

**276 High St.,  
Newburyport**

*Request for*  
**DCOD Special Permit**

**September 14, 2021**



Mead, Talerman & Costa, LLC  
Attorneys at Law

**276 High St.,  
Newburyport**  
**Application  
Summary**

**Application Summary:**

- Renovate and move existing barn to another location on the property.
- Renovations involve removing later added additions to barn and construction of new additions to rear of the barn.
- Barn currently located 10.8 ft. off southerly lot line near the middle of the Property.
- Relocation of the barn will be to the rear of property on same visual line from High Street. Will meet all required setbacks.
- No work or changes proposed to existing single family structure.
- Moving barn constitutes demolition under DCOD Ordinance requiring DCOD Special Permit.

**276 High St.,  
Newburyport**  
**Historical  
Background**

**Historical Background:**

- Barn built in or around 1850 according to District Data Sheets.
  - Described as a “Carriage House”.
  - “Contributing” according to Data Sheets, but no Form B exists.
- 1849 Deed shows no indication of whether buildings existed at that time. Subsequent 1863 deed references “buildings”.
- Ownership was in the Merrill family from 1863-1917 and Bartlett family from 1917-2020.
- Barn appears in 1900, 1906, 1914, and 1925 Sanborn Maps.
  - Appears portion of additions to the barn occurred between 1914 and 1925.

3

ARLINGTON ST.

HIGH

OAKLAND

ST. MARGARET'S  
PAROCHIAL SCHOOL  
HEAT - FURNACE

105

103

D.H.

260.

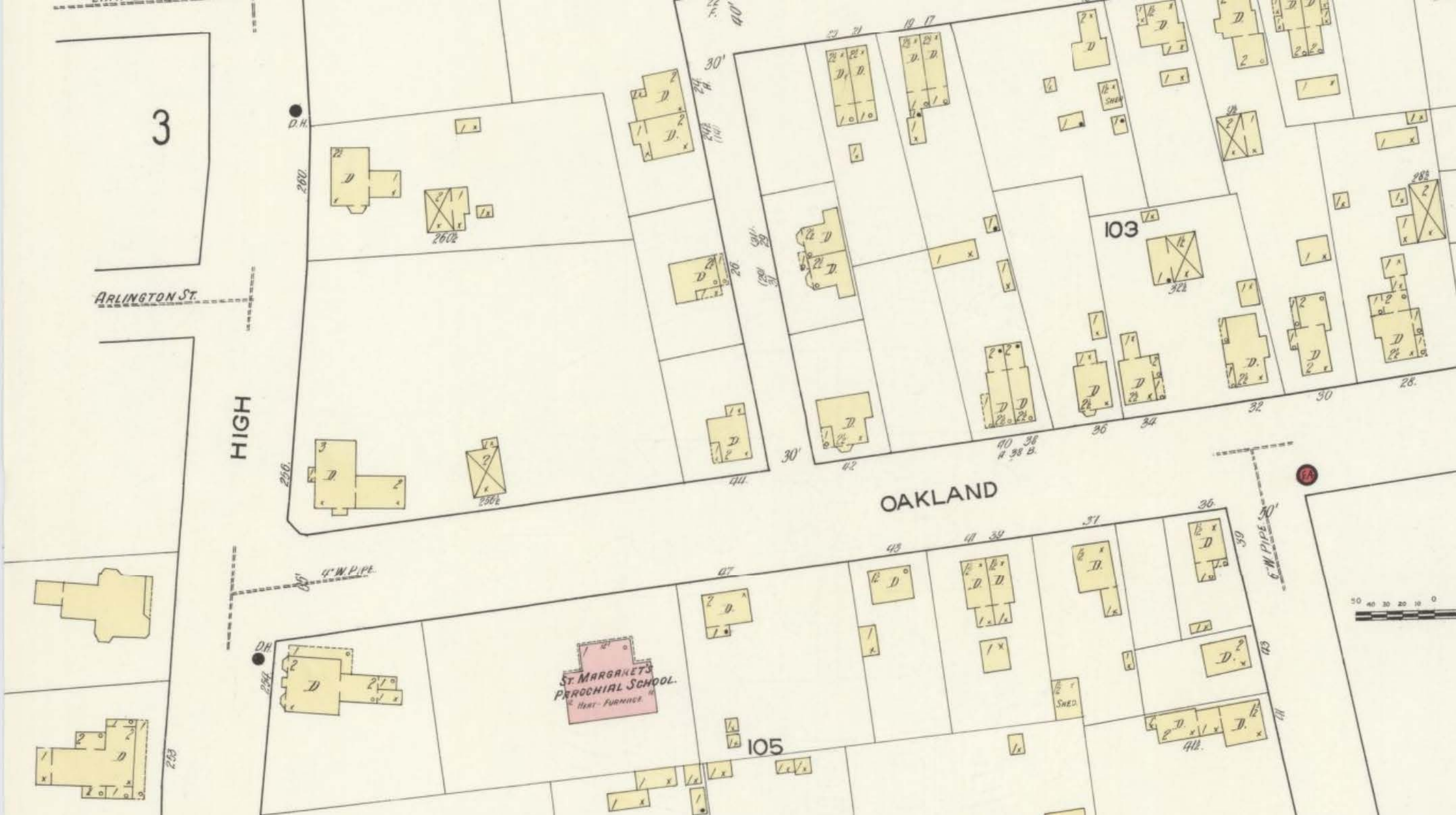
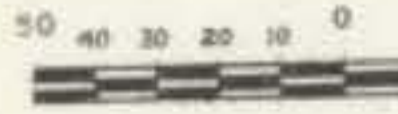
250.

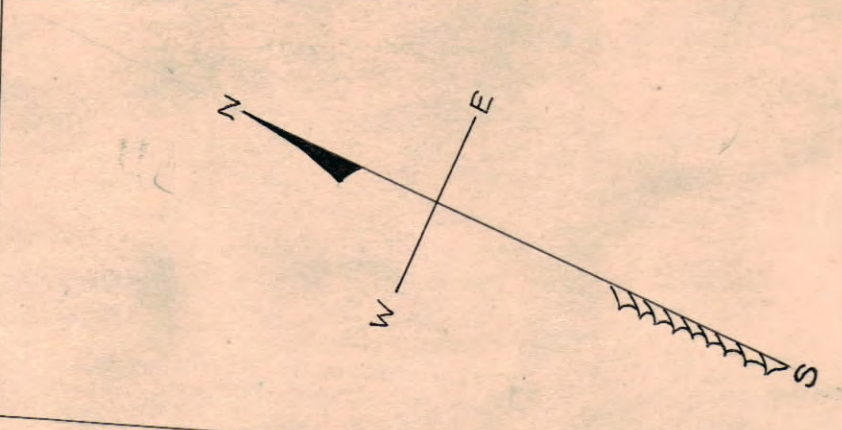
4" W. PIPE

D.H.

254.

6" W. PIPE 30'





JACKSON

DEXTER ST.

PAYSON ST.

MAGNOLIA ST.

WOODLAND ST.

RAWSON AVE.

Map section showing lots 1 through 24. Owners include Murray, P. Reilly, Harry E. Bridges, Alice A. Davis, Helen G. Pearson, J. O'Brien, Kuechle, G. Grant, James V. Lyons, Catherine E. Cushman, and others. Lot numbers and addresses are provided for each lot.

ST.

COLLINS ST.

COLLINS ST.

ST.

Map section showing lots 25 through 44. Owners include Wm. A. Shea, Ribcat, H. Brown, B. Lacasse, Florence Burke, Ed. Brennan, Nam'g. McDonald, Anderson, Paul Cooper, Hanson, Mary J. Wallace, R. Yank, and others. Lot numbers and addresses are provided for each lot.

ST.

OAKLAND

HIGH

LAFAYETTE ST.

ST.

ARLINGTON ST.

**276 High St.,  
Newburyport**  
**Current Conditions  
Report**

**Current Conditions Report:**

Applicant retained Arron Sturgis of Preservation Timber Framing, Inc. for Current Conditions Report. Concluded:

- Barn was changed with two significant additions since its original construction:
  - 10 foot wide addition to right side gable end as viewed from driveway is on simple piers and poorly constructed detracts from original form.
  - Second addition along back eave wall of original barn. On minimal piers created in cement blocks. Very lightly framed and negatively impacting the earlier structure.
  - Both additions seriously compromise the structural integrity of the original barn and should be removed.
- Barn sits on stone and brick partial foundation that is crumbling.
- First Floor framing has been greatly altered with little remaining from the original structure.

**276 High St.,  
Newburyport**  
**Current Conditions  
Report Continued**

**Current Conditions Report Continued:**  
Further concluded:

- Original Barn can be saved.
- Poorly added rear addition has resulted in left front corner post in need of in kind replacement due to water penetration and rot as well as missing rear mid bent post.
- Removal of rear addition will allow corner post to be repaired in kind.
- Feasible and advisable to move barn to rear of property and place on perimeter frost wall and slab.
- Moving barn also enhances view and functionality of rear yard.

ADDITIONS/ALTERATIONS  
TO THE:  
**BARTLETT BARN**  
276 HIGH STREET, NEWBURYPORT, MA 01950

REVISION & REISSUE NOTES

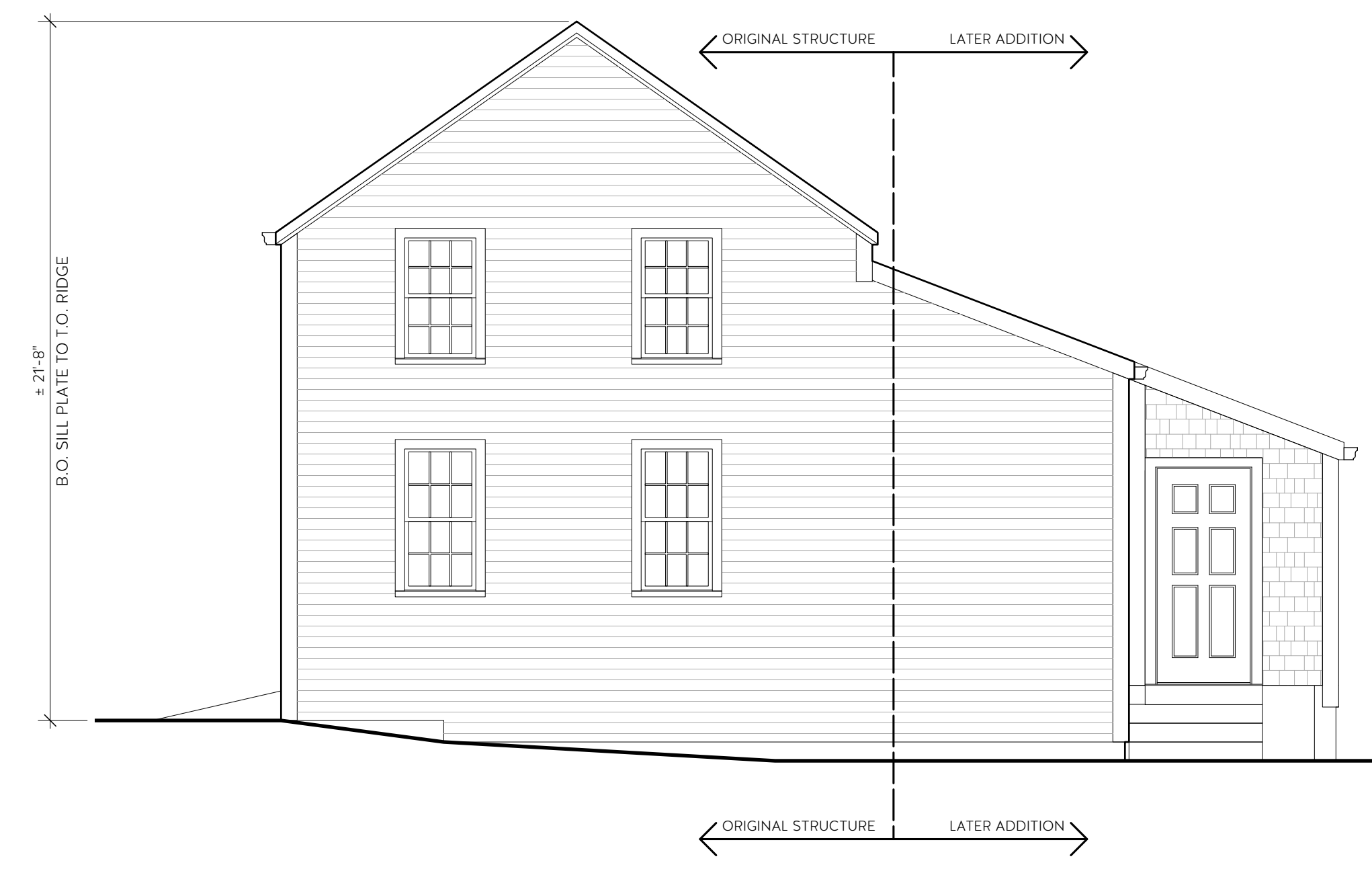
No.	Date	Notes
A	7-6-21	ZBA SUBMISSION

Project #	Project Manager	Date
2020-52	X.X.	7-22-21

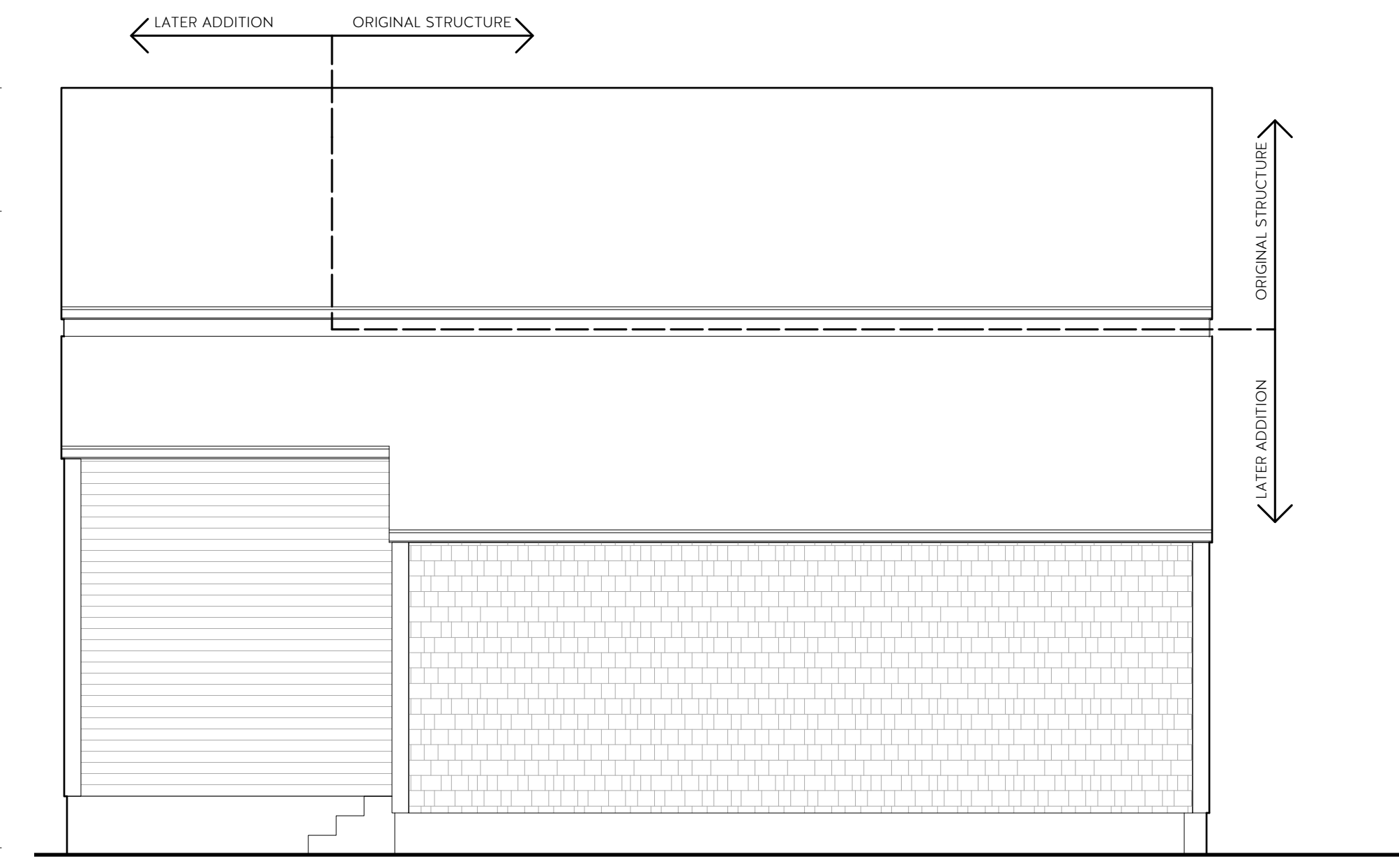
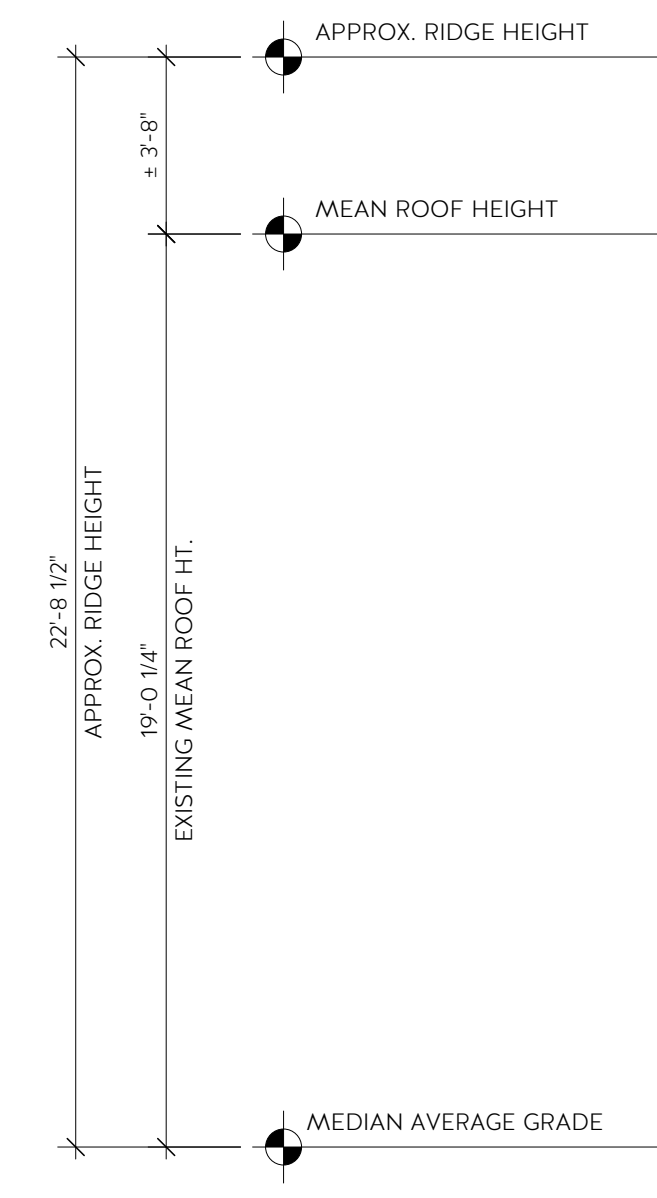
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EXISTING  
ELEVATIONS

EC2.1



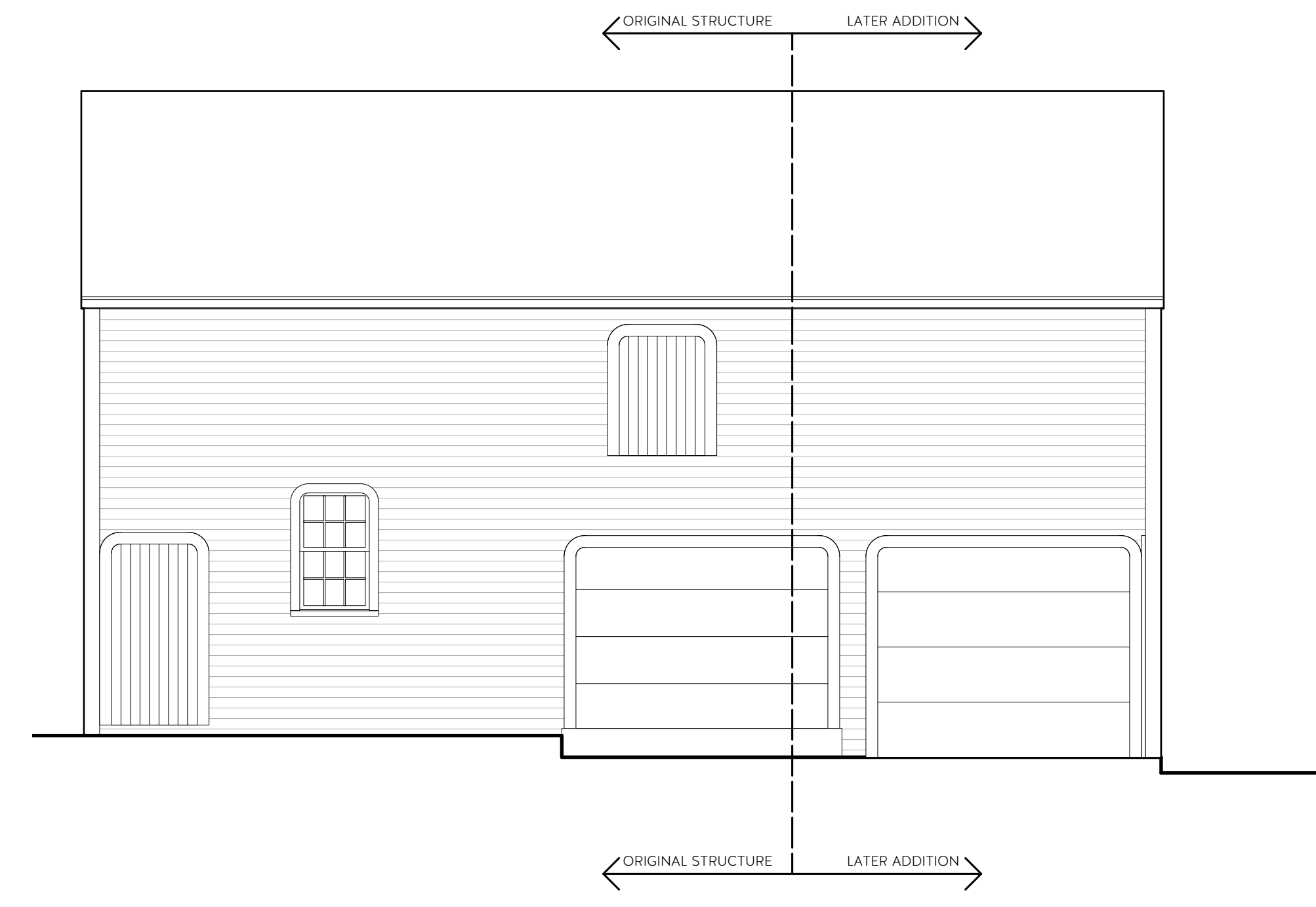
4 RIGHT ELEVATION  
Scale: 1/4" = 1'-0"



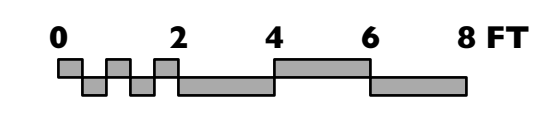
3 REAR ELEVATION  
Scale: 1/4" = 1'-0"



2 LEFT ELEVATION  
Scale: 1/4" = 1'-0"



1 FRONT ELEVATION  
Scale: 1/4" = 1'-0"







4 VIEW FROM LEFT REAR



2 VIEW FROM RIGHT REAR



3 VIEW FROM REAR



1 VIEW FROM FRONT

SCOTT BROWN

ESTD ARCHITECTS 2007

48 MARKET STREET

NEWBURYPORT, MA 01950

T. 978.465.3535

WWW.SCOTTBROWNARCHITECT.COM

ADDITIONS/ALTERATIONS  
TO THE:  
**BARTLETT BARN**  
276 HIGH STREET, NEWBURYPORT, MA 01950

REVISION & REISSUE NOTES

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Scale: AS NOTED

EXISTING  
PHOTOGRAPHS

**EC2.2**

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**276 High St.,  
Newburyport**  
**Proposed Request**

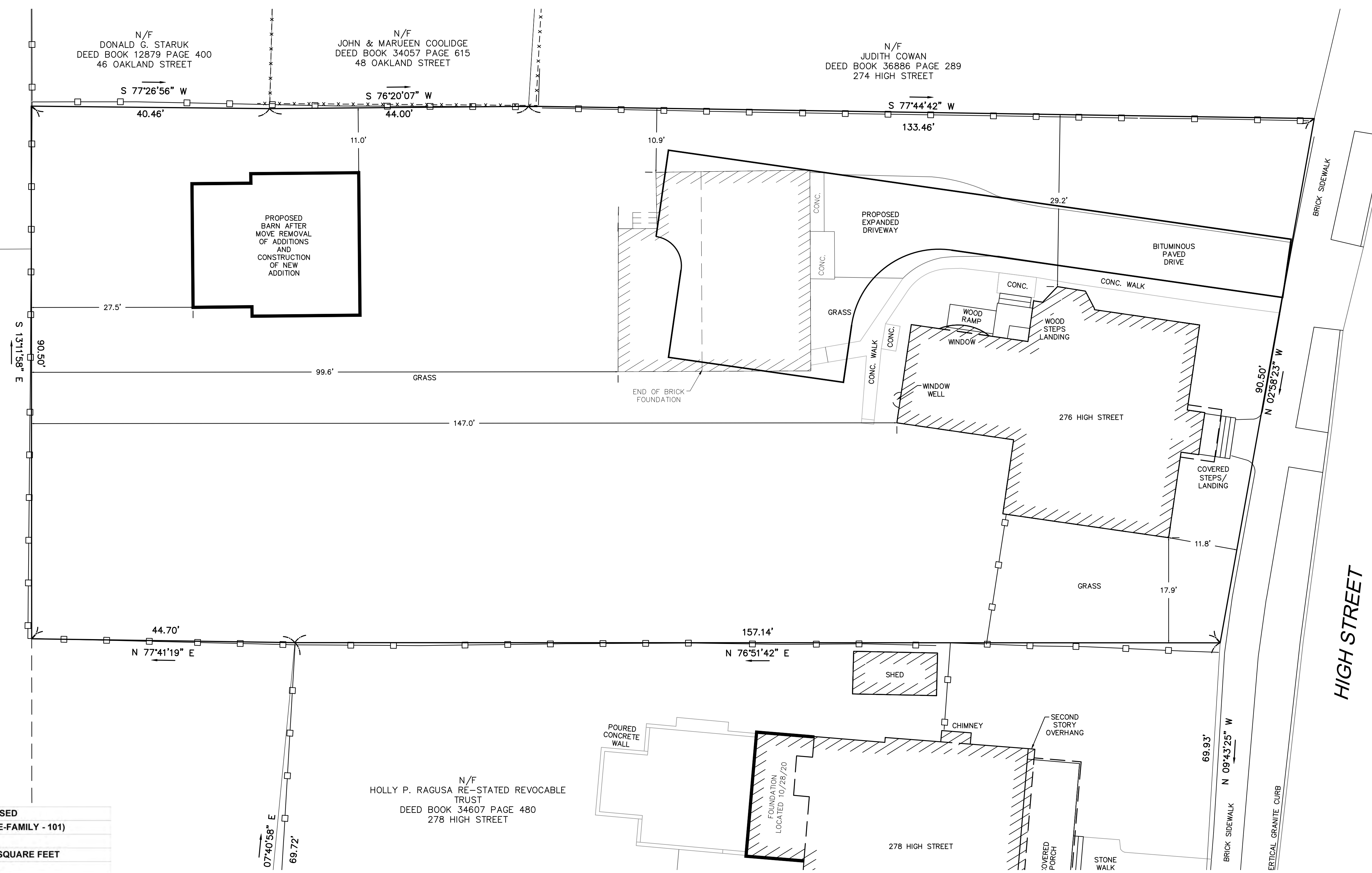
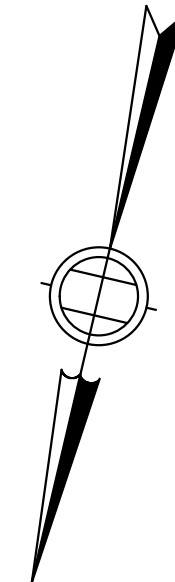
## **Proposed Request:**

- Demolitions involve removing later added additions to barn while original barn stays intact.
- Moving barn to location where will have a level new foundation.
- Proposed additions to the barn will be to the rear of structure and subservient to original structure.
- Functionally, the changes will allow the barn to become a useful and active accessory building once again while preserving it for the long term future.
- Constructing foundation further back presents less risk than moving barn twice in order to construct foundation within footprint of existing location.

**276 High St.,  
Newburyport**  
**Proposed Request  
Continued**

**Proposed Request Continued:**

- Applicant Appeared in front of Newburyport Historical Commission on May 13, 2021.
- Based on Commissioners' comments during the meeting the consensus was that design features of the renovated barn were too ornate and the prior location proposed to move the barn to back left corner was unacceptable.
- Did not settle on exact number on how much the barn could be moved. Historical Report says no more than 1-2 feet.
- Applicant has simplified redesign of the barn to be less ornate in keeping with its original design and relocating it on same visual line when viewing from High Street.



**ZONING**

RESIDENTIAL (R-2)  
SINGLE-FAMILY (101)

	REQUIRED (SINGLE-FAMILY - 101)	EXISTING (SINGLE-FAMILY - 101)	PROPOSED (SINGLE-FAMILY - 101)
MINIMUM LOT AREA	10,000 SQUARE FEET	18,974 SQUARE FEET	18,974 SQUARE FEET
MINIMUM LOT FRONTAGE	90 FEET	90.50 FEET	90.50 FEET
FRONT SETBACK	25 FEET	11.8 FEET	11.8 FEET
SIDE SETBACK (R)	10 FEET	10.8 FEET	29.2 FEET
SIDE SETBACK (L)	10 FEET	17.9 FEET	11.0 FEET
REAR SETBACK	25 FEET	99.6 FEET	26.0 FEET
MAXIMUM LOT COVERAGE(%)	25.0%	13.0%	10.9%
MAXIMUM HEIGHT	35 FEET	28 FEET	28 FEET
MINIMUM OPEN SPACE	40.0%	81.2%	78.5%
MINIMUM PARKING REQUIRED	2	2+	2+

LOCUS TITLE INFORMATION

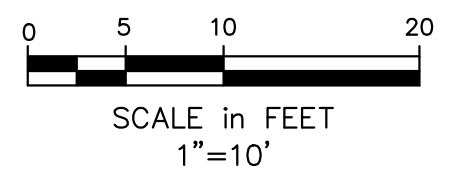
276 HIGH STREET  
 OWNER: CHRISTOPHER M. RAGUSA RE-STATED REVOCABLE TRUST & HOLLY P. RAGUSA RE-STATED REVOCABLE TRUST  
 DEED REFERENCE: BK. 39040 PG. 477  
 ASSESSORS: MAP 59 LOT 70

NOTES

THE PURPOSE OF THIS PLAN IS TO SHOW THE VISIBLE EXISTING CONDITIONS ON THE LOCUS PROPERTY. THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE RESULT OF AN ON-THE-GROUND INSTRUMENT SURVEY PERFORMED OCTOBER 28, 2020 BY THIS FIRM.  
 PROPOSED BARN LOCATION AND CONFIGURATION AS PROVIDED BY THE PROJECT ARCHITECT.  
 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.



P.L.S.   
 EVERETT J. CHANDLER, P.L.S.  
 MASS. REGISTRATION NO. 41783

Winter GEC, LLC

44 MERRIMAC STREET  
 NEWBURYPORT, MA 01950  
 978-270-8626

SCALE:			
HORIZ: 1"= 10'			
VERT: _____			
NO.	DATE	BY	REVISIONS
3	8/18/21	EJC	REVISED BARN FOOTPRINT
2	7/15/21	EJC	REVISED BARN FOOTPRINT AS-DIRECTED AND ADJUSTED DRIVEWAY
1	4/20/21	EJC	REVISED BARN FOOTPRINT AS-DIRECTED AND ADJUSTED DRIVEWAY

FIELD: CO  
 CALCS: EC  
 CHECKED: EJC  
 APPROVED: EJC

ZONING PLAN  
 276 HIGH STREET

PLAN OF LAND IN  
 NEWBURYPORT, MASSACHUSETTS  
 SURVEYED FOR  
 CHRIS RAGUSA

PROJECT NO.  
 2020-276HIGH  
 DATE: FEB 4, 2021  
 SHEET NO.  
 1 OF 1





ADDITIONS/ALTERATIONS  
TO THE:  
**BARTLETT BARN**  
276 HIGH STREET, NEWBURYPORT, MA 01950

REVISION & REISSUE NOTES

No.	Date	Notes
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Project #	Project Manager	Date
2020-52	X.X.	7-22-21

Scale: AS NOTED

EXISTING STREET  
VIEW

**A2.2**



2 EXISTING CONDITION RENDERING  
NOT TO SCALE



1 PROPOSED RENDERING  
NOT TO SCALE

ADDITIONS/ALTERATIONS  
TO THE:  
**BARTLETT BARN**  
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**PROPOSED  
RENDERING**

**A2.3**

ADDITIONS/ALTERATIONS  
TO THE:  
**BARTLETT BARN**  
276 HIGH STREET, NEWBURYPORT, MA 01950

REVISION & REISSUE NOTES

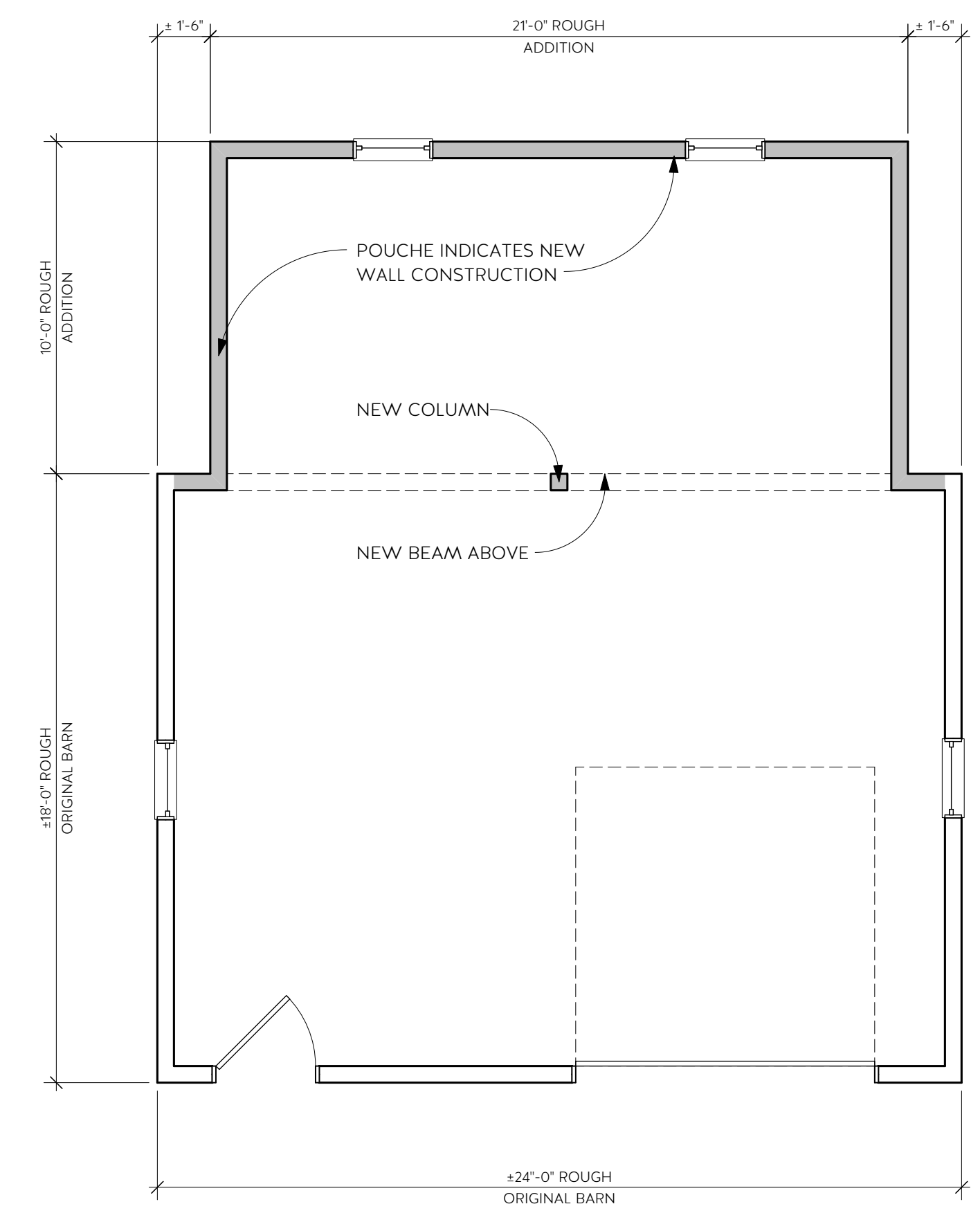
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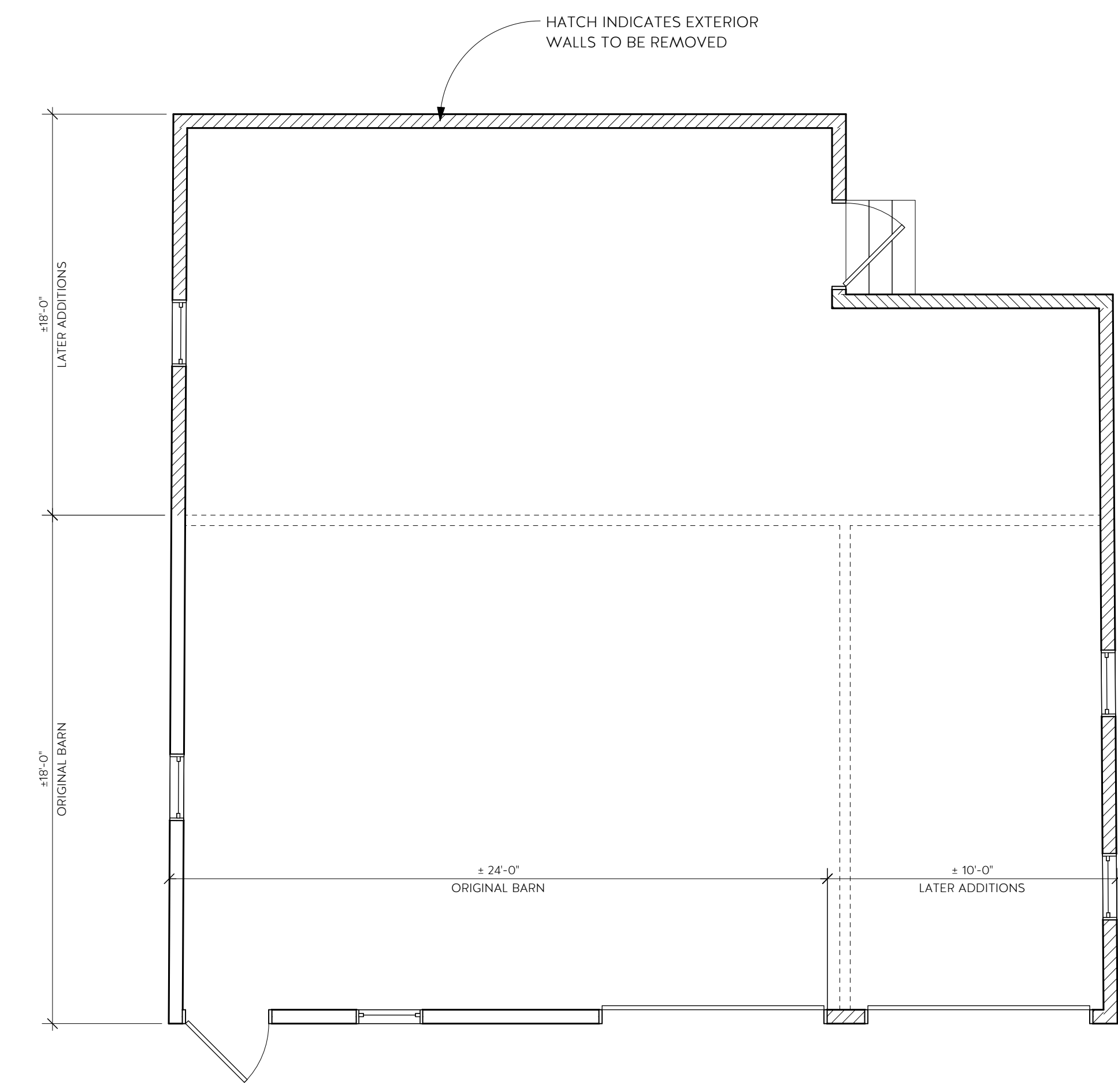
Scale: AS NOTED

FLOOR PLANS

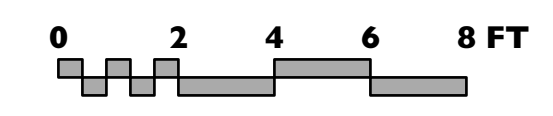
A1.1



2 PROPOSED FIRST FLOOR PLAN  
Scale: 1/4" = 1'-0"



1 EXISTING FIRST FLOOR PLAN  
Scale: 1/4" = 1'-0"





**276 High St.,  
Newburyport  
DCOD Special  
Permit Criteria**

**DCOD Criteria:**

- Requires the ZBA to 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.”

**276 High St.,  
Newburyport  
DCOD Special  
Permit Criteria  
Applied**

**DCOD Criteria Applied:**

- Historical Commission Report did not disagree with removal of later added additions to the Barn.
- Applicant's historical preservation expert's report was that "The original barn can be repaired and saved."
- Relocation of barn is essential due to sitting on what expert calls a "crumbling stone and brick foundation. It is only a partial foundation and its use is limited."
- In terms of constructability, practicality, and safety, shifting the barn back no more than 1-2 feet does not allow Applicant to place barn on stable new full foundation and off its current "crumbling" partial foundation.
- Moving barn further back also opens back yard to a more complete use rather than having it sit in middle of yard.
- Barn will remain visible from High Street and public way after being relocated.

## **General Special Permit Criteria:**

- 1. Use of Property is Single Family which is allowed by right in R-2 District. Barn is accessory structure.**
- 2. Being allowed by right in R-2 District use is desirable.**
- 3. Maintaining the single family use and moving the barn on the property will not create undue traffic congestion, or unduly impair pedestrian safety.**
- 4. Proposal will have no impact on public utilities.**
- 5. There are no special regulations for single family uses.**
- 6. Continued single family use with an accessory structure is consistent with the neighborhood and allowed by right.**
- 7. Single family use is not changing and will have no impact on the neighborhood.**
- 8. Being by right, single family use is in harmony with purpose and intent of the ordinance.**
- 9. Renovation of the barn will be completed in a manner that will not emit any dangerous, noxious, injurious or otherwise objectionable fire, explosion, radioactive or other hazard, noise vibration, smoke, dust, odor or other form of environmental pollution.**