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JAN 22 2021

City of Newburyport Planning Board
Application for a DOD SPECIAL PERMIT

Newburyport Planning Dept.

Petitioner: VERA RISTORANTE LLC (JOHN A. SANTANIELLO)

Address: 31-35 MARKET SQUARE Unit #1 Newburyport, MA 01950

Phone: (917) 733-9117

Email: JOHNASANTANIELLO@gmail.com

Owner: TENCARA LLC

Address: 6 Tip Pond Road SHREWSBURY, MA 01545

Phone: (617) 875-2000

Site Address: 31-35 MARKET SQUARE Unit #1 Newburyport, MA 01950

Map and Lot(s): 4/31/A1 Zoning District: B2/DOD

Book and Page #: 37861/0095 or Certificate of Title: _____

The applicant is requesting a Special Permit under Section XXVII - Downtown Overlay District (DOD) for the following request:

REPLACE existing non historic windows at ground floor restaurant space. New windows to be in existing openings with new configuration and operation.

Petitioner and Landowner signature(s):

Signature John A. Santaniello David Callan

Print or type above name(s) here JOHN A. SANTANIELLO DAVID CALLAN

CITY OF NEWBURYPORT, MA
ZONING DETERMINATION

APR# 2020-011

Name: John A Santaniello

Address: 31-35 Market Square Zoning District(s): B2/DOD

Request: Replace existing non historic windows at ground floor restaurant space. New windows to be in existing openings with new configuration and operation.

ZONING BOARD REVIEW REQUIRED

Variance

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

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

_____  01/17/2020
Newburyport Zoning Administrator Date

31-35 MARKET SQ UNIT 1

Location 31-35 MARKET SQ UNIT 1

MBLU 4/ 31/A 1/ /

Owner TENCARA LLC

Assessment \$914,500

PID 136

Building Count 1

Current Value

Assessment			
Valuation Year	Improvements	Land	Total
2020	\$914,500	\$0	\$914,500

Owner of Record

Owner TENCARA LLC

Sale Price \$850,000

Co-Owner

Certificate

Address 6 TIP POND RD

Book & Page 37861/0095

SHREWSBURY, MA 01545

Sale Date 09/20/2019

Instrument 00

Ownership History

Ownership History					
Owner	Sale Price	Certificate	Book & Page	Instrument	Sale Date
TENCARA LLC	\$850,000		37861/0095	00	09/20/2019
JETICO PROPERTIES LLC	\$832,050		30961/0002	00	12/27/2011
M & M PROPERTIES INC	\$390,000		16212/0191	1R	02/25/2000
NEWBERG LIMITED PARTNERSHIP	\$400,000		16146/0029	00	01/11/2000
PEARSON ERIC B TRS	\$225,000		07705/0549	00	04/02/1985

Building Information

Building 1 : Section 1

Year Built: 1800

Living Area: 1,819

Building Attributes	
Field	Description
STYLE	Retail Condo
MODEL	Com/Ind Condo
Stories:	1 Story

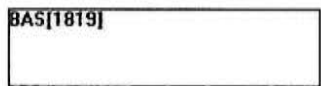
Occupancy	1
Interior Wall 1:	Drywall/Sheet
Interior Wall 2:	Minim/Masonry
Interior Floor 1	Vinyl/Asphalt
Interior Floor 2	
Heat Fuel:	Gas
Heat Type:	Forced Air-Duc
AC Type:	Central
Ttl Bedrms:	00
Ttl Bathrms:	0
Ttl Half Bths:	2
Xtra Fixtres	
Total Rooms:	
Bath Style:	Modern
Kitchen Style:	
Kitchen Grd	
Grade	Average +10
Stories:	2
Residential Units:	3
Exterior Wall 1:	Brick Veneer
Exterior Wall 2:	
Roof Structure	Gable/Hip
Roof Cover	Asph/F GlS/Cmp
CmrcI Units:	4
Section #:	0
Parking Spaces	0
Section Style:	0
Foundation	
Security:	
Cmplx Cnd	
Xtra Field 1:	
Remodel Ext:	
Super	

Building Photo



(<http://images.vgsi.com/photos/NewburyportMAPhotos//\01\00>)

Building Layout



(<http://images.vgsi.com/photos/NewburyportMAPhotos//Sketch>)

Building Sub-Areas (sq ft)			<u>Legend</u>
Code	Description	Gross Area	Living Area
BAS	First Floor	1,819	1,819
		1,819	1,819

Extra Features

Extra Features				<u>Legend</u>
Code	Description	Size	Value	Bldg #
CLR1	COOLER	80 S.F.	\$5,600	1

Land

Land Use

Use Code 3221
Description RTL CONDO MDL-06

Land Line Valuation

Size (Acres) 0
Depth 0
Assessed Value \$0

Outbuildings

Outbuildings	Legend
No Data for Outbuildings	

Valuation History

Assessment			
Valuation Year	Improvements	Land	Total
2019	\$799,600	\$0	\$799,600

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FORM B - BUILDING

NRDIS 2/25/1971; 8/2/1984

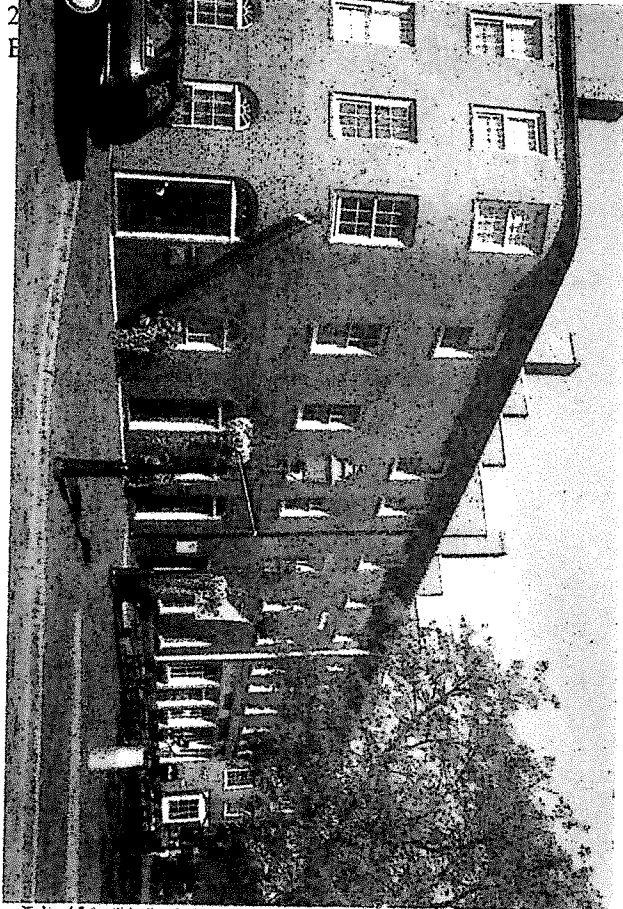
Assessor's number
4-31

USGS Quad
Newburyport

Area(s)
L,K

Form Number
2959

Massachusetts Historical Commission
Massachusetts Archives Building



Town Newburyport
Place (neighborhood or village)

Address 31-35 Market Square
Historic Name West Row

Uses: Present Commercial/Offices
Original Commercial
Date of Construction c.1811
Source visual inspection
Style/Form Federal
Architect/Builder unknown

Exterior Material:

Foundation Granite
Wall/Trim Brick/Granite
Roof Asphalt Shingle

Outbuildings/Secondary Structures
none

Major Alterations (with dates)
1972-3 - building restored

Condition good
Moved no yes Date

Acreage 2998 SF

Setting corner of Inn Street pedestrian mall

Recorded by Lisa Mausolf
Organization Newburyport Historical Commission
Date (month/year) May 1999

BUILDING FORM (31-35 Market Square)

ARCHITECTURAL DESCRIPTION

Describe architectural features. Evaluate the characteristics of the building in terms of other buildings within the community.

Located at the southeast corner of Inn Street and Market Square, 31-35 Market Square is a three-story brick building capped by a low gable roof, separated into three sections by the exterior extension of fire walls which terminate in stepped gables. The building displays a modest brick modillion cornice under the eaves. The building is organized into three sections, all three bays wide on the upper stories. The Inn Street corner is cutaway with a single bay of openings.

The storefront at 31 Market Square consists of three arched openings cut into the brick. The off-center entrance contains a modern glass-and-panel door and is flanked by two multi-paned windows. The two remaining storefronts have granite posts and lintels framing large multi-light windows set above wooden bulkheads. The storefronts are capped by header brick lintels. Much of the granite work appears to be a modern replacement.

The storefront on the Inn Street side has semicircular arched openings including a wide wooden door with three upper vertical panes of glass set over three lower panels. The easternmost storefront on Market Square appears to date to the mid to late 19th century and features 3 x 3-light shop windows outlined by four octagonal posts with fluted corners, resting on octagonal bases. The posts are spanned by arches with keystones centered over the windows and doors and recessed geometric panels over the columns. By contrast, the two storefronts to the west display a trabeated system of granite posts, lintels and bulkheads which was popular in the early 19th century.

The windows on the upper two stories all contain wooden 6/6 windows with splayed stone lintels and simple stone sills. Star-shaped iron tie rods have been inserted into the walls on the west section. The elevation facing Inn Street measures seven bays wide. Some of the windows are without lintels and with wooden, rather than stone, sills. The first floor is punctuated by five semi-circular arched windows and two semi-elliptical door openings.

The 1972 rehabilitation of this property included the removal of dormers which had been added to two of the West Row buildings.

HISTORICAL NARRATIVE

Describe the history of the building. Explain its associations with local (or state) history. Include uses of the building and the role(s) the owners/occupants played within the community.

The building at 31-35 Market Square was probably constructed shortly after the 1811 fire that destroyed much of Market Square. The block located between Inn Street and State Street is known as "West Row".

In the early 19th century there were various shops on the lower part of State Street and around the Market, the dry goods merchants were generally on the west and south sides while the West India goods and wine merchants were on the north and east. In 1820, and probably earlier, the space at 32 Market Square was occupied by George Greenleaf who had a cutlery, jewelry store, and later his auction house. Greenleaf was still in business in the late 1860s. The store at 31 Market Square was a hardware store for many years. Early on it was operated by Charles H. Balch. The business was continued by William Balch until he sold out to Charles Hudson who sold out to Anthony Morse in 1844. In 1887 the owner was Mr. Thurlow.

Directories indicate that Moses Sargent sold books at 3 West Row in 1849. In 1860 G. Greenleaf, auctioneer, was located at 32 Market Square while Curtis French & Co., grocers, were at 35 Market Square. By 1869 this store had been replaced by Charles Swasey's eating house. A photograph of Market Square taken about 1870 shows a cake and pastry store at the east end of the block with the S.H. Thurlow hardware establishment next door. A few years later Thurlow had apparently moved down to 35 Market Square.

Recommended for listing in the National Register of Historic Places. *If checked, you must attached a completed National Register Criteria Statement form.*

INVENTORY FORM CONTINUATION SHEET

Town
NewburyportProperty Address
31-35 Market Square
Area(s) Form No.Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

L,K | 2959

HISTORICAL NARRATIVE

In the late 19th century 31 Market Square contained Lewis Toppan's hat store and later Charles Toppan's clothing store. At the turn of the century a grocery store was here and by 1930 Ray Johnston ran the Downyflake Donut Shop here. The storefront at 33 Market Square has had a number of different types of shops including a barber and a tobacco shop. The storefront at 35 Market Square contained a hardware store for over 75 years. It was run originally by Stephen Thurlow, who was succeeded c.1920 by Lawrence Peavey. In 1960 the L.L. Peavey Co., Inc. occupied all of West Row.

The storefront at the corner of Inn Street and Market Square is 35 Market Square. As early as 1815 Perley Tenney had a shoe store here. Later Stephen Thurston sold groceries here and was followed by Joseph Stover, then Stover and Wills and M.M. Ross, a grocer who was still here in 1880. According to the Reminiscences article published on 2/23/1887, underneath the corner store William Bricher, an Englishman, kept an eating and drinking saloon in the early 19th century.

This building was redeveloped in 1972 as part of the Parcel 10 project initiated by the Restoration Design Group of Portsmouth and Robert Chase.

BIBLIOGRAPHY and/or REFERENCES

- Cogger, Virginia H., Chairman. "An Informal History of the Downtown Streets of Newburyport". Unpublished, c.1973 [Newburyport Public Library].
 Newburyport Daily News, 2/23/1887.
 Newburyport Directories, 1900-present.
 Photographic collection, Phillips Library, Peabody Essex Museum, Salem, Mass.
 Sanborn Insurance Maps. Massachusetts State Library, Boston, Massachusetts.
 Schlemiel, Peter. "Early Recollections of Newburyport", undated newspaper clipping (before 1870) in scrapbook, Hamilton, Newburyport Public Library.
Atlas of Essex County, Massachusetts. Philadelphia: D.B. Beers & Co., 1872.
Plan of Newburyport. Philadelphia: H. McIntyre, 1851.

INVENTORY FORM CONTINUATION SHEET

Massachusetts Historical Commission
Massachusetts Archives Building
220 Morrissey Boulevard
Boston, Massachusetts 02125

Town
Newburyport

Property Address
31-35 Market Square
Area(s) Form No.

L,K	2959
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West Row visible at right.

Source: Phillips Library, Peabody Essex Museum, Salem, Mass.
(copy also at Newburyport Public Library)







01/21/2020

VERA RISTORANTE LLC. located at 31-35 MARKET SQUARE Unit #1 Newburyport, MA 01950 is applying to replace existing non historic windows at ground floor restaurant space. The new windows will be in existing openings that comprise the main three window packages on front facade of building.

The current windows are not typical of the period in which this building was built and we are proposing to replace with windows more in line to those on the Inn Street side of building.

The new windows will also have ability to bifold for spring and summer months adding a more inviting atmosphere to patrons on Market Square.

In closing, the new windows proposed would be more in line with the aesthetic of Newburyport

Thank you,
John A. Santaniello
Owner VERA RISTORANTE

