

**22-24 Olive Street,
Newburyport**

Application for
Special Permit for Non-Conformities
December 14, 2021



Mead, Talerman & Costa, LLC
Attorneys at Law

Criteria for Special Permit for Nonconformities:

- 1. That there will be no addition of a new nonconformity;**
 - There are no new nonconformities created.**
- 2. That the proposed change will not be substantially more detrimental to the neighborhood than the preexisting nonconforming structure or use.**
 - “Substantially” means to a great or significant extent.**
 - Proposal is not detrimental to the neighborhood than the preexisting structure to such a great or significant extent.**

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3 Existing South Elevation (Russia Street)
EX-2.0 Scale: 1/4"=1'-0"



1 Existing East Elevation (Olive Street)
EX-2.0 Scale: 1/4"=1'-0"



4 Existing North Elevation
EX-2.0 Scale: 1/4"=1'-0"



2 Existing West Elevation
EX-2.0 Scale: 1/4"=1'-0"

Tektoniks
Architects
17 Larchmont Road
Salem, Massachusetts 01970
tel. 617.816.3555
www.tektoniksarchitects.com

CONSULTANTS

PROJECT

**Condominium
Conversion/
Renovations
+ Additions to
Private Residence**

22-24 Olive Street
Newburyport, Massachusetts
01950

DWG. TITLE

**Zoning Board of
Appeals Submission**

**Existing Building
Elevations**

REVISIONS

NO.	DESCRIPTION

SEAL

SIGNATURE

PROJECT No.

SCALE **1/4" = 1'-0"**

DATE OF ISSUE 25 June 2021

DRAWING No.

EX-2.0



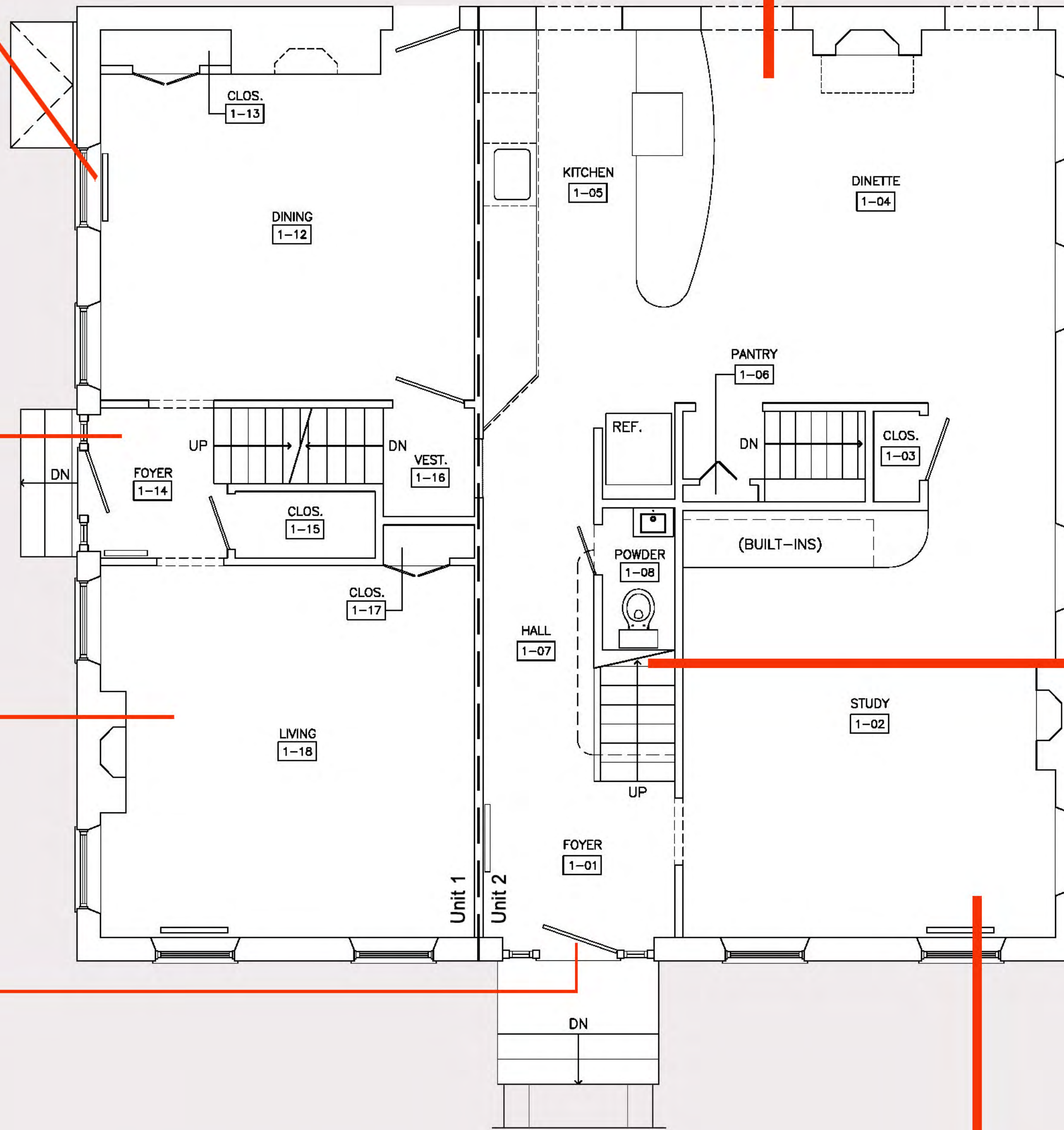
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1. Typical Existing Window Detail



2. Existing Living Room Fireplace + Windows; Existing Side Stair Foyer



1 Plan: Existing First Floor
EX-1.0 Scale: 1/4"=1'-0"



4. Existing Kitchen + Dining Ceiling



5+6. Existing Central Main Stair and Primary Hallway, Floors 1 + 2



3. Existing Front Door, Olive Street



7. Existing Parlor/Study Fireplace, Windows, and Exposed Timber Ceiling



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22-24 Olive Street
Newburyport, Massachusetts
01950

DWG. TITLE

ZBA Submission

**Existing Cellar
+ First Floor Plans**

REVISIONS

No.	Description

SEAL

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SCALE **1/4" = 1'-0"**

DATE OF ISSUE **7 Dec. 2021**

DRAWING No.

EX-1.0

**22-24 Olive Street,
Newburyport
Proposed Project**

Proposed Project

- Proposed addition creates no new nonconformities nor extends or exacerbates any existing nonconformities.
- Addition is more than 500 square feet requiring Special Permit.
- Improves current site conditions:
 - As proposed, site will have 5 parking spaces were 4 are required (currently has 2).
 - Primary Front Setback off Russia Street improved.
 - Lot Coverage decreased from 24.7% to 24.5%.

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CONSULTANTS

PROJECT

**Condominium
 Conversion/
 Renovations
 + Additions to
 Private Residence**

22-24 Olive Street
 Newburyport, Massachusetts
 01950

DWG. TITLE

ZBA Submission

**South + East
 Building Elevations**

REVISIONS

NO.	DESCRIPTION

SEAL

SIGNATURE _____
 PROJECT No. _____
 SCALE **1/4" = 1'-0"**
 DATE OF ISSUE **2 Nov. 2021**
 DRAWING No. _____

A-2.0



1 South Elevation
 A-2.0 Scale: 1/4" = 1'-0"



2 East Elevation
 A-2.0 Scale: 1/4" = 1'-0"

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There is no formula or prescription for designing a compatible new addition. A new addition to a historic building that meets the Standards can be any architectural style—traditionalist, contemporary or a simplified version of the historic building. However, there must be a balance between differentiation and compatibility in order to maintain the historic character and the very identity of the building being enlarged. New additions that are either identical to the historic building or in extreme contrast to it fall short of this balance. **Inherent in all of the guidance is the concept that an addition needs to be subordinate to the historic building.** General parameters are outlined below to provide guidance and to assist building owners in meeting the Standards.

Size, scale, and massing of the new addition

The size, scale, and massing of a new addition all pertain to the addition's overall volume and three-dimensional qualities. Taken together, size, scale and massing are critical elements for ensuring that a new addition is subordinate to the historic building, thus preserving the historic character of a historic property. Typically, a compatible addition should be **smaller than the historic building in both height and footprint.** However, there are other considerations that may allow moving away from this basic concept. Depending on its location, it may be possible that an addition slightly taller or slightly larger than the historic building may be acceptable, as long as it is **visually subordinate** to the historic building. In some cases, **separating the addition from the historic building with a small hyphen** can reduce the impact of an addition that is larger than the historic building. Another way of minimizing the impact of a new addition to an historic building is to **offset it or step it back from the mass of the historic building.**

§ 68.3 36 CFR Ch. I (7-1-02 Edition)

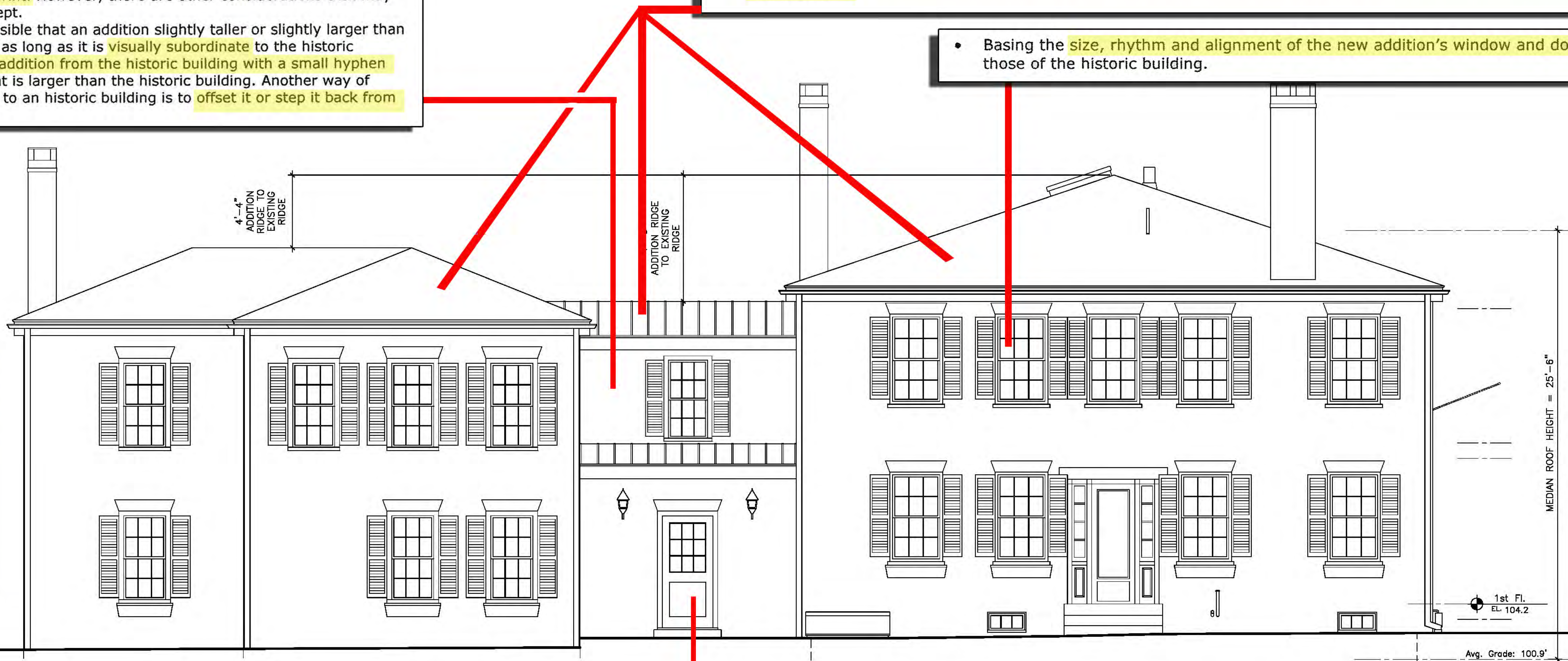
(9) New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

(10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Differentiating the new addition from the historic building

To preserve a property's historic character, **a new addition must be visually distinguishable** from the historic building. Section 67.7(c)

- **Avoiding any approaches that unify the two volumes into a single architectural whole.** The coordination of individual features between the new addition and the historic building will not necessarily impair the existing building's historic character as long as the new structure is clearly differentiated and distinguishable as a new addition so that the identity of the historic structure is not lost altogether in a new and larger composition. **The historic building must be clearly identifiable and its physical integrity must not be compromised by the new addition.**
- **Basing the size, rhythm and alignment of the new addition's window and door openings on those of the historic building.**



- **Incorporating a simple, recessed, small-scale hyphen to physically separate the old and the new volumes or setting the addition back from the wall plane(s) of the historic building.**

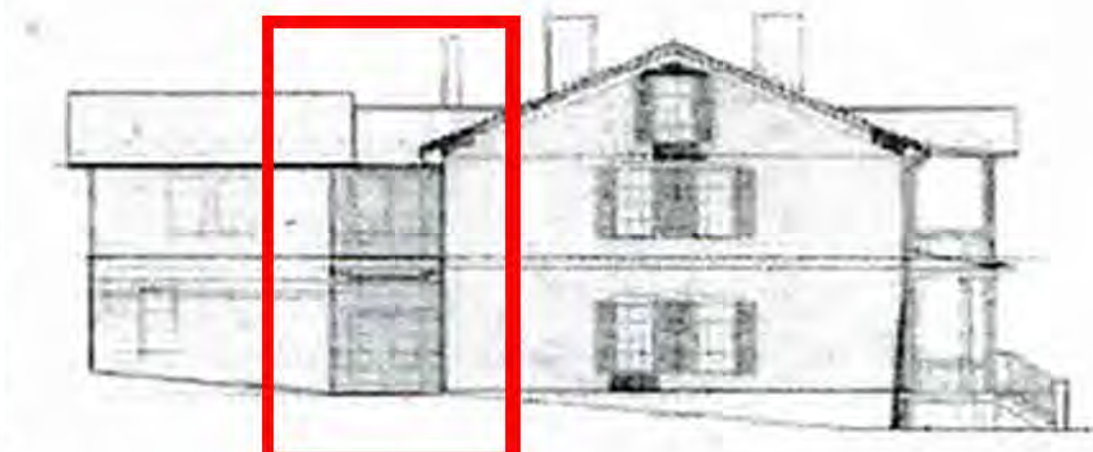
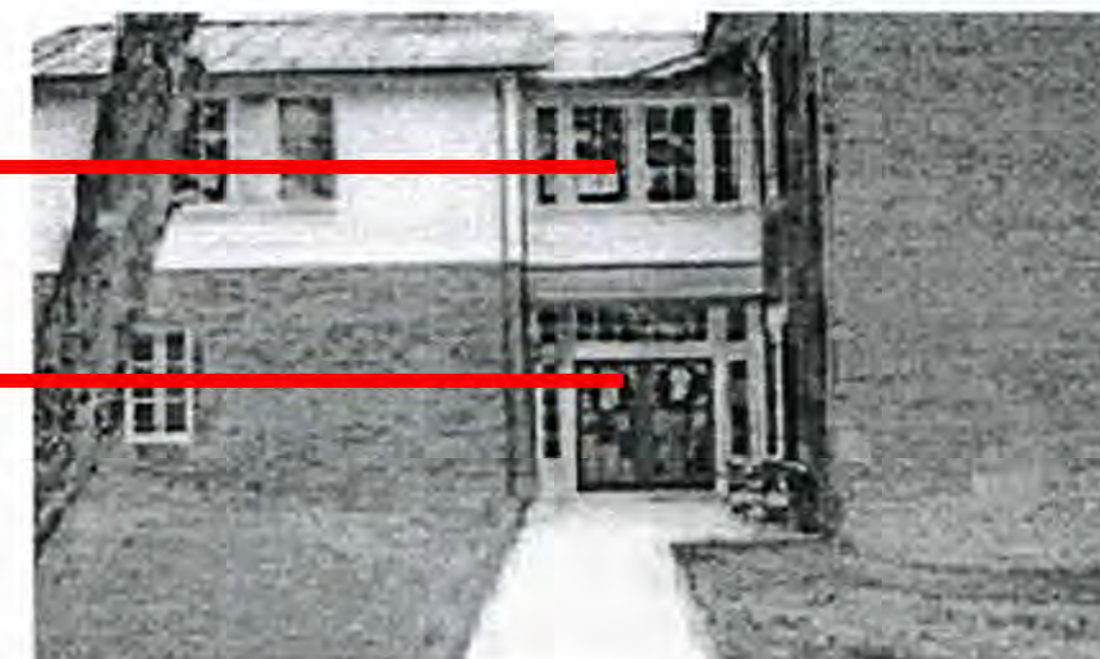
Application 2 (Compatible treatment): This large brick house was converted for use as offices. As part of the rehabilitation a new addition was constructed at the rear of the house. With a brick ground floor and a clapboard upper level set beneath a roofline that was lower in height than the original structure, the rear addition's design was both distinct from, and compatible with, the size, scale, massing and architectural features of the historic house. The use of varied materials on the addition (brick below, clapboard above) was handled with restraint in a manner that did not compete visually with the main house. The addition provided space to locate new systems for the entire structure as well as accessibility to the historic house at grade, making exterior ramps unnecessary.

A hyphen (with a lower roofline and narrower footprint) separated the new addition from the old, further distinguishing the various periods of construction and reducing the addition's massing. The hyphen required only a minimal amount of disturbance to the rear wall of the historic house and left the plan of the main house intact. If the addition were ever removed, the house's historic integrity would remain undiminished.

Right: The house prior to rehabilitation.

Below right: Drawing of proposed rear addition and hyphen, showing how the new construction was subordinate in size to the historic house.

Below left: New addition and connecting hyphen. The new materials and fenestration complement, yet are distinct from, the historic house.



Chad Randl, Technical Preservation Services, National Park Service

These bulletins are issued to explain preservation project decisions made by the U.S. Department of the Interior. The resulting determinations, based on the Secretary of the Interior's Standards for Rehabilitation, are not necessarily applicable beyond the unique facts and circumstances of each particular case.

June 2006, ITS Number 37



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CONSULTANTS

PROJECT

**Condominium Conversion/
Renovations
+ Additions to
Private Residence**

22-24 Olive Street
Newburyport, Massachusetts
01950

DWG. TITLE

**Historic Commission
Submission**

South Elevation

REVISIONS

No.	Description

SEAL

SIGNATURE

PROJECT No.

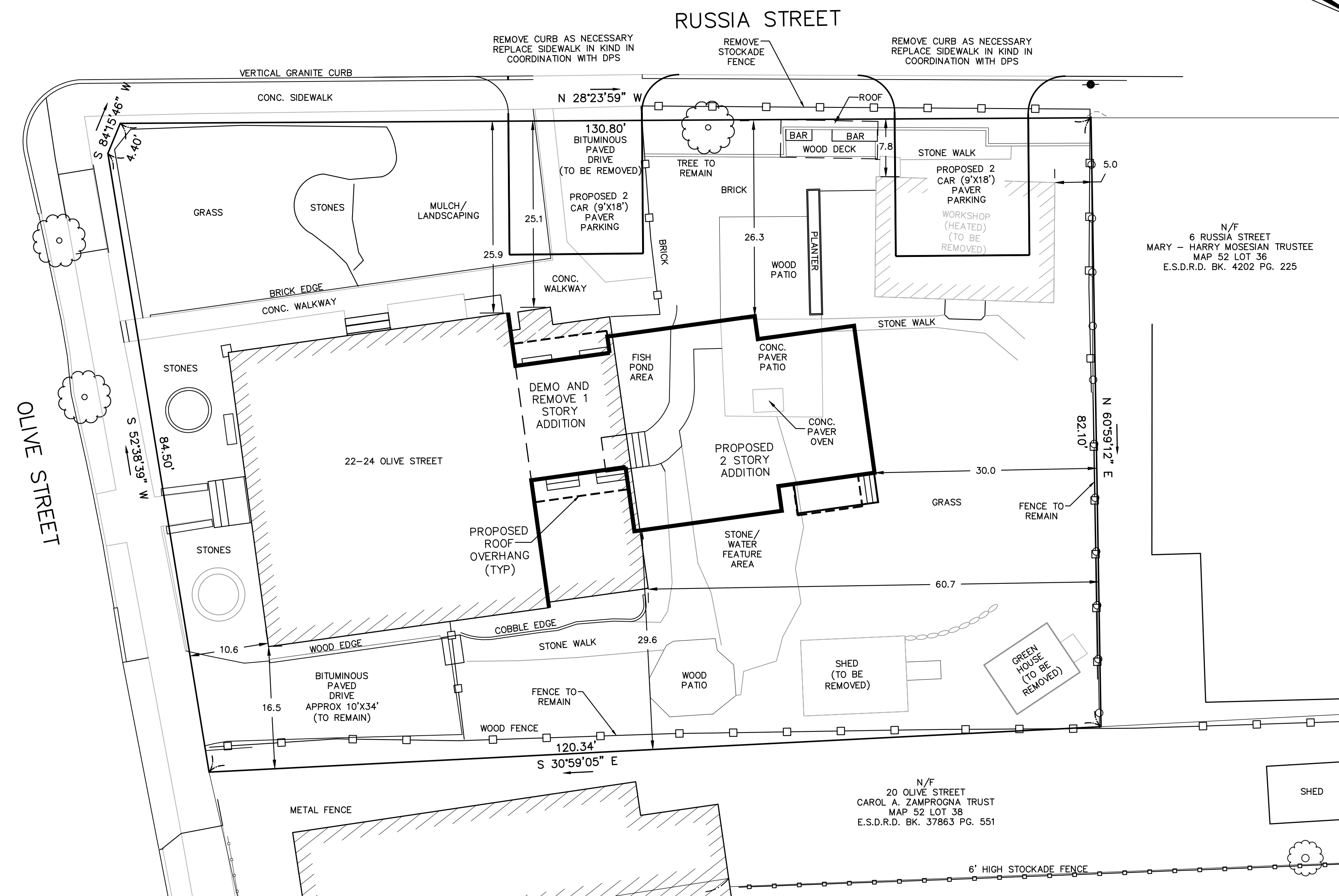
SCALE **1/4" = 1'-0"**

DATE OF ISSUE 19 Oct. 2021

DRAWING No.

A-2.2R

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ZONING

	REQUIRED (TWO-FAMILY - 102)	EXISTING (TWO-FAMILY - 102)	PROPOSED (TWO-FAMILY - 102)
MINIMUM LOT AREA	15,000 SQUARE FEET	10,758 SQUARE FEET	10,758 SQUARE FEET
MINIMUM LOT FRONTAGE	120 FEET	219.70 FEET	219.70 FEET
FRONT SETBACK	25 FEET	25.1 FEET	25.9 FEET
SIDE (FRONT) SETBACK (R)	25 FEET	10.6 FEET	10.6 FEET
SIDE SETBACK (L)	20 FEET	60.7 FEET	29.0 FEET
REAR SETBACK	25 FEET	16.5 FEET	16.5 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	24.7%	24.5%
MAXIMUM HEIGHT	35 FEET	24.7 FEET	24.6 FEET
MINIMUM OPEN SPACE	40.0%	67.8%	65.3%
MINIMUM PARKING REQUIRED	4	2	5

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.

LOCUS TITLE INFORMATION

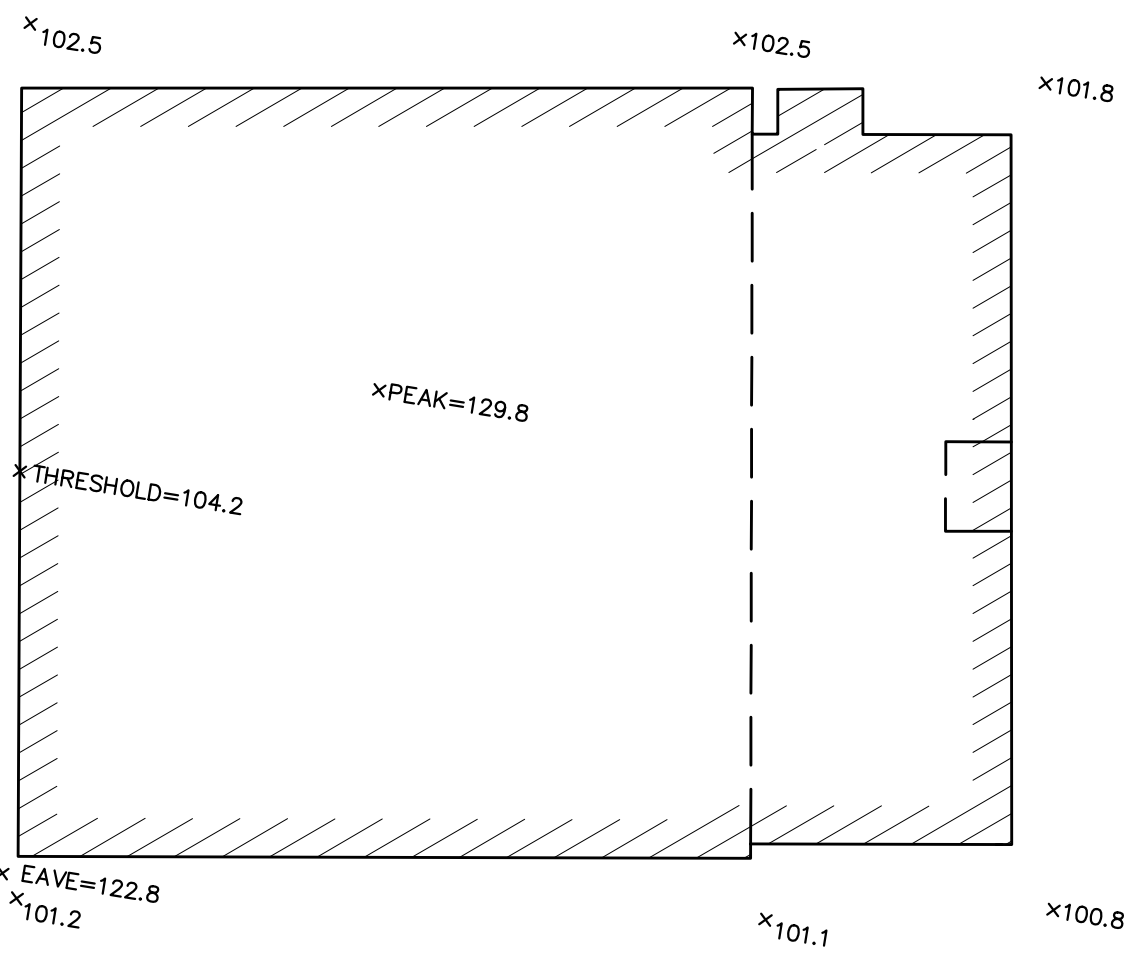
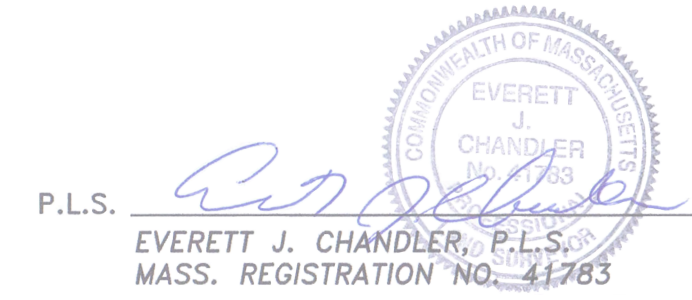
22-24 OLIVE STREET
 OWNER: 22-24 OLIVE STREET LLC
 DEED REFERENCE: BK. 39775 PG. 380
 ASSESSORS: MAP 52 LOT 37

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 BETWEEN APRIL 14, 2021 BY THIS FIRM.

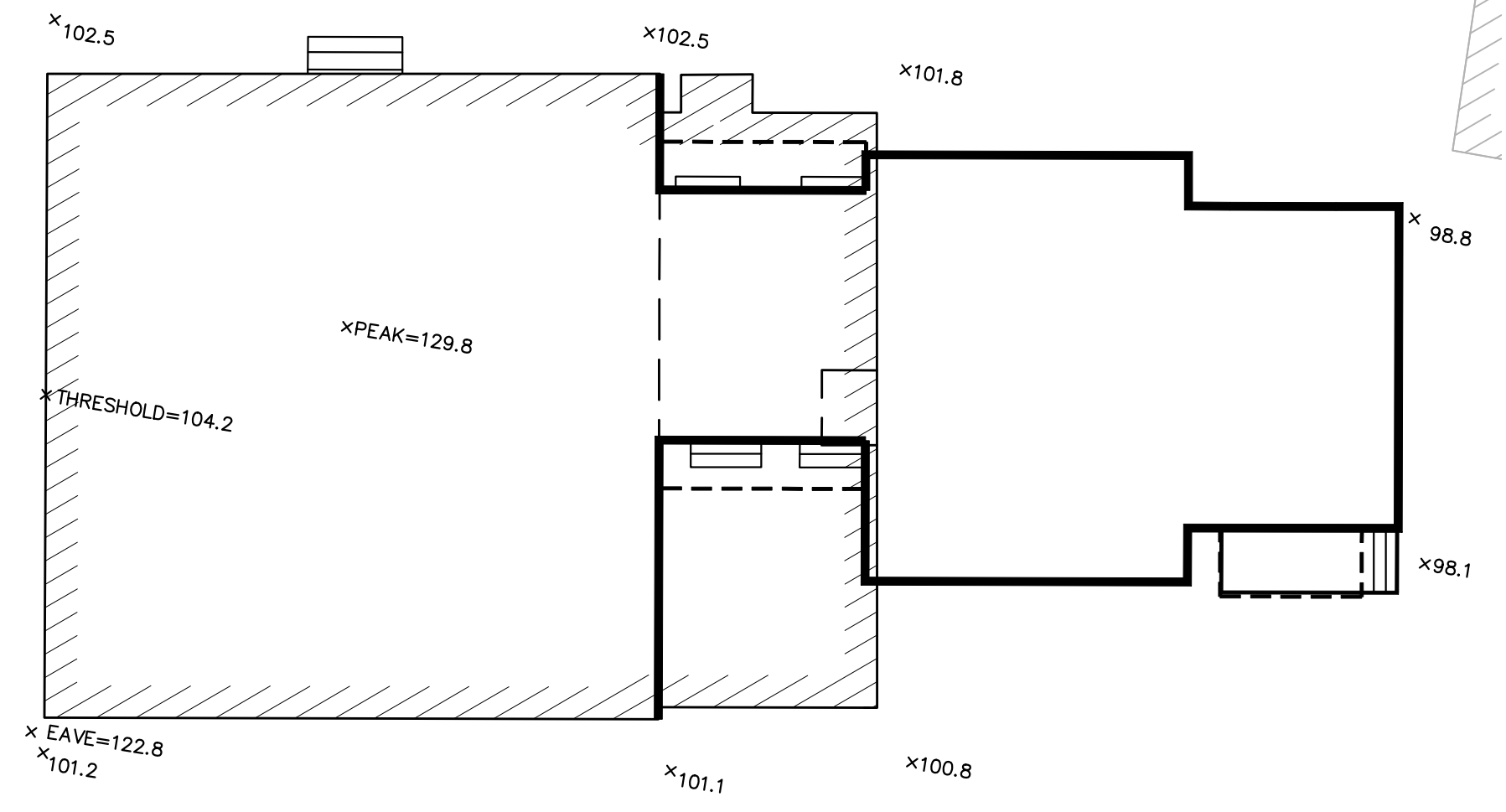
ELEVATIONS ARE BASED ON AN ASSUMED DATUM.
 DESIGN INFORMATION IS AS PROVIDED BY THE CLIENT.
 OWNERSHIP INFORMATION USED IN THE PREPARATION OF THIS PLAN WAS OBTAINED FROM THE CITY OF NEWBURYPORT ASSESSOR'S OFFICES.

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.

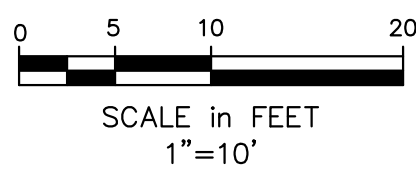


EXISTING BUILDING

Building Height Calculations		
Building Height	Existing	Proposed
	24.7	25.5
Grades Used In Calculation	Grades Used In Calculation	
	102.5	102.5
	102.5	102.5
	101.8	101.8
	100.8	100.8
	101.1	101.1
	101.2	101.2
		98.8
		98.1
Average Grade	101.7	100.9
Ridge Grade	129.8	129.8
Eave Grade	122.8	122.8
Mean Roof Grade	126.3	126.3



EXISTING BUILDING WITH ADDITION

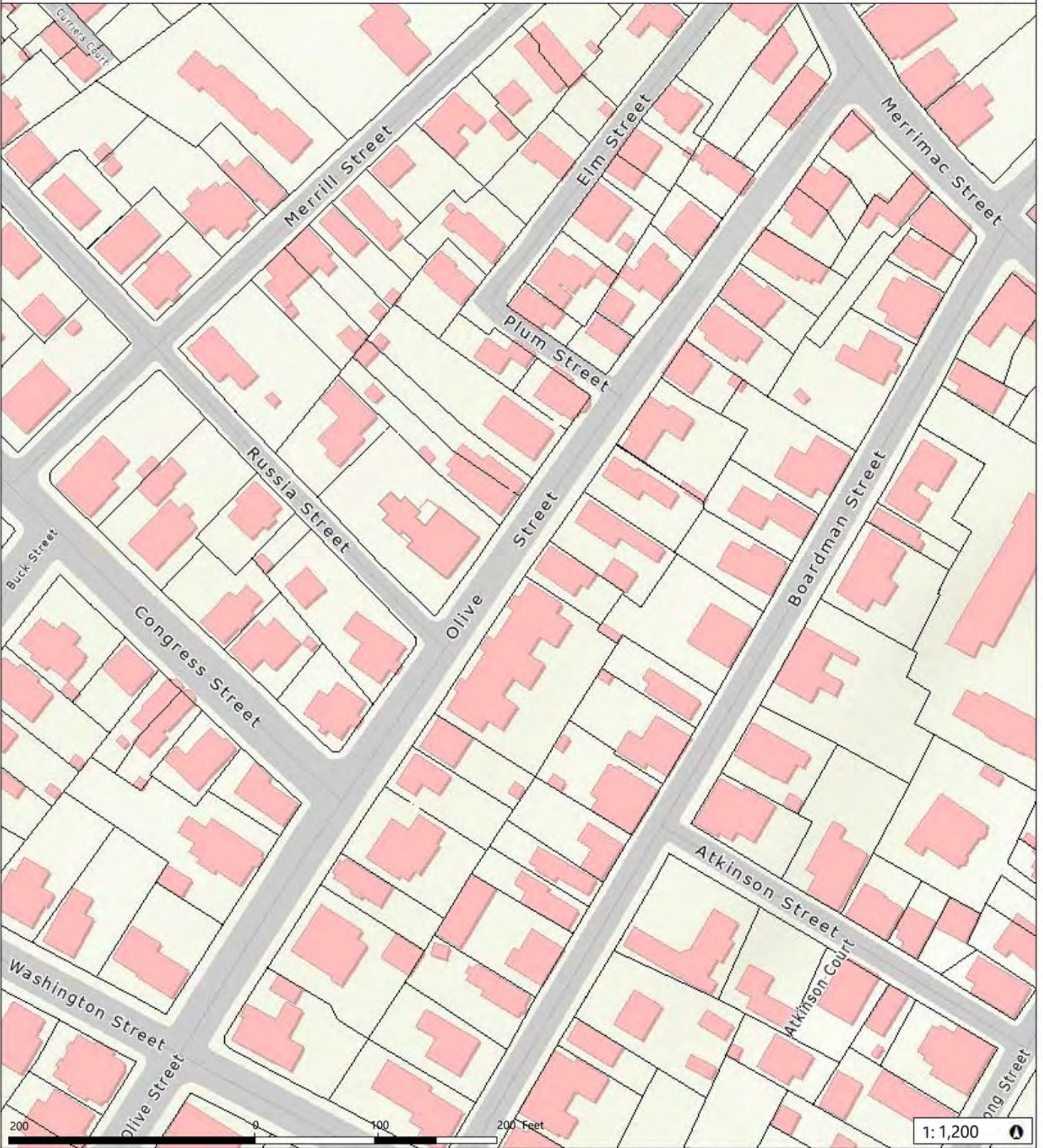


Copyright 2021 Winter GEC, LLC

Winter GEC, LLC 44 MERRIMAC STREET NEWBURYPORT, MA 01950 978-270-8626	SCALE: HORIZ: 1"= 10' VERT:	1 9/14/21 EJC NO. DATE BY	UPDATED FOOTPRINT AS PROVIDED REVISIONS	FIELD: CO./EC CALCS: EC CHECKED: EJC APPROVED: EJC	ZONING PLAN 22-24 OLIVE STREET	PLAN OF LAND IN NEWBURYPORT, MASSACHUSETTS SURVEYED FOR SARKIS DEVELOPMENT COMPANY	PROJECT NO. 2021-22-24OLIVE DATE: JUN 28, 2021 SHEET NO. 1 OF 1
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City of Newburyport

12/02/2021



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Legend			
Municipal Boundary	Roads	Interstate	Major Road
Stream	Road Right of Way	Paved	Unpaved
	Intermittent Stream	Local Road	Parcels
		Hydrographic Features	Streams





**22-24 Olive Street,
Newburyport**
**Comparison with 25-
35 Olive Street**

Comparison with 25-35 Olive Street

- 25-35 Olive Street façade is Approximately 125 feet long on Olive St., vs. Applicant's proposed 84-foot-long facade on Russia Street;
- 25-35 Olive has 38 windows, 60 shutters, and 6 doors on Olive Street vs. proposed 17 windows, 34 shutters, and 2 doors on Russia St;
- 25-35 Olive covers approximately 41% of its lot, as opposed to proposal covering 24% of its lot;
- 25-35 Olive has 50% more floor area than proposed at 22-24 Olive;
- 25-35 Olive is separated from its neighbors on each side by 12' to the north and 13' to the south, while the proposed addition at 22-24 Olive is separated from its neighbors on each side by 38' to the north, 69' to the south, and 38' to the west.

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900 644

SJP

City of Newburyport

12/02/2021



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Legend

Municipal Boundary	Roads	Interstate	Major Road
Stream	Road Right of Way	Paved	Unpaved
	Intermittent Stream	Local Road	Parcels
		Hydrographic Features	Streams

DISTANCE BETWEEN BUILDINGS SHOWN THUS: *26*
BUILDINGS NUMBERS SHOWN THUS: *#22*







22-24 OLIVE STREET (LEFT); 18-20 OLIVE STREET (RIGHT). 25' APART.

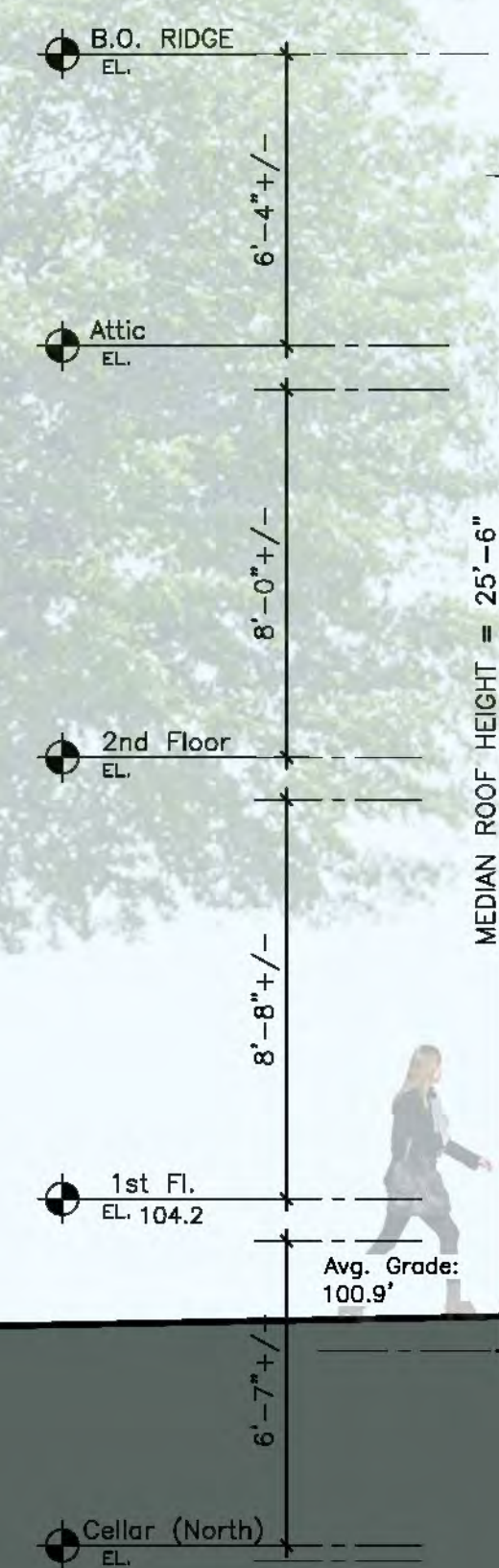


18-20 OLIVE STREET (LEFT); 16 OLIVE STREET (RIGHT). 15' APART.



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MEDIAN ROOF HEIGHT = 25'-6"



1 North Elevation
A-2.1 Scale: 1/4"=1'-0"



2 West Elevation
A-2.1 Scale: 1/4"=1'-0"

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Newburyport, Massachusetts
01950

DWG. TITLE

ZBA Submission

**North + West
Building Elevations**

REVISIONS

No.	Description

SEAL

SIGNATURE _____

PROJECT No. _____

SCALE **1/4" = 1'-0"**

DATE OF ISSUE **2 Nov. 2021**

DRAWING No. _____

A-2.1





