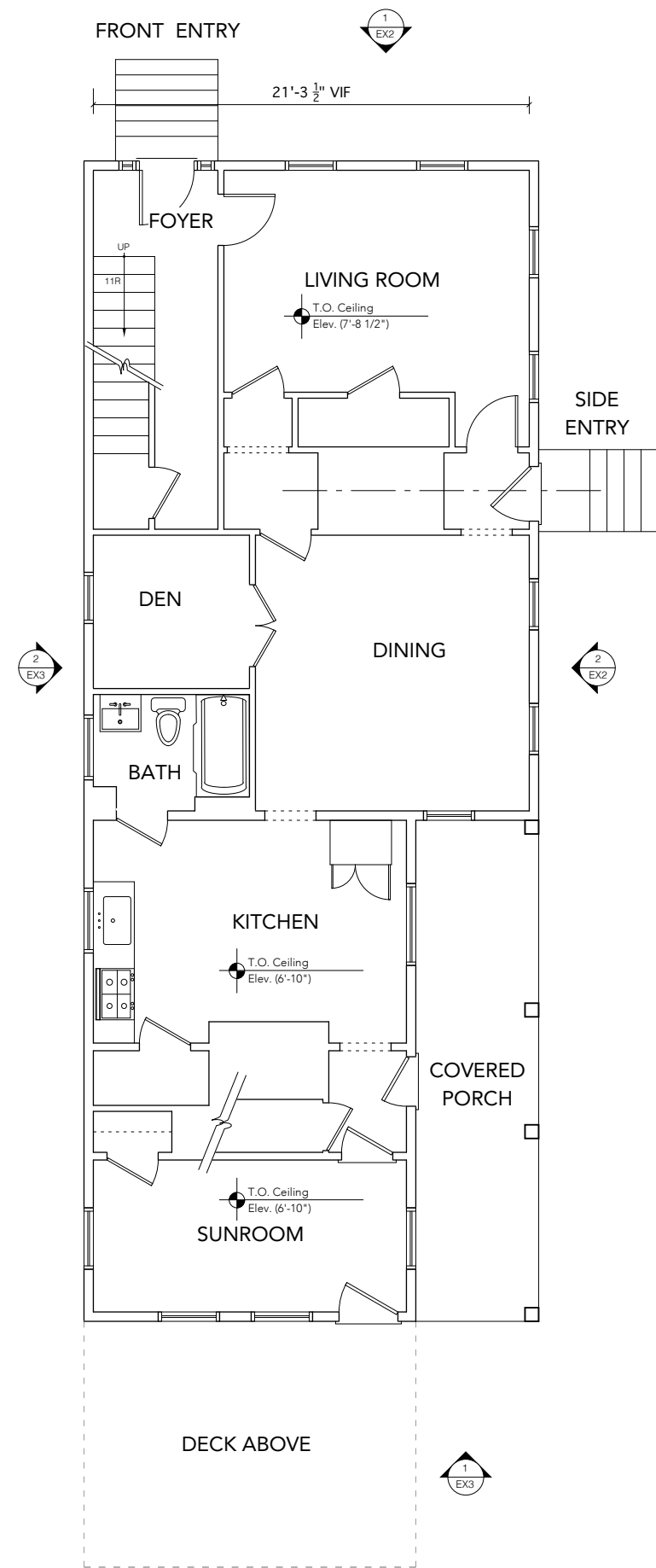
title:

EXISTING Floor Plans

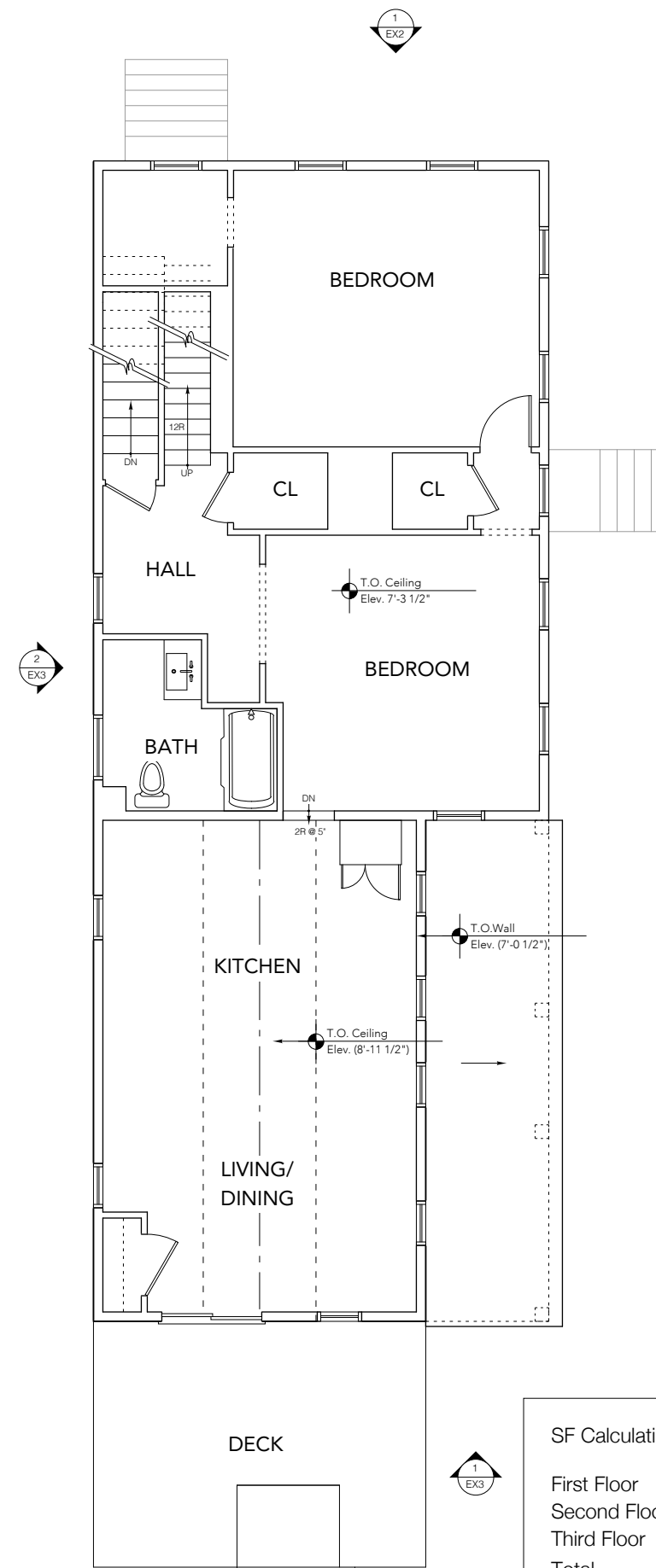
SCALE: 1/8" = 1'-0"

24 July 2020

EX1

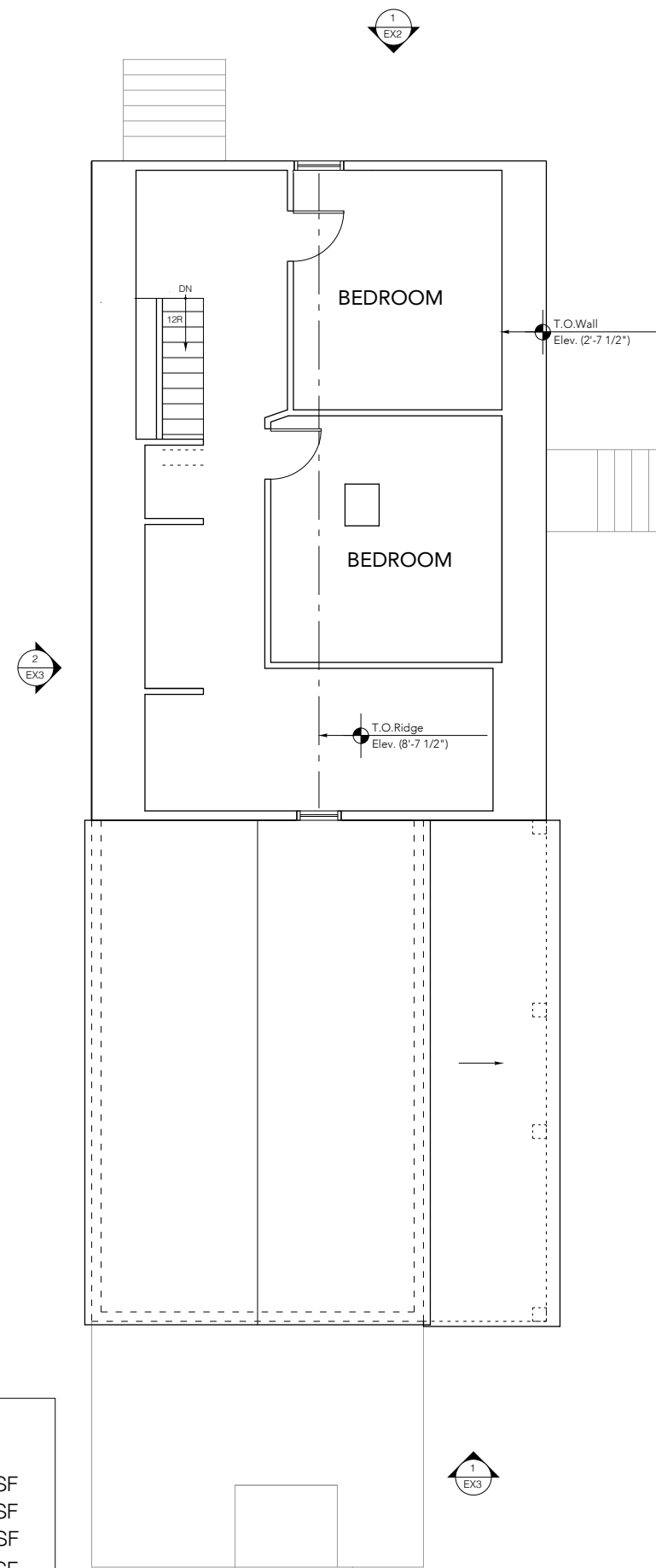


1 First Floor Plan
SCALE: 1/8" = 1'-0"



2 Second Floor Plan
SCALE: 1/8" = 1'-0"

SF Calculations	
First Floor	1,110 SF
Second Floor	1,110 SF
Third Floor	480 SF
Total	2,700 SF



3 Third Floor Plan
SCALE: 1/8" = 1'-0"

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

GRAF ARCHITECTS

2 Liberty Street
Newburyport, MA
01950

T. 978 499 9442

www.grafarch.com

title:

EXISTING Exterior Elevations

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

24 July 2020

EX2



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



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

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

GRAF ARCHITECTS

2 Liberty Street
Newburyport, MA
01950

T. 978 499 9442

www.grafarch.com

title:

EXISTING Exterior Elevations

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

24 July 2020

EX3



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



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

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

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

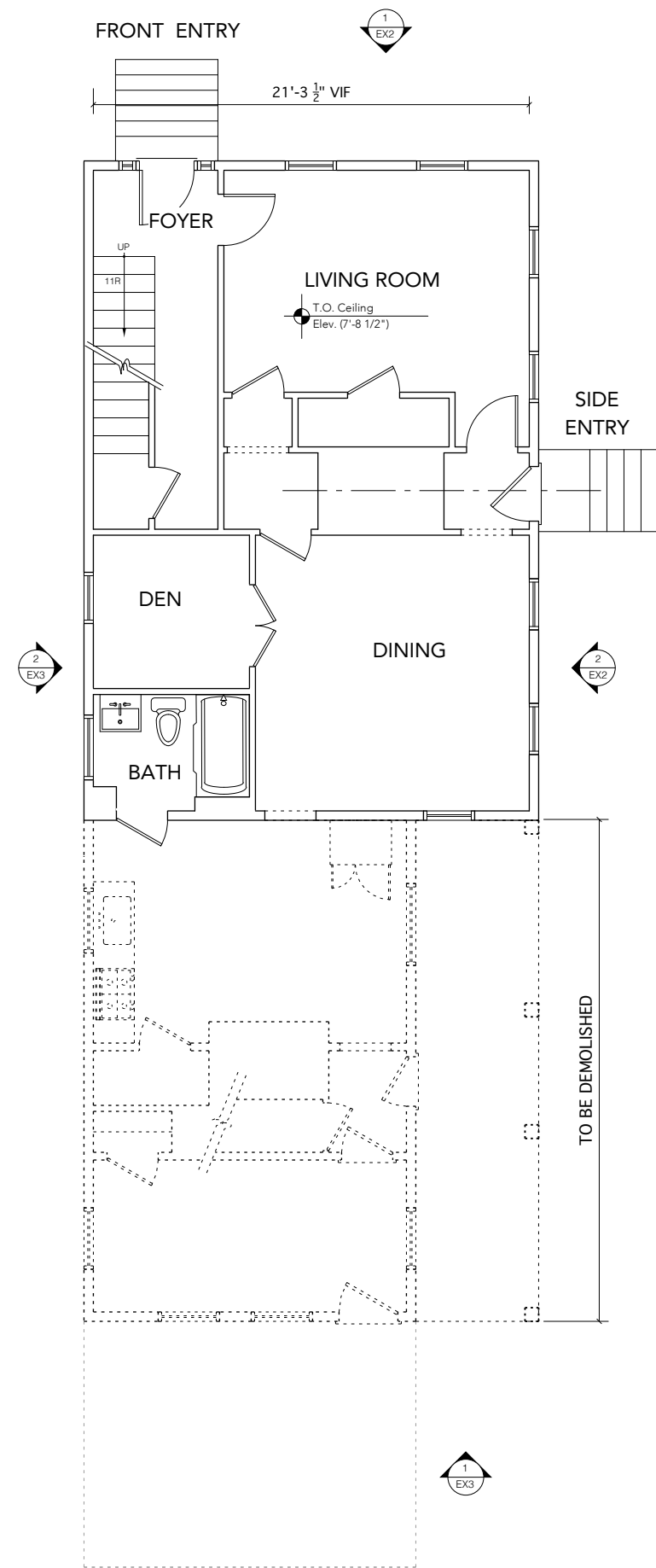
title:

EXISTING Floor Plans- DEMO CALCULATIONS

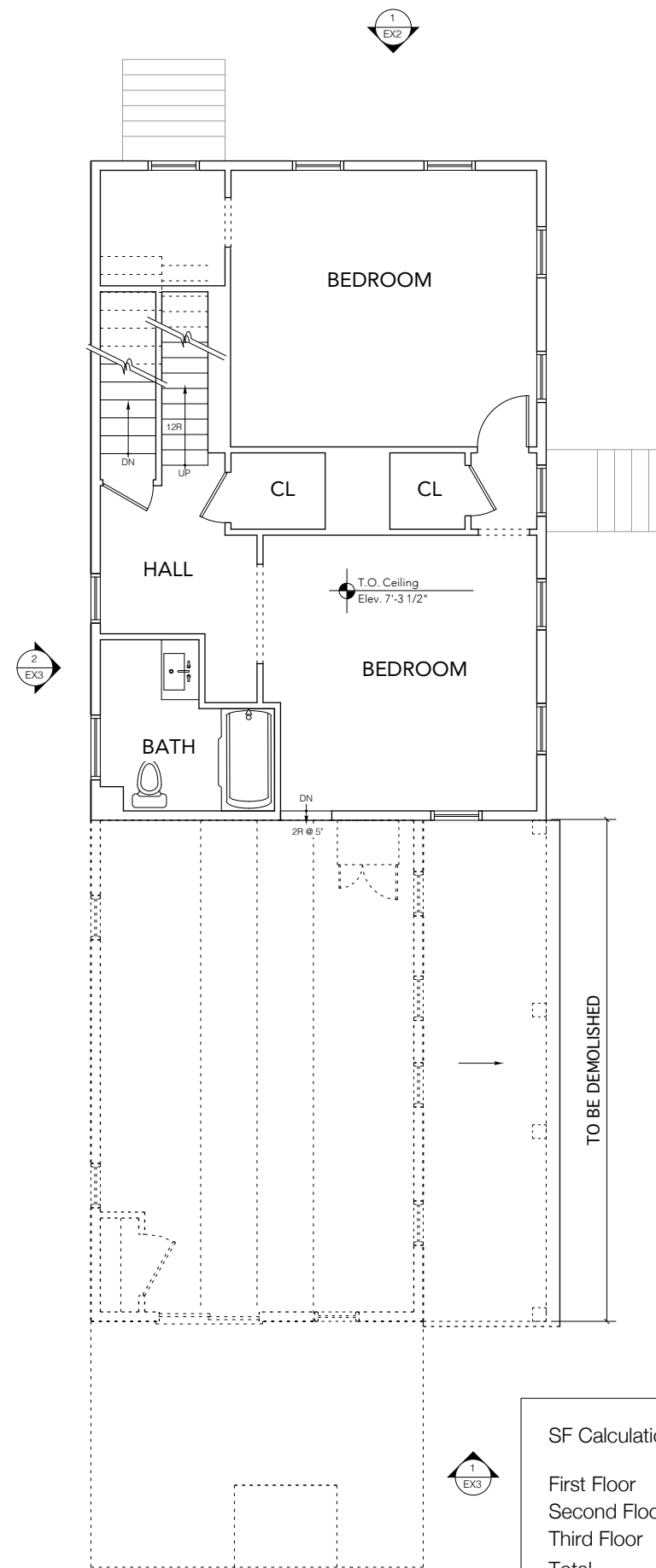
SCALE: 1/8" = 1'-0"

20 July 2019

EX1

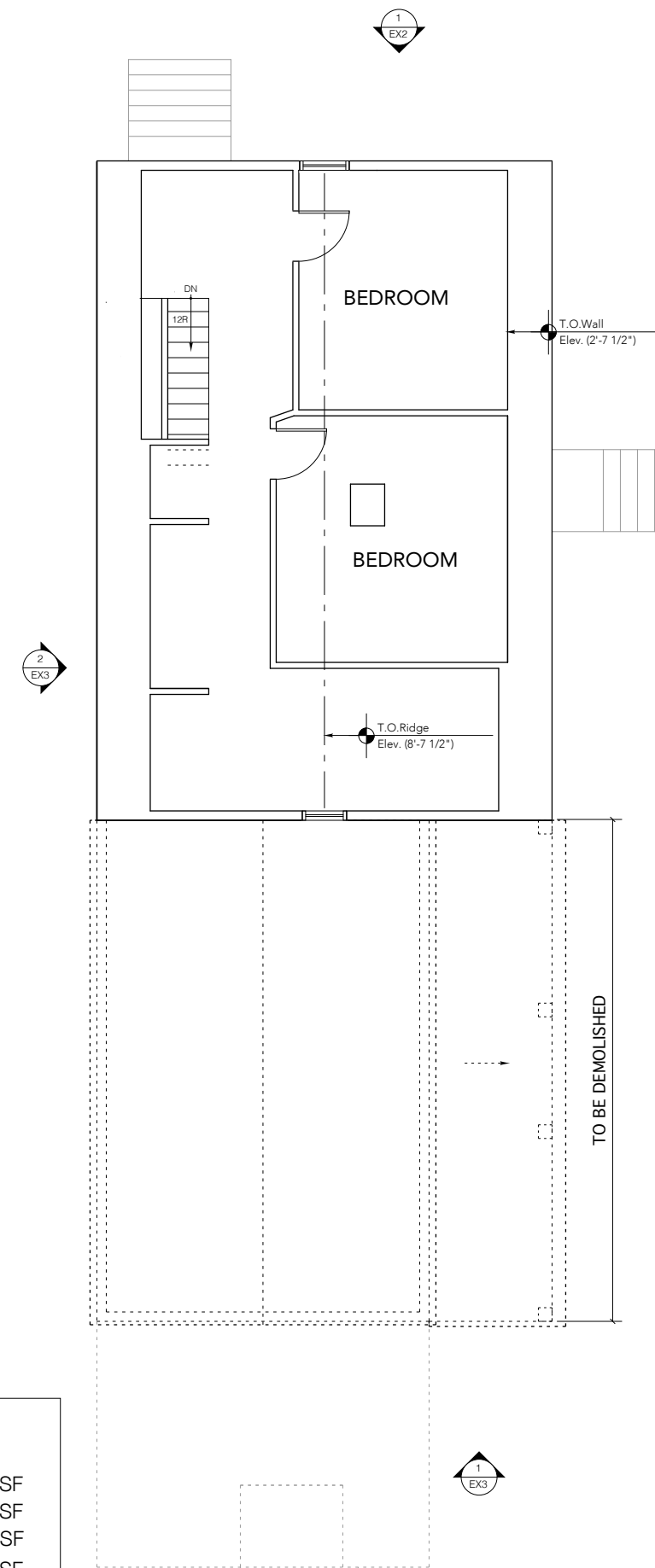


1 First Floor Plan
SCALE: 1/8" = 1'-0"



2 Second Floor Plan
SCALE: 1/8" = 1'-0"

SF Calculations	
First Floor	1,110 SF
Second Floor	1,110 SF
Third Floor	480 SF
Total	2,700 SF



3 Third Floor Plan
SCALE: 1/8" = 1'-0"

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

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

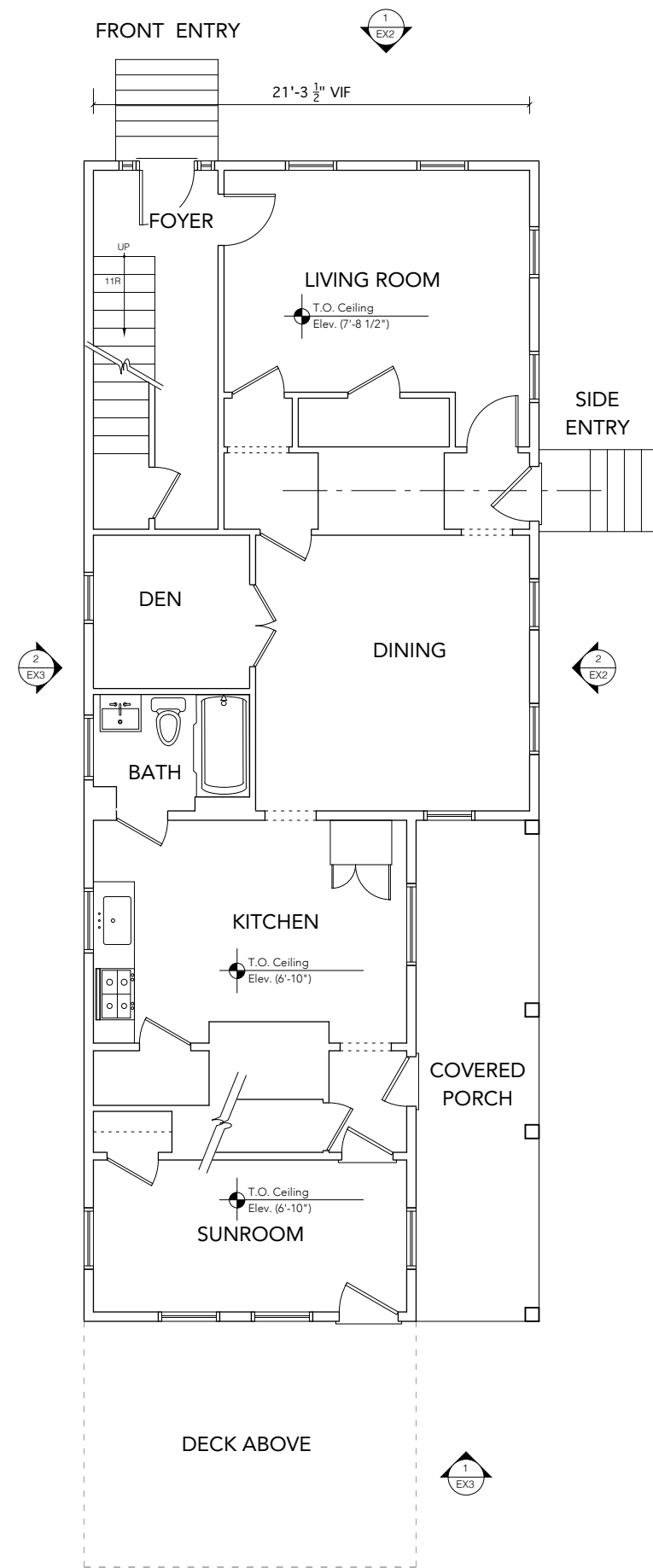
title:

EXISTING Floor Plans

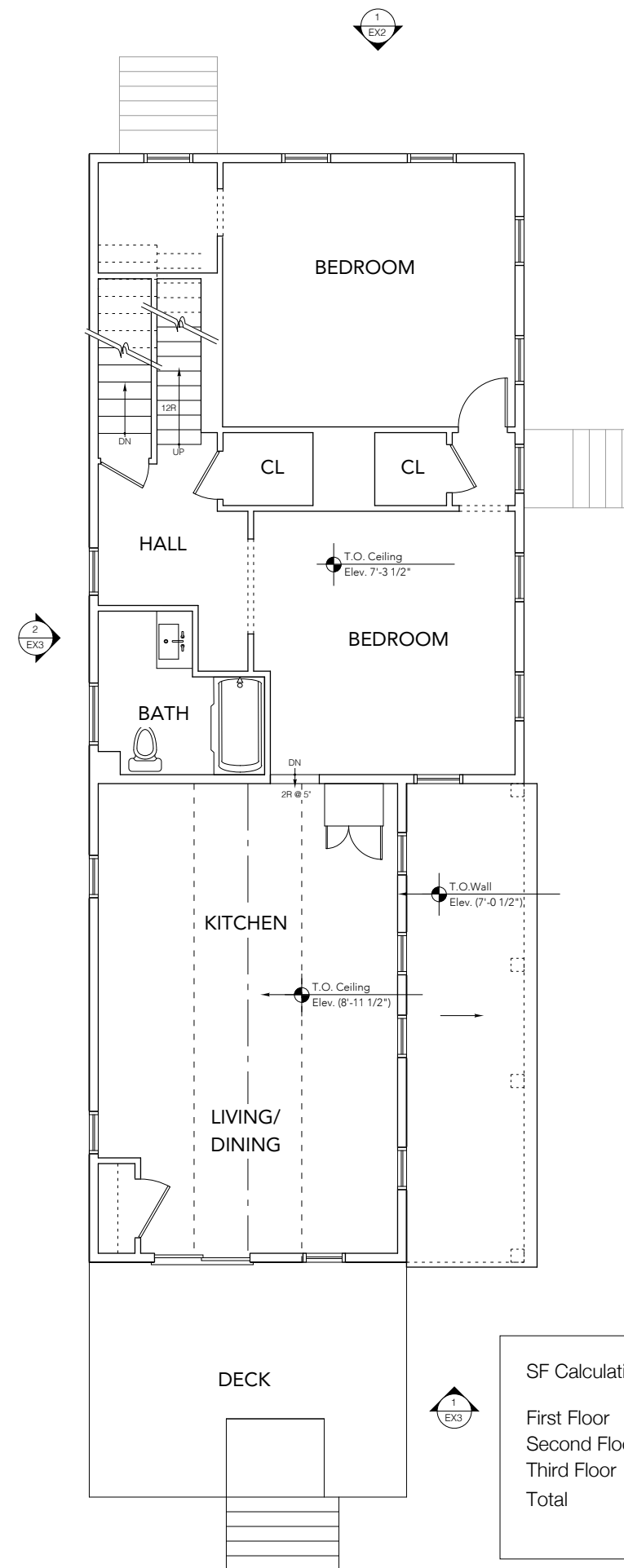
SCALE: 1/8" = 1'-0"

24 July 2020

EX1

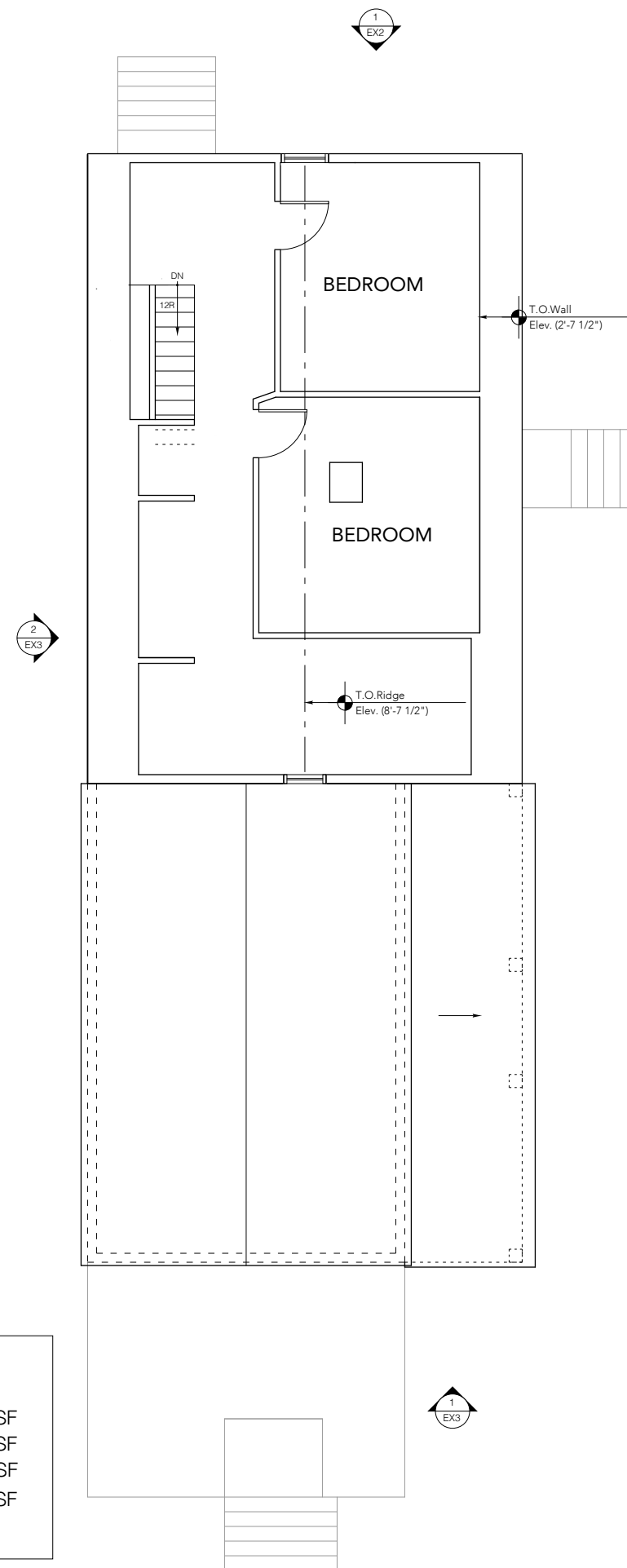


1 First Floor Plan
SCALE: 1/8" = 1'-0"



2 Second Floor Plan
SCALE: 1/8" = 1'-0"

SF Calculations	
First Floor	1,110 SF
Second Floor	1,110 SF
Third Floor	480 SF
Total	2,700 SF



3 Third Floor Plan
SCALE: 1/8" = 1'-0"

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

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

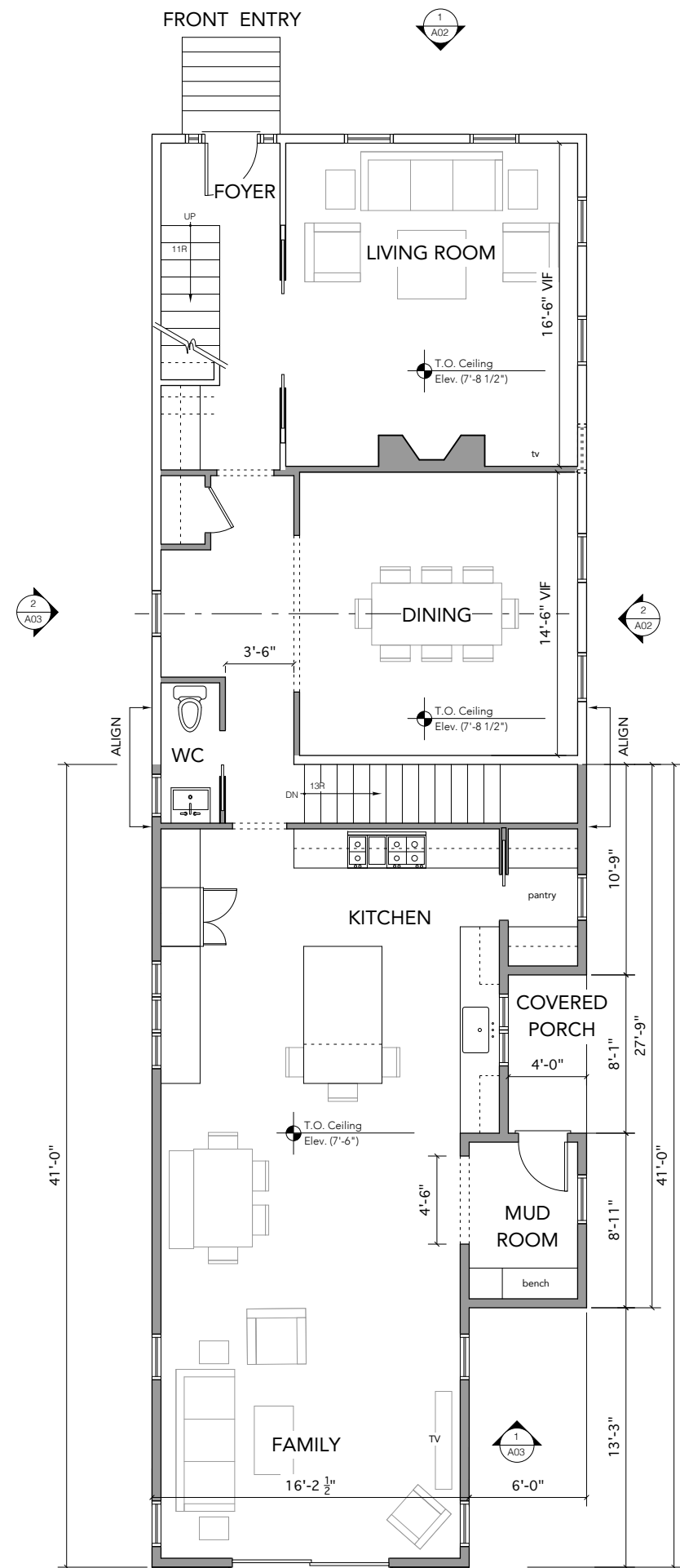
title:

PROPOSED Floor Plans

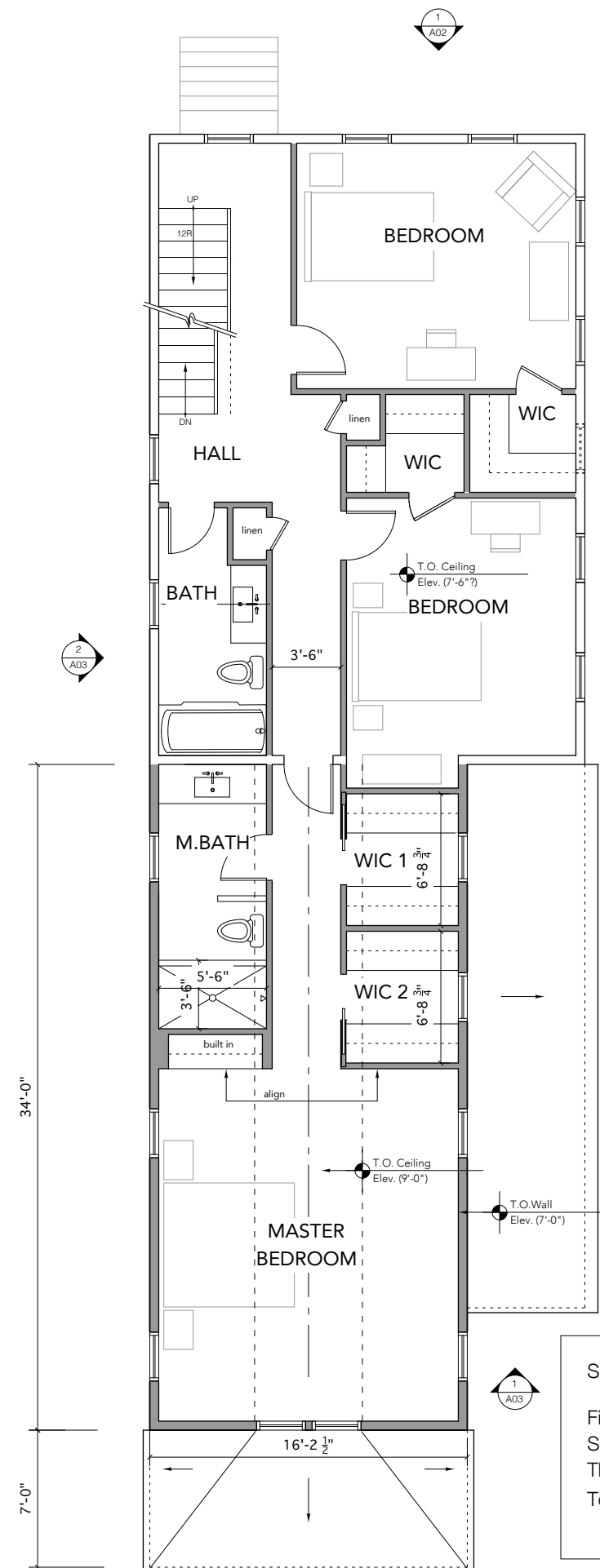
SCALE: 1/8" = 1'-0"

24 July 2020

A01

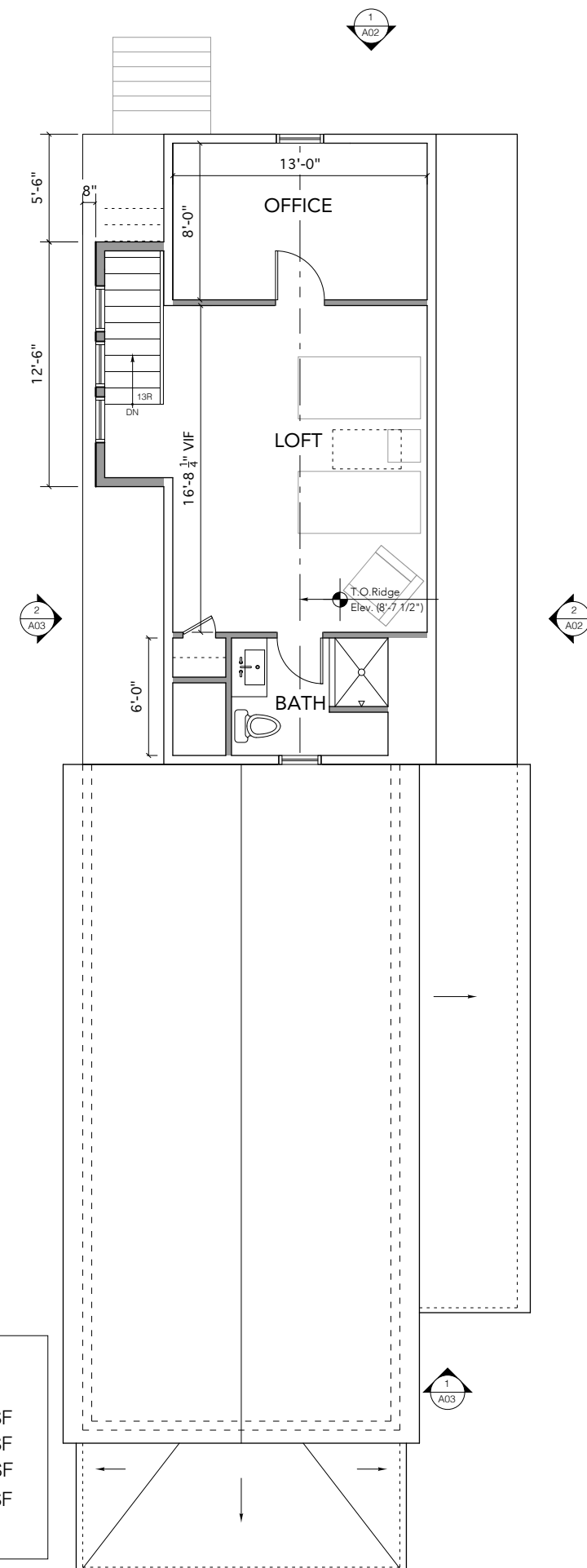


1 First Floor Plan
SCALE: 1/8" = 1'-0"



2 Second Floor Plan
SCALE: 1/8" = 1'-0"

SF Calculations	
First Floor	1,514 SF
Second Floor	1,265 SF
Third Floor	465 SF
Total	3,244 SF



3 Third Floor Plan
SCALE: 1/8" = 1'-0"

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

GRAF ARCHITECTS

2 Liberty Street
Newburyport, MA
01950

T. 978 499 9442

www.grafarch.com

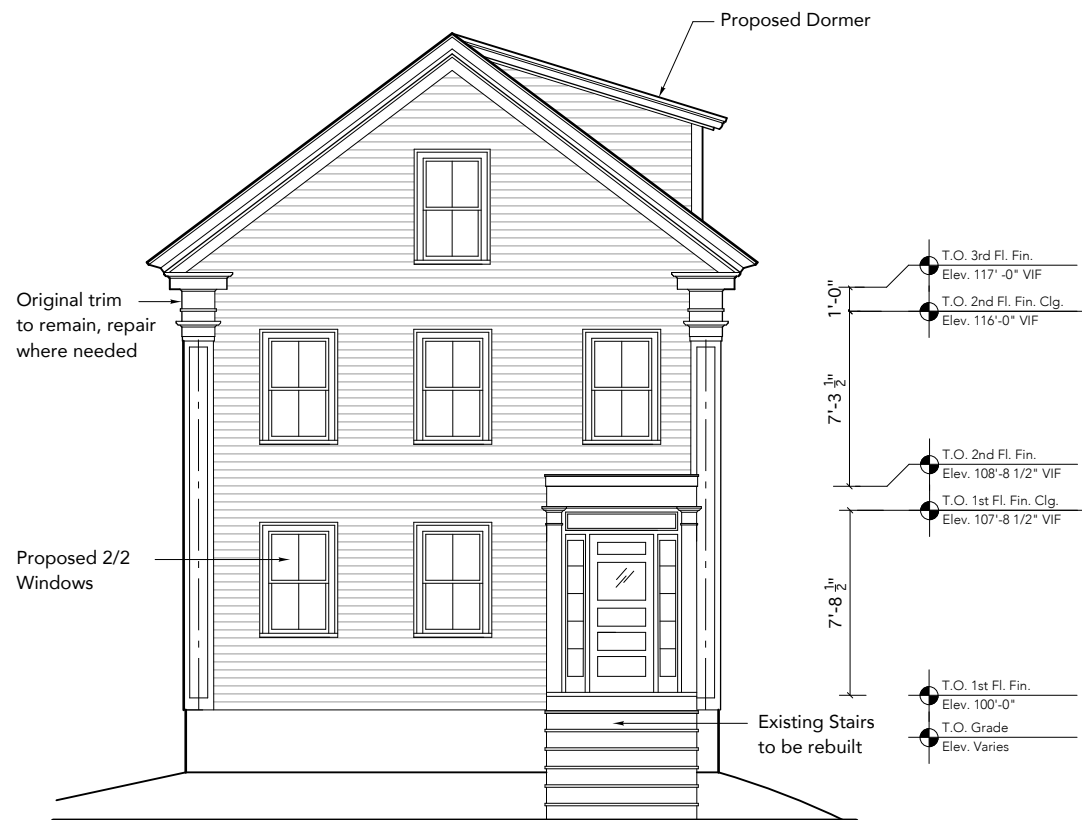
title:

PROPOSED Exterior Elevations

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

24 July 2020

A02



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



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

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

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

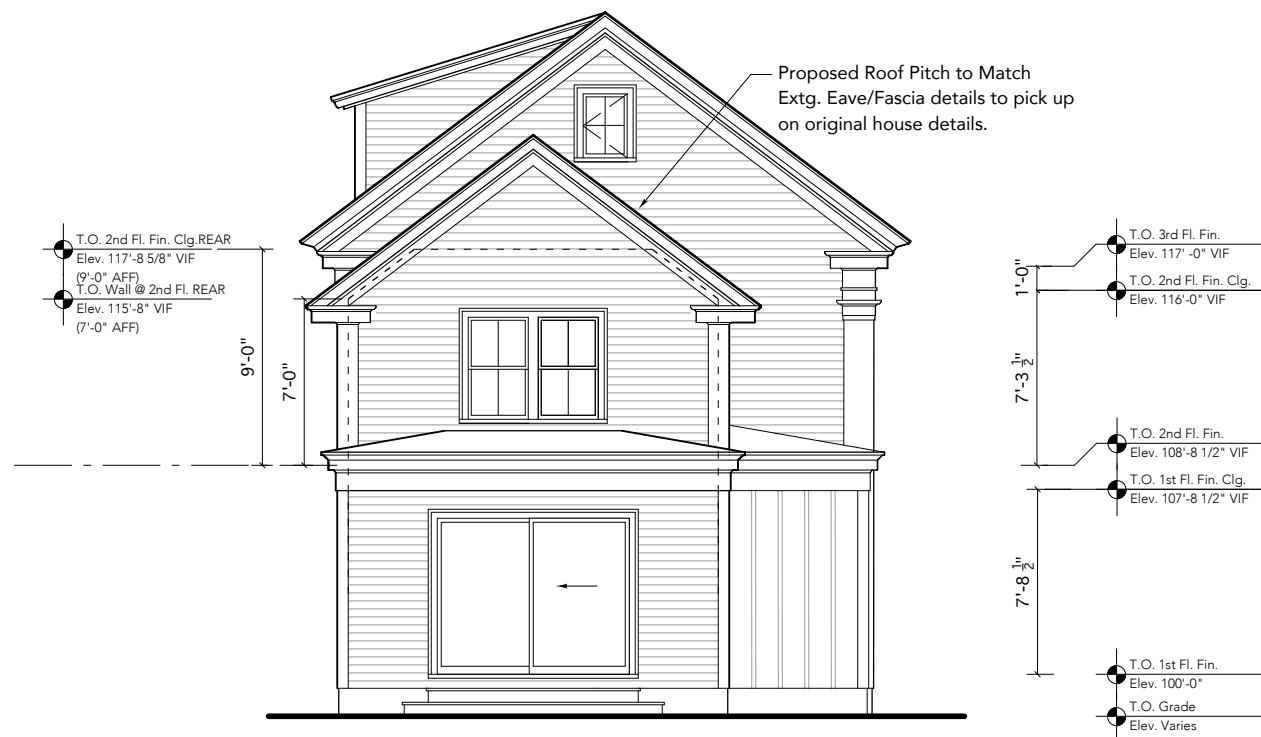
title:

PROPOSED Exterior Elevations

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

24 July 2020

A03



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



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

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

GRAF ARCHITECTS

2 Liberty Street
Newburyport, MA
01950

T. 978 499 9442

www.grafarch.com

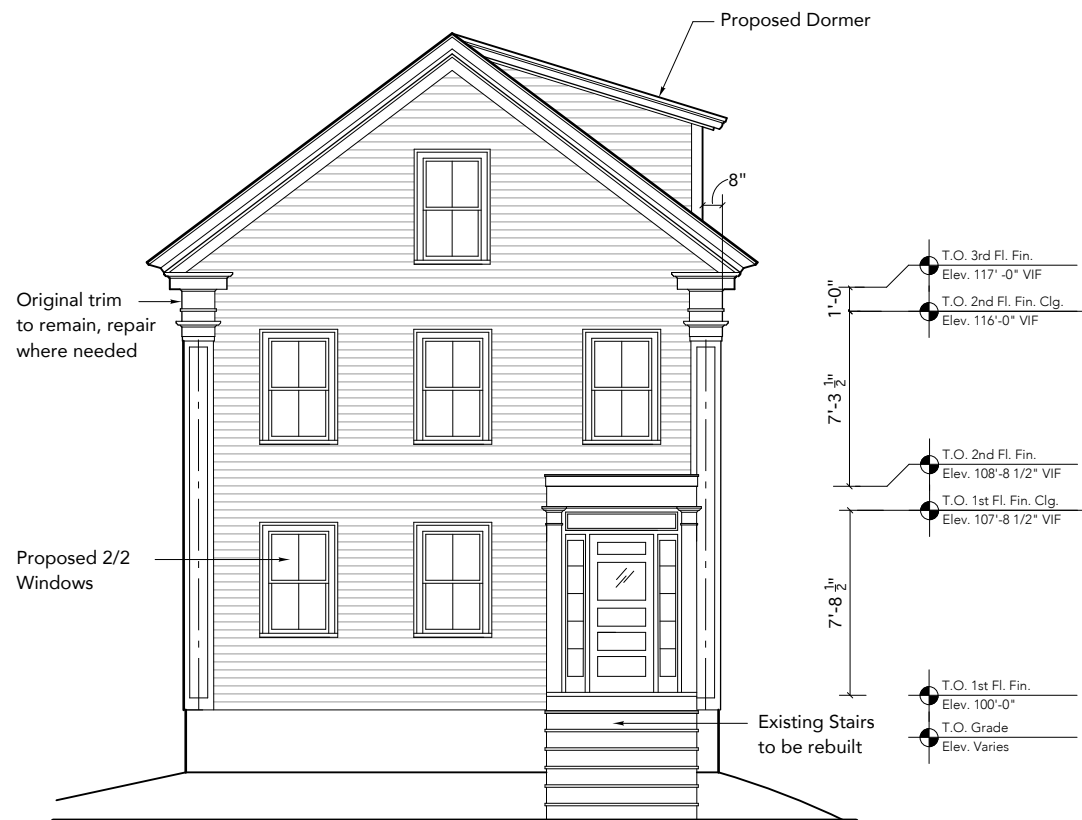
title:

PROPOSED Exterior Elevations

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

24 July 2020

A02



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



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

project:

DODGE RESIDENCE

21-23 Walnut Street
Newburyport, MA

architect:

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

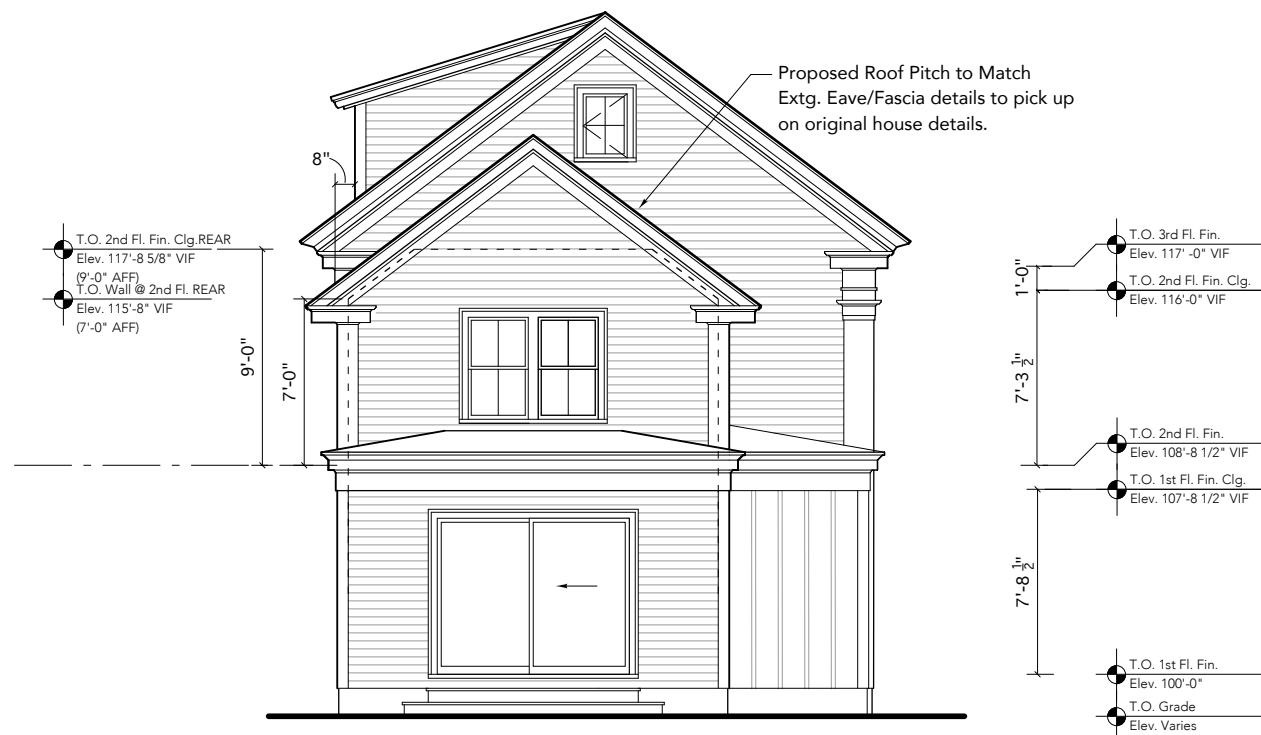
title:

PROPOSED Exterior Elevations

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

24 July 2020

A03



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



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